



# The Shakespeare OXFORD Newsletter



Vol.35: no.4

"Let me study so, to know the thing I am forbid to know"

Winter 2000

## Shakespeare's "Bad Law"

*A journey through  
the history of  
the arguments*

By Mark Andre Alexander

In *Shakespeare, IN FACT* (1994), Irvin Leigh Matus attempts to dispose of any notions that Shakespeare had a formal legal education and used legal terms accurately:

The question of his legal knowledge has been most recently [*sic*] tackled by O. Hood Phillips, a jurist, legal scholar and educator, in *Shakespeare and the Lawyers*. In the chapter, "Did Shakespeare have a Legal Training?" he gathered and summarized the varying opinions that have been handed down. The most reliable assessment of the playwright's knowledge of law, in his opinion, is that of P. S. Clarkson and C. T. Warren, whose reading of Elizabethan drama revealed that about half of Shakespeare's fellows employed on the average more legalisms than he did, and some of them a great many more. Most of them also exceed Shakespeare in the detail and complexity of their legal problems and allusions, and with few exceptions display a degree of accuracy at least no lower than his.

Clarkson and Warren's verdict is that Shakespeare's references "must be explained on some grounds other than that he was a lawyer, or an apprentice, or a student of the law." (272)

Though he advances an implied argument that Shakespeare is guilty of "bad law," Mr. Matus fails to give examples, merely relying on the authority of Mr. Phillips. Indeed, that authority is secondhand since Mr.

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## Society opens its library, establishes an Endowment

*Two long-standing goals become realities  
through the generosity of our supporters*



*Cheryle Sims, one of the Directors of the Gertrude C. Ford Foundation, addressed the Conference at the Saturday luncheon, speaking about the life and times of Mrs. Ford and about the Ford Foundation. See the story on page 4. (Photo by George Anderson)*

Another major step has been taken in the Shakespeare Oxford Society's advancement of Oxfordian authorship research.

With several significant grants and donations already received this year, we have been able to take major steps within the past several months in fulfillment of several long-standing goals of the Society: a permanent Shakespeare Oxford Society Endowment Fund has been established, and the Society has rented (in Malden, MA) space to house its library, archives and office. The library consists of book collections donated to the Society over the years, with the centerpiece being the Victor Crichton Collection.

For many years it had been a goal of the Society's leaders to establish a national office, library and archives. In 1996, the Board of Trustees, under the leadership of Charles Burford, adopted a long range plan to promote the Earl of Oxford's authorship of the Shakespeare Canon. Part of that plan included opening a library dedicated to Oxfordian research.

### The Crichton Collection

Later in 1996, in a fundraising campaign coordinated by trustees Lydia Bronte and Betty Sears, the Board was able to raise the \$18,000 necessary to purchase the Victor Crichton collection. Victor Crichton, a member of the Board when he died suddenly in 1993, had served for many years as the Chairman of the Membership Committee. As an Oxfordian for many years, he had collected many fine and important works on the authorship issue, plus numerous other works

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## Oxfordians winning the public debate

*The Shakespeare Quarterly*, the journal of the Stratfordian establishment, has admitted that the Oxfordians are winning the public debate.

The startling admission was probably prompted by recent articles in *Time*, *Harper's Magazine* and the *Washington Post*. Washington, DC is the home of the quarterly, which is published by the Folger Shakespeare Library and George Washington University.

It came in a long, thoughtful review of Joseph Sobran's book, *Alias Shakespeare*, in which the reviewer admitted that the establishment "is losing the public debate over the authorship question." The journal's editor agreed in her comment page, adding that she finds it "infuriating."

The reviewer was Professor Alan H. Nelson of the University of California-Berkeley, a generally genial critic of the Oxfordian view who is not shy about debating the question in person and on the Internet. Predictably, he finds much to fault in Sobran's argument for the 17th Earl of Oxford as the true author. And as usual, he skirts the core issues to dwell on details, chapter by chapter, even to the point of counting typographical errors.

In the course of his critique he also lapses into the usual Stratfordian hedging with "perhaps or perhaps not," "it is not impossible," "he may have been but then he may not have been." All to defend the supposed credentials of the Stratford man.

From his doggedly Stratfordian point of view, Nelson finds much to criticize in Sobran's book, and at times his frustration is evident. Nevertheless, he praises Sobran as "a first-rate communicator" skillful with a "deft turn of phrase," who in chapter five wrote "one of the more readable of partisan biographies."

Nelson knows the case for Oxford better than most Shakespeare professors, so Oxfordians can be encouraged that he thinks the Oxfordians are winning the public debate. An analysis of Nelson's review, Sobran's reply to it, and some further observations on Prof. Nelson will be featured in the Spring 2000 newsletter.

## Public libraries welcome Oxfordians

*Interest in the authorship debate runs high everywhere*

Public libraries continue to welcome Oxfordians who want to lecture, give classes or lead discussion groups on the Shakespeare authorship controversy. Invariably, Oxfordians are surprised and gratified by the number of people who show up for such events. Shakespeare is a powerful draw.

Last November Peter Dickson, an Oxfordian and book reviewer for *The Washington Post*, gave his lecture "Unmasking the Bard" at the **Arlington Public Library** in Virginia. Nearly 60 attended the lecture, and the lively Question & Answer session afterwards extended the event to about two hours.

Dickson had library copies of pertinent books on display and distributed a bibliography of key works. Dickson has also lectured at the Library of Congress.

In January Oxfordian Paul Streitz of Darien, CT, spoke at the mid-Manhattan

branch of the **New York Public Library**. His subject was "the elusive identity of the Bard," and *The New Yorker* magazine carried a item on it in its upcoming events section.

Other Oxfordians who have lectured or led discussion groups at public libraries include Katherine Chiljin of San Francisco, CA, Grace Cali of Peterborough, NH, Chuck Berney of Watertown, MA, Isabel Holden of Northampton, MA, Richard Whalen of Truro, MA, Ken Kaplan of Perkasi, PA (see the entry under "Pennsylvania" in Oxfordian News, page 14, for more about Kaplan), and Tina Hamilton of Brielle, NJ (see her letter on page 21).

Oxfordians who think they might like to talk at a public library can call or write any of the above or the newsletter editor for ideas on how to set up a successful event.

### Obituaries

## Howard Bloch 1937-2000

Howard W. Bloch, of Fairfax Station, VA, a professor of economics at George Mason University and co-author of an article in the current *Oxfordian* journal, died on January 25th at the age of 63. A member of the Shakespeare Oxford Society for several years, he used his expertise in statistics to help analyze the conventional dating of Shakespeare's plays.

Born in Germany, Bloch graduated from Duke University and received his Ph.D from Princeton University in 1964.

Bloch and Winston C. Chow, Ph.D, a statistician with the U.S. Naval Space Command, assisted W. Ron Hess of Temple Hills, MD, in the writing of "Shakespeare's Dates: Their Effects on Stylistic Analysis" in the 1999 *Oxfordian*.

Hess said that while Bloch was not sure who the author of Shakespeare was he was quite sure that he was not the man from Stratford.

"He was gravitating more and more toward our Oxfordian cause," said Hess, "so much so that he and I developed a number of collaborative efforts, but the first was fated to be our last. He will be missed by his family and friends."

## Tal Wilson 1919-2000

Talmadge Gartley Wilson, of Bodega Bay, CA, a long-time member of the Shakespeare Oxford Society and the Shakespeare Authorship Roundtable in Los Angeles, died in March at age 80.

It was 17 years ago that Wilson encountered the authorship theory, after reading Charlton Ogburn's *Merrill's Mauauders* and then exploring Ogburn's other writing. After much reading and research on his own, Wilson settled on a dual theory of the authorship (Oxford and his son-in-law the Earl of Derby).

In the course of his authorship studies over these years, Wilson translated two French books on Derby (by Lambin and LeFranc). He was a regular at all the SOS conferences and Roundtable events, up until the 1999 SOS Conference in Boston, where his absence was noted by other conference regulars.

Wilson, a native of Hawaii, served in WWII as a pilot in the Army Air Corps, and was a prisoner of war in the German camps. He held a BA and MA in English from Claremont-Pomona College.

He is survived by his children, Kathy, Kim and Kirk, and five grandchildren.

## “To Our English Terence...”

By Richard F. Whalen

The poem that John Davies addressed “To our English Terence, Mr. Will. Shake-speare” continues to puzzle traditional scholarship. E. K. Chambers in 1930 and S. Schoenbaum in 1977 both referred to it as “cryptic.” Last fall the Stratfordian *Shakespeare Newsletter* challenged its readers with the question “What does it mean?”

Dorothy and Charlton Ogburn, in *This Star of England* (1952), saw the poem’s great significance for Oxfordians. They went through it line by line (p. 1102) explaining the allusions, although regarding the meaning of the final couplet they were not entirely clear. A bit of additional research now provides new meaning for the couplet, which refers to sowing honesty, a puzzling allusion.

The title is the key to the poem, published circa 1610. It refers to the practice of aristocrats writing plays under names not their own. In ancient Rome two aristocrats (Scipio and Laelius) were suspected of being the true authors of the plays that appeared under the name “Terence,” a freed Carthaginian slave (*This Star of England*, p. 1102n); the allegation is even mentioned in the prologue to one of Terence’s plays, *The Brothers*.

In Elizabethan England Terence was well-known, and the notion that he was not the true author of all he wrote was also extant. For example, Charlton Ogburn, Jr. in *TMWS* (p. 257) cites the fact that Elizabethan scholar Roger Ascham—among others—believed that some of Terence’s comedies were actually written by Scipio.

The hyphen used by Davies in “Shake-speare” extends this conceit nicely, since in general a hyphen indicated a made-up name. Without his saying so, Davies’s readers would understand from the title that his poem was about an aristocrat writing under the pseudonym “Shake-speare.”

As the Ogburns explain, Davies begins his poem by noting that if this aristocratic

author had not “in sport,” i.e. in jest for his amusement, stooped to the level of rogues and vagabonds to act the role of kings on stage he could have been the monarch’s companion. (Nicely, too, companion and count both derive from the Latin “comes,”

Davies is indulging in wordplay, and in Elizabethan times “honesty” could also mean “generosity” or “liberality.” Shakespeare used it in that sense in *Timon of Athens*. In that play a greedy, ungrateful lord says mockingly he has told the prodigal Timon many times to spend less. “Every man has his fault,” he says, “and honesty is his.” (III.i.21-8)

Davies is saying the aristocratic author’s honesty—that is, his liberality with money and gifts—increases the wealth of those who receive his largess. They reap the rewards of the aristocrat’s prodigality and keep it to increase their “Stocke,” or wealth.

As it happens, the 17th Earl of Oxford, like Timon, was notorious for his improvident, extravagant spending. And Davies, whose “pupils were drawn from the noblest families,” probably knew Oxford’s

daughters and sons-in-law for he dedicated writings to them.

On the other hand... there may just be another whole perspective here that has never been noted before.

John Davies addresses his poem “To Our English Terence, Mr. Will. Shake-speare,” referring to the former Roman slave whose name was on the plays that people suspected he did not write. Davies thus may be seen as addressing his poem to a “Shakspeare/Shake-speare” whose name was on plays *he* did not write—that is, the Stratford man. Nowhere in the poem does Davies suggest that he is addressing a playwright, only an actor.

In this take on the poem Davies—who protests that he’s not serious, that he’s writing playfully “in sport”—says that if the Stratford man—a wannabe actor—had not tried in sport—as a joke—to act the role of kings with the King’s Men, he could have continued to be their companion in the theater company. And could have maintained some stature as a would-be “king among the meaner sort,” their audiences. But, says Davies, he did not and so he lost his chance.

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**Epigram 159 from *The Scourge of Folly* (no date)  
by John Davies of Hereford.  
(Entered in the Stationers’ Register October 1610.)**

To Our English Terence, Mr. Will. Shake-speare.

Some say (good Will), which I, in sport, do sing,  
Had’st thou not plaid some Kingly parts in sport,  
Thou hadst bin a companion for a King;  
And, beene a King among the meaner sort.  
Some others raile, but, raile as they thinke fit,  
Thou hast no rayling, but, a rainging wit:

And honesty thou Sow’st, which they do reape;  
So, to increase their Stocke which they do keepe.

and a count in England is an earl.) In this interpretation Davies presumes that his readers understand that the aristocratic author had fallen out of favor with the royal court. Davies adds that the aristocratic earl would also have maintained his eminent position in the eyes of “the meaner sort” of people.

Others rail or complain about the aristocrat, Davies continues, but no matter how much they rail he does not reply in kind. He has the “reigning wit” of sovereign nobility that is above simple jeering and sneering. As the Ogburns put it, he “lord(s) it over them through inherent superiority.”

In the final couplet the word “honesty” is used in a strange way; one does not “sow” or “reap” honesty in its usual sense. What does it mean? The Ogburns said the final couplet “is a statement of the point we have made that Shakespeare furnished the source of the playwrights’ material.” They do not expand on their point.

A better answer may be that “honesty” also had a horticultural meaning—it was the name of a flower (*Lunaria Biennis*). So “honesty,” indeed, could be sown.

*Library (Cont'd from page 1)*

on Shakespeare and the Elizabethan era in general; the Society was fortunate to obtain the collection, which numbers approximately 1,875 items (books and pamphlets).

The Society has long been pursuing the goal of a Society library. In 1993-94, former trustee Betty Sears graciously located the Shakespeare Oxford Society Library and Archives in her apartment in Watertown, MA. Unfortunately, the library had to be placed in storage when Mrs. Sears moved in 1994.

Again in 1997, after the Society had acquired the Crichton collection, Mrs. Sears housed the library at a condominium in Cambridge, MA, where she then lived. When she moved to Vermont in 1999, the books were placed in storage.

Since the Society Library is now located in its new commercial space, the books are out of storage, have already been shelved, and will be catalogued

## 2000 Annual Giving Campaign

### *Help build the Society Endowment*

In keeping with the resolutions made at the April 6, 2000 Board Meeting in Portland (OR), the Society is embarking on a campaign to raise \$20,000 for the Shakespeare Oxford Society Endowment Fund this year. For the next 3 months, your gifts to the Endowment Fund will be doubled in value because they will be matched dollar for dollar up to \$10,000. Your contributions to the Endowment Fund are also tax deductible. If your employer has a matching gifts program, please obtain the matching gift form from your personnel office and send it with your gift.

If you wish to make your gift by check, please make your check payable to: The Shakespeare Oxford Society Endowment Fund.

If you prefer to make your gift by credit card, photocopy this page and complete the following information:

I am making a gift of \$\_\_\_\_\_ by: Amex \_\_\_ Visa \_\_\_ MC \_\_\_

Name: \_\_\_\_\_

Card No.: \_\_\_\_\_ Exp. \_\_\_\_\_

Signature: \_\_\_\_\_

Mail your checks or credit card information to:

**Shakespeare Oxford Society  
Endowment Fund**

PO Box 263  
Somerville, MA 02143

as soon as possible, with a listing made available later this summer.

Also, since the library can be open to the public, we can seek special library status under Massachusetts law, a status that permits the library to participate in interlibrary loans and provide other library research services. Chuck Berney, Chairman of the Board's Library Committee, will head a study of ways to begin implementing the library's research capability.

The Society hopes to build the Library's holdings through acquisitions and donations, and will also pursue grants to acquire access to such on-line services for our members as the *Oxford English Dictionary* and *The Dictionary of National Biography*, in addition to other tools necessary for Elizabethan research, such as *The Short Title Catalogue*.

The goal is for the Shakespeare Oxford Library to be a major Shakespearean research library providing students and researchers with access—in a major aca-

## Gertrude C. Ford: a pioneer Oxfordian

One of the highlights at the 23rd Annual Conference was a talk given at the Saturday luncheon by Cheryl Sims, one of the Directors of the Gertrude C. Ford Foundation, about Mrs. Ford, her life and her legacy. The Ford Foundation has awarded grants to the Society each year since 1998.

Gertrude C. Ford was firm in her Oxfordian beliefs throughout her life, dating back to her school days, and had written a book (*A Rose by Any Name*, 1964) and a screenplay (*Shakespeare and Elizabeth Unmasked*, adapted for a brief run on Broadway in 1968) to promote public awareness of the issue.

In the 1960s and 70s she was a member of the Shakespeare Oxford Society. Over the years she was friends with a number of Society members, including Ruth Loyd and Judge Minos Miller, and more recently Joe Sobran, Betty Sears, Hank Whittemore and Sandy Hochberg. Mr. Francis T. Carmody, the Society President in the 1960s, wrote the Introduction to *A Rose by Any Name*. In her last years she was again working on a book about the issue.

Sims' talk was designed to be an introduction to this most remarkable woman, and she succeeded admirably in a presentation that was both

humorous and heartfelt, delivered by someone who became Mrs. Ford's closest friend and companion in her final years. When they first met in 1979, Sims said, "our hearts touched."

She continued that, through her 17-year association with Mrs. Ford, she was now a convert to the Oxfordian thesis, curious to learn more and contribute to the cause.

Sims then moved on to describe Mrs. Ford, her life and career. While her stories and vignettes about life with Mrs. Ford were quite entertaining—and a few times most amusing—it was her portrait of Mrs. Ford's frequent reflections about how she had often been—as one of the earliest Oxfordians—"criticized, ostracized and socially alienated from her friends," that gave the Oxfordians gathered in Newton pause to reflect. "All this rejection and alienation devastated her," Sims related.

And Mrs. Ford was not just an Oxfordian, but an Oxfordian who openly, actively promoted the Southampton "royal heir" theory as the truth behind the authorship mystery. The theory was integral to her 1964 book on the authorship, and her work-in-progress in the late 1980s was also focused on this theory. And as we today all know, the Southampton issue

remains an emotional flash-point for many within the Oxfordian movement.

In concluding her talk, Sims described the Foundation that Mrs. Ford had left behind as her legacy. She listed the numerous projects already funded in recent years, and the fact that the Foundation is literally inundated with requests. Among the causes that Mrs. Ford had directed that the Ford Foundation support—at the discretion of the Foundation Directors—was "the Shakespeare Oxford authorship question."

As Sims noted, supporting research about the authorship question—unlike many other activities that the Foundation supports—calls for special expertise about the authorship issue itself, and the Shakespeare Oxford Society (of which Gertrude C. Ford was once a member) is an organization that can provide such expertise.

The Ford Foundation has, therefore, had the pleasure of awarding grants to the Society in both 1998 and 1999 in support of its annual conference and related activities, and both the Foundation and the Board hope to continue this relationship.

Sims concluded her talk with thanks to all the Oxfordians she has met and worked with over the past year, and received a warm, sustained round of applause from her audience.

demical center—to a substantial collection of materials and publications on the Shakespeare Authorship Question.

The Shakespeare Oxford Library collection ultimately will also include many books and manuscripts focused on the Shakespeare works in the context of the Elizabethan Renaissance—covering Shakespearean scholarship, Elizabethan literature, history and culture. Such a collection will enhance the understanding of the Shakespeare works as well as enhancing the understanding of the factors which enabled Edward de Vere to produce those literary masterpieces.

So that the Library can also serve as an archive for manuscripts, documents, and research materials donated by researchers, writers and members, the Society is now accepting donations of books and manuscripts to be added to the library's holdings and made available to other researchers through the library. Contact Chuck Berney at (617) 926-4552.

### Endowment Fund

The Society Board has also established The Shakespeare Oxford Society Endowment Fund to support the Library as well as the educational activities of the Society in promoting research and a greater understanding of the significance of Oxford's authorship. The Society Endowment Fund, a permanent endowment in which donations will remain in perpetuity, has been established with an initial balance of \$5,000 generously contributed by the Gertrude C. Ford Foundation. Since the recent announcement of the establishment of the Endowment Fund, additional contributions of \$900 have already been added to the Fund from members of the Society.

Only the income derived from the principal amount of the donations to the Endowment Fund will ever be available for use in supporting the Library and other Society activities. To accumulate principal as quickly as possible, the Board has voted that for the present, the income shall accumulate.

The Board of Trustees further voted at its April meeting to launch a fundraising campaign to increase the endowment to \$25,000 this year (see the box on page four for details regarding cash donations to the Endowment Fund this year).

Donations of stock or other property to the Endowment Fund can be made by contacting Joe Peel, Treasurer, Shakespeare Oxford Society, Inc., at: (615) 385-0437, or by e-mail at: jpeeltn@aol.com. —JP/JS/WB

## President's Letter

From Society President Aaron Tatum

Dear Fellow Oxfordians:

I offer my apologies for being unable to attend the Birthday Celebration this year, but it is crucial that I be with my wife in her serious health condition as many of you know. I know all of you are having a wonderful evening enjoying this great Oxfordian tradition which Charles Boyle initiated a number of years ago.

I am delighted to report to you of the Society's progress in the past year in several areas:

First, we are solvent and completely debt-free. We have a new Treasurer in Joe C. Peel of Nashville, TN, and a Financial Oversight Committee that includes Peel, Grant Gifford of Los Angeles, CA, and our friend Jim Hardigg from Conway, MA.

Secondly, we have received a significant grant from the Gertrude C. Ford Foundation for the current year, in the amount of \$35,000. This grant will underwrite both the 2000 Conference in Stratford, Ontario and other Society activities. While we received this grant only a few weeks ago, we are profoundly grateful for this support and the increase over last year. This grant, along with the generosity of others—such as Jim Hardigg—will allow us to take important steps towards our mutual objectives.

As many of you may recall the Board of Trustees adopted in 1996 a long range plan to fulfill our mission. This plan was the vision and work of many of our members, including Betty Sears and Charles Boyle, as well as many others. Many steps in that plan have been achieved, such as the successful inauguration in the last two years of our academic journal, *The Oxfordian*.

At this time, I am pleased to report that the Society is now positioned to implement the ultimate objective of that Long Range Plan: to facilitate and promote Oxfordian research through the establishment of the Shakespeare Oxford Library and Archives.

At their recent meeting in Portland, OR, earlier this month (April 6), the Board of Trustees voted to take the following four steps to achieve this goal:

1. The Board voted to open the Society Library and Offices on an interim basis in a rented facility. The Crichton Collection of approximately 2,000 volumes will be placed on the shelves and made available to the members, and we will work to build the

collection.

2. The Board voted to establish a Shakespeare Oxford Society Endowment Fund for the purpose of ultimately supporting the library and the Society's publications, scholarships, research grants, and other promotional activities. The Endowment Fund has been established using \$5,000 of this year's \$35,000 grant from the Ford Foundation. Donations to the Endowment will be held in perpetuity, and on an interim basis the income will be allowed to accumulate to build the Endowment.

3. The Board has voted to begin building the Endowment Fund this year by inaugurating an Annual Gifts Program. Our Goal for 2000 is \$20,000, consisting of \$10,000 in matching grants and \$10,000 from members.

4. The Board also voted to consider plans for substantially increasing the Endowment Fund by the year 2004, as well as raising the funds necessary to purchase or build a facility to house the Shakespeare Oxford Library and Archives. The Society Library would also include a lecture hall suitable for performances of plays, library offices, and Society offices.

Our 2000 Conference in the home of the Shakespeare Festival in Stratford, Ontario, is scheduled for October 26-29, and promises to be a fabulous conference. Sue Sybersma is doing an excellent job with the arrangements. Two plays—*Hamlet* and *As You Like It*—are being performed during the conference and *Hamlet* is included as part of the program. Since Stratford's Shakespeare Festival is world famous for its theatrical productions, the *Hamlet* tickets are limited, and you should sign up for the conference soon to assure that you can get seats. Dr. Jack Shuttleworth, Chair of the Program Committee, and others are putting together an exciting program of speakers and events which I am sure you will enjoy.

Finally, I know that all of you are enjoying the Banquet this evening and I miss being there with you. This is an exciting time for the Society and we have some bright horizons ahead in our future. I know that I speak for the entire Board of Trustees when I say that I appreciate your continuing support and participation.

*(This letter was read by Society Board member Gerit Quealy at the Oxford Day Banquet in Cambridge, MA on April 21)*

# Why *Pericles* was not included in the First Folio

“*The play’s absence ... is notable*” (F. D. Hoeniger, *Pericles*, Arden edition)

By Charles Boyle

*Pericles* first appeared in the Stationers’ Register in 1608, registered by Edward Blount. From the expression used in the entry (a book called the “book of *Pericles*”) it can be reasonably inferred that the copy was the play’s prompt book. Edward Blount, a reputable printer, likewise entered *Antony and Cleopatra* on the same day. But he never seems to have printed either play.

The following year *Pericles* was printed, without any authorized transfer of the printing rights, in what is nowadays referred to as the first Quarto of *Pericles*. The title page reads as follows:

The late, and much admired play, Called *Pericles, Prince of Tyre*. With the true Relation of the whole Historie, adventures, and fortunes of the said Prince: as also, The no lesse strange, and worthy accidents, in the Birth and Life, of his daughter Mariana, As it hath been divers and sundry times acted by his Majesties Servants, and at the Globe on the Bank-side. By William Shakespeare. Imprinted in London for Henry Gosson

Henry Gosson was a minor publisher who mainly published pamphlets and ballads, not plays. He appears to have printed *Pericles* because it had been staged the year before and because Shakespeare’s name was on the cover. Indeed it was so successful that it was reprinted that same year.

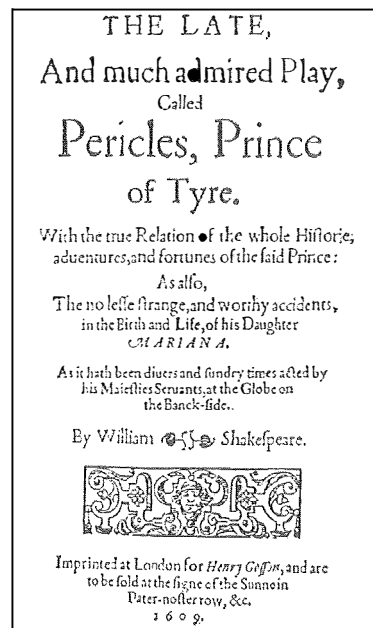
Why Edward Blount did not publish the play first is the first of many problems. He had the prompt book copy yet did not proceed with the printing. He did the same thing with *Antony and Cleopatra*, which was not published until 1623 in the *First Folio*. In any event no copy of *Pericles* was ever printed from the prompt book copy or from a manuscript copy. Interestingly, what was published in 1608 was a novel which on its Title Page says it is the “True History of the play of *Pericles*.”

Thus it seems probable that Henry Gosson’s copy, or a large part of it, was obtained in a round-about manner separately from whatever text Blount was considering to publish. The fact is that all quar-

tos of *Pericles* were derived from this first Quarto copy, still without any recourse to the manuscript copy. Even today all we have for the text of *Pericles* is this 1609 quarto.

## The Text

One of the most pronounced and bewildering features of *Pericles* is the extreme unevenness in the literary quality of the text.



*The 1609 quarto of Pericles is the sole source of all later published versions (quarto and Folio).*

The stiffness of the verse in most of the scenes in Acts One and Two, and in some of the later scenes, afford no parallels anywhere else in Shakespeare. On the other hand, in some parts of Acts Three and Four the poetry is of the highest quality.

F. D. Hoeniger’s introductory essay in the Arden edition of *Pericles* gives an excellent overview of these textual problems, particularly drawing on the work of P. Edwards (*Shakespeare Survey* 5 1952, p. 25-49). Edwards, for example, had found that this text was assembled without “reference to an authorized manuscript,” and that at least three compositors shared in the printing of the quarto. This also means that two

of the compositors collaborated on every outer and inner form, which is a very awkward method. Steevens (an 18th century scholar also cited by Hoeniger) believed there was some familiarity with the text but attributed its many gross errors to its “fateful copy of frequent early transcription in the Playhouse.”

Edwards had also written in 1952 that “the latter half of the manuscript was prepared by a different hand from whoever was responsible for the first half.” Reporter “A” (responsible for acts One and Two) remembered his scenes so badly that he was often driven to glue fragments of the original into verses of his own making. Reporter “B” (in charge of acts Three through Five) was a much better reporter but apparently had the worst handwriting, thus causing the compositors to make more mistakes of their own in transcribing him. Lastly, Edwards suggests that “the different aptitudes of the two reporters [may be] the sole cause of the difference in literary value between the two halves of the play.”

Based on such textual analysis, the consensus of scholars today is that two different men saw this play in performance and copied out these different parts. Yet, unlike bad quartos of *Hamlet* and *Romeo and Juliet*, no good quartos ever appeared later. For this reason most scholars of Elizabethan dramatic text have shrunk from a detailed analysis of *Pericles*.

*Pericles* was so popular that it was reprinted in 1611, 1619, 1630 and 1635. Yet it was not included in either the First or Second Folio, which, Hoeniger remarks, “is notable.” It was finally published in the second impression of the Third Folio, along with other plays that were loosely associated with Shakespeare. Nicholas Rowe included it in his 1709 and later collections of Shakespeare, but other compilers in the 18th Century left it out, and it cannot be said to be permanently in the Shakespeare Canon until the late 18th Century. So why was a play this popular not included in the First Folio, and why was it so long before it finally became “officially” part of the Canon.

Students have sensed Shakespeare's hand not only in the most moving passages of dramatic poetry but in the very design and underlying thought of the whole play. Most people are moved by the end when father and daughter are reunited.

But what I want to consider in this paper are the serious and sinister suggestions in the opening scenes of *Pericles*. What is the nature of the incestuous lust between the King and his Princess?

### *Hamlet and Lear*

In *Hamlet* it is obvious that a relationship exists between Hamlet and his Queen that is more than we think. She seems to be not only Queen and mother, but also lover. The lover part is the most obscure. It is not right out there, but it is obviously there. This aspect of the play has been noted for decades by many scholars, particularly in the Bedroom scene.

In *Monarchy and Incest in Renaissance England*, Bruce Thomas Boehrer (who is not an Oxfordian) says:

...it is at least possible that sovereignty inheres in the female and that Gertrude has chosen to wed Claudius, rather than vice versa. From this latter perspective, Hamlet is claiming that the throne would only be implemented through incestuous mother-son union—that is, by literalizing the compound metaphor implicit in Elizabeth's claim of 'marriage' to her subjects....it underscores the fact that the single most stable political figure in Hamlet's Elsinore is the woman Gertrude, and not any one of the men around her. (66)

And he further says that:

...Hamlet's treatment of royal affinity pursues a Henrician rather than an Elizabethan agenda—one that demands a son, and holds no real place for Elizabeth at all. (72)

In *Lear* such a relationship is even harder to find, but it is there, and it has been commented upon in existing scholarship. Mark Taylor (also not an Oxfordian), in *Shakespeare's Darker Purpose: A Question of Incest*, says that Lear

...involves [Goneril and Regan] in his

generosity as a way of disguising his true 'darker purpose,' which is to freeze Cordelia in perpetual childhood, so that the beloved girl he cannot possess will go to no other. (76)

Taylor also makes the interesting observation that there are only three instances in Shakespeare where the break between a father and daughter does not involve matrimony: these are Leontes in *A Winter's Tale*, Lear in *Lear*, and Pericles in *Pericles*.

In fact, as Taylor further notes, there are a number of similarities between the Pericles-Marina and Lear-Cordelia relationships that

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**“Pericles was so popular that it was reprinted in 1611, 1619, 1630 and 1635. Yet it was not included in either the First or Second Folio...”**

---

can lead one back from the known incestuous sub-text of the relationship in *Pericles* to a possible reading of the problematic Lear-Cordelia relationship in *Lear*.

### **Henry VIII, Anne Boleyn, and history**

Sixteenth-century historian Nicolas Sanders' report on “The descent of Henry the Eighth's Queens” gives a table showing the degree of consanguinity of each of his six wives. Catherine of Aragon was a fifth cousin, Anne Boleyn was a eighth cousin, Jane Seymour was a fifth cousin, Anne of Cleves was a seventh cousin twice removed, Catherine Howard was a eighth cousin and Catherine Parr was a third cousin once removed. But let's look a little more closely at his second wife, Anne Boleyn.

Her father Thomas (as described by Francis Hackett in *Henry the Eighth*, p. 154-5) was a “serious and dutiful man” who became Earl of Wiltshire and Ormond. He was a man with “a cold face” and eyes with a “direct but stony expression [as if looking] towards a master.” In short, writes Hackett, he was the sort of man “as necessary to diplomacy as door-knobs are to doors.”

Anne's mother, Elizabeth Howard, was

a mystery who cannot be depicted with any certainty. She died the same year as her husband, 1539, soon after her boy (George) and girl (Anne Boleyn) were both executed. It is said that she looked kindly on the young Henry when he was Prince of Wales. It is not impossible that as a young matron she'd appealed to Henry. She cannot have been much older than the future king.

In 1501 Elizabeth Howard and Thomas Boleyn were married. Thereafter, despite Elizabeth's annual laying in for the next 10 years, only three of her children survived. They were George, Anne and Mary, supposedly born in 1503, 1507 and 1508 (respectively), though there appears to be no firm evidence about these dates. Scholars are not even sure whether Mary or Anne was born first, and they aren't sure if the years of birth are right.

To make a long story short, Prince Henry would have been 15 in 1507 and there are some who believe that it is he (and not Thomas, Earl of Wiltshire) who is the father of Anne Boleyn. In a footnote in his *Henry Eighth* (p. 151) A.F. Pollard notes that historian Nicolas Sanders, whose work became the basis for the Roman Catholic histories of the English Renaissance, gave currency to the story, and further that there are “some modern writers who prefer [his] veracity to Foxe's” [a 16<sup>th</sup> century Protestant historian].

In 1589, in response to the execution of Queen Mary, Adam Blackwood wrote a vicious attack on Elizabeth from the continent in which he said,

...the marriage between the king and Anne Boleyn could not stand by any law in the world, that same Anne being his natural daughter, and ... since when he married her he had another wife conjoined on him. (Boehrer, 47)

During Anne Boleyn's trial she was accused of intercourse with five different lovers. One of these accusations was a case of incest with her brother George. While that charge was not true, it did show Henry's interest in the subject.

On the other hand Anne's relationship with Mark Smeaton might have been more real. Even on the scaffold he repeated his claim, “Masters, I pray you all prayed for me, for I have deserved this death.”

*(Continued on page 8)*



*Pericles* (Continued from page 7)

### Edward de Vere and history

Once one accepts Edward de Vere as Shakespeare, as Oxfordians have found, the name of the game is to come to new understandings of the Shakespeare works through the prism of de Vere's life—the inevitable and oft-maligned “biographical” debate. There are, without a doubt, some strange circumstances about de Vere's life that may have some bearing in understanding Shakespeare's interest in incest.

Simply stated, there are a minority of Oxfordians who have for decades considered the possibility that de Vere himself is not the child of John de Vere and Margery Golding, but rather that he is the product of the much rumored pregnancy of Elizabeth herself in 1548, and is in fact the son of Thomas Seymour and Elizabeth (the first of several children perhaps born to the “non-Virgin” Queen). If this theory is correct, and the theories about Southampton being the son of Elizabeth and Oxford are also correct ... well, then, you can see where it all leads.

One bit of historical fact that lends some credence to such a theory is that there are no records of either birth or baptism in 1550 for Edward de Vere. His birth date, in fact, comes to us from a diary entry made by Lord Burghley in April 1576 in the midst of the crisis over Oxford's rejecting Elizabeth Vere as his own child.

It is unusual for someone born into the station of life that Oxford was (the premier Earl of the realm) to have *no records at all* left behind about either his birth or his baptism. In fact, one of the few records we do have about the Stratford man is his baptism record (and, later on, the records of his children's baptisms). And, as I pointed out earlier in this paper, there are *no* records (birth or baptism) for *any* of the children of Elizabeth Howard.

### Shakespeare and history

One of the key questions that rages among those in the Oxfordian movement at this point in time (a question that has, of course, been around for ages) is to what extent the Shakespeare plays are contemporary accounts of the life of the author and the Court of Elizabeth. For it is

this point—the perception of the Shakespeare plays as being true commentaries about the Court of Elizabeth—that brings us to one possible reason that *Pericles* seemed to be disowned by those assembling the First Folio, and then remained in “official” limbo for another 150 years. That reason is, of course, the possible validation—in the eyes of some observers—of the numerous rumours of incest that were never far from the Tudor dynasty, especially during its beginnings under Henry VIII.

Bruce Boehrer, for example, says in *Monarchy and Incest*,

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**“...the 1534 Succession Act makes wonderful fiction, and illustrates what an important role the literary imagination may play in the development of National politics.”**

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In some basic way the English Renaissance is about incest (5)

and a little further on he continues,

...the higher one moves in the Renaissance England Social Register, the more disturbing the problem becomes. (6)

And, when we are talking about the king of England, the problem becomes paramount. As Boehrer also notes:

From this standpoint, the 1534 Succession Act makes wonderful fiction, and illustrates what an important role the literary imagination may play in the development of National politics. (2)

Mark Taylor, in *Shakespeare's Darker Purpose*, makes note of...

T. S. Eliot's description of the enormous difficulty involved in perceiving ‘the pattern in Shakespeare's carpet’ [which] assumes none the less that the works are in fact woven together into a single carpet. (xi)

So then, the question before us is simply whether that “single carpet” includes

incest, and if it does, what conclusions about Shakespeare's life and times can we draw from such a fact. Incest is clearly in the background of plays like *Hamlet* and *King Lear*, among others, but nowhere is it so obvious as in *Pericles*. Here the father/daughter relationship is not only obvious, it is at the center of the play, and it is between a king and his daughter.

So, once we know who Shakespeare really was (as Oxfordians do today), it becomes clear why it would have been impossible to have included this play in his First Folio. It doesn't matter that his name was on the 1609 quarto. It doesn't matter that the play was so popular. This play just simply cannot be seen in the First Folio, even under the penname Shakespeare. The strange history of its publication and its absence from the Folio would seem to indicate that there were those who'd just as soon not have *Pericles* associated with Shakespeare at all.

For what all this is really about, I believe, is this: the incest themes in the Shakespeare plays may indeed be coming straight from the author's own life and experiences, and from his knowledge of the “truths”—or at least the “perceived truths”—of life during the Tudor regime.

If that is so, then *Pericles* is the one play that makes it all crystal clear, and might lead people to consider (if they didn't already suspect and/or know) that—possibly—incestuous behavior at the highest levels of Tudor society dated all the way back to the behavior of Henry VIII, and may have continued right on into the regime of Elizabeth I and her “Shakespeare.”

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*Shakespeare's Bad Law (Cont'd from page 1)* Phillips only presents the authority of Messrs. Clarkson and Warren and quotes none of their examples (159-161, 191).

More recently, in *The Elizabethan Review* (Autumn 1997, Vol. 5, No. 2), the co-editor of the Internet's "Shakespeare Authorship Page," David Kathman, Ph.D., claims that, "Paul Clarkson and Clyde Warren, in an exhaustive study of legalisms in the work of seventeen Elizabethan playwrights (*The Law of Property in Shakespeare and Elizabethan Drama*), found that Shakespeare was average at best in the number and accuracy of his legal allusions." (22) The concept of "average accuracy" is found nowhere in the source text, indicating that Dr. Kathman has not closely read either *Shakespeare & the Lawyers* or *The Law of Property in Shakespeare*.<sup>1</sup>

Before we examine some examples of Shakespeare's "inaccuracies" in *The Law of Property in Shakespeare*—a text that in many other respects is excellent—let's first take a closer look at the history of the arguments.

### The Early Debaters

Those relying solely on Matus would remain unaware of the nearly 150-year history of arguments over Shakespeare's legal knowledge in over 35 books and numerous articles. The 19th century saw a Golden Age of books supporting the proposition that Shakespeare possessed an extensive and unerring knowledge of the law.

Although the first mention was made by lawyer and Shakespeare editor Edmund Malone in 1778<sup>2</sup>, it was not until 1858-1859 that the idea began to take hold with the publication of two books: William Rushton's *Shakespeare a Lawyer*, and Lord Chief Justice John Campbell's *Shakespeare's Legal Acquirements Considered*.<sup>3</sup>

These two works were followed by several others, one listing 312 examples of Shakespeare's use of legal terms. Lord Campbell, by far the most influential, gives his unequivocal opinion of Shakespeare's use of legal terms:

I am amazed, not only by their number, but by the accuracy and propriety with which they are uniformly introduced.... While Novelists and Dramatists are constantly making mistakes as to the law of marriage, of wills, and of inheritance, —to Shakespeare's

law, lavishly as he propounds it, there can neither be demurrer nor bill of exceptions, nor writ of error. (132-4)

In *The Law in Shakespeare* Senator Cushman K. Davis explores how

...this legal learning is accurately sustained in many passages with cumulative and progressive application. The word employed becomes suggestive of other words, or of a legal principle, and these are at once used so fully that their powers are exhausted. (16)

Such sweeping declarations invite opposing arguments and examples. The first such major salvo was launched in 1899 by William C. Devecmon in his *IN RE Shakespeare's "Legal Acquirements": Notes by an Unbeliever Therein*.<sup>4</sup> Thus began a 21-year debate over Shakespeare's legal knowledge, one proposition being, "Shakespeare made mistakes using legal terms."

The major debaters were Devecmon: Pro—J. M. Robertson: Pro, in *Did Shakespeare Write Titus Andronicus?* (1905) and *The Baconian Heresy* (1913)—Arthur Underhill: Pro, in the essay "Law" in *Shakespeare's England* (1916)—and Sir George Greenwood: Con, in *The Shakespeare Problem Restated* (1908), *Is There a Shakespeare Problem?* (1916), *Shakespeare's Law and Latin* (1916), and *Shakespeare's Law* (1920).

Greenwood was the most reasoned and methodical of those debaters favoring Shakespeare's legal knowledge. Among a sea of Baconians, he stood apart not only as a critic of the orthodox authorship attribution, but also as an agnostic who patiently awaited a reasonable alternative. When Looney published *Shakespeare Identified*, he found the case for Oxford persuasive.<sup>5</sup>

After this 21-year debate, a nine-year gap ensued until Sir Dunbar Plunket Barton came out with *Links Between Shakespeare and the Law* (1929). Barton came down on the side of Greenwood:

Some critics have gone to the opposite extreme, and have dwelt upon what they call 'the bad law' in the plays of Shakespeare. He, like other dramatists, probably cared very little whether the law was strictly accurate, so long as it helped the plot or the dialogue. Sir George Greenwood, with whom the present writer does not always agree, has

disposed of this subject in a recent book. (149)

There is then a 13-year gap until the 1942 publication of Clarkson and Warren's *The Law of Property in Shakespeare*, in which once again the idea is raised that Shakespeare erred in such a way that excludes the possibility of his having legal training. But let us return now to the beginnings of this debate and William Devecmon.

### Greenwood on Devecmon

In 1899, Devecmon attacked both Lord Campbell and Senator Davis. J.M. Robertson later supported these attacks. Greenwood spent much space in his books refuting both Robertson and Devecmon (and lesser critics), but as Robertson follows Devecmon, offering no "errors" of his own, Greenwood's refutations of Devecmon will suffice. Devecmon listed 13 examples<sup>6</sup> of Shakespeare's "gross errors" in using legal terms. Four of these reveal Devecmon's literal-mindedness. He claims that "Well ratified" and "replication" in *Hamlet* (I.i.90 and IV.ii.11), "challenge" in *Henry VIII* (II.iv.75), and "indenture" in *Pericles* (I.iii.8) are all misused.

But the *OED*—unavailable to Devecmon—reveals that each term had a history of figurative and alternate usage that fits the passages cited. Of those remaining, Greenwood refutes five (four in *The Shakespeare Problem Restated* and one in *Shakespeare's Law*).

These five refutations by Greenwood are:<sup>7</sup>

#### 1) "Demise" *Richard III* (IV.iv.247-8):

*Eliz. Tell me what state, what dignity, what honor  
Canst thou demise to any child of mine?*

Devecmon simply states that dignities and honors cannot be demised and cites *Comyn's Digest* in support. Greenwood quotes *Comyn's Digest*, which states that "a dignity or nobility cannot be aliened or transferred to another."

"Not a very unreasonable proposition!" says Greenwood. He then continues,

If the king grants a title or 'dignity' to a subject, it is natural enough that the grantee should not have the power to assign it away

(Continued on page 10)

*Shakespeare's Bad Law (Cont'd from page 9)*

to another (perhaps for a round sum down), or to put it up to auction. Therefore the Queen is right, prima facie at any rate, when she suggests to Richard that he has no power to 'demise' any dignity or honour to a child of hers. Where is the legal error here? But there is this further observation to be made. It was possible for Richard to 'demise' such dignities or honours, inasmuch as he was king, and even a subject could make a grant of such things 'with the king's licence.' (*Comyn's Dig.*, ad loc.) Therefore the error is entirely on the side of Mr. Devecmon. (*Restated* 399-400)

2) "Common/Several." *Love's Labour's Lost* (II.i.221-223)

**Boyet. So you grant pasture for me.  
Kath. Not so, gentle beast;  
My lips no common are, though several  
they be.**

Devecmon admits that "Shakespeare doubtless knew that one cannot at the same time hold a thing in common and in severalty, and if so, he here sacrifices his knowledge for a mere play on words, which I fancy a professional pride, if he had had any legal training, would not have permitted him to do." Greenwood relies on a note of William Hazlitt's to *Sir John Oldcastle* (I.iii.1) to explain the usage, but Clarkson and Warren do a better job while criticizing Devecmon for being so over-literal. (*Sh. Law* 88)

3) "Statutes." *Love's Labour's Lost* (I.i.15-19):

**King. You three, Berowne, Dumain, and  
Longaville,  
Have sworn for three years' term to live  
with me,  
My fellow-scholars, and to keep those  
statutes  
That are recorded in this schedule here:  
Your oaths are pass'd; and now  
subscribe your names**

Devecmon thinks "statutes" is misused here to mean merely "articles of agreement," since there is no such meaning in law. According to Greenwood, Shakespeare uses "statutes" in the sense of "ordinances," as is usual in a college. (*Restated* 404) In this one case, Mr. Robertson explicitly agrees with Greenwood (*The Baconian Heresy*

175n). But amazingly, though he claims that Greenwood's refutations hold no weight, Robertson hides behind vague generalities and fails to explicitly refute even a single one.

4) "Testament." *Henry V* (I.i.9-11):

**Cant. For all the temporallands, which  
mendevout  
By testament have given to the church,  
Would they strip from us.**

Devecmon claims that "testament" is

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**"Greenwood was the  
most reasoned and  
methodical of those  
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Shakespeare's  
legal knowledge."**

---

used incorrectly since it bequeaths personal property. A "will" is used for devising real estate. Greenwood responds:

'How absolute the knave is! We must speak by the card!' Must the Archbishop speak by the card too, or the writer be set down as no lawyer? But really this is but another example in support of the proposition that a little learning is a dangerous thing. 'A testament is the true declaration of our last Will; of that wee would to be done after our death,' says the learned author of that famous old book *Termes de la Ley*. A 'testament' includes a 'will,' said the Court in *Fuller v. Hooper* (2 Vesey Senior 242). Nay, more, Littleton, the great and learned Littleton, uses 'testament' as applicable to a devise of lands and tenements; and all Coke has to say about it is that 'in law *most commonly* "ultima voluntas in scriptis" is used where lands or tenements are devised, testamentum when it concerneth chattels.' But we know that 'testator' is used of a man who has made a will, whether it be of lands or of personal property. So that again Mr. Devecmon's attempt fails. (*Restated* 402)

5) "Single bond." *Merchant of Venice* (I.iii.140-6):

**Shy. Go with me to a notary; seal me  
there  
Your single bond, and in a merry sport  
If you replay me not on such a day,  
In such a place, such a sum as are  
Expressed in the condition, let the for  
feit  
Be nominated for an equal pound  
Of your fair flesh...**

Devecmon says, "It is hardly conceivable that any lawyer, or anyone who had spent considerable time in a lawyer's office, in Shakespeare's age, could have been guilty of the egregious error of calling a bond with a collateral condition a 'single bond.'"

In *Shakespeare's Law* Greenwood quotes both the *Encyclopaedia of the Laws of England* and *Stephens Commentaries* to point out that single bonds include those where people are bound to pay at a certain time and place with a penalty attached in the event of failure to pay. Payment of a pound of flesh is the "penalty" and not a "condition." (24-26)

In other words, Devecmon sees that Shakespeare has used the words "Expressed in the condition" and wants to immediately translate that as a conditional bond in the legal sense. It is not. The bond is properly defined as a single bond. Once again, the error lies with Devecmon.

**Literal-minded vs. literary**

Now let's examine four more "Devecmon errors" that Greenwood did not address in his books, but which are quite similar to those five he did address, having in common the one error that Devecmon himself makes over and over—he simply cannot conceive of the "literary" use of legal terms.

1) "Moiety." *1 Henry IV* (III.i.66-9, 91-2):

**Glend. Come, here's the map; shall we  
divide our right?  
According to our threefold order ta'en?  
Mort. The archdeacon hath divided it  
Into three limites very equally.  
[...]  
Hot. Methinks my moiety, north from  
Burton here,  
In quantity equals not one of yours.**

Devecmon points out that “moiety” means a half, not a third. However, he fails to point out that Shakespeare does use it correctly both legally and figuratively in *All’s Well That Ends Well* (III.ii.66), *The Winter’s Tale* (III.ii.39), *Henry V* (V.ii.212), *Richard III* (I.ii.254; and II.2.60), *Henry VIII* (I.ii.12), *Antony and Cleopatra* (V.i.19), and *Cymbeline* (I.iv.105).

In several other plays he uses the term figuratively to mean simply “aportion” rather than “a half.” But it may be objected that in the case of *Hotspur*, the strict legal usage is called for. A close reading reveals that in fact *Hotspur* uses the term correctly. Devecmon and other critics want to yoke *Hotspur*’s “moiety” reference to the tripartite division mentioned over 20 lines earlier.

In fact *Hotspur* is speaking, not of his third, as compared to the other two women, but a smaller section of his third, which he is comparing to a smaller section belonging to *Mortimer* only. If *Hotspur* were comparing his third to the two other men’s, he would be speaking of the whole compared to the whole of theirs. He does not. His land borders *Mortimer*’s, and the argument centers around a portion “north from *Burton*.” Shakespeare uses the legal term correctly.

## 2) “Jointress.” *Hamlet* (I.ii.8-9):

**Claud. Therefore our sometime sister,  
now our queen,  
The imperial jointress to this warlike  
State.**

Devecmon cites *Co. Litt.* 46 to define jointress as “a woman who has an estate settled on her by her husband.” Referencing *Blake’s Commentaries* he states that a “jointure” was used for barring dower, and that “*Gertrude* could have neither a dower nor a jointure in *Denmark*.” But it takes little imagination to recognize that Shakespeare is using the term in a royal context that enlarges its meaning (a common Shakespearean practice, which is responsible for giving us our flexible language). The two have just married, and Shakespeare plays on the idea of that royal joining.

The context also suggests irony, in that such a marriage should bar the King’s brother from the “dower” of the kingdom. Devecmon fails once again to look at the literary context, assuming that every use that appears to deviate from strict legal usage represents an error that no one trained in the law would

commit. As we shall see, Clarkson and Warren criticize Devecmon for over-literalizing this speech.

## 3) “On the case.” *The Comedy of Errors* (IV.ii.41-2):

**Adr. Why, man, what is the matter?  
Dro. S. I do not know the matter: he is  
‘rested on the case.**

Devecmon points out that there are two kinds of civil actions: those growing out of breach of contract and those for the recov-

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**“...Underhill knew that  
Shakespeare knew.  
One must wonder  
if Underhill has  
been intentionally  
deceptive.”**

---

ery of wrongs independent of a contract. “On the case” applies to the former, but the statement here applies to the latter. However, Devecmon neglects to notice that this is a comedy with comedic characters who will, like *Dogberry* in *Much Ado About Nothing*, mix their legal terms. *Dromio* is mixing up the usage.

## 4) “Entail.” *3 Henry VI* (I.i.200-3):

**King H. I here entail  
The crown to thee, and to thine heirs  
forever;  
Conditionally that thou here take an  
oath  
To cease this civil war...**

Devecmon quotes Senator *Davis*:

The use of the word ‘entail’ here seems to be inaccurate, for, though the use of the word ‘heirs’ is necessary to create a fee, so the word ‘body’ or some other words of procreation are necessary to make it a fee tail. A gift to a man and his heirs, male or female, is an estate in fee simple and not in fee tail.

*Greenwood* avoids this one also, believ-

ing that this play was not Shakespeare’s. Once again, we have an instance where the literal-minded lawyer assumes that only the strict legal definition was in common usage. A quick check of the *OED* reveals that both *Davis* and Devecmon err. According to the *OED* “entail” was used apart from its strict legal usage: “2. transf. and fig. To bestow or confer as if by entail; to cause to descend to a designated series of possessors; to bestow as an inalienable possession.”

Thus, in 1513 *Sir Thomas More* in *Edward V* writes, “The Crowne of the Realme [was] entayled to the Duke of Yorke and his Heires.” (*OED*) Perhaps Shakespeare was following *Sir Thomas* in this usage of appointing an hereditary possessor, but Shakespeare uses “entail” in its stricter legal usage in *All’s Well That Ends Well* (IV.iii.270), showing that he understood both definitions precisely.

## Arthur Underhill’s “Bad Law”

Let us now turn our attention to another of the early debunkers of Shakespeare’s knowledge of the law. In *Shakespeare’s England: An Account of the Life & Manners of his Age* (1916)<sup>8</sup>, *Arthur Underhill* lets the reader know exactly where he stands by opening the section on “The Law” with the statement,

Despite Shakespeare’s frequent use of legal phrases and allusions his knowledge of law was neither profound nor accurate. (I.381)

In a paper presented at the 20th Annual Conference of the Shakespeare Oxford Society (Minneapolis, 1996), entitled “Recent Developments in the Case for Oxford as Shakespeare,” *Peter Moore* deftly refutes the three instances where Underhill accuses Shakespeare of using legal terms incorrectly.<sup>9</sup>

Two of these are easily refuted: Underhill’s resurrection of Devecmon’s claim that in *Love’s Labour’s Lost* Shakespeare incorrectly uses “common” and “several,” (discussed earlier in this article), and his criticism of *Hamlet*’s graveyard remarks on buying land in *Hamlet* (V.i.101-110), where he dashes off almost a dozen legal terms, including “statutes and recognizances.”

*Moore* accurately points out that “any annotated, university-level edition of *Hamlet*, such as *Arden*, *Oxford*, or *Cambridge*,

(Continued on page 12)

*Shakespeare's Bad Law (Cont'd from page 11)* will explain exactly what statutes and recognizances had to do with buying land."

Underhill's third error is quite interesting. Turning to *All's Well That Ends Well* he accomplishes what can only be described as an intentional misrepresentation.

First, Underhill states that "the King of France insists upon his highborn ward Bertram marrying Helena, a poor physician's daughter, who was of inferior rank to him." He then quotes a passage (II.iii.52-3) where the King has Helena choose a husband. Underhill then informs us that "when Bertram, whom Helena chooses, protests," the King informs him peremptorily that

It is in us to plant thine honour where  
We please to have it grow. Check thy  
contempt:  
Obey our will, which travails in thy good.

Underhill skips over 100 lines to quote this passage (II.iii.156-8). He then quotes a passage from Jonson's *Bartholomew Fair*, which he says alludes "to the condition that the spouse must be of equal rank with the ward, which Shakespeare has ignored."

Yet, between the two passages that Underhill quotes, is this (II.iii.112-21):

*Ber.* But follows it, my lord, to bring me  
down  
Must answer for your raising? I know her  
well:  
She had her breeding at my father's charge—  
A poor physician's daughter my wife!  
Disdain  
Rather corrupt me ever!  
*King.* 'Tis only title thou disdain'st in her,  
the which  
I can build up. Strange it is that our bloods,  
Of colour, weight, and heat, pour'd all  
together,  
Would quite confound distinction, yet stands  
off  
In differences so mighty.

Bertram directly addresses the unequalness in rank between him and Helena. The King responds that he can raise her in rank, and then proceeds to reflect on how strange it is that people can in every other respect be the same, yet so different in rank.

In Peter Moore's words, "Shakespeare was perfectly well aware of the requirement." And Underhill knew that Shakespeare knew. One must wonder if Underhill has been intentionally deceptive.

### Clarkson and Warren's "Bad Law"

Now, we should finally turn to Clarkson and Warren's 1942 book *The Law of Property in Shakespeare and the Elizabethan Drama*, yet another oft-quoted (see Irv Matus's *Shakespeare IN FACT*) debunking of Shakespeare's knowledge of the law that comes up short upon closer analysis.

The authors labored long and hard to cross-catalog all of the legal references to property law used by 17 Elizabethan playwrights. They claim that the others "with few exceptions display a degree of accuracy

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**"Once again  
the critics of  
Shakespeare's law  
are themselves  
proven to be  
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---

at least no lower than his." (285)

This statement, of course, could be construed to mean that Shakespeare had 100% accuracy. Using the index, a researcher is hard-pressed to discover Shakespeare's alleged inaccuracies. But under Devecmon's name there are two listings—with three actual mentions in the text—all criticizing Devecmon for erring in his criticism of Shakespeare. Two of these have already been examined as part of Devecmon's 13 "gross errors."

The first is Devecmon's criticism of Claudius's use of "jointress." The authors quote Middleton's, "That's my Soul's jointure" in *No Wit, No Help Like a Woman's* (I.ii.23), and then say, "One can only wonder what inaccuracies Devecmon would have found in this metaphorical usage." (84)

The second is Devecmon's criticism of Boyet and Katherine's "common" and "several." The authors' comparative research shows both words are commonly used to refer, "not to the right of pasture but to the place where the right is exercised." (86) Thus, they conclude that Devecmon's criticism is not valid. (88-9)

The third is Devecmon's criticism of "a deed of gift" in *The Merchant of Venice* (V.i.292).<sup>10</sup>

It has been pointed out that such an instrument would be quite inoperative to transfer after-acquired property; only that which was in esse at the time the deed was delivered would pass. This observation, however, seems largely beside the point because this deed was not intended at the time of delivery to pass even the property which was in esse. (183)

The authors also criticize Charles Allen for erroneously pointing out errors in Shakespeare's use of legal terms in his 1900 book *Notes on the Bacon-Shakespeare Question* (219, 224, 246). They even use Greenwood's *Shakespeare's Law*, referenced in a single footnote (246), as a counter to one of Allen's claims.<sup>11</sup>

*The Law of Property in Shakespeare* appears to contain only three examples of Shakespeare's inaccurate use of legal terms. First, the authors repeat Devecmon's discovery of a "technical error" in Shakespeare's use of "entail" in *3 Henry VI*. (59) They repeat Devecmon's mistake in assuming that the term has only a technical usage. Second, they cite the Host in *The Merry Wives of Windsor* (II.i.206-7) forming "egress" and "regress." (70) There is little point in belaboring the obvious—that to quote such a character in such a play as an example of Shakespeare's error is beyond highly questionable.

Clarkson and Warren's third error is different, and may actually promise to be a significant discovery. They begin their second chapter of Part III by setting the stage for a discussion of the use of the term "heir," particularly in "heir apparent" and "heir presumptive," noting that there is an important distinction between the two (197-9).

The heir apparent's succession was contingent only upon his outliving his ancestor, such as an eldest son. This is the only circumstance that could deprive him of his inheritance. Thus, the heir apparent is in the direct line of succession. The heir presumptive, on the other hand, would be like a brother to a King, one whose succession could be displaced by the birth of a child to the King.

Thus, Clarkson and Warren reveal Shakespeare's error:

Shakespeare uses the phrase 'heir apparent' incorrectly when Cardinal Beaufort says of Humphrey, Duke of Gloucester

[2 *Henry VI* (l.i.150-1)],

Consider, lords, he is the next of blood  
And heir apparent to the English crown.

Gloucester was not Henry VI's eldest son, of course, but his uncle, and therefore heir presumptive. Shakespeare did not adopt this language from Holinshed, and did not have here the excuse of metric requirements, since either word fits the iambic pentameter equally well. We have here just another example of Shakespeare's being interested not so much in correctly stating a legal proposition, as in putting into the mouth of his character words which to the laymen-groundling sounded like good law, and at any rate conveyed the desired information. This is, of course, the essence of good theatre. (199)

If this is an error, it indeed qualifies as one that a man trained in law would not commit. Clarkson and Warren then proceed to give examples of contemporary playwrights who display a knowledge of the distinction—and these examples present a problem: they contain only the concept of the distinction, *not* the use of the phrase "heir presumptive."

A quick check of a concordance reveals that Shakespeare never used "heir presumptive" or even "presumptive." A quick check of the *OED* reveals that the first public use of "presumptive" occurs in 1609, and that "heir presumptive" is not used until 1628. Could this mean that the term was not in use during Shakespeare's time? Yes! Under the third listing under "presumptive" the *OED* provides this example:

1683 Brit. Spec. 272. Apparent (or according to the new-coined Distinction, Presumptive) Heir of the Crown is His Royal Highness James[etc.].

In other words, "heir presumptive" was regarded as a newly-coined term in the late 17th century, and that "heir apparent" was commonly used for both distinctions!

Once again, the critics of Shakespeare's law are themselves proven to be the ones in error. As to Shakespeare's use of legal terms, it can still be truly said, over 140 years later, that "there can neither be demurrer nor bill of exceptions, nor writ of error."

## Conclusion

In 1899, William Devocmon wrote,

Though the frequent use of legal terms, with their proper technical meanings, has a cumulative effect, and tends strongly to prove a legal training; yet a very few errors in such use, if glaring and gross, would absolutely nullify that effect and proof. (33)

In other words, according to Devocmon, if it can be shown that Shakespeare continually uses legal terms aptly and free of error, then that fact strongly proves he had legal training.

This essay, I believe, provides proof that no critic of Shakespeare's "bad law" has yet given even a single valid example. In every case where a critic provides an example it can be shown that it is the critic, and not Shakespeare, who errs. This, then—to use Devocmon's own words—is strong proof of Shakespeare's legal training.

In the end, when someone claims, without giving examples—as do Dr. Kathman, Mr. Matus, and Mr. Phillips—that Shakespeare used legal terms inaccurately, one must demand specifics. And when someone gives such specific examples—as do Devocmon, Underhill, and Messrs. Clarkson and Warren—one must examine them closely.

Lord Campbell and Sir George Greenwood were right. Shakespeare uses legal terms accurately. To date, his critics have a history of profound ignorance, error, and, in the case of Underhill, possible deception.

## Footnotes:

1) Kathman is plainly wrong in claiming that Clarkson and Warren's book is "an exhaustive study of legalisms." The book's title confines the scope to "The Law of Property," and the authors admit the need to narrow the scope: "Long ago we realized that the subject of the law in the drama was so broad that it had best be treated in installments. References will be noted throughout this book to later treatises on the law pertaining to Equity, Marriage and Divorce, Criminal Law, etc." (xxvi) In almost 60 years, the authors have yet to deliver the promised installments. Mr. Phillips actually points much of this out in *Shakespeare & the Lawyers*.

2) Edmond Malone, "Essay on the Chronological Order of Shakespeare's Plays," in a footnote to *Hamlet*. Two years later in his

"Prolegomena" to *The Life of William Shakespeare*, he states that Shakespeare's "knowledge and application of legal terms, seems to me not merely such as might have been acquired by casual observation of his all-comprehending mind; it has the appearance of technical skill; and he is so fond of displaying it on all occasions, that there is, I think, some ground for supposing that he was early initiated in at least the forms of law." (II, 107-9)

3) Rushton claims in *Shakespeare's Testamentary Language* that Lord Campbell relied more on his research than on his own readings.

4) Published by The Shakespeare Society of New York (No. 12). One minor criticism was made in 1863 by R. F. Fuller, "Shakespeare as a Lawyer," (*Upper Canada Law Journal*, p. 95). Also, Edward James Castle alleges some legal errors in his 1897 *Shakespeare, Bacon, Jonson & Greene*, but Devocmon himself states that "I have failed to discover a single instance given by him of any real blunder in the use of legal terms." (30)

5) Sir George Greenwood and J. Thomas Looney founded the Shakespeare Fellowship in Hackney on November 6, 1922. Greenwood was elected President, and Looney one of several Vice-Presidents. Col. B. R. Ward was elected Hon. Secretary and Treasurer. The Fellowship was not confined to Oxfordians, although it was founded as a direct result of Looney's book. Looney drew many of the criteria of his search from Greenwood's books. (See *The Shakespeare Authorship Review*, No. 8, Autumn 1962.)

6) Actually 14. I postpone discussion of this last example until my discussion of Clarkson and Warren's "Bad Law."

7) All citations are from *The Arden Shakespeare*.

8) Although *Shakespeare's England* was published in 1916, Underhill only shows knowledge of some of the arguments through 1900. He lists only Campbell, Davis, and Allen in his bibliography, and neglects to mention Devocmon. Perhaps the essay was already out of date when it was published.

9) Moore's paper is available online: <http://www.everreader.com/progress1.htm>

10) This is Devocmon's 14th example of Shakespeare's bad law.

11) Phillips also holds up Allen as an authority of Shakespeare's "bad law," but he cites only one example (135) and that only to shoot it down with a reference to Greenwood! This use of Greenwood as a supporting authority is strangely typical of almost every critic of Shakespeare's law and of every Oxfordian critic, including Schoenbaum in *Shakespeare's Lives*, and Matus.

## Oxfordian News

### New Oxfordian group formed in Chicago; authorship question surfaces at Harvard; 2nd Annual Shakespeare Festival in Vermont this August

#### Illinois

Oxfordians in **Chicago** held the first meeting of the newly formed Chicago Oxford Society (an independent organization) on April 29th. Their inaugural meeting began with a letter of congratulations from Shakespeare Oxford Society President Aaron Tatum being read.

The keynote speaker was Dr. Ren Draya of Blackburn College, whose speech "How Oxford Won Me Over" was well received by an audience of 27, several of whom are current members of the Shakespeare Oxford Society, but most of whom were newcomers to the authorship debate. Dr. Draya is also a trustee of the Shakespeare Oxford Society.

Co-founders of the COS, Bill Farina and Marion Buckley, reported that at least one Stratfordian who attended spoke with them afterwards, and left the meeting converted. The Society is sponsoring a second meeting this July 20th at the Newbury Library, and has arranged for *Oxfordian* editor Stephanie Hughes to speak on "Shakespeare's Dark Lady."

Chicago-area Oxfordians interested in learning more about the COS should contact co-directors Marion Buckley or William Farina at (312)922-4031.

#### Massachusetts

"Who Was Shakespeare?" was part of the discussions at two weekend seminars on the **Harvard University** campus in **Cambridge** (in March and April) given for 300 Harvard University alumni by Harvard Professor Marjorie Garber, a leading Shakespeare scholar, author and culture critic. Among those who attended one of the two sessions were former Society trustees Elliott Stone of Boston and Richard Whalen of Truro, MA, and also Roger Stritmatter, an Oxfordian scholar from Northampton, MA.

Not only did Garber put the authorship controversy on the agenda, but she selected as advance reading material a single item—a reprint of the *Harper's Magazine* articles of April 1999. In that issue five



*The first meeting of the Chicago Oxford Society was held at the Grace Place Church last April 29th. Co-founder William Farina (left) welcomed local Oxfordians, while Dr. Ren Draya (right) of Blackburn College (IL) spoke on Oxford as Shakespeare and the rising interest in the authorship issue. Draya is also a trustee of the Shakespeare Oxford Society.*

articles argued for Oxford as the true author, five for the Stratford man, one of which was by Garber. Although she was writing for the Stratford side, her article was neutral to positive for Oxford.

For her two-day seminars Garber thus chose to explicitly raise the authorship issue rather than simply review the life of the Stratford man and try to make some connections to the poems and plays of Shakespeare. After the second seminar, she said that she did so because the question always comes up whenever she talks about Shakespeare to a general audience.

In the 45-minute authorship segment Garber covered the origins of and reasons for the doubts about the Stratford man and Bardolatry. She said little about the case for Oxford, noting that a "persistent minority of scholars" continues to question the Stratford man's authorship. She praised Charlton Ogburn's *The Mysterious William Shakespeare: the Myth and the Reality* as a "very good book." If it were proven that Oxford was the author, she said, it would not change her interpretation of the plays. At least twice, she prefaced comments with: "Whoever the author was..."

As might be expected, her performance

was far from a thorough airing of the principal arguments. The way the alumni asked questions about Oxford indicated that they had read the *Harper's* articles, although their questions were quite general and Garber handled them easily. Nevertheless, 300 Harvard/Radcliffe alumni—doctors, lawyers, teachers, professors—heard a leading Shakespearean scholar raise the authorship question for discussion on the Harvard campus.

Garber's marathon performances at the podium—more than six hours of discussion and Q&A each Saturday and Sunday—were almost totally devoted to interpretation of the plays. From time to time she came up with insights of interest to Oxfordians, usually as brief asides. In *Hamlet*, for example, (the most autobiographical of the plays) the play's hero and the play's jester are merged in the character Hamlet—the only time that such merging occurs in Shakespeare; Claudius is never named by anyone in the play; the politics of the play center on Polonius as Burghley (Oxford's guardian and father-in-law).

Some other interesting insights from Prof. Garber included her emphasis on the Shakespeare plays being full of double meanings, doubleness, and ambiguity (eg. sexual "death" and actual death), that the songs in the plays—far from being merely entertainments—are "deeply significant," and that Prospero in *The Tempest* is not the author: he enslaves Ariel as well as Caliban and manipulates his daughter's marriage.

She also noted that actors were very low class and as such dangerous. Clothes in Elizabethan England designated social status, so an actor who put on a king's costume in effect violated the social and legal codes.

—Richard Whalen

#### Pennsylvania

In the **Philadelphia** area Oxford has been making waves as a result of the efforts of Society member Ken Kaplan.

Kaplan organized several talks in

March—in a bookstore and at a library—and garnered some prominent publicity when the A&E section of *The Philadelphia Inquirer* gave feature coverage to his upcoming talk at the Doylestown Public Library. Thirty-six people attended the library talk. Later in the month Kaplan spoke before 13 people at a Borders Bookstore.

Kaplan tells us that at both talks interest ran high, and virtually no one left early. He emphasizes the political aspects of the authorship story in his presentation, and says that this is what really holds people's attention, especially those new to the debate.

### Vermont

The Second Annual Shakespeare Festival will be held in **Killington** from August 18th to 20th. This Festival is managed by former Society trustees Elisabeth Sears and Mildred Sexton, and drew an audience of more than 100 to its initial sessions last summer.

This year Hank Whittemore will return to speak on "The Sonnets," Sexton will speak on "Allegory in Shakespeare's Plays," and a special appearance will be made by actor Michael York, performing in the reading of a new play, "Will and I."

For further information, phone Elisabeth Sears at 802-422-5031, or email her at: mommom16@aol.com

### England

As reported in the May 2000 *De Vere Society Newsletter*, a special Winter meeting of the De Vere Society was held at the Globe Theatre in London on February 26th. Among the attendees was Society Trustee Gerit Quealy of New York City.

The meeting was held to view the Exhibition on Shakespeare's Life, which now includes materials on the authorship question (with Oxfordians, Marlovians and Baconians given equal opportunity to present their cases), and to hear a talk by one of the Globe's actors. The De Vere Society has handout materials available to visitors as part of the Oxfordian exhibition.

Other major news from the DVS is the appointment of Daphne Pearson as the new editor of the Society's newsletter. Former newsletter editor Christopher Dams will now be spending most of his time directing the Society's project on the dating of the plays.

### Research Notes

## Love's Labor's Lost: What Happened at the Stationers' Register from 1571-1576?

By Roger Stritmatter

In the early days of the existence of the Company of Stationers of London, following the beginning of the recorded practice in 1558, Book Entries occupied a "subordinate position" to other forms of corporate accounts, such as receipts and charges laid out by the wardens of the Company. Before 1571, Book Entries were considered a form of cash receipt testifying that the publisher had discharged his obligation to pay a fee to his own guild in exchange for rights to publish a given title. In the introduction to his transcript of the Stationers' Record, Edward Arber describes how, over time, Book Entries grew to become "a Permission, an Imprimatur, rather than a cash-receipt" (I xvii). This transition marks the development of a system of systematic review and censorship by Ecclesiastical authority of all registered publications and was occasioned, Arber hypothesizes, by Ecclesiastical "self-defense against the secret printing presses of the Puritans" (I xvii), which were very busy in the first six years following the 1570 issuing of the papal bull against Elizabeth I.

By this means, declares Arber, the Anglican hierarchy was able to exercise a "greater authority over unborn books than their Romish predecessors had hitherto continually exercised" (I xvii). The grip of Ecclesiastical control, once established, continued to tighten about the neck of the Stationers' Guild for the next 65 years, eventuating in the dreaded Star Chamber decree of 1637.

One of the more curious historical facts to emerge from Arber's monumental five volume transcription of the Stationers' Register is the existence of a lacunae of five years of book entries, covering the period from July 22, 1571 until July 17, 1576, precisely the period during which this shift in social practice—transforming a business transaction into a political event—took place. This lacunae appears between the closing date of the so-called Register A and the so-called Register B (vols. I and II respectively in Arber's transcript). The division into Registers A-F, Arber shows, took place "subsequent to the time when the Register was in daily use" (II 31).

It is particularly striking to note that this lacunae occurs in the precise period during which Arber notes the occurrence of the transition in the significance of the book

entries from cash-receipts to official sanction, for he states that "this change in their nature would seem to have occurred in the period 1571-76, now intervening between Registers A and B" (I xvii).

This circumstance prompts some natural curiosity for students of Bibliography. Why should the accounts of book entries in the Stationers' Register be missing during the most critical period in the development of English censorship? One may scan the historical continuum of the published documents of the Stationers' Register, from the day on which book registrations began on July 10 1558, at least up until 1708, at which date Eyre and Livingston's three volume sequel to Arger's transcript ends, and discover no comparable lacunae.

How long have leaves recording book registrations from 1571-76 been missing? The lettering of the six existing volumes of the Stationers' Register up to the Long Parliament (1640) provides an important clue, according to Arber:

...the idea of lettering the Registers came late. It certainly occurred after the loss of the 'Clerk's Book' of 1571-76 had been investigated and recognized as inevitable: otherwise the present register B would have been lettered C; in the hope of the missing volume turning up. We may well believe—until evidence appears to the contrary—that this decision and the consequent existing lettering occurred some time after the Fire of London in 1666; by which time six volumes, now letter A to F, had accumulated. (I xvii-iii)

Despite Arber's mention of the Fire of London it is clear from other somewhat elliptical comments in his transcript that he does not believe that the loss of the missing "Clerk's Book" can be attributed to natural causes. It seems that, coincident with the missing papers, the Company for the first time appointed a salaried Clerk, George Wapull, who served in this capacity from September 29, 1571 to May 30, 1575. Arber writes, somewhat laconically, "it is probably to this change that we are indebted for the loss of the five year of the Book Entries" (I 460).

Indebted, indeed.



## Book Reviews:

**Shakespeare for Dummies** by John Doyle and Ray Lischner (IDG Books Worldwide, 1999)

By Richard F. Whalen

The temptation to wax sarcastic about a Dummies book on Shakespeare is difficult to resist when the authors misrepresent the evidence for Oxford as the great poet/dramatist, but the temptation must be resisted. Dummies books on how to use computers have won a tremendous following, and like a computer virus the folksy, jokester message, “you can do it, dummies!” has spread to antiquing, birding, camping, sewing, yoga, Shakespeare and all manner of human endeavor. Four hundred different Dummies titles are in print.

The authors of *Shakespeare for Dummies* are not major figures in the Shakespeare establishment. John Doyle, a Scotsman, is a play director and has been artistic director of several regional theaters in Great Britain. Ray Lischner, an amateur actor, has taught computer science at Oregon State University. Mostly they reflect current thinking about the conventional Shakespeare, but besides providing three-page summaries of 38 plays they also propose a most bizarre way to appreciate Shakespeare—scorecards to keep track of characters and plot.

They score a Shakespeare play like a baseball game. Instead of innings and players on a scorecard there are scenes across the top of the scorecard and characters down the side. Symbols describe what any given character does in any given scene. A diamond with a “4” in it, for example, is a home run; someone gets married. An “X” (ejected from game) means the character dies. “K” is rejected in love. A smiling face is victory in battle. There are no less than 47 symbols to remember. Blank scorecards are provided for all the plays.

*Romeo and Juliet*, in the authors’ example, has 384 boxes (24 scenes times 16 characters) to be filled with one or more symbols. So on the line for Juliet you put a diamond-4 in the column headed act 2 scene 6. That’s a simple one. Where the line for Romeo, the unlucky No. 13 character, intersects with the column for act 5 scene 3, you put a skull and crossbones, a circle with an

“X” in it and quotation marks to remind you that he reaches his own goal, commits suicide with poison and utters a famous quotation.

How this matrix is supposed to enhance the reader’s or playgoer’s appreciation of a Shakespeare play is left to the imagination. The authors offer no explanation beyond that of simply keeping track of which characters do what in which scenes.

The authors devote two of their three pages on biography to an attempt to refute the evidence for Oxford, perhaps a backhanded tribute to the strength of the case for him as the true author. They focus on two typical arguments, and both are wrong. First they cite Shakespeare’s alleged ignorance of the geography of Italy.

In *The Tempest* Shakespeare indicates that Milan is a port for shipping; Prospero and Miranda board a bark there and are taken “some leagues to the sea.” (I.ii.144) Shakespeare, say the authors, could never have visited Milan or known much about it since “Milan is far from the sea, a major river, or anywhere a bark or other ship could land.” Therefore, they say, Shakespeare could not be the educated Earl of Oxford, who did visit Italy.

As always, of course, Shakespeare was correct about Italian cities. Noemi Magri, who lives in Italy, wrote an article for the *De Vere Society Newsletter* (May 1998) describing how the many rivers and canals on the Lombardy plain were used for shipping and traveling during the 16<sup>th</sup> century.

“Milan-bound ships,” she writes, “once they had reached the Po (River), sailed up the Po, then up the Adda, a tributary of the Po, and reached Milan along a canal called the Martezana, a waterway built in the second half of the 15<sup>th</sup> century on a project drawn up by Leonardo da Vinci.”

She cites Franz Schott (Scotto), a German traveler and chronicler, who wrote in his *Itinerarium Italiae* (c. 1599): “Even if there is no river in Milan, the town is very commercial. Two canals flowing into it, the one from the river Adda, the other from the river Ticinio, bring the town everything it needs.” Shakespeare knew all about traveling by boat in northern Italy, as shown in *The Tempest* and also in *Two Gentlemen from Verona*. Only someone who had been

there, like the 17<sup>th</sup> earl of Oxford, would have known about it and mentioned it in his dramatic writings.

The authors of *Shakespeare for Dummies* also seize upon the simplistic argument that Oxford could not have been the author because a dozen of the plays were written after he died in 1604. Although this is a very popular anti-Oxford argument, it’s incredible that anyone would take it seriously. If it were true, support for Oxford would immediately evaporate, whereas more and more eminent writers, jurists and theater people continue to vote for Oxford as the author.

Oxfordians can be firm in their rebuttal of this “chronology argument,” since all of the plays that Stratfordians date after 1604 could easily have all been written before Oxford died. There is no historical evidence to date the composition of any play in any given year, much less after 1604.

Stratfordian post-1604 dates of composition are inferred and conjectured. They are based on first performance dates, first registrations or first printings after Oxford died in 1604. But posthumous publication or performance is not unusual for any author, and Oxford could have died leaving many plays unperformed, unregistered and unpublished.

A close review of the Stratfordians’ own arguments for the dozen plays they want to date after 1604 shows their evidence and reasoning to be faulty and spurious. The Stratfordian dating that follows is taken from *The Riverside Shakespeare* (54-6), which gives “the most commonly accepted” dates, according to Editor G. Blakemore Evans, a Harvard professor, who also concedes that dating the plays is “beset with hazards and uncertainties.”

First of all, they date three of the plays—*Othello*, *Measure for Measure* and *King Lear*—in 1604 and 1605, close enough for them to accept, perhaps reluctantly, that the three plays could have been written before mid-1604, when Oxford died.

That leaves nine plays.

Their dates for *Macbeth* (1606) and *The Tempest* (1611), which are the most earnestly argued, have been shown to be unfounded and untenable in articles in this newsletter and *The Elizabethan Review* by Peter Moore, Richard Roe and others. None of the

(Continued on page 23)

*Column*  
*The Paradigm Shift*  
Mark K. Anderson

## Ophelia's difference, or, "To catch the conscience of the counselor"

Have you a daughter? There's a seemingly simple question. No matter whom one poses these words to, the ultimate reply will always be either a straightforward yes or no.

However, coming from Hamlet's mouth in Act. 2, Scene 2, the question is as loaded as the King of Denmark after an evening of cannon fire. The Prince certainly knows the factual answer to the question he asks of Polonius. But, as with every exchange between the old counselor and the young prince, words are spies—with each antagonist doing all they can to pry out information about the other person's true purposes and secret intents.

*Hamlet:* For if the sun breed maggots in a dead dog, being a good kissing carrion—Have you a daughter?

*Polonius:* I have, my lord.

*Hamlet:* Let her not walk i' th' sun; Conception is a blessing; but as your daughter may conceive:—friend, look to't.

So what's going on with Hamlet's and Polonius' words, words, words? And why have they so befuddled commentators for centuries?

Here is where a biographical consideration of the lives behind the characters may settle a host of ambiguities in the text. And it also demonstrates how appreciating the author's identity can uncover entirely new layers of meaning in the drama.

As Stratfordians such as E.K. Chambers, George Russell French and John Dover Wilson have argued, Polonius is a dramatic representation of Oxford's father-in-law Lord Burghley. And Burghley is Polonius. But unpacking Hamlet's and Ophelia's lines—especially lines uttered in their respective fits of "madness"—requires a reader to take the next few steps beyond the Polonius/Burghley starting line.

Consider Ophelia. Her name is of Greek origin, although critics are unable to settle

on which word it derives from. In his 1861 study *Der Hamlet*, Prof. A Gerth claims that it's a transcription of the Greek noun  $\omega\phi\epsilon\lambda\epsilon\iota\alpha$ , which means either "help/aid/succor" or "profit/advantage." On the other hand, the noun  $\omega\phi\epsilon\iota\lambda\epsilon\iota\alpha$ —which could also be transcribed "Ophelia"—means "indebtedness."

One reason both her name and her char-



*In Kenneth Branagh's version of Hamlet, Richard Brier's Polonius is depicted not as a fool, but as a plotter and a schemer. In the scene above he is seen enlisting Kate Winslet's troubled Ophelia in his next move.*

acter have proven so nebulous to Stratfordians may be that scarcely any commentators outside the Looney heresy have studied her with Burghley's real-life daughter—and the author's real-life wife—in mind. (George Russell French and Lilian Winstanley are the only Stratfordians I'm aware of who have even begun to explore the many enlightening parallels between Anne Cecil and Ophelia.)

Studied strictly within the context of the play, Ophelia—whose minor role in the historical Hamlet story Shakespeare greatly embellishes upon—is an enigma who eventually descends into meaningless and pitiful babble before dying a meaningless and pitiful death. Hardly a satisfying ending for one of Shakespeare's great heroines.

Viewed in conjunction with Anne Cecil's

tragic and brief life, however, Ophelia comes to transcend her circumstances, with her "madness" only liberating her to speak the words of truth that she could not even hint at when she was "sane."

As with King Lear on the heath and Edgar's ranting in the persona of Poor Tom O'Bedlam, Ophelia in her final scenes has a knack for telling the audience all we need to know about her desperate situation—if only we'd be willing to listen.

Of course, as a character inspired by the author's first wife, she is hardly the only party responsible for her own compromised circumstances. As the above etymologies indicate, in fact, she is so beholden to others that she has become a source of both aid and profit—although certainly not for the great Dane who gives the play its name.

Rather, that aid and profit that Anne/Ophelia provided came in the form of titles, land and political power for her father. To wit, Sir William Cecil was created Lord Burghley in 1571 specifically to ennoble his family such that his daughter could marry an earl, i.e. Edward de Vere, 17th Earl of Oxford.

In addition to keeping his thumb on one of the leading peers of the realm—and perhaps even profiting from the young earl's lands and encumbered estates—the newly-created Lord Burghley's plans to wed his daughter to a de Vere also fulfilled the blueblooded aspirations of any social climber at court: His grandchildren were scions of some of the most ancient and distinguished nobles in England. (This was apparently anathema to the headstrong 17th Earl, who gives Hamlet the otherwise inexplicable snap at Ophelia: "Virtue shall not so inoculate our old stock, but we shall relish of it!")

But, as Oxfordians know, the story doesn't end there. The complications begin to mount when one considers Anne/Ophelia's situation after the shotgun wed-

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Anderson (Continued from page 17)

ding. For starters, we know that whatever his reasons for such a course of action, Oxford—like *All's Well's* Bertram with Helena—wed but apparently refused to bed his young wife. By the time of his continental travels in 1575-76, this simple fact began to portend ominous things for the state of Oxford's marriage. It's hardly unheard of that nobles annulled or otherwise tried to escape their marriages if the unions did not produce an heir. (Wasn't there a famous English king who had such a problem?... ) Could his marriage to Anne Cecil have been issueless for so long because Oxford was vying for an annulment? Future Oxfordian research, I hope, will tackle this sticky question.

In any case, when he was traveling on the continent in 1575, Oxford learned of his wife's pregnancy. According to two letters to his father-in-law—the first from Paris before she gave birth and the second from Venice afterwards—he expressed his pleasure upon hearing of the pregnancy and the birth, although one wonders if he wasn't also muttering a few curses under his breath.

However, by the time he returned to England in April of 1576, Oxford had changed his song. He had become convinced that the child was not his, although so far as we can tell, he never specified who he suspected had fathered his wife's newborn daughter, Elizabeth. According to Morant and Wright's *History of Essex*, Oxford's wife eventually won him back with the extremely unusual story—a la *All's Well That Ends Well* and *Measure for Measure*—that she had tricked him into impregnating her by making him think he had slept with another woman.

Oxford remained married to Anne Cecil until she died from complications from childbirth in 1588. During Anne's brief and tragic life, Elizabeth Vere was born, then eight years later, in 1583, the two had a son (the infant Lord Bulbeck died soon after birth) followed by three other daughters, two of whom survived to adulthood.

Here's where we pick up the story in *Hamlet*—and ponder a possible parallel narrative thread in *Pericles*.

Starting with the prince's baiting of Polonius, quoted above, the language of conception and childbirth haunts Hamlet's discourse over Ophelia. Yet, the words are often cloaked in a cryptic, riddle-like tenor.

If conception is indeed a blessing, as

Hamlet claims, why does he imply that it would not be a blessing as Ophelia might conceive? That is, Hamlet's exchange provokes a question: What kind of pregnancy would not be a blessed event?

The closest parallel in Shakespeare to this riddle is the one another prince—of Tyre, in this case—faces in *Pericles*:

I am no viper, yet I feed / On mother's  
flesh which did me breed. / I sought a hus-

---

***“If conception is  
indeed a blessing,  
as Hamlet claims,  
why does he imply  
that it would not be  
a blessing as Ophelia  
might conceive?”***

---

band, in which labor / I found that kindness  
in a father. / He's father, son and husband  
mild; / I mother, wife and yet his child: / How  
they may live, and yet in two, / As you will  
live, resolve it you. (I.i.65-72)

The answer, as *Pericles* finds out, is perhaps the central taboo in any human civilization: Incest. It's also, I assert, the crucial unspoken factor that motivates the action in *Hamlet*.

Consider the wealth of veiled allusions pointing to an incestuous union between Polonius and Ophelia, akin to the explicit and acknowledged incest between the Polonius-like figure Antiochus and his daughter in Shakespeare's *Pericles*.

The “maggots in a dead dog” exchange between Hamlet and Polonius certainly bespeaks an unnatural conception. If the comparison holds true, then the sun, source of all life—including a dog's—also breeds with the thing it has created. The sun, remember, is what Hamlet also tells Polonius to make sure Ophelia avoids. All of this suggests Polonius as sire far more than it suggests Hamlet. (Plus, if Hamlet were the father of Ophelia's hypothesized child, what would Hamlet's motive be for vindictively railing

about pregnancy to Polonius? Pleading Hamlet's supposed insanity in this case, perhaps the only other explanation, strikes this writer as a cop-out.) As Richard Grant White wrote, proper morals prevented him from expounding further on the nature of Hamlet's disclosure: “The thought [is] one which [Hamlet's] madness, real or affected, may excuse, but upon which it is not pleasant to dwell, much less to expatiate.”

Hamlet later continues that Polonius “should be as old as I [i.e. Hamlet] am, if like a crab you could go backward.” (II.ii.202) Here it's claimed that the old counselor should be Hamlet's age—for something he has done that is more in line with other men of Hamlet's age?—and is then compared to the parasitic crustacean known for its dwelling in the former haunts of other creatures.

Hamlet telling Guildenstern that he knows a “hawk from a handsaw”—that he can see through phony pretenses—is also Polonius' entrance cue. In this same exchange, Hamlet then launches into Polonius with his famous exclamation “O, Jephthah, judge of Israel, what a treasure hadst thou!” This line, alluding to the Bible's archetypal act of child-sacrifice, is doubly revealing for the sexual connotation of “treasure.” (That's also a meaning Polonius apparently latches onto, since his next question is to clarify what kind of “treasure” Hamlet means!) As Mark Taylor writes in his book *Shakespeare's Darker Purpose*, “Hamlet, through a species of bawdy synecdoche (treasure = vagina), makes the daughter an emphatically sexual possession of the father.” (119)

When Hamlet instructs Ophelia to get to a nunnery, the question of his motive arises. Why would Hamlet have her go to a woman's refuge for enforced chastity? Is it simply because Hamlet's feigned madness leads him to such rampant paranoia? He asks Ophelia why she would be a “breeder of sinners.” He tells her to let the doors be shut upon her father so “that he may play the fool no where but in 's own house.” He notes that his dowry for her wedding is that even if she's “chaste as ice, as pure as snow,” she still won't escape calumny (i.e. slander; malicious statements). If she marries, he adds, she should marry a fool (note his previous reference to Polonius as playing the “fool” in his own house), since a wise man would quickly learn the true story. “God has given you one face,” he concludes, “and you make yourselves another.”

The simplest explanation for all these

strange utterances is that Ophelia is hiding a scandalous secret about her and her father. And Hamlet knows—and wants no part of it.

During *The Mouse-trap*, Hamlet and Ophelia exchange words that again hint at a third party in their bed. “I could interpret between you and your love,” Hamlet observes, “If I could see the puppets dallying.”

She praises his keen wit, and Hamlet replies with the bawdy pun “It would cost you a groaning to take off my edge.” (i.e. Were it not for one “groaning” of hers, he could speak without needing nuance, or an “edge,” to convey his point.)

She responds that his words are “Still better, and worse.”

To this, Hamlet delivers the punchline: “So you mistake your husbands.” That’s husbands with an “s”—written as a plural in both the 1604 “good” quarto of *Hamlet* as well as the 1623 First Folio of Shakespeare. (“Mistake,” which also appears in both the 1604 quarto and Folio, is often changed by modern editors, unable to make sense of it, to “must take.”) I would translate this quip to: You are sadly mistaken to consider both of your “husbands”—Hamlet and Polonius, in this reading—on equal footing, as both having their better and worse points.

Polonius’ death causes Ophelia to turn mad north-north-west. (It may be important to note that it’s only after Hamlet is sent to England to be killed that Ophelia is seen to have taken full leave of her senses. That is, if this reading is correct, then only when Hamlet is gone has she lost both the sire of her unborn child (Polonius) and the man (Hamlet) that she may have been hoping to claim was the father of her child.) Thus is Ophelia reduced to her “distracted” state—brought about, perhaps, from the unresolvable paradox that she’s overjoyed to see the incestuous breeder dead but she’s broken-hearted to see her dearly beloved father dead. (As she later says of her conflicted emotional state, “We must be patient; but I cannot choose but weep, to think they should lay him i’ the cold ground.” (IV.v.65))

Using copulatory language that suggests a deceased sexual partner, Ophelia mourns her father’s death with bawdy songs: “Young men will do’t if they come to’t; By cock they are to blame. ... And will he not come again? No, no he is dead. Go to thy deathbed. He never will come again.”

When the King greets the mad Ophelia,

she replies with another riddle: “They say the owl was a baker’s daughter. Lord, we know what we are, but know not what we may be.” (IV.v.41) Here, as Francis Douce points out, she alludes to a vulgar Gloucestershire tale of a father-daughter relationship in which the father, a baker, puts dough in the oven. The daughter tries to remove it, but some of the dough remains in the oven and ends up swelling to enormous size. This anecdote of Ophelia’s, the

---

***“Wearing rue with  
a difference ... would be  
symbolically equivalent  
to simultaneously  
killing off (i.e. aborting)  
and heraldically  
acknowledging  
a junior branch  
of the family.”***

---

King remarks, is a “conceit upon her father.”

Ophelia then politely tries to change the subject by instructing that “When they ask you what it [her words about her father] means, say you this.” She then sings a St. Valentine’s Day love song which begins innocently (“All in the morning betime, and I a maid at your window to be your Valentine...”) but nevertheless quickly descends into a vulgar tale of sexual conquest: “Then up he rose and donn’d his clothes, / And dupp’d the chamber door; / Let in the maid, that out a maid / Never departed more. ... Quoth she, before you tumbled me, / You promised me to wed. / He answers: So would I ha’ done, by yonder sun, / And thou hadst not come to my bed.”

Ophelia’s pharmacopoeia of herbs, by itself, almost tells her whole story. In Act 4, Scene 5, she gives out three herbs to clear the thoughts and senses: rosemary (to help remember), pansies (to help think) and fennel (to help see). She hands out columbines, which according to Stephen Weston was an emblem of cuckolds. Then she gives out some rue and keeps some for herself—the only herb she allots a portion for herself. As the OED points out, punning references to rue the medicinal and rue the state of repen-

tance for wrongdoing was a familiar usage in 16th century English. If she means to rue with her rue, then what was her transgression?

Rue was also known to the Greeks and Romans as an abortive. In his book *Contraception and Abortion from the Ancient World to the Middle Ages* (Harvard University Press, 1992), John Riddle cites more than 20 instances of ancient writers—including Soranus, Dioscorides, Pliny the Elder, Oribasius and Quintus Serenus—advocating the use of rue to induce abortions or menstrual discharge.

So when Ophelia calls rue an “herb of grace o’ Sundays,” she’s speaking with grave irony. She tells her brother Laertes and the King and Queen, that they must wear their “rue with a difference.” (IV.v.178). “Difference,” according to the OED, is a heraldic term for an “alteration or addition to a coat of arms used to distinguish a junior member or branch of a family from the chief line.” Wearing rue with a difference, as the above suggests, would be symbolically equivalent to simultaneously killing off (i.e. aborting) and heraldically acknowledging a junior branch of a family.

Ophelia’s two final herbs are daisies and violets. The daisy, Robert Greene notes, is often used to warn “light-of-love wenches not to trust every faire promise that such amorous bachelors make them.” The violet is, according to the 16th century book *A Handfull of Pleasant Delites*, for faithfulness. However, there’s one catch: “I would give you some violets,” Ophelia laments, “but they withered all when my father died.”

Curiously, despite all the cues in the text, no one that I can find has ever published an exposition, such as the above, of Polonius’ incestuous relations with Ophelia, culminating in her pregnancy—along with, if the rue scene is to be believed, a possible attempt at abortion—and eventual death. (Whether that death was an accident or a suicide—as the gravediggers’ banter in Act 5, Scene 1 could be argued to suggest—is left as an open question.) In his 1982 book *Shakespeare’s Darker Purpose*, Mark Taylor argues that the play suggests an unrealized incestuous love between Polonius and Ophelia. But even Taylor—whose thesis centers around incest in the Shakespeare canon—asserts that Ophelia dies “knowing no man.” (119)

Perhaps this is because, once again, the

*(Continued on page 24)*

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The newsletter welcomes articles, essays, commentary,  
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validated by peer review. The views expressed by  
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## From the Editor:

### The Shakespeare Oxford Library

As our page one story proclaims, we have finally established the Society's library in the Boston area in commercial office space rented just for that purpose. So, for the first time in its 43-year history, the Society has a business address that is *not* someone else's home or home office, or a back room in someone else's business offices.

This is, we are sure, the beginning of greater things to come, as the authorship issue continues to grow in the public consciousness, and our Society continues to grow with increases in membership from

around the country and around the world.

While this new space, in Malden, Massachusetts (a community bordering Somerville) is on the small side, it is nonetheless sufficient to handle the entire library collection, plus various other files and Society archives, and still leave room for several desks and a small work area.

Having such a central location for books, journals and other reference and research materials related to the authorship debate can only help us in fulfilling our mission to tell the world that Edward de Vere, 17th Earl of Oxford, was the true Shakespeare.

### 24th Annual Conference

The 24th Annual Conference in Stratford, Ontario is shaping up to be a memorable one. As of May 30 Oxfordians have already registered, no doubt looking to be sure that they are among the first 100 registrants and will therefore be assured of *Hamlet* tickets. If these early registrations are a harbinger, this conference could be one of the best attended ever, so we encourage all our members to consider signing up early rather than later.

Local organizer Susan Sybersma tells us that the reviews for *Hamlet* have been raves, and the play is well on its way to

being sold out for the whole 2000 season (which extends into early November). But there are, of course, six other plays on stage during the conference week (including *As You Like It*), so everyone should be able to find a ticket to something Friday night.

Also, for those considering presenting a paper this year: there is still time to apply. Send your inquiries or proposals to:

Dr. Jack Shuttleworth  
Program Committee Chair  
7770 Delmonico Drive  
Colorado Springs, CO 80919  
Email: DeVereinCO@aol.com

### A new name for the society?

Among the decisions and initiatives approved at the spring Board meeting in Portland this year was a resolution to consider changing the name of the Shakespeare Oxford Society.

This is an idea that has been around for years, emanating mainly from the belief that the initials "SOS" give a negative connotation about us to some (i.e. that we are in distress, crying out "SOS"). Even Charlton Ogburn, Jr. was known on occasion to say that he was not fond of the "SOS" appellation, and he himself never used it.

Many others, however, feel there is no real issue about the name, and we should leave it alone and enjoy the name recognition which we have built up over four

decades of activism in promoting the authorship issue and Edward de Vere.

In any event, the Board would like to hear from our members about such a change, and so we are mentioning it here to let members know that such an idea is under consideration. If there appears to be sufficient interest the topic will be placed on the agenda at the Annual General Meeting this fall for discussion.

Any members with thoughts and/or suggestions on how—or whether—the Society's name should be changed are requested to pass them on to: Dr. Daniel Wright (c/o the Dept. of Humanities, 2811 N. E. Holman St., Concordia University, Portland, OR 97211. Email: dwright@cu-portland.edu).

## Letters:

To the Editor:

I did want to tell you that I too speak for Oxford. I have undertaken to tell as many local groups, schools, libraries, etc. the Oxford story, with most emphasis being placed on the close link between Oxford's life and the content of the works.

Recently I have talked before a private school English class. The kids were so incredibly excited, and headed straight for the Internet when I finished. Many kept me after hours to keep talking.

I am [also] getting a lot of interest from local schools and libraries. Last September I gave a two-hour program at the Wall (NJ) Public Library. I asked the arts editor of the local weekly to come; she phoned me, then wrote the whole conversation up in a huge article. Lots of ink (though much of it inaccurately reported!), but I'm still getting the issue *out there*, and the name Oxford, *out there*.

More recently I sat down and talked to a librarian at a large county library, and she immediately booked me to speak.

I have even made a trip to England to see the Castle, Burghley House, and the new Globe. [At the Globe] we saw *Antony and Cleopatra* starring Mark Rylance as Cleopatra. A bit too beefy for belief was my original opinion, but by the end, he was Cleopatra, and I was sobbing.

What struck me immediately [about the Globe] was the similarity of the layout for the great hall at Hedingham: center hall, galleries for musicians, rooms off the back and to

the sides. How easy a leap for a fertile subconscious to open up its hidden treasures in that setting!

This winter (January and February) I have two more library dates. So while I am not at leisure to spend 24/7 doing research, I do all I can, [and] will continue to do so, for the Earl.

Well, that's the news. I don't know why I'm writing [to the newsletter] about it, but sometimes I feel very alone and exposed out here!

Yours for E. Vere  
Tina N. Hamilton  
Brielle, NJ  
9 January 2000

To the Editor:

Apropos the fine article "What author would conceal his name?" by James Fitzgerald (*Shakespeare Oxford Newsletter*, Fall 1999)—based upon the diligent and astute scholarship of the omniscient Robert Detobel—I would like to add a note about Fitzgerald's prompting reference "...the bizarre-anywhere eulogy of R.R. (almost certainly by Johnson)."

This reference reminded me that a few years ago at the Duke Humphrey Library, the Bodleian, Oxford, I examined an untitled quarto-sized book in dark-brown calf, edged in gilt, written in Latin, dated Anno Domini M.D.LX (reference number: 4 Z 35 Jur), annotated as follows:

This is a very rare book, it relates to Q. Elizabeth's medling [sic] with Scottish af-

fairs. The protestation by the French Ambr. Pieuire De Verure, was in French wh of the original is extant signed by the Amb in Cotton Library, from which I did take a Copy.

These cryptic comments were followed by a further annotated note, in a different hand:

This was the Earl of Oxfords book and the above his hand writing.

This enigmatic annotation is initialed "R.R." There is no indication as to the identity of this particular "R.R.," nor which Earl of Oxford is being referred to (the holograph does not appear to be that of [the 17th Earl]). It could possibly be that of Aubrey de Vere, 20th Earl of Oxford.

Neither is there any evidence that the French Ambassador, Pieuire de Veure, was related to Edward de Vere.

Derran Charlton  
Dodworth, South Yorkshire  
England  
17 January 2000

*(The following letter appeared in The New York Times, Arts and Leisure Section, January 2, 2000)*

To the Editor:

Isn't it time that serious students of the Elizabethan drama ceased perpetuating the myth that William Shaksper of Stratford was the author of the greatest works in the English language ("It's a wonder he had time to become Shakespeare," December 26th, 1999)?

Garry O'Connor's book [*William Shakespeare: A Popular Life*], from which the article was drawn, is simply one more tome, replete with fanciful invention to prop up the flimsy evidence in support of the Stratford Man. The true author deserves better from our academics, who long ago should have set about a scholarly investigation in search of the true "William Shake-speare."

Edgar Lansbury  
New York, NY  
The writer is a Broadway producer  
*(and, we might add, a long-time member of the Shakespeare Oxford Society -Ed).*

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The purpose of the Shakespeare Oxford Society is to establish Edward de Vere, 17th Earl of Oxford (1550-1604) as the true author of the Shakespeare works, to encourage a high level of scholarly research and publication, and to foster an enhanced appreciation and enjoyment of the poems and plays.

The Society was founded and incorporated in 1957 in the State of New York and was chartered under the membership corporation laws of that state as a non-profit, educational organization.

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“English Terence...” (Continued from page 3)  
 It was about this time (1610) that Will Shaksper went into semi-retirement at Stratford, according to Stratfordian lore. Perhaps he had a falling out with the King’s Men.

Davies continues that others would rail and complain at being put down but not our theater buff. Unfazed, he remains irrepressibly jaunty with his rampant, reigning wit. Being put down is no problem for him.

“Honesty” in the final couplet could at that time mean not only “liberality/generosity” but also “decency/decorum.” The Stratford man stays cool and maintains his aplomb despite the put-downs, thus sowing “good will.” How can you not like the guy? But he does not reap the benefit; the King’s Men do. They reap the benefit of his easy going nature and his liberal investments in their “Stocke, which they do keep.”

Then again, maybe Davies intended both readings. Poets of the day were flagrant practitioners of punning and allusive wordplay. His ambition to be clever, however, might not have been matched by his skill in execution. He addresses the poem to the “English Terence,” which must be the Stratford man, but calls him by the name of the London literary pseudonym, “Shakespeare.” This may represent some slippage in his cleverness.

In any case the coupling of Terence with “Shakespeare” in the title—as the Ogburns may have been the first to recognize—makes it impossible to escape the impression that Davies had in mind aristocratic authors, such as Oxford, whose works came out under names other than their own, such as “William Shakespeare.”

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**Video**

*Firing Line interview with Charlton Ogburn, Jr. (12/11/84)*. William F. Buckley, host; Prof. Maurice Charney (Rutgers) represents the Stratfordian side. 1 hour, VHS. Rarely seen interview with Ogburn upon publication of *TMWS* in 1984. Item SP 27. \$35.00

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*Book Reviews (continued from page 16)*

purportedly topical allusions—Bermuda shipwreck, equivocation, etc.—is at all unique to the post-1604 years.

That leaves seven.

They date the composition of *Coriolanus* (1607-8) and *Timon of Athens* (1607-8) not by historical evidence or topical allusions—for which they find none—but only on stylistic interpretation, which is very subjective and weak evidence. (See W. Ron Hess, et al in Vol. 1 (1998) and Vol. 2 (1999) of *The Oxfordian*.)

That leaves five.

*Cymbeline* (1609-10) and *The Winter's Tale* (1610-11) are dated solely on the basis of performance dates in Simon Forman's "Notes," which were allegedly "discovered" by John Payne Collier but were actually forgeries by him. A highly qualified scholar, Collier was also an expert and notorious forger. The documents were proven to be forgeries by none other than a leading Stratfordian scholar, Dr. Samuel A. Tannenbaum, a founder of the Shakespeare Association of America and editor of its journal.

That leaves three.

Two of these remaining three have troubled histories, and even Stratfordian scholars have argued for dates of composition that come before 1604. *Pericles* (1607-

8) was not included in the *First Folio* of 1623, the authorized canon. After registration in 1608 a "bad quarto" was published in 1609. The play shows signs of collaboration or of someone finishing what someone else started. Stratfordians suggest, as they unrealistically do for some—but not all—other plays, that it was written shortly before it was registered, but there's no proof of that. Oxfordians can just as easily suggest that Oxford left it unfinished when he died.

*Henry VIII* is dated 1612-13 because a play of that name, also called *All Is True*—author unspecified—was being performed in the Globe in June 1613 on the night the theater burned down. Whether it was the Shakespeare's play included in the *First Folio* is not certain. Two of the most eminent Stratfordian scholars, Edmund Malone and E.K. Chambers, were skeptical that their Will Shakspeare, aging and semi-retired in Stratford, would revert to a history play about the late Queen Elizabeth and do it during the reign of her successor, James I. Chambers cited a 1593 play as a possible early version.

So finally, that leaves *Antony and Cleopatra* with a purported composition date of 1606-7, based solely on a Stationers' Register entry of 1608. In the Stratfordian dating scheme, however, four other plays are supposed to have been written four to five years before registration. Therefore,

*Antony and Cleopatra* could also have been written four to five years earlier.

In summation, the Stratfordians have no hard evidence—or any persuasive evidence at all—that *any of the plays* were written after 1604. They date a dozen or so plays after 1604—opinions differ even among Stratfordian scholars on just how many plays are post-1604—even though they know the dating evidence is very flimsy.

"The dates of composition of most of the works are highly uncertain," writes Professor Sylvan Barnet in the Signet editions of the plays. Chambers identified the rationale for the Stratfordian dating when he wrote of "fitting this order [of the plays] into the time allowed by the span of Shakespeare's career," that is, into the decade post-1604 but short of the Stratford man's conjectured "retirement years" preceding his death in 1616.

This dating of plays into the post-1604 years was done before the case for Oxford as the author had gained much notice and support. Nowadays, however, more and more Stratfordians try to conjure up allusions and references that might date the plays post-1604. Faulty as it is, this argument was seized upon by the authors of *Shakespeare for Dummies* as they tried to argue against Oxford as the author.

But it doesn't work.

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*Anderson (Continued from page 19)*

blinders of Shaxperotics prevent a reader from apprehending what Shake-speare alludes to, no matter how many times he says it—even when it’s explicitly part of the plot, as it is in *Pericles*.

Historically, the motives for Anne/Ophelia’s possible pregnancy by Burghley/Polonius can be coaxed out, however gruesome and Machiavellian they may be. It’s safe to assume Lord Burghley wanted to retain his title and his prominent standing and influence at court, so he would have had every reason to do all he could to ensure his daughter remained the Countess of Oxford (i.e. that his daughter produced an heir).

Furthermore, we know that Oxford questioned Elizabeth Vere’s paternity after she was born—and judging from the references to and jokes about daughters of doubtful legitimacy throughout the Shake-speare canon (in such works as *Midsummer Night’s Dream*, *The Tempest*, *A Winter’s Tale*, *Much Ado About Nothing* and *The Rape of Lucrece*), Oxford may have never fully resolved the conundrum.

The overriding question, then, becomes one of “Why Incest?” Even if Burghley wanted to make sure the marriage wasn’t annulled, why would he have impregnated

Anne himself?

And that’s where one needs to remember that ultimately the Shake-speare canon is still portraying Shake-speare’s dramatic perspective. He may have suspected dirty deeds in Anne’s 1575 pregnancy, but it’s also possible that he had his own host of reasons for amping up his suspicions of infidelity into suspicions of incest. Asserting that Shake-speare accuses Polonius/Burghley of impregnating Ophelia/Anne is not the same as saying that this actually ever happened.

Perhaps it did. Perhaps it didn’t. At this point, though, lacking any substantial data about the historical figures in question, it’s impossible to address the factual question that this reading of *Hamlet* raises: Was the revered Lord Burghley guilty of the sin that is never spoken of?

Even if historians take Richard Grant White’s approach and deny expatiating such unpleasanties, the dramatic genie is already out of the bottle: I assert that otherwise murky passages from *Hamlet* make far more sense with the Polonius-Ophelia incest subtext than without. And delving into the heart and core of these immortal works is what, I hope, everyone is in this game for.

My ultimate benchmark is the drama

itself. If a reading or historical theory helps one appreciate the, at times, opaque language and endows the tragic, romantic, comic and dramatic moments with more poignancy, then coincidence becomes a far less likely explanation.

As Oxford wrote to Burghley on April 27, 1576, when the young courtier was still white-hot with rage over the disputed parentage of his wife’s daughter, “Until I can better satisfy or advertise myself of some mislikes, I am not determined, as touching my wife, to accompany her. What they are—because some are not to be spoken of or written upon as imperfections—I will not deal withal. Some that otherwise discontented me I will not blaze or publish until it please me.”

Perhaps it’s best that Lord Burghley never lived to see the “mislikes” in *Hamlet* ever “blazed or published.” (Burghley died in 1598, while the first printed edition of *Hamlet* came out five years later.) Herbal connotations aside, one could probably summarize the entire play of *Hamlet* as a rue... with a difference.

*(Roger Stritmatter and Tekastiaks contributed to this report.)*

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