

“YOUR ‘IF’ IS THE ONLY PEACEMAKER”:  
THE RHETORIC OF WOMEN’S SELF-DEFENSE  
IN SHAKESPEARE’S PLAYS

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## ABSTRACT

Female characters and other socially subordinate characters in Shakespeare's plays frequently use a particular conditional construction when speaking in self-defense. Their swearing takes a form similar to: "If I am guilty, then may terrible things happen to me" or "if I am guilty, then there is little goodness in the world." Shakespeare's female characters use the conditional to couch their speech in deferential terms, which allows them to make otherwise unacceptable brazen assertions that contradict men in power. In this study, I examine the use of this construction in Shakespeare's plays by Katherine and Buckingham in *Henry VIII*, Othello in *Othello*, Hero in *Much Ado About Nothing*, Rosalind in *As You Like It*, and Hermione in *The Winter's Tale*. The heroines are talkative and rhetorically skilled, but their supposedly transgressive speech does not signify promiscuity or lack of virtue, as early modern discourses about female virtue, chastity, speech, and authority say it should.

Shakespeare's female characters successfully use rhetoric to recuperate their reputations and to expose the injustice of their male accusers. They are no less proficient rhetors than their male counterparts and use the same conditional construction that men sometimes use effectively in self-defense. Yet women cannot persuade the men in charge to alter their judgments when such a success would constitute a social change. Their failure is not due to any rhetorical deficiency; it indicates Shakespeare's resistance to accepting the early modern notion that rhetoric gives people power to climb the social ladder, make social change, and even topple the powers that be. Rhetoric has the power to achieve its main goal and persuade, even on a large scale, but not, as some early modern scholars thought, to greatly increase a rhetor's power or to

change the world with victory after victory. *If* becomes Shakespeare's way of acknowledging these characters' subordinate positions but turning them into opportunities for eloquence; the powerless, regardless of gender, can speak just as well as the powerful and can skillfully use deferential language to express strong, brazen disagreement peacefully.

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## CHAPTER 1

### INTRODUCTION

In Touchstone's bit about the quarrel upon the seventh cause, he claims that one can avoid "the lie direct" with an *if*, and concludes, "Your 'if' is the only peacemaker; much virtue in 'if'" (*As You Like It* 5.4.96-101). Touchstone's observation suggests that *if*'s indirectness allows disagreement to take place peacefully; his quarrelling courtiers use the conditional to qualify claims, transforming them into evadable accusations.<sup>1</sup> Conditional statements emerge as useful tools for contradicting someone, not only during a quarrel, but also in defenses in a variety of contexts. Many of Shakespeare's characters use conditional clauses, often beginning with *if*, to defend themselves against accusations by social superiors. Shakespeare's female characters, in particular, are frequently in this position and employ this strategy. They are often wrongly accused, whether because they are innocent of the charge or because they are accused of doing something only perceived as wrong – when, for example, Henry VIII accuses Katherine of not bearing a healthy son. Having to defend themselves at all puts women a position that makes them more powerless than usual and requires them to speak at length using judicial rhetoric. Thus,

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<sup>1</sup> Touchstone provides an anecdote: "I knew when seven justices could not take up a quarrel, but when the parties were met themselves, one of them thought but of an 'if': as, 'if you said so, then I said so': and they shook hands and swore brothers" (5.4.96-100). Vincentio Saviolo's 1594 handbook *Of Honor and Honorable Quarrels*, to which Touchstone's speeches allude, helps clarify *if*'s role in the kind of quarrelsome contradictions Touchstone describes. In a lie certain, the speaker affirms that because his opponent has spoken ill of him, the opponent is lying. However, a conditional lie asserts that if the opponent spoke ill of the speaker, then the opponent is lying. *If* gives the opponent room to "escape the lye" using "genetall words," even if the accusation is true. Saviolo, aiming to help the reader win quarrels, recommends using only lies direct because they force the other party to answer one's charge (S3). Touchstone sees a different kind of efficacy in the conditional lie's ability to resolve quarrels in which no one is backing down because all are trying to win.

their self-defenses foreground the complex relationships between female virtue and speech, between women's rhetoric and power.<sup>2</sup>

Broader discussions about how Shakespeare's female characters use language and rhetoric, whether to exert agency or not, lack the crucial examination of how Shakespeare portrays women defending themselves.<sup>3</sup> This study examines the rhetorical patterns employed by Shakespeare's female characters in self-defense, with special attention to conditional sentences. While there are several rhetorical options available to these characters, *if* appears ubiquitously and usually in the same grammatical construction for swearing, meriting emphasis in this study. I consider both the efficacy of the defenses and the social hierarchies and circumstances within which they take place. My findings suggest that in these speeches, Shakespeare both recognizes and undermines early modern discourses about female speech and the power of rhetoric. The accused women speak at length and boldly contradict their male accusers by asserting their innocence, challenging the idea that transgressive language indicates promiscuity. Yet, by using the conditional, the female characters highlight the impotence of their self-defenses. Their speech is eloquent and deferential, appropriate to the occasion, and in theory should be rhetorically effective. Indeed, the women successfully recuperate their reputations and present themselves as innocent, honorable, and dignified before onlookers. At the same time, they usually fail to make the men in power alter their judgments. Rhetorical skill was conceived as a political tool for gaining power, enabling upward social mobility, and even inciting social upheaval in early modern England (Rebhorn xii), but Shakespeare exposes the limits of this idea by showing that

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<sup>2</sup> Although defense of sexual faithfulness is only one of many situations in which women must defend themselves, Shakespeare is clearly preoccupied with staging trials of women and their sexuality. He places the controversy surrounding female chastity and fidelity at the center of a number of his plays, including comedies, romances, and tragedies: *Much Ado About Nothing*, *The Merry Wives of Windsor*, *Measure for Measure*, *The Winter's Tale*, *Othello*, *Hamlet*, and *Troilus and Cressida*, for example.

<sup>3</sup> For discussions of Shakespeare's female characters and rhetoric, see Patricia Parker, Rosemary Kegl, Christy Desmet, Christina Luckyj, and Megan D. Little.

women, even queens, with rhetorical prowess cannot wield its promised power. The nature of their failure, despite their rhetorical mastery, suggests the constructedness of gender-based power relations: early modern women were subordinate to men, not because of any inherent deficiency, but because of the established belief, perpetuated by men in power, that men belonged in positions of leadership.

Early modern English society required virtuous women of every marital status – maid, wife, or widow – to be “chaste, silent, and obedient” (Fletcher 12, Luckyj “Women’s” 35). William Whately’s often-quoted handbook *A Bride-Bush*, published in 1617, offers some representative advice for wives from which we can extrapolate expectations for women in general, including those regarding their relationships with men. According to Whately, the wife “must acknowledge her inferioritie” and “carry her selfe as inferior.” She should practice “the vertue of subjection” to her husband’s directions and chastisements, even “bearing such [reproofs] as are undeserued, patiently.” Whately also advises wives to show reverence to their husbands through speech, including “behinde his backe,” and “gestures, countenances, and whole behaviour” (49). Karen Newman points out that *A Bride-Bush* was only one of many texts that encouraged women “to repress...*any visual sign* of opposition to their husbands” (9). Women were required not only to be chaste, whether leading up to or within a marriage, but also to use “silence, humility, and modesty” to signify their chastity (Fletcher 121-22).

Early modern men linked chastity and silence because speech represented power and agency. Newman argues that female speech represented the “usurpation of multiple forms of authority, a threat to order and male sovereignty” (134).<sup>4</sup> According to Anthony Fletcher, these

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<sup>4</sup> Linda Woodbridge points out that “male speech represents legitimate authority, while female speech attempts to usurp authority or rebel against it” (208). Women’s tongues were their weapons, but battle of any kind was reserved for men (207-8). Tactics of characterizing female speech as irrational, meaningless “babbling, prating, [and] chattering” aimed to neutralize women’s most effective tool: speech (210).

characterizations of female speech stemmed from assumptions that a woman who spoke unprompted by men demonstrated an independence that could lead her to another man's bed.<sup>5</sup> Thus, men obsessively equated "shrewish or scolding behavior" with infidelity and attempted to control women's speech (12). Early modern discourses reflected this anxiety by figuring women as mouths, often "gaping and voracious" (Newman 10). A silent woman represented chastity; her conflated "double 'mouths'" remained closed (Harvey 132). Conversely, immodest or unauthorized speech, issuing from a woman's open mouth, represented open genitals and sexual transgression. As a result, public punishments for scolds and for adulteresses resembled one another (Newman 11).

The concept of silence is not, however, absolute, but rather relative to loquaciousness. Christina Luckyj reads William Gouge's "horror of the loquacious woman" in *Of Domesticall Duties* (1622) as a manifestation of castration anxiety ("Women's" 35).<sup>6</sup> She claims that for Gouge, a talkative woman "usurps masculine sexuality as well as masculine discourse." However, Luckyj challenges the notion that early modern discourses invariably viewed feminine silence as unequivocally virtuous. Gouge is among the writers who are suspicious of truly silent women; many conduct books recommend "carefully circumscribed speech" rather than silence ("Women's" 36). Although conduct books cast silence in a positive light when they associate it with chastity, some texts suggest that silence could be an exclusively outward sign of modesty that subversively conceals seductive intentions ("Women's" 37). Silence could also express "open defiance" as an alternative rhetoric to speech or even, counter to the discourse that figures

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<sup>5</sup> Fletcher says that for husbands, "every incident of verbal assertiveness could awake the spectre of adultery and the dissolution of patriarchal order" (12).

<sup>6</sup> Luckyj points to "the popular pun on 'tale' and 'tail'" in Gouge's assertion that women "who must and will have all the prate... will surely take the tale out of [their husband's] mouth before he have done" (qtd. in Luckyj "Women's" 35). Lynda E. Boose also reads castration anxiety into these discourses; the female tongue represents "a symbolic relocation of the male organ," and "unruly member" that unlawfully appropriates male authority" (204).

silence as chaste, “represent the secret intimacy of the act itself” (Luckyj *Gender* 7, 67). Elisa Oh frames the two concepts of silence in terms of “honest seeming or dishonest seeming; a chaste, obedient subject or an unchaste, resistant subject.” The former female subject is “materially representable in the body and its garments,” and the latter “invisible to all except a few initiated ‘readers’” (185). Early modern women, in other words, walked a tightrope between not seeming chaste enough and seeming too chaste, talking too much and not talking enough – an impossible situation that enabled any behavior from a woman to be labeled as inappropriate.

This anxiety about women’s dishonesty, in both the linguistic and sexual senses, reflects the early modern period’s growing concern with controlling female authority (Kaplan and Eggert 90; Fletcher 27). Some men saw women as “dangerously assertive” or complained of “female rebellion” and sought to limit their authority by discouraging them from engaging in public roles (Fletcher xxii; Newman xviii).<sup>7</sup> These men relied on the discourse of promiscuity to understand, articulate, and discourage “disorderly female activity” because women’s reputations were built on their sexual behavior (Fletcher 8; Kaplan and Eggert 90).<sup>8</sup> M. Lindsay Kaplan and Katherine Eggert describe the result: when men accused women of infidelity or promiscuity, they were often barely concealing an attack on “women’s perceived dominance over men in a nonsexual sphere” (90).<sup>9</sup> According to Laura Gowing, the word *whore* became both “shorthand for a fuller

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<sup>7</sup> Indeed, Newman claims that “incidents of feminine transgression crowd the historical record” (xviii).

<sup>8</sup> Laura Gowing describes how an insult to a woman’s sexual reputation could have dire results for her whole life, for example, by damaging her marriage prospects, thus ruining her “only opportunity for the kind of advancement that makes up men’s careers” (“Language” 440–41).

<sup>9</sup> Kaplan and Eggert also offer a useful breakdown of the discourses with which women were accused of transgressions: “Female criminality was on the whole popularly defined in terms of either inverting gender hierarchy, as in petty treason or scolding, or transgressing sexual mores, as in bastardy or prostitution, or both, as in adultery or witchcraft” (90).

exposition of sexual misconduct” and a symbol for all forms of female misbehavior and personal grievances against women (“Language” 431, 437).<sup>10</sup>

Attempts to control female authority sometimes moved beyond the household and social spaces into the formal setting of the courtroom. When early modern women attempted to litigate against their slanderers, they were bound to the same assumptions about female public speech and chastity that pervaded accusations against them. Gowing describes the phenomenon: because discussing one’s sexual reputation in court did not constitute honorable behavior for women, their self-defenses could be considered dishonorable by “perpetuating the discourse about sex” (“Language” 442). The fine line women walked between speaking too much and too little for a sexually pure woman shows up in the courts as well: women were seen as dishonest both for “not pursuing defamation in the courts” and “for being too litigious” (“Language” 442). But since most cases were resolved or abandoned before reaching a final judicial sentence, “the narratives of litigation themselves...carried the weight of dispute”: the power of women’s words did not depend on the judge. Since “the formal articulation of complaint and conflict...was the point,” litigants’ speech could significantly affect reputations and cases’ outcomes (Gowing *Domestic* 43).

Whether the courtroom, social community, home, or stage, all places of debate depended on rhetoric. Educated men, even those who, like Shakespeare, only had the benefit of a grammar school education, would have had the tools of forensic (or judicial) rhetoric, and of rhetoric more broadly, at their disposal – tools that Shakespeare used again and again when crafting dialogue

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<sup>10</sup> However, male accusers could rest assured that there was no male equivalent for “whore” and that their sexual behavior would not be judged according to the same standards, values, and punishments; men’s honor “never involved their sexual behavior” (Gowing “Language” 431-32, 439).

([Cicero] *Rhetorica* 5).<sup>11</sup> Humanist rhetoric curricula followed the Ciceronian tradition and gradually incorporated new Latin handbooks from the continent (Christiansen 31; Kennedy 246). Shakespeare was familiar with some of Cicero's works (including *Topica*), Susenbrotus's handbook of figures, Erasmus's *De Copia*, and maybe Quintilian's *Institutio Oratoria* (Kennedy 319).<sup>12</sup> In fact, two of the rhetorical texts by Cicero and Quintilian taught in early modern grammar schools formed the basis for lawyers' formulary texts and, consequently, taught sixteenth-century lawyers and writers how to formulate arguments and think about proof and evidence (Hutson 1). In addition to the texts used in formal rhetorical education, handbooks of rhetoric began appearing in English by the mid-sixteenth century, starting with Leonard Cox's *The Arte or Crafte of Rhethoryke* (1535) and Richard Sherry's *A Treatise of Schemes and Tropes, Gathered out of the Best Grammmarians and Oratours* (1550) (Kennedy 247). Thomas Wilson's *Arte of Rhetorique* (1553) was the first vernacular rhetoric with a wide scope; written for practical use by adults not necessarily proficient in Latin or Greek, it covers the five divisions of Ciceronian rhetoric: invention, disposition (or arrangement), style, memory, and delivery (Medine 8). Other prominent English vernacular rhetoric handbooks include Henry Peacham's *The Garden of Eloquence* (1577) and George Puttenham's *The Arte of English Poesie* (1589). As Nancy L. Christiansen points out, the proliferation of rhetorical figures in these books indicated both the importance of mastering style and the rigor it demanded (5). The figures encompassed "every conceivable level of discourse, from sound and rhythm to grammar, diction, syntax, speech acts, gestures, logical proofs and forms, organizational strategies, genres, and qualities of style" (35). The presence here of grammar and logic, the other subjects in the early modern

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<sup>11</sup> The other "causes" of rhetoric, in addition to judicial, are epideictic and deliberative (Cicero *Rhetorica* 5; Wilson 54).

<sup>12</sup> In the late sixteenth century, these works lost ground to Ramist rhetoric, but Ramist treatment of rhetorical figures differed little from that of the existing classical tradition (Kennedy 249; Ong 273-74).

educational trivium, suggests Christiansen's conclusion that rhetoric, as "the art of persuasion become the art of communication," more precisely included grammar and logic (4-5). Both could help achieve rhetorical ends of persuasion and communication appropriate to the audience and occasion.

Many of Shakespeare's contemporaries, watching early performances of the plays, would have recognized his rhetorical moves from their grammar school education and vernacular rhetorical handbooks. However, formal rhetorical education in England was aimed primarily at men. Even those few Englishwomen, almost all noble, who received humanist educations were often excluded from learning rhetoric, subject to male humanists' ambivalence toward women's eloquence (Wiesner 126, 128).<sup>13</sup> Rhetoric was widely considered to be outside women's purview, "the exclusive province of men" (Rebhorn xii). Newman characterizes this as part of a larger pattern: women's talk became threatening and seditious whenever it moved into public spaces, be they "the streets...the church or alehouse" (134). But the concept also stems from classical rhetorical associations of femininity with ostentatious and ornamental language (Desmet 135; Parker *Literary* 110). According to Patricia Parker, the *copia* of style was linked to "the proverbial *copia* of the female tongue" ("On the Tongue" 445). Although men displayed overabundance of speech more than women did, this "disease" of excess was still coded as feminine (447, 450). Symptoms of rhetoric being "anathema to women" include the use of double *entendres* to describe women who pled cases in court: the legal "cause" or "case" was linked with the "case" of female genitalia (Newman 134; Parker *Literary* 106). Since women were presumed to be unfamiliar with forensic rhetoric, their "stories were expected to be less plausible, less effective in court, than men's" (Gowing *Domestic* 52). So Shakespeare's female

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<sup>13</sup> Italian humanists forbade their female pupils to study rhetoric (Wiesner 127). Juan Luis Vives's position is that a woman does not need eloquence, only goodness. She should stay at home, and when she must be in company, she should "hold her tongue demurely, and let few see her, and none at all hear her" (qtd. in Wiesner 127).

characters must perform in rhetorical situations, like trials, that challenge them to prove their good *ethos* even though speech itself was considered morally dubious for women (Little 84).<sup>14</sup>

One way out of this dilemma for women is Touchstone's powerful peacemaking *if*, the rhetorical tool most frequently used when Shakespeare's characters defend themselves to social superiors. Significantly, the three Shakespeare plays that use *if* in the most number of speeches are *Othello*, *Much Ado About Nothing*, and *The Winter's Tale*.<sup>15</sup> This suggests that dialogue that conjectures about, accuses, and exonerates women regarding their sexual behavior frequently includes *if*. The conditional both creates an atmosphere of doubt and suspicion and is used by women to counter it. But in addition to the constructions and speeches I examine in depth in this study, some of which regard women's sexuality, characters employ the conditional in defense in a variety of ways. *The Merry Wives of Windsor*'s Mistress Ford, for example, speaks in conditionals both about her husband's suspicion and to deny her alleged unfaithfulness. She says that Master Ford suspects without cause "if you suspect me in any dishonesty" (4.2.125-26). When he insists on emptying the buck-basket, she tells him, "If you find a man there, he shall die a flea's death" (4.2.142-43). Stepping in as a defending ally, the King in *All's Well That Ends Well* vouches for Helena in part using a conditional statement: "If she be / All that is virtuous, save what thou dislik'st— / A poor physician's daughter—thou dislik'st / Of virtue for the name" (2.3.121-24). In *Henry IV, Part One*, Falstaff famously claims that he fought more than fifty men and, when pressed by Hal, swears this is not a lie: "I tell thee what, Hal, if I tell thee a lie, spit in my face, call me horse" (2.4.177-78). By swearing to a lie, Falstaff shows that the defensive *if* is not reserved for the innocent. However, he also uses the conditional in the same

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<sup>14</sup> Megan D. Little also notes that to be effective and persuasive in any rhetorical situation, early modern women had to negotiate between the figures of "the good woman speaking well and the trickster rhetorician" and avoid becoming "a thing of derision, a trickster, a dissembler, and a plotting adversary to be bridled as a scold" (85).

<sup>15</sup> This analysis was conducted using Open Source Shakespeare's concordance.

way as many others who defend themselves: swearing if such-and-such (that the speaker is swearing will not happen or is not true) happens, then may something undesirable happen to the speaker. *As You Like It*'s Charles the wrestler provides another example when he promises Oliver that he will kill Orlando: "If ever he go alone again I'll never wrestle for prize more" (1.1.150-51). Similarly, in *Richard II*, Bolingbroke urges Mowbray to confess his alleged treason before he leaves in exile. Mowbray refuses and defends himself: "if ever I were traitor, / My name be blotted from the book of life, / And I from heaven banished as from hence" (1.3.200-202). However, the hypothetical result of Mowbray's *if* is more than merely undesirable – it is eternal damnation. His defense falls under the more specific category of swearing on one's own credibility, life, or salvation or on the state of the world, e.g., "if this person is guilty, then may terrible things happen to me" or "if this person is guilty, then there is little goodness in the world." Emilia provides an example of the latter model when she defends Desdemona to Othello: "if she be not honest, chaste, and true, / There's no man happy" (4.2.16-17). She swears, not on her own most extreme circumstance, but on the world's; one happy man, or one faithful wife, proves Desdemona's fidelity in Emilia's terms. Many, though not all, of the instances of *if* used in defense that I examine follow some version of this formula, which constitutes Shakespeare's conditional construction of defense.

Linguistics can help us understand the purpose of a speaker choosing a certain grammatical construction or rhetorical strategy. While linguistics scholars have not classified or examined the particular linguistic function of the grammatical construction Shakespeare's characters often use ("if this person is guilty, then may terrible things happen"), it fits into a theoretical framework that helps explain its purpose. Shakespeare's conditional construction of defense is an indirect inferential conditional, and, more specifically, a type of *ad absurdum*

inferential. Using the general construction “if  $p$ , then  $q$ ,”  $p$  is the antecedent and  $q$  is the consequent. In an indirect inferential conditional, the speaker uses an obviously false consequent to imply his or her belief that the antecedent is false (Verbrugge and Smessaert 338). The Modus Tollens rule of logic enables this inference (Fulda 464; Declerck and Reed 297): it “states that if a conditional statement *if  $p$  then  $q$*  is accepted, and the consequent does not hold (*not- $q$* ), then the negation of the antecedent (*not- $p$* ) can be inferred” (“Modus tollens”).<sup>16</sup> The Shakespearean construction falls under the subcategory of *ad absurdum* inferentials.<sup>17</sup> The speaker assumes, for the sake of argument, that the antecedent is true, but then says a consequent that is absurd in the “actual world” and treats it as such. The construction implies that the antecedent and consequent are in the “same world,” so the speaker uses the construction to suggest that the antecedent, like the consequent, is “absurd (=not true) in the actual world” (Declerck and Reed 297). In doing so, the statement employs the argumentative strategy for deductive reasoning, *reductio ad absurdum* (Verbrugge and Smessaert 337). This practice demonstrates “the falsity of a hypothesis, principle, etc., by showing that the consequence of assuming it to be true is something absurd or contradictory” (“Reductio”). The speaker of an *ad absurdum* inferential might “exploit the expectation that the hearer will react incredulously” (Declerck and Reed 299), which indicates that the Shakespearean construction may at times employ *pathos* by jolting the hearer with the surprising or shocking nature of the consequent. When the consequent relates to the speaker’s own credibility or salvation, it may be particularly shocking to the hearer, while, at the same time, the hearer may feel the increased pressure of politeness to conceal his or her surprise.

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<sup>16</sup> All definitions come from the *Oxford English Dictionary*.

<sup>17</sup> While Renaat Declerck and Susan Reed use this terminology, their predecessors also used the labels “rhetorical conditionals,” “Dracula conditionals,” and “ex absurdo conditionals” (Declerck and Reed 297). Theorists who build on Declerck and Reed, like Joseph S. Fulda, Sara Verbrugge, and Hans Smessaert, also call the *ad absurdum* inferential the Dutchman conditional, which is named after “the prototypical consequent ‘I’m a Dutchman’ spoken by someone of non-Dutch descent” (Fulda 463-64).

Joseph S. Fulda distinguishes between two types of *ad absurdum* inferential. The first, more frequently discussed, version has an impossible consequent and only serves to deny the antecedent, which is the only statement in doubt. The statement “‘If that’s proper English, I’m a monkey’s uncle.’ Conveys: ‘That’s not proper English.’” The second version, of which the Shakespearean conditional defense is an example, includes an unlikely (rather than impossible) consequent and serves to deny both the antecedent and the consequent (464). Thus, by saying, “If I’m guilty, may my soul burn in hell,” one means, “I am not guilty, and my soul will not burn in hell.” Many of the conditional constructions of Shakespearean defense use damnation, death, or defamation as their absurd *q*-clause, as in the previous model sentence. Renaat Declerck and Susan Reed offer some similar examples, further confirming that the conditional defense belongs in the *ad absurdum* inferential category, including, “I’m damned if I’m going to break an important appointment on Monday morning to go to the bank for you!” and “I’ll be buggered if I’m going to” (298). They explain how these consequents can be considered absurd in the actual world: “An addressee who assumes that the speaker...does not want to be hanged, buggered, or damned will interpret the Q-clause pragmatically...as referring to a counterfactual world” (298).

The *ad absurdum* inferential, as a frequently used grammatical construction working toward a communicative and, in speeches of self-defense, persuasive end, draws attention to itself as a rhetorical device, a stylistic choice. By using this and other figures, Shakespeare makes clear to his audiences that rhetoric is at work in his characters’ speeches.<sup>18</sup> This transparency suggests his engagement with early modern debates about rhetoric, and self-defense, in particular, allows for explorations of the potential social and political power of rhetoric. Wayne A. Rebhorn outlines how Elizabethans conceived of rhetoric’s power. It allows the orator “to

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<sup>18</sup> Russ McDonald sees Shakespeare’s rhetoric in the late plays, which include *The Winter’s Tale* and *Henry VIII*, as “unconcealed artifice” filled with patterns. These works show a “subtle and yet pervasive deployment of poetic schemes and figures” (*Shakespeare and the Arts* 47).

control the will and desire of the audience” to the end of subjugating others, not enabling “free political debate” (15). The orator always “emerges victorious” since, as was almost universally accepted, rhetoric could not be resisted (Rebhorn 15; Vickers 418). Rebhorn details how rhetoricians ambiguously conceived of rhetoric, as a tool for both maintaining the status quo and threatening social stability: they shifted between “identifying orators with actual rulers and seeing them as baseborn outsiders whose verbal skills enable them to climb up the social hierarchy and give them the means to resist or even rebuke the authorities above them” (xii).<sup>19</sup> Rhetoric aims, not just to portray one’s arguments as plausible, but “to affect people’s basic beliefs and produce real action in the world” (4).

However, advocates for women’s learning were careful to make sure this discourse did not carry over to women’s education. Despite Rebhorn’s claim that rhetoric “could serve practically all individuals and fit practically all situations as it blithely crossed long-established boundaries among disciplines, professions, and social classes,” educators tried to ensure that women’s education, for the few who received it, would not lead to “social or political upheaval” (Rebhorn 6; Wiesner 118). Advocates of women’s education, which, again, seldom included rhetoric, addressed opponents’ concerns that literacy could alter a woman’s worldview and sense of place in the social order (Wiesner 119). So why does Shakespeare put rhetoric learned from his own education as a male grammar school student into the mouths of women, whose education, if it existed at all, was not supposed to grant them power or rhetorical skill, and what is the result? Rebhorn notes that literature can “expos[e] contradictions, criticiz[e] assumptions, and revis[e] conclusions from the discourse of rhetoric” (18). By modeling rhetorical situations,

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<sup>19</sup> These ambitious outsiders belonged to the rising class of lay bureaucrats, highly educated men who advised kings despite not being nobly born. Catherine Bates describes the sixteenth-century development of the bureaucratic machine; the increasing demand for writing expanded literacy to “a newly educated professional and secular class” (345). Russ McDonald notes that increased access to education led to social and economic mobility (*Bedford* 276).

authors “scrutinize the discourse of rhetoric even as they repeat it [and] analyze and evaluate its assumptions, assertions, and judgments about human beings and the social and political world in which they live” (19).

Shakespeare engages in the activities Rehorn describes as he challenges assumptions about female rhetors and the social and political power of rhetoric itself. For Shakespeare, the *if*'s women use in self-defense constitute attempts to navigate a social, moral, rhetorical, and legal system stacked against them. The conditional may serve to make speech sound deferential, but Shakespeare's female characters use it to allow them to make brazen assertions that contradict men in power; their deference is rhetorically appropriate for the occasion. Talkative women are cast as heroines, and their supposedly transgressive speech does not signify promiscuity. In these scenes, Shakespeare draws on discourses about significations of female virtue, the loquacious woman as unchaste, and female authority. However, he undermines these conceptions by creating female characters who clearly assert their ideas and yet are virtuous, even by strict early modern standards. At the same time, Shakespeare challenges some prevailing assumptions about rhetoric. His rhetorically skilled female characters' eloquent and, to some onlookers, persuasive speeches invalidate, in the world of the plays, the notion that rhetoric is outside women's purview. Instead, as Paulina says when Leontes must be told harsh truths about his behavior, “the office / Becomes a woman best” (*The Winter's Tale* 2.2.30-31). Women successfully use rhetoric to recuperate their reputations and to expose the injustice of their male accusers, proving the “virtue,” or efficacy, of Touchstone's *if*. They are no less proficient rhetors than their male counterparts and use the same conditional construction as men in subordinate positions, some of whom, like Othello, are cleared of accusations and enjoy increased power. So their inability to persuade the men in charge to change their judgments cannot be because of any

rhetorical deficiency. Shakespeare challenges the notion that rhetoric gives people power to climb the social ladder, make social change, and even topple the powers that be. If this were the case, his female rhetors would be more successful in their self-defenses. Since people attain and maintain power by means other than rhetoric (the male sex being a prerequisite for the most powerful positions, in most cases), rhetoric does not actually confer significant power. The women do not fail to create concrete changes because they are using the wrong rhetorical strategies; they fail because their male accusers are so entrenched in their own ideas and supported by their power structures that they can dismiss women regardless of women's persuasive words. Educators' fears that female rhetors could incite social upheaval are unfounded, according to Shakespeare. If rhetoric itself is not an empowering force, then female disempowerment more broadly cannot be due to inferior rhetorical skill, which may also suggest the notion that women were not subordinate because of inferior intellect, either. Rhetoric has the power to achieve its main goal and persuade, even on a large scale, but not, as some early modern scholars thought, to greatly increase a rhetor's power or to change the world with victory after victory.<sup>20</sup> Othello successfully uses the conditional construction of self-defense to exonerate himself, but like Buckingham in *Henry VIII*, who was found guilty of treason and sent to the headsman's axe, women cannot have successes that would constitute a social change. Their best approach is to use deferential rhetoric to avoid losing their reputations and becoming totally powerless. *If* becomes Shakespeare's way of acknowledging these characters' subordinate positions but turning them into opportunities for eloquence; the powerless, regardless of gender, can speak just as well as the powerful and can skillfully use deferential language to express

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<sup>20</sup> In arguing that Shakespeare questions the ultimate, unconditional power of rhetoric, I do not mean to suggest that effective rhetoric, over time, cannot change social discourses and foster progress. In fact, persuasive language seems to be one of the main means by which concepts about and rights for women gradually improved.

strong, brazen disagreement peacefully. Language is independent of power; words need not belong only to the elite.

In examining female characters' self-defenses, I begin by analyzing Katherine of Aragon's ecclesiastical court defense in *Henry VIII*, which is closely based on Holinshed's account of the trial in his 1586 *The Third Volume of Chronicles, Beginning at Duke William the Norman, Commonlie Called the Conqueror; and Descending by Degrees of Yeers to All the Kings and Queenes of England in Their Orderlie Successions*. From there, it becomes helpful to consider briefly how men in different positions and situations defend themselves, including how the defenses of the Duke of Buckingham, from *Henry VIII*, and Othello produce vastly different outcomes. Hero of *Much Ado About Nothing* achieves success by modeling her self-defense on a man's, the Friar's defense of her. Like Hero, Rosalind must persuade a father figure of her innocence and uses the conditional to soften the rhetoric of her brazen self-defense. Rosalind's cool logic in the face of rash male anger finally brings to mind Hermione, whose self-defense, like Katherine's, is uniquely regal and based on the words of a historical queen, this time Mary Queen of Scots.

## CHAPTER 2

### “THE SHARPEST KIND OF JUSTICE”: VIRTUE ON TRIAL IN *HENRY VIII*

The rhetorical strategies and grammatical constructions used by Shakespeare’s female characters, but not by their historical and literary sources, show how Shakespeare’s conceptions of female speech and self-defense differ from prevailing discourses. Writers such as Holinshed who construct national histories voice these pervasive ideas more often than challenge them. Distinguishing source texts’ language and ideas from Shakespeare’s adaptations provides insights both about how women defending themselves were viewed in the early modern imagination and about how Shakespeare interpreted and responded to those ideas.<sup>21</sup> In *Henry VIII*, for example, the language of Shakespeare’s dramatization of Katherine’s trial closely resembles that of Holinshed’s account.<sup>22</sup> The changes he does make exceed the demands of versifying and dramatizing and illuminate how Katherine positions herself in the courtroom and articulates her self-defense as both a woman and a queen. Ruth Vanita calls her an early modern “everywoman” because part of her powerlessness resulted from leaving her blood relatives’ home, and in her case, their country, for her husband’s (326). I would argue that Katherine’s choices to emphasize her femininity and use the conditional in her self-defense also align her with women and Shakespeare’s female characters more broadly. Still, Katherine’s sovereignty is central to her role in the play and to her self-defense. *Henry VIII*’s preoccupation with queenship

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<sup>21</sup> I aim to follow the methodology for which Claire McEachern advocates: reading Shakespeare’s reading of his own culture and measuring his “difference from his patriarchal culture in his examination of it” (272).

<sup>22</sup> As Arden editor Gordon McMullan points out, the speech “is almost entirely versified Holinshed, but with some important changes and additions” (2.4f).

shows in its cast, which includes Anne Boleyn and an infant Elizabeth as well as Katherine (Carney 190). Additionally, James I's mother Mary Queen of Scots haunts the play, and her trial colors Katherine's (Frye).<sup>23</sup> Susan Frye argues that Katherine's trial, like Hermione's and the historical Mary Queen of Scots's trial, has little to do with guilt or justice: the trials question whether the queens are sovereigns and whether they are good enough to be so. Katherine addresses the thinly veiled purpose of the trial by defending herself in terms of female sovereignty: lineage, fertility, and virtue (Frye).

As a queen, Katherine could be subject to legal repercussions that most women would not face if she spoke against her husband, the king: treason. Although the most basic definition of treason was attempting to kill the king, Edward III's 1352 treason act encompassed a long list of transgressions, including imagining the death of any member of the royal family (Cunningham 7-8). In the late fifteenth century, lawyers prosecuted subjects whose words "could be interpreted as having malicious intent"; lawyers claimed those words sought to destroy the people's love for the king and "thereby shorten his life with sadness" (Cunningham 8). In 1534, Henry VIII further expanded treason law to include "speak[ing] against the king" and "tak[ing] direct action against him or his government" (Brooks 48). He passed many new treason laws during his reign related to "matrimonial arrangements," mostly fueled by concerns about succession (Cunningham 9). Although these statutes started appearing a few years after the historical Katherine of Aragon's trial, they show that Henry conceived of an improper marriage – in his mind, one that did not produce a legitimate male heir – as treasonous, a violation of a marriage contract with a king. Even the treason laws in place prior to 1534 would have allowed Henry to prosecute Katherine for treason if she criticized him; as Karen Cunningham points out, even repeating gossip about

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<sup>23</sup> Mary Queen of Scots's trial influences Hermione's trial in similar ways, and I discuss its impact on both plays when I analyze Hermione's self-defense in chapter 6.

the king was an actionable offense (8). So Katherine's declarations of her virtue, in addition to confirming her status as a queen, obviate any opportunity for Henry to accuse her of treason. Her moments of deference, appropriate to the occasion of being tried, also serve this purpose. Henry had to resort to questioning the circumstances of their marriage in order to separate legally from her and to marry a woman he hoped would be more fertile.

In the play, Katherine defends herself before a large audience at Blackfriars, of vergers, scribes, the Archbishop of Canterbury, and other bishops and gentlemen.<sup>24</sup> Although she begins by appealing to Henry, the conversation soon shifts to an exchange between Katherine and Wolsey. So Katherine moves between addressing her social superior (her husband) and a group of her subjects and equals. Before the trial, Henry seems to lament the possibility of losing Katherine,<sup>25</sup> but Wolsey is clearly plotting against her.<sup>26</sup> Like Shakespeare's play, Holinshed's account of the trial depicts an assertive and respected queen: Katherine uses rhetorical strategies typical of subordinates – questions and conditional statements – in addition to straightforward declarations of wifely virtue; she foregrounds her femininity and foreignness, and leaves the courtroom abruptly before the trial concludes. In *Henry VIII*, Shakespeare's<sup>27</sup> Katherine retains these methods but also asks more questions, including more pointed rhetorical ones, and increases the consequent's severity when using *if* in the typical construction of defense.

Shakespeare's changes to the *Chronicles* emphasize the injustice of Katherine's predicament and

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<sup>24</sup> A verger is "An official who carries a rod or similar symbol of office before the dignitaries of a cathedral, church, or university (or before justices)" ("Verger, n.2," def. 1a).

<sup>25</sup> Despite Katherine's later claims that Henry "has banished me his bed already; / His love, too, long ago" (3.1.119-21), Henry muses, "Would it not grieve an able man to leave / So sweet a bedfellow?" (2.2.140-41).

<sup>26</sup> As Susan Frye notes, the play does not clarify why exactly Katherine is on trial rather than Henry, who could testify to the Pope's representative, or what accusations are leveled against her. It does indicate that Wolsey has likely sown rumors that the marriage is illegitimate in order to hurt Katherine, whether as a means to hurt her nephew, Charles V, the Holy Roman Emperor (2.1.161f) or to retaliate against her for alerting Henry to a tax Wolsey imposed and the people's anger about it (1.2).

<sup>27</sup> Although Shakespeare and Fletcher co-authored the play, 2.4 is "generally considered Shakespeare's" according to McMullan (2.4f).

intensify her challenges to Henry, to the point that editor Gordon McMullan describes “the vehemence of the dramatic Katherine” as Shakespeare’s most notable change to the scene (2.4f). The dramatization also shows a consciousness about female speech, in part through Wolsey’s interjections, and illustrates the eloquence and combination of deference and assertiveness with which a virtuous woman and queen like Katherine can speak.<sup>28</sup>

Even more explicitly in Shakespeare than in Holinshed, the beginning of Katherine’s oration in self-defense foregrounds the trial’s bias and lack of logic, though she still uses questions to minimize the impression of confrontation. It also calls attention to her status as a foreign woman, which helps the injustice of the trial go unchallenged by others. Supposedly, Katherine and Henry are both testifying about their marriage and its lawfulness, but once both are called to the court, she “kneels at his feet; then speaks” (2.4.10.2-3). Katherine tells Henry she “desire[s]” justice and pity (2.4.11). In both Holinshed and Shakespeare, she emphasizes her femininity and foreignness by describing herself as a “poor woman and a stranger” (970, 2.4.13). Shakespeare’s Katherine calls attention to the trial’s bias against her by using three negative words to Holinshed’s one and by adding the concept of inequality: “having here / *No* judge indifferent *nor no* more assurance / Of *equal* friendship and proceeding” (2.4.14-6, emphasis mine). Katherine asks Henry how she has offended him:

Alas, sir  
In what have I offended you? What cause  
Hath my behaviour given to your displeasure  
That thus you should proceed to put me off  
And take your good grace from me? (2.4.16-20)

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<sup>28</sup> A. Lynne Magnusson sees similarly complex rhetoric at work in 3.1, when Katherine speaks to Cardinals Wolsey and Campeius in her private chamber. Magnusson describes a “discontinuity between Katherine’s boldness and her self-deprecating apologies,” which she accounts for with the negative politeness of Penelope Brown and Stephen Levinson’s politeness phenomena (404).

She does not know what excuse for making her testify Henry has given the lords but rightly discerns that, although the trial supposedly will objectively examine multiple perspectives on the marriage, she is really in court because Henry no longer wants her as his wife. The “cause” of his “displeasure” is that she has not produced a male heir, not that she has violated marriage vows or that their marriage was unlawful. Katherine shows Henry and everyone present that she understands the true motive for the “trial” and knows they have no sound evidence against her. In both Holinshed and Shakespeare, she frames this knowledge as questions, leaving open, with her deferential language, the possibility of a legitimate reason for the trial. Yet Shakespeare adds to Holinshed the word “cause” to Katherine’s question, showing that Katherine is attempting to expose the proceedings’ faulty logic by demonstrating that there is no valid reason for her presence. The change, like the added *no*’s, makes Shakespeare’s Katherine highlight the bias of the trial more than Holinshed’s. Katherine brings a logical defense to illogical proceedings, yet her contribution has no tangible effect despite its soundness.

Katherine develops her argument with emotional force, using amplification to refute the implied charges directly, and Shakespeare’s Katherine continues to highlight the trial’s unfairness more than Holinshed’s. She shifts from questioning, open-ended speech to a straightforward statement of her wifely virtues; she knows that these virtues, particularly her failure to produce a male heir, are the true subjects of the trial:

Heaven witness  
I have been to you a true and humble wife,  
At all times to your will conformable,  
Ever in fear to kindle your dislike,  
Yea, subject to your countenance, glad or sorry  
As I saw it inclined. (2.4.20-25)

Like Holinshed's account, Shakespeare's speech invokes God as a participant in the courtroom proceedings, but the playwright diminishes the degree of divine presence.<sup>29</sup> Holinshed's "I take God to my iudge" (907) places an anthropomorphic figure as the ultimate decision-maker in the courtroom, but Shakespeare removes personification by changing "God" to "Heaven" and reduces the role to a "witness."<sup>30</sup> He continues to emphasize the injustice of the trial by implying that, despite being presided over by the Pope's representative, God is not closely involved in it. Although the descriptions that follow "Heaven witness" of Katherine obeying Henry and mirroring his expressed emotions may seem submissive, Katherine speaks differently than most women here by uttering a straightforward, positively framed declaration of her virtue, inconsistent with the marital problems implied by her presence at the trial. "I have been" begins a list that refutes the implied charges, a tactic that men often use when defending themselves to equals or superiors. In both Holinshed and Shakespeare, Katherine uses *expolitio*, listing the wifely duties she has fulfilled through repetition and rewording.<sup>31</sup> She employs the figure both to develop her argument and to bring increased *pathos* to her self-defense.

Shakespeare then transforms Katherine's denials of guilt, which were statements in Holinshed, to rhetorical questions, and adds some rhetorical questions of his own; all sound more deferential than statements but actually challenge and silence Henry.<sup>32</sup> Katherine asks,

When was the hour  
I ever contradicted your desire,  
Or made it not mine too? Or which of your friends  
Have I not strove to love, although I knew

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<sup>29</sup> Like Katherine, Hermione also invokes divine authority to support her case.

<sup>30</sup> Shakespeare's removal of "God" from the speech was also necessitated by 1606 legislation that prohibited using "the holy name of God or of Christ Jesus, or of the Holy Ghoste or of the Trinitie" on stage (qtd. in McDonald *Bedford* 125).

<sup>31</sup> Henry Peacham defines *expolitio* as repeating a sentence in different words, seeming "to speake diverse things" (193). Christiansen clarifies that the figure's purpose is to develop an argument (282). This applies to the first three of the four actions Katherine lists.

<sup>32</sup> Thomas Wilson's figure "Asking Others and Answering Oneself" includes rhetorical questions and the practice of answering them in the oration (208-9).

He were mine enemy? What friend of mine  
That had to him derived your anger did I  
Continue in my liking? Nay, gave notice  
He was from thence discharged? (2.4.25-32)

Katherine asks four successive rhetorical questions about her possible disobedience to remind Henry that, since none of these questions has an answer, she has always obeyed him. The first two questions exist in Holinshed as statements: “never contraried or gainsaid any thing thereof, and being alwaies contented with all things wherein you had any delight, whether little or much, without grudge or displeasure, I loued for your sake all them whome you loued, whether they were my friends or enimies” (907). Shakespeare significantly condenses the first part of Holinshed’s statement and frames it as a question; his Katherine asks Henry to supply specific examples (“the hour”) of her insubordination and does not spend time describing the many wifely virtues she has demonstrated. Her second question, too, is transformed from a statement; it asks for specific examples of when she did not love all whom Henry loved rather than saying that she has loved everyone.<sup>33</sup> The final two questions – importantly, Shakespeare’s additions – expand on the question of loving the queen’s enemies if the king loves them by adding that Katherine stops interacting with any of her friends whom the king dislikes. Each of Katherine’s rhetorical questions reveals another petty fault she did not commit, and a wife who, like Katherine, does not commit these faults far exceeds her basic wifely duties. Even if Katherine had transgressed as described, by not internalizing Henry’s desires and remaining friends with someone he dislikes, these supposed misdeeds seem insufficient for bringing a queen to trial and do not violate the marriage contract. Instead, the expectations these questions describe represent the more extreme early modern ideas about a wife’s subordinate role and go far beyond simple

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<sup>33</sup> McMullan also notes that Shakespeare’s rephrasing of Holinshed “implies Katherine’s particular rage with Wolsey,” Henry’s friend and her enemy (2.4.27-9f).

obedience. If Henry were to bring Katherine in on these charges, he would be conflating forensic law with social expectations or redefining treason, as the historical Henry later would.

By asking these questions after describing her virtuous behavior, Katherine communicates that she has been an exceptionally good wife, even when doing so was difficult or unpleasant. Her questions allow her to strongly imply her innocence without openly arguing with the king (e.g. “You have no evidence that I’ve been a less than perfect wife”) and to appear to give the king an opportunity to disagree with her without labeling her a liar. However, Henry cannot really disagree without perjuring himself – these are rhetorical questions with no answers. Katherine’s move here corners Henry rhetorically; he is forced to give no answer, leaving the auditors in the court to hear all the hypothetical charges of which Katherine is innocent, which reinforce the impression of her virtue, and then to await the king’s real accusation. So Katherine’s defensive rhetorical questions work in two seemingly opposite directions: to defer to social superiors and to silence and challenge Henry to prove her guilt with facts rather than vague accusations. Even though she knows he has no facts to use against her, her language of precise demand – “when...which...what” – reifies the courtroom expectation that such evidence be provided to condemn her during this trial. Like Rosalind, she uses the seemingly deferential interrogative mode both to counter the brazenness of her disagreement with her king and to challenge her royal husband’s authority more pointedly than she otherwise could: her questions demand evidence, necessitate his silence, and air her own virtue. By claiming her innocence, she challenges Henry’s authority, possibly for the first time, and commits the action she has been denying. Now, in this trial, her language could be considered transgressive against the king, even if her other actions are still virtuous.

After reminding Henry of the many children she has borne who did not live past infancy, Katherine uses the Shakespearean conditional construction, typical to defenses, to swear to her innocence. Shakespeare alters one of Holinshed's conditional statements and removes another, no longer entertaining the possibility that Henry will be reasonable and intensifying the consequent when avowing Katherine's innocence. Shakespeare's long conditional statement, significantly, replaces two shorter conditional statements in Holinshed, one supposing guilt and the other supposing innocence: "If there be anie iust cause that you can alleage against me, either of dishonestie, or matter lawfull to put me from you; I am content to depart to my shame and rebuke; and if there be none, then I praie you to let me have iustice at your hand" (907). Instead of spending time discussing the possibility that Henry might admit her innocence and give her justice, Shakespeare's Katherine speaks more specifically about what qualifies as a just cause and greatly increases the severity of and time spent describing her hypothetical punishment for guilt:

If, in the course  
And process of this time, you can report,  
And prove it too, against mine honour aught,  
My bond to wedlock, or my love and duty  
Against your sacred person, in God's name  
Turn me away and let the foulest contempt  
Shut door upon me, and so give me up  
To the sharpest kind of justice. (2.4.35-42)

While the antecedent of this conditional sentence simply means "If you prove me guilty," Katherine takes her time stipulating the requirements for demonstrating her guilt ("report," "prove") and describing the offenses that would be legitimate: not failure to share the king's emotions or tastes, but violations of "honor...wedlock...love and duty." This excludes both small, insignificant shortcomings, as well as not bearing a male heir. Katherine repeats both sounds and words during her long journey to the statement's consequent: "and *process...report /*

and *prove*,” “against mine...against your,” and “my bond...my love” (emphasis mine). The listening Henry and the audience are suspended in Katherine’s repetitions while waiting for the resolution of the conditional statement; Katherine forces Henry to pay attention to reiterations of what could prove her guilty. Russ McDonald notes that Shakespeare frequently uses this tactic in his last plays, “engag[ing] the listener in a rhythmic process of tension and release” and drawing out the antecedent “to such a degree that we risk losing our way before receiving syntactical and semantic satisfaction” (“You speak” 96). Katherine claims the position of power while uttering this statement by making Henry experience the tension of not knowing what she will offer as a hypothetical consequence. She may also be challenging Henry and the court to follow her extended line of thought; McDonald claims that Shakespeare uses these extended conditional phrases to test “the listener’s...acuity” (97). As Katherine reaches her conditional statement’s consequent, she further increases the power of her swearing and postpones the main verb of the consequent with “in God’s name.” She has built up her audience’s suspense with her long antecedent, and she delivers with a much more dramatic hypothetical punishment than Holinshed’s “shame and rebuke.” Shakespeare’s Katherine suggests that she be physically shut out of the royal home and circle. Justice is being held in “the foulest contempt.” By swearing on her reputation and her royal position, Katherine makes a strong claim of *ethos* built on her womanhood and queenship.

For the remainder of Katherine’s long speech, Shakespeare follows Holinshed fairly closely but makes Katherine’s argument more forceful through the repetition of sounds and ideas. Katherine continues her ethical appeal by reminding her audience that the lawfulness of her marriage to Henry – despite her prior and brief marriage to his brother – was decided by their fathers, both wise kings with wise advisors (2.4.42-51). In an effort to convince Henry VIII in

particular, Shakespeare's Katherine emphasizes the acuity of Henry VII through repetition. While Holinshed's Katherine only states, "The king your father was in his time of excellent wit," Shakespeare's Katherine says, "The King your father was reputed for / A prince most prudent, of an excellent / And unmatched wit and judgment" (2.4.43-5). Her three alliterative *p*'s emphasize her father-in-law's prudence,<sup>34</sup> and her addition of approximate synonyms for "excellent" and "wit" show a clear effort to get in Henry's and the court's good graces by praising the previous king as much as possible and emphasizing that he sanctioned their marriage. By repeating a similar idea in different words, "excellent and unmatched," and "wit and judgment," Katherine employs *synonimia*.<sup>35</sup> She uses the figure for the purpose Peacham outlines: "it signifieth the worthnesse of a word or sentence, deserving repetition in a changed habite" (150). The strategy solidifies her appeal of *ethos* to the previous king's reliability and ingratiates her with her husband.

Shakespeare then inserts a new exchange, which he has invented, between Katherine and her adversary Cardinal Wolsey; he only returns to Holinshed with Katherine's departure from the court. Shakespeare's Wolsey sees female speech as ineffective, and his Katherine assertively speaks an accusation against Wolsey that was only narrated by Holinshed. Once Katherine has concluded her speech of 45 lines, Cardinal Wolsey tells her that speaking to the court is fruitless:

You have here, lady,  
And of your choice, these reverend fathers, men  
Of singular integrity and learning,  
Yea, the elect o'th' land, who are assembled  
To plead your cause. It shall be therefore bootless  
That longer you desire the court, as well  
For your own quiet as to rectify

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<sup>34</sup> For Peacham, alliteration is the figure *paroemion*, in which different words begin with the same letter, "making the sentence more readie for the tongue, and more pleasant to the eare" (49). Christiansen identifies the more common name for this figure in the Renaissance as *parechesis* (202).

<sup>35</sup> Peacham defines *synonimia* as "when by a variation and change of words that be of like signification, we iterat one thing diverse times" (149).

What is unsettled in the King. (2.4.55-62)

Wolsey, the enemy Katherine “strove to love” (2.4.28) for Henry’s sake, tells her that her words have no power, despite her queenship, in the presence of men of the church to handle her case. Wolsey, her indirect accuser, denies the authority of any female speech, even a queen’s, in court, and taunts her by implying that the “reverend fathers” will be more effective than she because they have superior “integrity and learning.” According to Wolsey, Katherine’s departure will calm her down, keep the King from being bothered by his inconvenient wife, and let the men get down to the business of deciding her fate without her. When Katherine specifically addresses Wolsey, she invokes her status as the daughter of a king and as a queen consort,<sup>36</sup> and responds to his suggestion that she may be powerless, perhaps due to emotional weakness:

Sir,  
I am about to weep; but, thinking that  
We are a queen, or long have dreamed so, certain  
The daughter of a king, my drops of tears  
I’ll turn to sparks of fire. (2.4.67-71)

She refuses to cry and instead plans to channel her sadness and anger into a refutation of Wolsey as her judge.<sup>37</sup> Katherine finds it fitting to use the metaphor of sparks to describe her words; sparks, though small, have can start fires and influence larger events. Instead of remaining in a defensive position, Katherine moves to attack Wolsey, a strategy men often use as part of defenses against superiors. While her long speech, addressed to Henry, mixed assertive and deferential language, her speeches to Wolsey are straightforward and clear. As narrated in a later portion of Holinshed’s account, Katherine accuses Wolsey of being her enemy, who started the dissension between her and Henry, and rejects him as a judge. When Shakespeare turns this

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<sup>36</sup> Ruth Vanita notes that Katherine and Hermione both “appeal from their status as queen-consorts to their irreversible status as daughters” (327). Their statuses as queen consorts depend on their sons, whose deaths jeopardize their positions (328). This strategy also resonates with the trial of Mary Queen of Scots.

<sup>37</sup> Hermione also draws attention to her dry eyes in a moment when she might be expected to cry (2.1.107-12).

narration into dialogue, he has Katherine make herself and Wolsey the subjects of her sentences, affirming their actions and attributes:

*I do believe,  
Induced by potent circumstances, that  
You are mine enemy, and make my challenge  
You shall not be my judge. For it is you  
Have blown this coal betwixt my lord and me,  
Which God's dew quench. Therefore, I say again,  
I utterly abhor, yea, from my soul  
Refuse you for my judge, whom yet once more  
I hold my most malicious foe and think not  
At all a friend to truth. (2.4.73-82)*

Although she strives to love her enemies when Henry loves them, she finds it unjust to be judged by such an egregious enemy as Wolsey. She does not speak to him as her judge; rather, by accusing him of being the party at fault, she rejects his power over her through both the form and content of her language.

Wolsey brings attention to Katherine's outspokenness as incongruous with her womanhood:

*I do profess  
You speak not like yourself, who ever yet  
Have stood to charity and displayed th'effects  
Of disposition gentle and of wisdom  
O'er-topping woman's power. (2.4.82-6)*

According to Cardinal Wolsey, Katherine's speech usually shows characteristically feminine charity and gentleness, as well as more wisdom than Wolsey normally expects from a woman. But Katherine's switch from deference to assertiveness conflicts with Wolsey's concept of her identity, and specifically, her womanhood. She has abandoned her feminine mildness, so her ideas, now coming from a transgressive source, no longer seem wise to Wolsey. Wolsey responds as men often do when accused by equals or subordinates: he denies the charge. He begins, "you do me wrong. / I have no spleen against you" and escalates to "I do deny it"

(2.4.86-7, 92). He concludes his speech by asking Katherine to “unthink [her] speaking, / And to say no more” (2.4.102-3). Since the queen does not conform to the expectations for female speech and silence, Wolsey urges Katherine to stop talking. But she sarcastically implies that Wolsey is afraid of her opposition when she continues accusing him: “My lord, my lord, / I am a simple woman, much too weak / T’oppose your cunning” (2.4.103-5). She reminds Wolsey of his comment about “woman’s power,” mocking him for feeling threatened by someone so supposedly weak.

Katherine never returns to a position of defense during this scene. She continues to refuse to be tried by Wolsey, demands that the Pope judge her instead, and departs, despite being called back to the court: “I will not tarry: no, nor ever more / Upon this business my appearance make / In any of their courts” (2.4.128-30). She removes herself from a situation that simply cannot work to her benefit. By inserting himself after Katherine’s first speech, Wolsey never allows time for her defense to resonate with Henry enough to make her appeal successful. The Cardinal’s presence and words confirm for Katherine that the trial was rigged to convict her, not to try her impartially nor to hear multiple accounts of the royal marriage. Her guilt has been decided already when she defends herself, as has that of Hero, Rosalind, and Hermione. However, Katherine uses her power as a queen to reject her biased judge straightforwardly and to refuse to participate in a rigged trial, controlling her own movements when others are attempting to direct them.<sup>38</sup> After she leaves, Henry expresses admiration for her wifely virtues and her behavior towards him, so her defense, which both asserted her virtues and used deferential yet pointedly questioning language, could be viewed as successful in persuading Henry and presenting herself as a virtuous, confident, rhetorically skilled queen. As Vanita notes, Katherine

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<sup>38</sup> Linda Woodbridge characterizes Katherine’s departure as “the one course which will hamstring the opposition” given the “kangaroo-court” proceedings (146). McMullan claims that her early exit “has much more impact in the play than it does in Holinshed’s account” (2.4f).

“acquire[s] increased moral authority” through her persecution (311).<sup>39</sup> She is able to convince or remind Henry, on a personal level, of her virtue, but his admiration of his virtuous wife does not change his determination to annul their marriage in hopes of producing a male heir. She can convince him of her virtue, but not of her fertility. So the trial is not tangibly successful for her; her rhetorical skill gains her respect but does not change her situation or contribute to any change in a social order that allows kings to ruin queens’ lives without a legally sound reason.

Holinshed’s account of Katherine’s trial includes questions and conditional statements, her straightforward assertion of wifely virtues, and a foregrounding of Katherine’s femininity and foreignness, concluding with her removing herself prematurely from the impossible situation of her predetermined trial. Holinshed’s Katherine already had a rhetorical stance typically associated with women but also spoke more assertively than most women. She accused Wolsey of maliciously inciting the trial, remained conscious of the disadvantages of her womanhood and foreignness, and refused to be made a mockery of in court. Shakespeare emphasizes Katherine’s vehement challenging of Henry and the accusation’s and trial’s injustice. Wolsey, whom Shakespeare interpolates into this scene, draws attention to Katherine’s words as female speech and disparages them accordingly. Holinshed shows us that regal women were already seen as assertive and worthy of respect, even when defending themselves, but Shakespeare’s adaptation addresses specifically female speech – how some men considered it ineffective and inappropriate when assertive, and how forcefully and eloquently a virtuous woman and queen such as Katherine could speak. She speaks assertively, but she is not consequently promiscuous or wanting in virtue. Wolsey, who in this scene stands in for the men who subscribe to the common assumptions about female speech, is shown to be horribly wrong, mocked by Katherine’s eloquence and innocence. Shakespeare adds to Holinshed rhetorical strategies for female self-

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<sup>39</sup> Vanita sees this same “paradox” at work in Hermione’s trial in *The Winter’s Tale*.

defense that frequently show up elsewhere in his canon: his Katherine uses even more pointed questions and more extreme conditionals than Holinshed's. Shakespeare draws on the existing discourses surrounding women and queens, of which Holinshed gives us a glimpse, and uses them to challenge the assumption that women cannot successfully use rhetoric to persuade, as well as the more liberal idea that rhetoric has unlimited power for creating social change.

## CHAPTER 3

### “IF I BE NOT FAITHFUL”: MEN EMPLOYING THE CONDITIONAL IN SELF-DEFENSE

To determine whether the conditional construction used for self-defense is a gendered rhetorical strategy, we must examine the language with which men defend themselves. While women almost always use the conditional when accused, men’s tactics vary more. When criticized or condemned, many men directly deny the charge and redirect a counter-accusation back on their accuser. *King Lear*’s Gloucester provides a representative example. Regan and Cornwall condemn him as a traitor for his loyalty to Lear. Once apprehended, he responds to Regan’s first insult (“ingrateful fox”) with a question, “What means your graces?” However, once accused of being a “filthy traitor,” he denies his guilt (“I’m none”) and argues that the accuser is the guilty one: “Naughty lady, / These hairs which thou dost ravish from my chin / Will quicken and accuse thee” (3.7.28-39). In *King Lear*, Lear, Oswald, Edmund, and sometimes Goneril also employ these methods. Likewise, *As You Like It*’s Orlando and *The Winter’s Tale*’s Antigonus directly deny accusations, although, addressing a social superior, Antigonus stops short of retaliating against his accuser, King Leontes.<sup>40</sup> Most of these men defend by denying and accusing when they are relatively powerful in the social hierarchy of the scene, or believe they should be (e.g. Gloucester to Regan, Orlando to Oliver). However, when men are called on to defend themselves to social superiors, they often use the same conditional construction as

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<sup>40</sup> Oliver calls Orlando a villain, and he responds, “I am no villain. I am the youngest son of Sir Rowland de Boys; he was my father, and he is thrice a villain that says such a father begot villains. Wert thou not my brother I would not take this hand from thy throat till this other had pulled out thy tongue for saying so. Thou hast railed on thyself” (1.1.52-58). When Leontes accuses Antigonus of inciting Paulina, Antigonus replies, “I did not, sir. / These lords, my noble fellows, if they please, / Can clear me in’t” (2.3.140-42).

women. Examples from *Henry VIII* and *Othello* show how this strategy can succeed in perpetuating a positive image of the defendant but may or may not change the judgment made against him, depending on his current situation and social position.

Before *Henry VIII*'s Katherine stands trial, Cardinal Wolsey ensures that the lords try the Duke of Buckingham for treason he did not commit. The play's audience does not witness the trial but hears it reported by two unnamed gentlemen. According to the first gentleman, Buckingham "pleaded still not guilty" but had numerous witnesses brought against him and was found guilty (2.1.13).<sup>41</sup> Buckingham passes the gentlemen on his way from the trial and defends himself to the listening lords and "common people" (2.1.53.4). The second of his many sentences includes the conditional construction often used in self-defense: "yet heaven bear witness, / And if I have a conscience, let it sink me, / Even as the axe falls, if I be not faithful" (2.1.59-61). Buckingham swears that he is innocent of treason by affirming its positive opposite, faithfulness to Henry, in terms that do not technically contradict the court ruling over which the king presided. He says *if* twice, creating two antecedents: one that refutes the accusation ("if I be not faithful"), and one that further emphasizes morality ("if I have a conscience") and, in its excessiveness, intensifies the claim. He avoids both an explicit denunciation of the trial and a dichotomy of guilt and innocence in all 73 lines he speaks in this scene. Buckingham's mention of faithfulness also aligns with the religious language of his final speeches. Like many other speakers who use this particular conditional construction, Buckingham invokes divine powers and swears his innocence on his soul. Although McMullan glosses "sink" as "ruin" in his Arden edition of the play, the definition "to go down, to descend, *into* hell" seems to be at work here, particularly since Buckingham would "sink" at the moment of death ("Sink, v.," def. 1.2a). This

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<sup>41</sup> Unlike Katherine's trial scene, 2.1 is attributed to Fletcher, which perhaps suggests that the pattern of conditional constructions used in self-defense might extend beyond Shakespeare's works.

reading aligns Buckingham with other Shakespearean characters who use their damnation, the worst conceivable outcome, as the consequent in this conditional construction. Buckingham's sinking also reminds audiences of the *de casibus* tradition: stories about the falls of great men, based on Boccaccio's *De casibus virorum illustrium* (Budra 16). Paul Budra argues that these opening scenes of *Henry VIII* show "the *de casibus* instability of fortune in miniature":

Buckingham plans to charge Cardinal Wolsey with treason, but before he can, Wolsey has him arrested on fabricated charges (83).<sup>42</sup>

Although Shakespeare and Fletcher's source, Holinshed's *Chronicles*, does not include a statement similar to Buckingham's conditional in its much shorter version of his speeches, it does include an editorial comment about conscience at the end of Buckingham's story that seems to influence it: "At the time of his death (no doubt) his conscience (giving in greater evidence than 10000 witnesses) told him whether he was justlie condemned or no, for a mans dieng day is as a bill of information, putting him in mind of his life well or ill spent" (865). Buckingham's conditional statement pulls from Holinshed the idea that the moment he dies, his conscience reveals whether he has done good or ill, both of which are framed as possibilities. For Holinshed, this happens when Buckingham reflects on how he truly spent his life, and for the playwright, it occurs through damnation or salvation. Dramatization of the source text necessitated that a character, not a narrator, relay Holinshed's concept, and the choice of Buckingham required the speech to communicate that he believes himself innocent. Shakespeare reworks and intensifies the existing conditional construction ("whether he was justlie condemned") into a swearing of faithfulness, makes the existence of conscience – which Holinshed assumes – conditional to

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<sup>42</sup> This Buckingham, Edward Stafford, is not quite as established as a conventional fallen figure as his father, the Henry, Duke of Buckingham of *Richard III*. The elder Buckingham's fall is related in *The Mirror for Magistrates*, a "collection of cautionary tales" that is a part of the *de casibus* tradition (McMullan list of roles 3f; *The Mirror*; Brooks 56; Budra xiii).

strengthen the vow, and frames the statement in religious terms. Holinshed's conditional already acknowledged the possibilities of a just or unjust verdict, but Shakespeare's adaptation retains the uncertain wording while making the claim of innocence clear. This conditional self-defense replaces the more direct defense reported in Holinshed after Buckingham receives his sentence: "My Lord of Norfolk, you have said as a traitor should be said unto, but I was never anie" (865). The playwright adapted the historical source, using the conditional construction for self-defense, both to make Buckingham's language less confrontational and to intensify his meaning by increasing concern over the fate of his soul.

As male characters often do when defending themselves, Shakespeare's Buckingham soon turns to blaming his accusers, a move he does not make in Holinshed: "The law I bear no malice for my death – / 'T has done upon the premises but justice – / But those that sought it I could wish more Christians" (2.1.62-4). While men who directly deny accusations usually redirect them to their accusers bluntly, Buckingham, who uses the conditional construction to deny his guilt, also takes a more indirect approach to blaming his accusers. He knows that Cardinal Wolsey orchestrated the trial, but Wolsey remains in good standing with King Henry. Buckingham tries to maintain his dignity as best he can while going to his execution, in part by speaking at length about forgiving his enemies later in his speeches. His dignified bearing necessitates not ranting against the right hand man of the king to whom he is allegedly faithful. He does not name Wolsey, and he makes the understatement that those who sought his death could be better Christians, not that, as he implies, they are horrible Christians.

Shakespeare's treatment of Buckingham's speeches shows an awareness of the fallen duke's precarious social position. Buckingham is a man who, finding himself without any power, chooses to continue behaving "properly" by avoiding direct contradiction or accusation of those

in positions of power over him. He uses the conditional construction for self-defense, as women often do, to achieve this. Since his trial is over, there is never any chance that his defense will have any tangible consequence, but remaining polite allows him to try to redeem his reputation with the listening lords and citizens, solidifying the impression that he is innocent. Aside from his conditional declaration of innocence, which is unusual, Buckingham largely follows the generic conventions of last dying speeches in Holinshed, which Tricia McElroy discusses, expressing acceptance of his fate and hope for “the sovereign’s long and prosperous reign.” The genre joins the conditional in conveying deference in “an attempt to smooth over conflict and reassert order” (273). Like Katherine, his rhetoric can uphold his reputation somewhat, but since he is powerless and subject to the judgment passed, it cannot materially change his situation or alleviate the larger injustices that have led to it. Buckingham’s situation and response seem to preview those of Katherine only three scenes later, both in his use of the conditional and in being falsely accused, arguably by Cardinal Wolsey, but not believed or able to call witnesses. Although this could suggest that the play feminizes him, Buckingham is only one of many of Shakespeare’s male characters who use the conditional to defend themselves. The strategy is useful for social subordinates regardless of gender.<sup>43</sup>

Like Buckingham, Othello employs the conditional construction when defending himself to social superiors. In front of the Duke, senators, Othello’s officers, and a variety of attendants and messengers, Desdemona’s father Brabantio says that she “is abused, stolen from me and corrupted / By spells and medicines bought of mountebanks,” reasoning that she could not have eloped with Othello willingly or without magic to enchant her (1.3.61-2). Othello acknowledges the basics of what happened, but Brabantio persists, and the first senator, more politely, asks

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<sup>43</sup> When men use other strategies to defend themselves, they are usually speaking to subordinates (as Angelo does) or equals (as Cranmer does). However, sometimes they have various reasons for choosing to be direct with their superiors, including intimately advising (Antigonus), rebelling (Hotspur), or manipulating (Falstaff).

Othello how he won over Desdemona. Realizing that his more straightforward approach was ineffective and that Brabantio is unlikely to believe anything he says, Othello calls in Desdemona as a witness and swears on his life that her report will paint him in a positive light:

I do beseech you,  
Send for the lady to the Sagittary,  
And let her speak of me before her father.  
If you do find me foul in her report  
The trust, the office I do hold of you  
Not only take away, but let your sentence  
Even fall upon my life. (1.3.115-21)

Othello addresses the Duke and senators who employ him and execute the law, not “her father,” whose goodwill, though desirable, is not necessary for Othello to retain his position and life. The conditional construction’s antecedent, “If you do find me foul in her report,” refers specifically to those men’s interpretation of Desdemona’s testimony and excludes Brabantio’s opinions. Othello directs his defense to the powerful parties most likely to accept it. They have the power to enact all the undesirable consequents Othello proposes (lost honor, lost military command, and lost life), so although his swearing may seem weaker than swearing on his soul, it is more practical. His defense rests on Desdemona’s credibility and his own desire to live, which are not doubted this early in the play, although they fall apart later. Othello may also be avoiding swearing on a point of religious doctrine because he fears his audience will not believe someone who was likely not born Christian, even though Iago mentions that Othello has been baptized (2.3.338). He employs *incrementum* by ordering these consequences from least to most importance, ending with his lost “life.”<sup>44</sup> His defense is doubly effective, in calling for Desdemona and in convincing everyone that Desdemona eloped willingly. While Othello’s use

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<sup>44</sup> While Christiansen supplies the more universal term *incrementum* (287), Englishmen would have read of this figure as *auxesis* or the *auancer* in George Puttenham’s text: “to vrge and enforce the matter we speake of, we go still mounting by degrees and encreasing our speech with wordes or with sentences of more waight one then another” (218).

of the conditional does not make his word choice milder, the construction allows him to give his social superiors even more power over him, which helps him swear to and prove his innocence. Although Othello is subordinate in this situation, rhetoric helps him to exonerate himself by making the informal trial fair with a witness, and therefore, in some sense, to rise socially, or at least to keep from falling. The military general Othello, useful to his superiors and not nearly as powerless as the dispensable convicted traitor Buckingham or a woman on trial, uses a deferential and rhetorically skilled self-defense both to preserve his honor and to materially improve his situation.

However, this opportunity for tangible advancement through a deferential self-defense does not exist for women, even though the use of this conditional construction is determined more by the speaker's social position relative to his or her audience than by his or her gender. While men are sometimes subordinated to others, temporarily or permanently, and use *if* to defend themselves in these situations, women always have to use this tactic. Even queens use it, though with less frequency, and along with more straightforward language, as we have seen with Katherine. But while, like Buckingham, these women might have some success in redeeming their public honor, they are never able to make concrete changes to their situations through their self-defenses. Allies occasionally come to the aid of accused women, using the conditional construction to defend them, yet even their efforts may be in vain: *The Winter's Tale's* Antigonus repeatedly swears vehemently to Leontes that Hermione is innocent but cannot convince his king, his social superior, to change his mind.<sup>45</sup> In *Much Ado About Nothing*, the

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<sup>45</sup> "If it prove / She's otherwise, I'll keep my stables where / I lodge my wife; I'll go in couples with her; / Than when I feel and see her, no farther trust her; / For every inch of woman in the world, / Ay, every dram of woman's flesh, is false / If she be" (2.1.133-39). "Be she honour-flawed, / I have three daughters – the eldest is eleven; / The second and the third, nine and some five. / If this prove true, they'll pay for't. By mine honour, / I'll geld 'em all" (2.1.143-47). "If it be so, / We need no grave to bury honesty; / There's not a grain of it the face to sweeten / Of the whole dungy earth" (2.1.154-57).

Friar allies himself with Hero and tries to convince Leonato, his parishioner and not his king, of Hero's chastity. Due to his position in the church, the Friar is also better suited than Antigonus to convince onlookers of the woman's fidelity and to get the patriarch to act accordingly.<sup>46</sup>

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<sup>46</sup> Yet, as we will see, Hero, perhaps surprisingly, plays an important role in inciting Leonato to action.

## CHAPTER 4

### “IF THIS SWEET LADY LIE NOT GUILTLESS HERE”: HERO’S IMITATIVE *IF*

Like Desdemona, Mistress Ford, Hermione, and many historical early modern women, *Much Ado About Nothing*'s Hero faces virulent false accusations of sexual infidelity.<sup>47</sup> But as a previously beloved daughter who could do no wrong, she has had no practice using rhetoric to defend herself. She first tries using questions, but the entrenched Claudio considers the trial already completed. After his departure, her ally the Friar defends her, with rhetorical skill, to her father, using *if* to swear by his own credibility. But ultimately, it is Hero's imitation of the Friar's rhetorical strategies and use of the conditional construction to swear to her innocence that make Leonato relent enough to admit that he cannot tell if she is guilty and to refrain from disowning her. Given her often flat, angelic characterization, Hero ironically turns out to be one of the most effective rhetors among Shakespeare's women defending themselves, at least in terms of effecting a desired outcome.

Claudio believes that his treatment of Hero resembles a legitimate trial, but he behaves more like a slanderer than like a man in court. He begins his accusation of Hero by demonstrating that he believes her guilty and has already passed judgment on her, leaving no room for her to counter his claims. Claudio invokes the language of the courtroom by ruminating on the physical “evidence” of Hero's virtue and virginity, wondering at its inaccuracy and interpreting it based on his assumptions: “Her blush is guiltiness, not modesty” (4.1.35, 40). Of course, as always in this play about noting and seeming, what seems to be proof is not. Elisa Oh

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<sup>47</sup> For a historical study of “the most popular type of litigation, suits alleging sexual slander,” see Laura Gowing (“Language” 428).

connects Claudio's search for unchastity in Hero's face with the early modern legal view of "criminal guilt [as] potentially visible or accessible through the surface of the body" (189). Claudio continues to invoke the language of the courtroom, evidence and guilt, when he calls Hero "an approved wanton" (4.1.43). To Claudio, her guilt is proven: the trial took place when he saw Margaret and Borachio at the window, and that was all the evidence he needed to convict Hero. He skips the part of the trial where the defendant is allowed to bear witness. In doing so, he becomes more like a slanderer than an accuser in court, according to Ina Habermann's definition of slander: oral defamation in a public setting in which the slandered party is not called on to answer or deny what is spoken against her (1). While Habermann argues that Claudio's words are insults rather than slanders, since successful slanders go undetected and work more tortuously, Claudio's unwillingness to hear Hero speak separates him from the "juridical paradigm" within which he believes he is working (10-11). He may not be a textbook slanderer like Don John (10), but he more closely resembles a slanderer than a lawyer.

Twenty-five lines after Claudio's initial rejection of Hero at "take her back again," Hero finally speaks, asking a string of rhetorical questions broken only by interjections directed at God (4.1.29). Her questions reject Claudio's view of the situation as a decided trial, minimize confrontation, and convey disbelief and emotional pain.<sup>48</sup> According to Thomas Wilson's description of "Snappish Asking" in *The Art of Rhetoric*, we sometimes ask questions "because we would chide and set forth our grief with more vehemency"; this is called *percontatio* (209). All of Hero's questions serve this purpose more than they seek information (*interrogatio*) (Wilson 209). Her first question, one of her most powerful, captures the play's problem of appearance versus reality: "And seemed I ever otherwise to you?" (4.1.54). Hero's rhetorical

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<sup>48</sup> My reading of Hero's responses to Claudio departs from critics such as Joyce Hengerer Sexton, who says that Hero "makes no denials" and is "unequal to confronting the slander." For Sexton, Shakespeare makes Hero "passive and helpless" to accentuate slander's immorality and align with the traditional image of slander victims (427).

question implicitly constitutes a self-defense by asserting the impossibility that she could even appear unchaste to Claudio, much less be a “wanton” in truth. She knows that she always seemed faithful to Claudio, up until their wedding day; she acted virtuously enough to satisfy early modern handbooks on obedience, and Claudio worshipped her. Any answer seems bound to help her case rather than his.

However, Claudio does not immediately reveal the incident during which she “seemed...otherwise,” nor does he entertain the possibility that his claims have truly astonished her. He has convinced himself that the virtuous Hero is the illusion, the “semblance of...honour” and that her true identity is the promiscuous Hero he thinks he saw (4.1.31). Claudio enacts the early modern perceived difficulty of discriminating between good women and women who only pretend to be virtuous.<sup>49</sup> He buys into warnings such as William Gouge’s in *Of Domesticall Duties* and believes that Hero’s seeming perfection concealed sexual looseness (Luckyj “Women’s” 35). As in some of his speeches during Hero’s long silence, Claudio contrasts her appearance of virtue with her “intemperate...blood” (4.1.57), prompting Hero to ask another question: “Is my lord well that he doth speak so wide?” (4.1.61). While Hero may simply be incredulous at her transformed fiancé, here she also uses a defensive strategy similar to one that Shakespeare’s male characters sometimes use: insulting one’s accuser in an attempt to discredit his accusation. In this reading, Hero suggests that Claudio is mentally or physically ill or incapacitated, but veils her *ad hominem* attack by phrasing her suggestion as a question to avoid becoming a slanderer herself.<sup>50</sup> The question also allows her to express her surprise at Claudio’s

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<sup>49</sup> See Claire McEachern’s footnote on 4.1.55 in the Arden edition.

<sup>50</sup> An *ad hominem* attack attempts to disprove an argument “by attacking the beliefs or character of the person proposing it” (“Ad hominem”).

wild suggestion but couch it as concern for his well-being, making her the textbook version of a virtuous fiancée.<sup>51</sup>

Rather than attempting a conversational exchange with Hero that would resemble their previous exchanges, Claudio asks Leonato for permission to ask her a question. This prompts her to say, “O, God defend me, how am I beset! / What kind of catechizing call you this?” (4.1.77-78). Hero again invokes God in her emotional interjection, while also explicitly introducing her need for a defense. “Beset” by the two men who are supposed to protect her, her father and future husband, Hero calls on God to act directly as her protector against them, perhaps even as her lawyer if she envisions a continuation of Claudio’s language of evidence and proof. These men have agreed to transfer protection and social “ownership” of her from one to the other, and their abuse of her here emphasizes her powerlessness in this patriarchal triangle, in part by illustrating how little effect her words have on them. Hero’s rhetorical question rejects Claudio’s method of examining her and Leonato’s participation in it, a method that mimics the predetermined, formulaic nature of catechism – which makes even greater sense given the similarly formulaic assumptions about women. In addition to being a religious and rhetorical exercise, catechism, as question and answer, was also a common form of legal mediation, including in slander cases (Gowing *Domestic* 46-47). Hero recognizes the position in which the men are attempting to put her: a defendant on trial and a misguided, even sinning, pupil in need of instruction.

Claudio’s answer to Hero’s question, “To make you answer truly to your name,” prompts more questions from her; this is the closest they come to a conversation: “Is it not Hero? Who can blot that name with any just reproach?” (4.1.80-81). Hero aims to use these rhetorical

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<sup>51</sup> Bertrand Evans calls this question “faint” and “solicitous” (81). Although I agree that the question holds much less force than it could given the situation, I think that the text also allows for the possibility that Hero, who will soon successfully imitate and deploy effective rhetoric, may be attempting to start defending herself here.

questions to declare her innocence and defend her virtue. As many Shakespearean characters do when speaking to superiors, and as women nearly always do, Hero frames as questions what could easily be straightforward statements (“My name is Hero and cannot be blotted with any just reproach”). In addition to suggesting deference, Hero’s use of questions also conveys emotional pain and disbelief, which speak to her innocence as strongly as the content of her speech does. Once again, Claudio takes the opportunity to answer rhetorical questions that Hero poses because they should be unanswerable – no one should be able to blot Hero’s name.<sup>52</sup> The use of the metaphor of blotting a name may also suggest legal proceeding by invoking pen and ink, used in legal writing as well as other forms of writing, particularly since blotting a name indicates slander, a common legal charge (4.1.80f).

Yet Hero’s rhetorical questions prove ineffective in convincing Claudio, Leonato, and Don Pedro of her innocence. She finally breaks her string of questions and interjections when Claudio questions her in a straightforward manner and even pretends that he entertains the possibility of her virginity by speaking of it conditionally: “What man was he talked with you yesternight / Out at your window betwixt twelve and one? / Now, if you are a maid, answer to this” (4.1.83-85). He fluctuates between having decided on her guilt and entertaining the possibility of her virginity, first asking the question with the assumption, which he believes indisputable fact, that she talked with a man last night, and then speaking in the conditional mood about her maidenhood. Hero’s answer is the sort of direct reply used by men defending themselves to their equals: “I talked with no man at that hour, my lord” (4.1.86). Like her deferential and disbelieving questions, her plainly spoken claim of innocence is ineffective. Don Pedro retorts, “Why, then you are no maiden,” an illogical conclusion, or one that breaks down

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<sup>52</sup> S. P. Cerasano notes that Hero “cannot possibly win” on Claudio’s rhetorical terms (173), but it is equally true that he cannot win on hers.

the euphemistic “talking” by taunting Hero about having sex rather than actually talking (4.1.87). While his judgment seems logical to him based on what he witnessed, it does not necessarily follow from Claudio’s tautological framing and Hero’s answer. If he believed Hero to be innocent, he would accept her answer as true. Since he believes her guilty and not a maid, he believes her answer is a lie. So her claim cannot help her when framed by a tautology and evaluated by men convinced of her guilt. Questioning her is empty show meant to shame her, and her replies of every sort are doomed to fail before she opens her supposedly promiscuous and therefore unreliable mouth.<sup>53</sup>

After many questions and little explicit self-defense, Hero is soon rendered speechless for nearly 100 lines by fainting and by Leonato’s diatribe against her. Once she revives, the Friar steps in as her ally, perhaps as an answer to Hero’s prayer for God to defend her. He makes his own logical argument about evidence and then swears to Hero’s innocence, by his own credibility, using conditional clauses. He cites the physical proofs of innocence in Hero’s appearance, which he gained through “noting” (4.1.158), the same sometimes unreliable method used by Claudio and Don Pedro, rather than holding to any preexisting assumptions about her guilt:

I have marked  
A thousand blushing apparitions  
To start into her face, a thousand innocent shames  
In angel whiteness beat away those blushes;  
And in her eye there hath appeared a fire  
To burn the errors that these princes hold  
Against her maiden truth. (4.1.158-64)

The Friar demonstrates rhetorical skill in enumerating the physical manifestations of Hero’s shame and anger in being wrongly accused. He employs *anaphora*, or *epanaphora*, by beginning

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<sup>53</sup> Lori S. Haslem’s reading of this exchange reaches a similar conclusion. Hero has “damned herself by falsely swearing on her virginal honor rather than damning herself by confessing the name of the alleged male visitor. But the situation is arranged so that either way Hero condemns herself with her own tongue” (387).

two successive clauses with parallel grammatical constructions with a hyperbolic “a thousand”,<sup>54</sup> in the first instance, Hero appears to blush out of shame for a misdeed, but in the second, her paleness and shock reveal her shame to be innocent, caused by an accusation rather than a deed. The uneven length of the verse lines containing these two clauses may also indicate the Friar’s previous uncertainty becoming resolved, or the abrupt “start[ing]” and “beat[ing]” of color in Hero’s face. His speech is full of repetitions that paint a poetic image of Hero’s face in red and white, symbolically, guilt and innocence. The three words “thousand blushing apparitions” are repeated and separated when a “thousand” shames replace the “blushes,” and then a fire appears in Hero’s eyes. The Friar’s gaze moves from “her face,” which goes from “blushing” to “angel whiteness,” to “her eye,” presumably red or orange with “fire.” He also deploys *antithesis* and *chiasmus* to contrast the men’s mistaken belief with Hero’s female virtue and truth.<sup>55</sup> Lines 163 and 164 have a parallel but inverted structure that contrasts the “errors” of “princes” with “maiden” “truth.” While he relies on the logic that Hero’s body would not lie about her virginity and would only give true signs, the Friar also bases his defense on emotional appeals. He infuses his language with the positively charged words “innocent” and “angel” to move Leonato to feel compassion for Hero and recognize the vicissitudes of emotion she has endured during her supposed wedding.

The Friar then employs *ethos* as he appeals to his own credibility, his experience, age and vocation, and swears to Hero’s innocence using a conditional construction; his vehemence seems to make this an emotional appeal to Leonato as well:

Call me a fool,

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<sup>54</sup> Peacham defines *epanaphora* as “a forme of speech which beginneth diverse members, still with one and the same word” (41).

<sup>55</sup> According to Peacham, *antithesis* couples words or sentences that are contrary to one another and clarifies ideas by opposing them to each other (160-61). Peacham’s term for *chiasmus* is *antimetabole* (164). The figure forms an “abba” pattern, whether with exact words, or with different words that keep the same sense (Christiansen 227).

Trust not my reading or my observations,  
Which with experimental seal doth warrant  
The tenor of my book; trust not my age,  
My reverence, calling nor divinity,  
If this sweet lady lie not guiltless here  
Upon some biting error. (4.1.164-75)

The Friar uses *if* in the standard construction of swearing in defense. He is addressing Leonato, his political lord but spiritual charge. Although his use of a construction normally directed to superiors could suggest that political rank or family status takes precedence over spiritual rank in this situation, the possibility that the Friar is simultaneously defending Hero and offering her a means to defend herself is even more compelling. By stating the consequent before the antecedent, the Friar adapts the typical form for effect, building up to the condemnation of the “biting error” rather than building up to his credibility.<sup>56</sup> He emphasizes the hypothetical negative effects of Hero’s guilt on himself by employing *anaphora*, repeating “trust not” to begin the clauses that list his claims to reliability. In the conditional clause, the Friar uses *litotes* to describe “guilty” as “not guiltless,” making the words seem to be more positive than their meaning.<sup>57</sup> Just as Hero’s innocence seemed like guilt to Claudio, the Friar makes the concept of her guilt appear as guiltlessness. He also alludes to the accusation that she lay with another man by saying the opposite: she lies guiltless.

Leonato claims that he does not believe the Friar because Hero “not denies it,” even though she has denied her guilt by saying “I talked with no man at that hour, my lord” (4.1.173, 86). But the Friar has prepared him to finally listen when she speaks and given Hero a rhetorical model to imitate. She denies knowing the details of the accusation and then swears twice using conditional clauses, the first beginning with *if*, and the second with an implied *if*:

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<sup>56</sup> In most cases, the consequent is more dramatic, like Hero’s “torture me to death!” (4.1.184)

<sup>57</sup> *Leptotes*, in Peacham’s spelling, entails seeming to extenuate what one expresses (150). Christiansen more clearly defines *litotes* as understatement by denying the contrary (258).

They know that do accuse me. I know none.  
If I know more of any man alive  
Than that which maiden modesty doth warrant,  
Let all my sins lack mercy! – O my father,  
Prove you that any man with me conversed  
At hours unmeet, or that I yesternight  
Maintained the change of words with any creature,  
Refuse me, hate me, torture me to death! (4.1.177-84)

Hero's imitates the Friar's strategy by using conditional statements to swear. While the Friar swore by his position, education, and theology, no small matter, Hero swears by the risks, first of eternal damnation and then of torture in this life and rejection by her father, which she clearly fears given her fainting. She has increased the stakes from the Friar, intensifying the degree and multiplying the number of her hypothetical punishments. Hero also speaks more eloquently and with more effective emotional appeal after hearing the Friar's vivid language and repetition. She emphasizes important words in her first conditional statement with alliteration (*paroemion*): "more...man...maiden modesty...mercy." Hero employs the "grandiose interjection *o*," an "intensifying" and emotionally charged linguistic device that often indicates the grand style of rhetoric (Powell 68-69); Wilson calls this "outcrying" (229). Her three conditional antecedents make her potential infraction successively broader, both by increasing the possible partners (starting with "any man" and widening to "any creature") and decreasing the severity of the transgression (first carnal knowledge, then conversation, then any "change of words"). She uses *incrementum* so that each antecedent is more likely to have occurred than the last – each vow is stronger. In the final line, Hero again repeats with increasing intensity, this time combining *incrementum* with *epistrophe*.<sup>58</sup> Each verb before the repeated "me" describes a harsher punishment than the last: "Refuse me, hate me, torture me to death!" Hero escalates her defense to a high emotional pitch, building on the *pathos* the Friar demonstrated for her, and uses the

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<sup>58</sup> For Peacham, *epistrophe* is *epiphora*, in which different clauses end in the same word (42).

conditional construction to which he introduces her.<sup>59</sup> Hero's emulation of the Friar resembles the early modern rhetorical educational practice of *imitatio*, in which students imitated the schoolmaster's words, vocal modulations, and physical movements to learn how to transfer their emotions to listeners (Enterline 4). By modeling her speech on the Friar's, Hero learns, or is reminded, how to speak persuasively with both deference and passion.

Hero's imitation eventually causes Leonato to entertain the possibility that Claudio and Don Pedro "wrong her honor" (4.1.191). Leonato is not quite convinced by the Friar's speech, but after Hero's self-defense and a brief further confirmation from the Friar ("There is some strange misprision in the princes"), Leonato admits that Hero has not yet been proven guilty by saying, "I know not" (4.1.185, 190).<sup>60</sup> Soon, he agrees to the Friar's plan to fake Hero's death and restore her reputation. Hero's self-defense is successful but comes too late to help her convince Claudio, who was likely too entrenched in his assumptions to listen to her anyway. Despite Claudio's concept of the wedding as a trial with a foregone conclusion, he condemns Hero based on emotion rather than evidence, as Cicero describes: "men decide far more problems by hate, or love, or lust, or rage, or sorrow, or joy, or hope, or fear, or illusion, or some other inward emotion, than by reality, or authority, or any legal standard, or judicial precedent, or statute" (*De Oratore* 325). Leonato, too, must be emotionally moved rather than intellectually convinced to believe Hero innocent. The Friar's defense of Hero both made Leonato more receptive to listening to her and allowed her to hear and imitate the rhetorically skilled use of conditional swearing and emotional appeal. Leonato's initial condemnation and change of heart suggest that Hero did not have the rhetorical vocabulary to defend herself before mimicking the

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<sup>59</sup> This is the first time in the play Hero uses *if* to swear. Before, she just uses *if* to present a hypothetical situation and *if...then* to communicate cause and effect.

<sup>60</sup> Claire McEachern attributes Leonato's changed position to Benedick's "endorsement of the possibility of Hero's innocence" (279). While this is also possible, it is difficult to determine whether one or both of these speakers prompts Leonato to back down from his position; Leonato does not speak between Hero's and Benedick's lines.

Friar's words. But the Friar's defense alone is insufficient; Hero's necessary words exert power. Shakespeare does something unique with Hero: he shows her rhetoric succeeding where the Friar's alone failed – succeeding not only in the abstract sense of proving her virtue and eloquence to auditors, but in getting the patriarch to take concrete action to improve her situation.

## CHAPTER 5

### “IF WITH MYSELF I HOLD INTELLIGENCE”: ROSALIND’S LOGICAL LOYALTY

Like Hero, *As You Like It*'s Rosalind must defend herself to a family patriarch who is also in a position of political power, in this case, her usurping uncle. However, Rosalind's conversation involves the political realm and the threat she poses to Frederick rather than the realm of the “little kingdom” of family, marriage, and sexuality that Hero inhabits.<sup>61</sup> Whereas Claudio and Leonato are convinced that Hero's virtue is illusory, Duke Frederick sees Rosalind's virtue itself as threatening. He interprets Rosalind's goodness and truthful speech as unkind and subversive.<sup>62</sup> Although Rosalind is loquacious, she is guilty of neither treason nor the promiscuity associated with talkative women. She openly disagrees with her ruler's judgment but makes her speech less confrontational than it easily could be when she answers to accusations. Rosalind deploys *if*, questions, and rhetorical figures to prove that Duke Frederick's accusations have no logical cause. Her cousin Celia comes to her aid as an ally and uses similar rhetorical strategies: she uses *if* to present her knowledge of Rosalind's innocence.<sup>63</sup> Duke Frederick cannot deny that his suspicions rest on illogical grounds, but despite Rosalind's exposure of his fallacy, she remains banished.

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<sup>61</sup> For more on the household as a microcosm of a monarchy, see Karen Newman 15-17.

<sup>62</sup> Rosalind's absolute goodness suggests subversiveness to Duke Frederick, just as absolute silence historically raised suspicions of seductive intentions, as Christina Luckyj describes (“Women's” 36-37).

<sup>63</sup> Thanks in large part to Touchstone's “Your ‘if’ is the only peacemaker; much virtue in ‘if,’” some critics have discussed how *if* operates in *As You Like It* and other comedies. Peter Murray argues that Shakespeare deploys *if* in the comedies to allow make-believe to open up possibilities for conditional identities and actions that lead to peace-making, happy endings, and characters' discovery of the poetic truth of human reality they seek (31, 36, 39). Dale G. Priest builds on this concept and calls *if* “the magic word” of *As You Like It*. In that and other comedies, the hypothetical mode provides the best method for dealing with reality and creates true happiness (276, 283).

Rosalind defends herself to her uncle, Duke Frederick, with the typical conditional construction when he banishes her seemingly without reason. Frederick mentions the “public court,” which imbues the scene with a sense of trial, despite the audience’s knowledge that the Duke is speaking of his palace and retainers. Rosalind responds,

I do beseech your grace,  
Let me the knowledge of my fault bear with me.  
If with myself I hold intelligence,  
Or have acquaintance with mine own desires,  
If that I do not dream, or be not frantic –  
As I do trust I am not – then, dear uncle,  
Never so much as in a thought unborn  
Did I offend your highness. (1.3.42-49)

Rosalind begins her speech meekly but proceeds to flirt with brazenness, given how silly the possibility that Rosalind is dreaming or frantic seems. She swears by her coherence, her ability to swear at all, which is more logically sound (if lacking in dramatic flair) than the typical antecedent of swearing on one’s soul. The content of her speech expresses that she knows herself and her own mind (better than the Duke does), and that she has never come close to thinking about treason. Rosalind frames her self-assertion in conditional clauses using two *if*’s that encompass characteristics she knows to be true of herself, which come down to her sanity and self-knowledge.<sup>64</sup> Rosalind’s linguistic choice makes her statement of self-defense, which firmly contradicts the Duke, sound less confrontational than a simple construction such as “I know my own mind, and I have not done anything wrong.”

Duke Frederick then dismisses Rosalind’s claim to innocence and refuses to provide a reason for his accusation, also using *if*:

Thus do all traitors.  
If their purgation did consist in words,  
They are as innocent as grace itself.  
Let it suffice thee that I trust thee not. (1.3.49-52)

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<sup>64</sup> As Peter Mack points out, Rosalind engages in a form of rhetorical *copia* by doubling the conditional clause (85).

The Duke begins an incorrect statement with *if* to emphasize that purgation (another legal term, meaning proving of innocence) does *not* depend on the defendant's claims.<sup>65</sup> He employs *if* in the opposite way as Rosalind, showing in form as well as content that he disagrees with and will continue to refute her: Rosalind swears that if she is sane (a true statement), she is innocent, while Duke Frederick swears that if words proved innocence (a false statement), all are innocent. Duke Frederick thinks that Rosalind's words do not match her actions, and he will accuse her of this again later in the scene. With his final line of the speech, he refuses to give her a "fault" or reason why she is a traitor and instead prioritizes his own emotions of mistrust.<sup>66</sup> Interestingly Shakespeare alters his source, removing Duke Frederick's more logical reason for mistrust. In Lodge's story, the Duke is afraid that if and when Rosalind marries, "her future husband will wrest the kingdom from him; but Duke Frederick has no basis for mistrust" (Kuhn 46).

Rosalind points out that mistrust does not logically result in her treason: "Yet your mistrust cannot make me a traitor" (1.3.53). After "publicly disputing his logic," demonstrating "her mental agility and her courage," Rosalind says, "Tell me whereon the likelihoods depends?" (Semler 102; 1.3.54). Through this command in question form,<sup>67</sup> Rosalind asks for the real cause of the Duke's accusation, since "mistrust" proved illogical. Rosalind is requesting information from Duke Frederick, but despite her imperative "tell me," she is not supposed to command her social superior, nor does she want to immediately after exposing his illogic. So she intones her request as a question, indicated by a question mark. Punctuating the request with a question mark indicates that the actor's voice should rise at the end of the sentence; she can choose to let the rise make her tone less abrasive and convey a sense of uncertainty and deference rather than

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<sup>65</sup> See Juliet Dusinberre's footnote on 1.3.50 in the Arden Shakespeare edition.

<sup>66</sup> Maurice A. Hunt sees a parallel between Duke Frederick's words here and Leontes's role in the trial scene of *The Winter's Tale*; both men dismiss "any eloquent, gracious plea...as the expected, damning rhetoric of a traitor" (299).

<sup>67</sup> While not all editors retain the question mark, the First Folio (transcribed in Hardin Aasand's Internet Shakespeare Edition) and most recent Arden edition show a question mark here.

command. Rosalind expects a response; she is not attempting to ask a rhetorical question to silence Duke Frederick, but to make him reveal his illogical assumptions.

The Duke unsatisfactorily responds, “Thou art thy father’s daughter, there’s enough” (1.3.55). Again, Rosalind demonstrates why the reasons Duke Frederick provides do not form logical bases for charging her with treason. Rosalind uses *anaphora* to show why Duke Frederick’s sudden accusation cannot be true now since it was false in the past and her parentage has not changed: “So was I when your highness took his dukedom; So was I when your highness banished him” (1.3.56-57). By repeating “So was I,” she emphasizes that her lineage has not changed. By repeating “your highness,” she reiterates that she does treat the Duke with respect, even when contradicting him, and tries to guard against incurring even more serious repercussions for her brazenness. These phrases recur at the beginning of each nearly pentameter poetic line, forming a balanced *isocolon*.<sup>68</sup>

Rosalind breaks down the logic of the Duke’s argument by identifying its implied causes and uses questions to contradict him: “Treason is not inherited, my lord, / Or if we did derive it from our friends, / What’s that to me? My father was no traitor” (1.3.58-60). Rosalind uses *if* to make truly brazen arguments, moving from the refutation of one false assumption to the hypothetical entertainment of another. Rosalind’s rhetorical question says, “that is irrelevant and not applicable to me,” but more delicately. As with the previous question Rosalind asked, this question form in place of a statement gives the actor the opportunity to use a soft, rising tone here, even when she is really making the strong assertion that inheritable treason is irrelevant to her. An actor could choose to voice this question disdainfully, but she can sound mild if she wants to, even though the content of her speech is far from meek. Rosalind concludes her speech

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<sup>68</sup> In the vernacular texts, *isocolon* becomes “Egal Members” for Wilson (227) and *compar* for Peacham (58). The ear senses that different parts of the sentence or oration are approximately the same number of syllables.

with the request, “Then good my liege, mistake me not so much / To think my poverty is treacherous” (1.3.61-62). She directs another formal address, “my liege,” toward the Duke; whether she calls him “good” or uses the formulaic “good my liege,” she continues to address him with deference and respect to demonstrate her loyalty. Rather than telling him he is wrong, she asks him not to believe the worst of her, not to invent another false cause and see her reduced status as a source of disloyalty. Although her speech invokes his possible mistaking, she gives it a logical foundation and frames it with deferential rhetoric.

This speech elicits no response from Duke Frederick because Celia steps in, perhaps afraid that Rosalind has gone too far despite her rhetorical posturing. She too uses *if* to claim Rosalind’s innocence. Celia asks Duke Frederick to “hear me speak,” at which he promptly talks over her (1.3.63). She corrects her father’s claim that “we stayed her for your sake” by reminding him that she was too young to value Rosalind and ask for her to stay, and by recalling to the Duke his previous “remorse” and “pleasure” for Rosalind to remain at court; like Rosalind, Celia must correct Duke Frederick’s incorrect identification of a logical cause (1.3.64-69). Just as Rosalind invoked her own self-knowledge earlier, Celia claims knowledge of Rosalind as a logical cause, which leads to her confident claim: “If she be a traitor, / Why, so am I” (1.3.69-70). This *if* statement lets Celia stand up to her father without openly, directly contradicting him: “she is not a traitor.” Although Celia does communicate this, she sounds less contentious when she phrases it as conditional. As Clara Calvo points out, Celia can “contradict and correct her father’s inexactitudes without being disrespectful” (101). Her speech treads more lightly around Frederick than Rosalind’s does, in content as well as form.

Completely dismissing both women's denials of treason, Duke Frederick does not yield.<sup>69</sup> Instead, he criticizes Rosalind's subtlety and "smoothness" (1.3.74). Each of these words has both a positive and negative meaning in the early modern period. Subtle could mean wise, discerning, and shrewd or treacherously crafty, sly, and devious ("Subtle, adj. and n."). Smoothness referred to plausibility, associated with hypocrisy, but could also mean civility and courteousness (1.3.74f). Duke Frederick may have misinterpreted positive discernment and cunning for devious forms of these qualities. However, Frederick has political concerns. More likely, he is concerned that the people's love for Rosalind, because of her goodness, will work against him by making him appear all the worse for having usurped her father.<sup>70</sup> Duke Frederick intentionally misinterprets her virtues, so he fails to give satisfactory reasons when called upon to answer Rosalind's and Celia's objections logically. He ends the debate by saying that his "doom," already passed, is "firm and irrevocable"; objections were futile from the start (1.3.80-81). Rosalind "learns that women's language skills carry little weight in the Duke's court" (Carlson 49).<sup>71</sup> She begins and ends her conversation with Duke Frederick as a banished woman. Her bold and borderline socially inappropriate defense of her innocence does not reduce her punishment, but her use of *if*, questions, rhetorical figures ensures that her words do not come across too harshly. Her rhetorical choices may have helped her avoid additional punishment, perhaps even the death that Duke Frederick threatens if Rosalind remains at court.

Although she speaks extensively throughout the play and asserts her logic-based critiques of Duke Frederick's reasoning with rhetorical skill, Rosalind is not promiscuous, nor guilty of

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<sup>69</sup> Hunt sees the banishment as the culmination of Shakespeare's "association of the court with various linguistic imperfections" in this play (299).

<sup>70</sup> L. E. Semler claims that "Frederick's words present Rosalind in the conventional guise of a subtle politician biding her time and garnering popular support" (102). While the Duke may incorrectly see Rosalind as politically scheming, her presence at court and her virtue are political concerns for him whether she plots against him or not.

<sup>71</sup> Susan Carlson also argues that throughout the play, Rosalind's command of language clearly indicates whether or not she has power. It is usually "accompanied by a discrediting of women's linguistic power," often from herself (48, 50).

the charges Frederick levels against her. She is “guilty” only of being a good person. Her rhetorically skilled speech has the power to win the hearts of the people and to force Duke Frederick, by omission, to reveal that his reasons for suspecting her are illogical. Her deference prevents the Duke from worsening the punishment. However, although she can expose his view as fallacious, she cannot change his decision to banish her. Rosalind’s sophisticated use of rhetoric and logic and her defense of her moral character in a political situation are reminiscent of Katherine’s speeches, as well as similar to Hermione’s.

## CHAPTER 6

### “TO PRATE AND TALK FOR LIFE AND HONOUR”: HERMIONE’S QUEENLY SELF-DEFENSE

Like Rosalind, *The Winter’s Tale*’s Hermione speaks eloquently when she answers the apparently baseless and illogical charges of the male ruler to whom she is related, but her words do not change his fixed mind. Hermione’s self-defense shares even more characteristics with Katherine’s. Although both queens wield much more power than Shakespeare’s other female characters, their royal husbands still put them on trial for perceived failures to fulfill their wifely duties. Daughters of kings and queen consorts, they defend their virtue during public trials.<sup>72</sup> Their kings litigate perceived marital failures – not bearing a male heir and suspected sexual infidelity – as crimes, but Leontes goes further and accuses Hermione of treason, imagining that she is plotting to kill him. Echoes of Mary Queen of Scots’s trial for treason against Elizabeth appear in both self-defenses, adding another historical link in addition to Katherine’s similarity to Holinshed’s Catherine. Like Shakespeare’s other female characters, the queens use conditional statements and questions, but they do so less frequently than other women and pair these usually deferential strategies with straightforward language more typical of a man defending himself to his equal or superior. These vocal and assertive queens, who temper their rhetoric with just enough deference to get by, are innocent of the charges leveled against their sexuality (and in Katherine’s case, the implication that her womb’s failure stems from some flaw in her nature),

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<sup>72</sup> As previously discussed, Susan Frye points out that both women defend themselves in terms of virtue, lineage, and fertility.

contrary to the assumptions of many early modern Englishmen.<sup>73</sup> Hermione and Katherine successfully use skillful rhetoric to preserve their reputation of honor, dignity, and eloquence in the public eye. However, neither queen ultimately succeeds in persuading her husband and king to drop the charges against her or materially improve her situation.

Female speech is particularly central to *The Winter's Tale*, making this play a fruitful study for the final chapter. From the beginning of the play, Hermione advocates for the power of female speech: "A lady's 'verily' is / As potent as a lord's" (1.2.51-52). This sets the scene for Leontes's anxieties about her rhetorical skill, his changing attitudes toward Paulina's blunt and assertive speech, Florizel's adoration of Perdita's eloquence, and Hermione's return as a silent statue who speaks only to Perdita once revived. In the first half of the play, Leontes and other men chastise Paulina for the "boldness of [her] speech" (3.2.215).<sup>74</sup> When Paulina brings the infant to Leontes, he calls her "A mankind witch" and "A callat / Of boundless tongue" (2.3.66, 89-90). In Antigonus's presence, Leontes refers to Paulina as "thy lewd-tongued wife" and tells him he is "worthy to be hanged" because he "wilt not stay her tongue" (2.3.170, 107-8).<sup>75</sup> But once Leontes is wifeless, childless, and haunted with guilt, Paulina becomes an advisor to him; he listens to her and says she "speak'st truth" (5.1.55). Perdita, like her mother, is "the hostess of the meeting" directed by the patriarch to speak to the guests (4.4.64) and the queen figure of the gathering, according to Florizel and Camillo (4.4.5, 161). Her beloved, unlike her mother's, adores her eloquence rather than feeling threatened by it; Florizel tells her, "When you speak,

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<sup>73</sup> As M. Lindsay Kaplan and Katherine Eggert argue, *The Winter's Tale* depicts "female outspokenness as compatible with and appropriate to female virtue and chastity" (104).

<sup>74</sup> Cristina León Alfar offers a redemptive reading of female speech in the play that extends back to its first half. Instead of controlling women, as intended, Leontes's speech offers them opportunities to speak back and exert agency (46-47). The women undermine and defuse his injurious speech (50). Women's voices are "crucial and necessary antidotes to both the men's paranoia about the female body and their tyrannical abuses of their authority" (55). Paulina, in particular, redirects the label of scold to claim her linguistic strength "as advocate and protector" (56).

<sup>75</sup> Kaplan and Eggert argue that the baseness and irrationality of all the slanders directed at Paulina – which variously describe her as a scold, witch, bawd, traitor, and heretic – "put pressure on the logic of patriarchy" (107).

sweet, / I'd have you do it ever" (4.4.136-37).<sup>76</sup> Yet only Hermione must speak at length in self-defense. Hermione's assertive and skilled speech, occasionally tinged with deference, defines her character throughout the play. Her rhetorical skill, talkativeness, and ability to use language to exert control over situations contribute to Leontes's believing her guilty and other characters' believing her innocent.

Leontes suspects Hermione of having an affair with Polixenes in large part because of her extensive, skilled speech in her first scene, even though she speaks in order to play the socially appropriate role of a hostess.<sup>77</sup> The first address directed at Hermione takes place when Leontes cannot convince Polixenes to stay in Sicilia – a rhetorical failure given that rhetoric is the art of persuasion. Polixenes declares to Leontes, "There is no tongue that moves, none, none i'th' world / So soon as yours, could win me" (1.2.20-21).<sup>78</sup> Hermione will soon prove this claim incorrect and take Leontes's place as the person with the most influence over Polixenes. When Polixenes concludes his speech with, "Farewell, our brother," Leontes seems to cut him off, speaking his first unstressed syllable over Polixenes's last one, and prompts Hermione: "Tongue-tied, our queen? Speak you" (1.2.27). He has given her no previous opportunity to speak, and no room in between Polixenes's speech and his own to counter Polixenes's "farewell." The actor might use his tone to convey Leontes's teasing, pretended surprise that Hermione has not inserted herself into this conversation. If so, Leontes mocks a tendency, which Hermione has apparently shown previously, to assert her own persuasive powers when his fail; however, his playfulness would suggest that he does not truly expect her to speak over him and Polixenes.

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<sup>76</sup> As a shepherdess, the expectations for Perdita's rhetorical skill are significantly lower than for Hermione's, which contributes to Florizel's surprise at and love of her eloquence. Perdita, in turn, remains convinced that she "cannot speak / So well" as the royal Florizel (4.4.385-86).

<sup>77</sup> Adam McKeown similarly argues that Hermione's rhetorical victory threatens Leontes's authority and his idyllic vision of the rhetorician as a political, moral, and intellectual leader in society (117-19). Lori S. Haslem claims that Leontes takes Hermione's loquacity "as evidence of a sexual openness and aggressiveness he cannot control" (391).

<sup>78</sup> McKeown sees this as a challenge to Leontes's rhetorical abilities. Leontes cannot keep up with "Polixenes' agile tongue," so he gets Hermione to take over (122).

This playful version of Leontes seems to believe that Hermione enjoys speaking persuasively but does not overstep her place as his wife, even when she could speak more effectively than Leontes. His introduction also describes her in terms of her speaking “tongue.” Hermione confirms that she delights in such an exercise but denies any intention of speaking before Leontes had finished: “I had thought, sir, to have held my peace until / You had drawn oaths from him not to stay” (1.2.28-29). The actor playing Hermione can choose to tease Leontes back with these lines, so this response continues the potential playfulness of the scene before Leontes becomes jealous. Regardless of Hermione’s tone, she expresses the knowledge that she can take over her husband’s task when he has tried all his tactics, when the cause seems most hopeless, and succeed where he has failed. As Arden editor John Pitcher notes on these lines, “forcing Polixenes to retract his vows” would be “pleasurably difficult” for Hermione. After Hermione gives Leontes advice on convincing Polixenes, Leontes comments, “Well said, Hermione” (1.2.33). He recognizes that his wife speaks effectively and eloquently, and her rhetorical skill helps her fulfill her duty as a hostess to be welcoming to her guest. Leontes finds this endearing rather than threatening early in the scene.

But after four more lines of giving Leontes advice about persuading Polixenes, Hermione takes over the task herself, and Leontes does not speak again until he finds out she has achieved it. Although Leontes wants Polixenes to stay and expects and appreciates Hermione’s advice, he never asks her to convince Polixenes on his behalf. Rules of hospitality require Hermione to try to succeed in Leontes’s failed endeavor of extending Polixenes’s visit, so even though Leontes does not ask her to take over, his invitation for the hostess to speak implies this desire. He approves of her speech when it is directed at him but thinks that Hermione usurps his role as the persuader, making him useless in the conversation, which he leaves at some point before he can

hear Polixenes agree to stay. When Hermione takes Leontes's place as the commander of the conversation, he loses any semblance of the control over her speech he once felt like he had ("Speak you"). While Leontes seems to have no problem with the fact of Hermione's superior persuasive skill, since he appreciates her "well said" words and asks her to join the conversation, Hermione employs this ability in a manner that, if it were not in direct fulfillment of her role as hostess, many people in early modern England would consider transgressive, as Leontes does.<sup>79</sup> Her persuasive efforts are not explicitly prompted by her husband and king, and she is talkative. Even after Polixenes agrees to stay, she continues speaking with him before telling Leontes about her success, and when she invites Leontes's praise for speaking to the purpose in convincing Polixenes, she ironically speaks at great length (1.2.60-86, 90-101). The norms of appropriate female speech would indicate that through her loquaciousness, Hermione demonstrates dangerous independence and authority, which can only be understood in terms of lacking virtue and a promiscuous sexuality.

Leontes's suspiciousness about how easily Polixenes agrees might lead Leontes to conclude only that his friend has an interest in his wife. Although a number of benign reasons could explain Polixenes's agreement – such as Hermione's skill, the intervention of the second of two hosts, or Hermione's suggestion, though playful, that she would force him to stay – Leontes may think that Polixenes gives Hermione's words more weight than his own or gives in too quickly when faced with Hermione's persuasive skills. But Hermione's commandeering of the conversation makes him suspect even more and think that, as a verbally assertive woman, she may be the kind of person to reciprocate and act on such interest, equally free in using both of her "mouths." Such a reading does not make Leontes's jealousy any less abrupt or extreme, but it

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<sup>79</sup> Similarly, John Roe argues that the artifice and sophistication required of a hostess in court "brings [Hermione] close to compromising her integrity, and there seems to be no way out of her dilemma" (47).

offers an insight into what triggers the “green-ey’d monster” – beyond his observations of “padding palms and pinching fingers,” since Hermione’s and Polixenes’s physical shows of affection seem unlikely to have changed much during Polixenes’s stay (*Othello* 3.3.168, *The Winter’s Tale* 1.2.115). More importantly, the reading suggests that Hermione’s assertive and eloquent use of language, because it contributed to Leontes’s belief in her guilt, will not be able to convince him of her innocence. Leontes will remain suspicious of Hermione’s rhetorical skill and linguistic independence, which will bleed into his suspicions of her words’ truth.

In 2.1, Leontes confronts Hermione, accuses her of adultery, and demonstrates his newfound complete mistrust of her, prompting her to begin using her rhetorical skill against her husband rather than for him. At first, she defends herself by denying that her child is Polixenes’s and stating her expectation that Leontes will believe her word, or at least admit a desire or inclination to believe her: “But I’d say he had not, / And I’ll be sworn you would believe my saying, / Howe’er you lean to th’ nayward” (2.1.62-64). However, Hermione quickly learns that her speech has lost all persuasive power over Leontes and that he no longer believes her words. He ignores her and addresses his next speech to his lords, finishing it with the direct exclamation, “She’s an adulteress!” (2.1.78). Hermione responds by beginning to include rhetorical figures in her self-defense: “Should a villain say so, / The most replenished villain in the world, / He were as much more villain – you, my lord, / Do but mistake” (2.1.78-81). By repeating “villain” in the middle of each line of verse, she uses *mesodiplosis* to identify Leontes’s words as villainous even more emphatically than his labeling of her as “adulteress.”<sup>80</sup> However, this identification also takes place through implication. The conditional clause with which Hermione begins allows her to frame her words in a hypothetical situation. In this imagined scenario, a claim that she is

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<sup>80</sup> Gideon O. Burton’s online rhetoric *Silva Rhetoricae* defines *mesodiplosis* as “repetition of the same word or words in the middle of successive sentences.”

unfaithful is villainous when spoken maliciously, but just a simple mistake on Leontes's part. She wants to believe that Leontes's mistaking can be corrected and that he will not become a villain despite his villainous words. She also knows that condemning Leontes outright so soon would mimic the "mistake" he made, leaping from suspicion to accusation, and undermine her credibility and rhetorical power. The conditional "should" allows Hermione to make this careful and even optimistic move. In her next speech, Hermione echoes her previous triple utterance of "villain" with a five-time utterance of "you" (to Leontes), three instances of which begin consecutive lines, as she tells Leontes that his slanderous words have gone beyond the realm of mistaking:

How will this grieve you  
When you shall come to clearer knowledge, that  
You thus have published me? Gentle my lord,  
You scarce can right me throughly then to say  
You did mistake. (2.1.96-100)

Rather than framing her rebuttal in terms of condemnation, Hermione laments Leontes's future regret and uses her language to imply that Leontes ("you...you...you") is enacting the role of villain ("villain...villain...villain"), not just speaking villainous words.<sup>81</sup>

After denying that he is mistaken, using *if* to swear that his evidence is sound, Leontes tries to remove Hermione from the scene and prevent any appeals on her behalf, even from others: "Away with her, to prison. / He who shall speak for her is afar off guilty, / But that he speaks!" (2.1.103-5). The lords do not speak for her, but neither do they move to arrest her. Hermione addresses them directly, beginning sentences with "Good my lords," and "Beseech you all, my lords," as she speaks of her "honorable grief" and asks them to judge her with charity

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<sup>81</sup> Hermione's use of "published" calls attention to Leontes's actions as slanderous as well as villainous. Kaplan and Eggert argue that *The Winter's Tale* goes against most legal understandings of slander by representing a king, normally impervious to such charges, sexually slandering a woman, with dangerous consequences for the social order and the nation (105-6).

(2.1.107-114). Leontes interjects, “Shall I be heard?” asking the lords to take her away and clamoring to have a position of verbal power in the situation. Hermione has taken over her own arrest, doing most of the talking and appealing to the lords; after Leontes’s question, she chooses her prison companions (she “beseech[es]” Leontes but does not wait for an answer) and sets herself and her train in motion (“My women, come, you have leave”) (2.1.116, 124). While the play text does not make it clear whether Hermione’s ladies begin to follow her after those words or after Leontes’s “Go, do our bidding. Hence!”, his command is redundant if to the ladies and obsolete if to Hermione, a desperate grasping at control (2.1.125). Hermione directs the timing and movements of a situation that she could not be expected to control, solidifying herself in Leontes’s eyes as a woman who uses speech without his guidance to usurp his roles and power.

Hermione carries her linguistic confidence and command of situations into the courtroom for her trial. Whether the actor portraying her chooses to make her bearing coincide with her language or makes her nervous and fearful but nevertheless able to hold her words together, Hermione continues to demonstrate her rhetorical skill, calm and collected speech, and equanimity during her trial.<sup>82</sup> She uses the conditional construction of defense and questions during her speeches, but she does so sparingly and within a framework that highlights her status as a still-powerful queen. After acknowledging that simple denial of the charges would have no effect on Leontes, who believes her “integrity...falsehood,”<sup>83</sup> Hermione expresses her trust that Leontes will eventually feel ashamed at how he has handled the situation and that her forbearance will undermine Leontes’s tyranny:

if powers divine

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<sup>82</sup> David M. Bergeron concludes, from her “systematic and controlled” defense, that Hermione thinks coolly and logically even in extreme circumstances (10). He also sees her speech as structured according to Aristotle’s modes of persuasion: first *ethos*, then *logos*, and finally *pathos* (5).

<sup>83</sup> Alfar points out that in this moment, Hermione “self-consciously attends to the culpability built into women’s acts of speech” (58).

Behold our human actions – as they do –  
I doubt not then but innocence shall make  
False accusation blush and tyranny  
Tremble at patience. (3.2.27-31)

Hermione has foresight that Leontes lacks and knows that he will regret his actions, a foresight that will help her “preserve” herself to see her daughter (5.3.127). Like most of Shakespeare’s female characters speaking in self-defense, Hermione uses an antecedent in her conditional clause that is generally accepted as true. However, unlike other characters, she also affirms the antecedent’s truth before proceeding (“as they do”). The phrase “I doubt not then but” further affirms her certainty. While these additional phrases do contribute to the speech’s versification, if all of them were removed (“But thus,” “as they do,” and “I doubt not then but”), the speech would remain in iambic pentameter. This suggests that their purpose goes well beyond filling out the line. Hermione uses the conditional form, seeming to leave the consequent at least technically open to uncertainty, as many of Shakespeare’s female characters do, and avoiding a cause-effect relationship between the omniscience of “powers divine” and blushing and trembling. But by immediately confirming the antecedent, she erases the logical work of *if* and retains only the audible semblance of deference.<sup>84</sup> This conditional statement also demonstrates Hermione’s rhetorical skill in other ways. She personifies “false accusation” and “tyranny” by making them “blush” and “tremble,” emphasizing that they stand in for a person, Leontes. She also uses a *chiasmus* to parallel those two nouns and contrast them with her own “innocence” and “patience”: “*innocence* shall make / *False accusation* blush and *tyranny* / Tremble at *patience*” (emphasis mine). In this figure, descriptions of Hermione’s response surround those of Leontes’

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<sup>84</sup> Ruth Vanita argues that Hermione’s appeal to divine standards results from the futility of appealing to “the same male double standards which find her wanting” (314). She also claims that the speech assumes the audience’s agreement that divine powers oppose all tyranny, gendered or otherwise (315).

behavior; Hermione attempts to contain Leontes's unjust actions rhetorically, even though she cannot contain them in life.

After anticipating Leontes's future regret, Hermione turns to his past as a tool for further asserting her innocence. She appeals to Leontes's knowledge of her former actions, reminding him that he of all people "best know[s], / Who least will seem to do so, my past life / Hath been as continent, as chaste, as true / As I am now unhappy" (3.2.31-34). Her use of *anaphora*, repeating "as" at the beginning of three successive phrases, emphasizes that, no matter how female virtue is articulated, she has conformed to the ideal. She tries to anticipate and prevent any attempt to couch her behavior in terms of female transgression; while she cannot cover every possibility, given the vast vocabulary for female infidelity, she can imply and emphasize through repetition that all terms of female virtue, and none of female deception, apply to her.

In addition to addressing the language of virtue, Hermione calls attention to the fact that she is required to speak, despite her words' seeming futility. Even though she is a queen, she is "here standing / To prate and talk for life and honour, 'fore / Who please to come and hear" (3.2.39-41). Hermione's short, mostly monosyllabic words mock her situation as a queen commanded to publicly speak in self-defense on trial. She identifies her speech as "prat[ing]," which, as Pitcher notes, suggests "plead in vain." However, to "prate" carries the additional connotations of to "chatter," to speak "foolishly" or "to little purpose," and to "prattle" ("Prate, v.," def. 2a). Leontes has called Hermione to court to speak, but she knows that he will not give any weight to her words, rendering them vain chatter. Hermione suggests that she might as well not have rhetorical skill in this situation for all the good it does her with Leontes; if her speech were short, choppy chatter, she could not fare any worse with him. He has made a spectacle of her and transformed her into a speaking mouth that appears to be at work but can accomplish

nothing. While Hermione nevertheless goes on to speak eloquently at length to redeem her honor in the eyes of the public for her children's sake, in this moment she uses short, simple words to mock both the necessity and futility of defending herself.

However, as she pretends to prattle, Hermione's multiple uses of repetition in these same lines draws attention to the speaking and listening taking place in the courtroom and demonstrates her rhetorical skill, even with seemingly simple words. She bookends her description of her situation with the homonyms "here" and "hear," giving more force to the now-familiar sounding "hear" at the end of the sentence than it would otherwise have and bestowing importance on the lords' act of listening to her. Hermione also pairs words that describe speech, "prate" and "talk," employing *synonimia* to add emotional force to the implication that her being called on to speak is inappropriate. Hermione's post-partum confinement in prison, to which she explicitly objects later in the trial, heightens this implication (3.2.100-104). "Life" and "honour," also paired, are surrounded by "for" and "'fore" (abbreviated "before"), homonyms that create a *chiasmus*: "for life and honour, 'fore." In the next sentence, Hermione will draw out the terms that she used the *chiasmus* to parallel, again repeating "for" as a bookend for each phrase:

For life, I prize it  
As I weigh grief, which I would spare. For honour,  
'Tis a derivative from me to mine,  
And only that I stand for. (3.2.41-44)

Hermione continues to demonstrate rhetorical skill and explains the previously implied importance of the lords listening to her defense: not to save her grief-filled life, but to preserve her children's honor. Cicero describes this strategy in *Rhetorica ad Herennium* as one way to appeal to pity: "revealing what will befall our parents, children, and other kinsmen through our disgrace, and at the same time showing that we grieve not because of our own straits but because

of their anxiety and misery” (151-53). Hermione’s rhetorical skill continues to encompass both the subjects and the forms of her self-defense.

Throughout Hermione’s first speech, her response to the written indictment, she unequivocally asserts her innocence by talking about her chastity and exceptional misfortune. She only uses *if* twice in this long speech, once toward the beginning, immediately followed by removing the sense of conditionality with “as they do,” and once at the end:

If one jot beyond  
The bound of honour, or in act, or will  
That way inclining, hardened be the hearts  
Of all that hear me, and my nearest of kin  
Cry fie upon my grave. (3.2.49-53)

This conditional sentence swearing to Hermione’s innocence is constructed in the same way as the defenses of many of Shakespeare’s other female characters: if she is the least bit guilty, even in intention, then may the worst come. Unlike many other women, though, the worst outcome Hermione can imagine is not her soul’s damnation or her death; it is dishonor resulting from ineffective rhetoric: not being believed by others in the court or by her family, specifically, according to Pitcher, her children. Since Hermione’s father is dead (3.2.118) and Leontes is not a blood relation, Mamillius and Perdita are her “nearest of kin.” By having Hermione participate in but alter, in this late play, the now-established form of female self-defense, Shakespeare suggests that Hermione’s children’s honor and their honoring of her are more important to her than even her soul. For Hermione, an imagined future in which her children disparage her and believe her guilty, or in which others fault them for her bad reputation, is the worst possibility. Her statement here foreshadows her decision, made immediately following the trial, to preserve herself to see and speak with her grown daughter.

In addition to invoking her role as a mother, Hermione also asserts that her relationship with Polixenes fulfilled her roles as a wife and hostess:

I do confess  
I loved him as in honour he required;  
With such a kind of love as might become  
A lady like me; with a love, even such,  
So, and no other, as yourself commanded;  
Which not to have done, I think, had been in me  
Both disobedience and ingratitude  
To you and toward your friend” (3.2.61-68)

Hermione repeats “love” three times, describing it in a new way each time. She shows Leontes that she is not afraid of or hesitant to use that word, because she has nothing to feel guilty about. Her love for Polixenes is friendly, not romantic, like Polixenes’s love for Leontes; after these lines, Hermione tells Leontes that Polixenes’s “love had spoke / Even since it could speak, from an infant, freely / That it was yours” (3.2.68-70). The *synonymia* with which she repeatedly describes her love for Polixenes heightens the emotional impact on Leontes and the court both of the word “love” and of its innocence; she loved Polixenes according to their honorable positions, according to her rank and virtue as a lady and a queen, and according to Leontes’s command. Hermione reminds Leontes and the court of the context for events in 1.2, when she was assisting Leontes and fulfilling the roles of queen and hostess.

When Leontes again accuses Hermione of plotting his death with Camillo, she skips the typically obligatory step of denying the charge: “Sir, / You speak a language that I understand not” (3.2.77-78). Leontes’s accusation of his wife and queen seems so impossible to Hermione that she claims the words must mean something different than she thinks they do – Leontes must not be speaking the same English as Hermione. By expressing her disbelief in terms of speech, Hermione draws attention to their speaking at cross-purposes and to words’ inability to resolve

the situation they have instigated: Leontes will not listen to her defense and she cannot understand what caused his rage and accusation.

In Hermione's final long speech, she leans heavily on *pathos*, following Cicero's advice to appeal to the listeners' pity at the conclusion of a judicial oration (*Rhetorica* 145).<sup>85</sup> Hermione's speeches are broken up by Leontes's shorter ones, but we can still see her self-defense at the trial as one oration, though interrupted. The intense emotion in her response is both a rhetorical strategy and a reaction to Leontes's death threat and his announcement that her daughter "hath been cast out" (3.2.85). She claims that life is now worthless to her and launches into a list of the many joys she no longer has and the recent ill treatment of her sexual reputation and postpartum body. In doing so, she uses one of Cicero's many strategies for appealing to pity: "comparing the prosperity we once enjoyed with our present adversity" (*Rhetorica* 151). Hermione also uses *paroemion* and *alliteration* more frequently here than in other speeches:<sup>86</sup>

Sir, spare your threats.  
The bug which you would fright me with I seek.  
To me life can be no **commodity**;  
The **crow**n and **com**fort of my life, your **favour**,  
I do give lost, for I do **feel** it gone  
But **know** not **how** it **went**. My second joy,  
And **first fruits** of my **body**, **from** his presence  
I am **barred**, like one infectious. My third **com**fort,  
Starred **most** unluckily, is **from** my breast,  
The **innocent milk in it most innocent mouth**,  
Haled out to **murder**; **myself** on every post  
Proclaimed a strumpet; with **immodest** hatred  
The childbed privilege denied, which 'longs  
To women of all fashion; lastly, **hurried**  
**Here**, to this **place**, i'th' **open** air, before  
I have got strength of limit. (3.2.89-104, emphasis mine)

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<sup>85</sup> Cicero describes the judicial cause for oration as "based on legal controversy, and compris[ing] criminal prosecution or civil suit, and defence"; Hermione's self-defense clearly falls under this category (*Rhetorica* 5).

<sup>86</sup> Peacham's *paroemion* applies only to repeated sounds at the beginning of words. Unlike the current term alliteration, *alliteratio* was not limited to initial sounds or consonants and described any "repetition of the same letter or sound within nearby words" (Burton). Giovanni Pontano coined the term in 1519.

Hermione's emotions, her evidence of mistreatment as an appeal to pity, and her use of rhetorical figures, in this case mostly *alliteratio*, are all heightened to a pitch. Her use of repetition exemplifies the "reiterative patterns" Russ McDonald sees in the late plays: "repetition of vowels and consonants, words, phrases, syntactical forms and other verbal effects" lend "poetic power" to speeches and plays. McDonald also views the increase of "poetic pressure" through repetition as corresponding to rising "emotional temperature" ("You speak" 97). Hermione's repetition reinforces the claim that she seeks "the bug" of death by implying suicide as a possible course, through "murder; myself"; this also foreshadows her decision to fake her own death and "preserv[e her]self to see the issue" (5.3.127-28), on which she soon acts. "Murder; myself," spoken with the frequently repeated *m*'s of the unstated word "motherhood," follows a description of her motherhood (and, as a result, the baby's conception) and her baby as innocent: "The innocent milk in it most innocent mouth." Hermione also uses motherhood to draw attention to her womanhood instead of her queenship when she claims that the right of seclusion after giving birth belongs "To women of all fashion." By claiming that she has been denied a right due to all women, Hermione invites her listeners to associate her situation with that of other wronged or slandered early modern women and the discourses that surround them. This first half of Hermione's last long speech prefigures her faked death, reiterates the importance of motherhood to her, and expresses heightened emotion and rhetorical style.

After building up her grievances further and further, Hermione directly addresses Leontes, pausing after the litany to make room for the cutting, sarcastic finale to this section of her speech: "Now, my liege, / Tell me what blessings I have here alive, / That I should fear to die" (3.2.104-106). While the Arden edition ends this imperative sentence with a period, the First

Folio ends it with a question mark (3.2.1287).<sup>87</sup> Even keeping in mind the dangers of putting too much stock in punctuation, the presence of a question mark here in the early history of the play-text suggests that Hermione might inflect this sentence as a question. If she does, she employs the same strategy as Rosalind does when asking Duke Frederick for information: “Tell me whereon the likelihoods depends?” (*As You Like It* 1.3.54). Hermione’s sentence forms a command, but if she speaks with the questioning inflection of the First Folio, she tries to avoid making her request sound too much like an order. But even with the tempering question mark, if the actor chooses to speak it, Hermione’s “question” is even less of a concealed command than Rosalind’s, which is more of a request than a challenge. Hermione, on the other hand, boldly dares Leontes to answer before continuing to speak herself, and her question, or request, is clearly a rhetorical one: she does not expect an answer. There can be none, because in the framework Hermione has presented, every joy and blessing has been taken away from her. It is also worth noting that Shakespeare had the option of making this sentence a question in sentence structure and not just in punctuation. Had he removed “Now, my liege, / Tell me” and the “Therefore proceed” that follow this sentence, and changed the word order to create a question, “What blessings *have I* here alive, / that I should fear to die,” the lines would still scan in iambic pentameter (3.2.104-106). A question mark could make the imperative statement more pleading than challenging, but regardless of the punctuation, this sentence is constructed to be much bolder than any that a woman of another “fashion,” not endowed with queenship, would likely dare to speak in this situation, or does speak in Shakespeare’s plays.

Although Hermione has ended her argument with a commanding and unanswerable finish and told the court to proceed (again, directing the activity of a situation over which Leontes, not

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<sup>87</sup> I refer to the First Folio transcription and two facsimiles (from Brandeis University and the State Library of New South Wales) available through Hardin Aasand’s edition of the play from *Internet Shakespeare Editions*.

she, is supposed to have control), she adds a postscript of sorts to her final long speech condemning the proceedings to which she has consented: “if I shall be condemned / Upon surmises, all proofs sleeping else / But what your jealousies awake, I tell you / ‘Tis rigour, and not law” (3.2.109-12). Hermione uses one final conditional statement to condemn court practices that only consider unfounded allegations rather than evidence. Her verdict of “rigour,” if the condition of the antecedent is fulfilled, censures the court for applying the law “in the strictest, severest, or least merciful terms” (“Rigour | rigor, n.,” phrases def. b).<sup>88</sup> By returning to the conditional construction, Hermione again evokes the typical rhetorical methods of self-defense to social superiors that women often employ but alters the standard usage to suit her status as a queen. Having addressed the issues that accused women would normally address using the conditional by claiming her innocence earlier, she uses the structure to imagine the possibility that she will not be condemned. But this scenario remains hypothetical, and Hermione’s verdict on the court soon manifests itself: it is tyrannical “rigour.”

Considering how much she speaks in the trial scene (three long and three short speeches), Hermione’s use of the conditional is relatively sparing. She participates in the conventions of self-defense speeches to an extent, but she also recognizes that her status of a queen calls for a more assertive defense, even and perhaps especially in a trial. She spends most of her time affirming her innocence in a straightforward manner; she claims her chastity, her misfortune, the propriety of her love for Polixenes, and her ignorance of why Camillo left. Hermione also demonstrates her rhetorical skill through her use of appeals, figures, and the “high emotional temperature” characteristic of the high or grand style (Powell 68).<sup>89</sup> Christy Desmet describes Hermione’s “courtroom performance” as “impeccably cogent and decorous.” She points out that

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<sup>88</sup> Hermione uses “rigour” as shorthand for “the rigour of the law” (“Rigour | rigor, n.,” def. 4a).

<sup>89</sup> Cicero associates the “appeal to pity” that Hermione used in her oration with the grand style, through the expression of “impressive thoughts” using figures “which have grandeur” (*Rhetorica* 255).

the rhetorically trained Sicilian lords would recognize that Leontes dismisses Hermione's argument too easily, a self-defense that should have succeeded as Othello's did (106).

Hermione's self-defense ultimately proves ineffective in exonerating her in Leontes's eyes. Her suspicions that "it shall scarce boot [her] / To say 'Not guilty'" prove true (3.2.24-25). She once again takes charge of the proceedings at the end of her last long speech, addressing the larger court rather than just Leontes: "Your honours all, / I do refer me to the oracle. / Apollo be my judge" (3.2.112-14). A lord puts her words into action without any direction from Leontes: "This your request / Is altogether just. Therefore bring forth, / And in Apollo's name, his oracle" (3.2.114-16). When the oracle proclaims her "chaste," "Leontes a jealous tyrant," and her "innocent babe truly begotten" (3.2.130-33), Leontes, as Hermione had feared, refuses to accept the evidence because it does not align with "what [his] jealousies awake"; he declares, "There is no truth at all i'th' oracle. / The sessions shall proceed – this is mere falsehood" (3.2.111, 137-38). As unjust as Leontes's refusal to consider Hermione's plea is, when he denies the oracle, he crosses a line. He does not want to hear that he has been wrong and a tyrant, and he does not believe, or want to believe, that "the king shall live without an heir if that which is lost be not found": Mamillius, his precious son, is ill but seemingly safe (3.2.132-33). But Leontes's failure to trust the "powers divine [that] / Behold our human actions," which the oracle apparently anticipated, brings down the prophecy on his head and kills Mamillius, both by proving himself the "jealous tyrant" of the oracle, contributing to its fulfillment, and by causing Mamillius's "fear / Of the queen's speed" (3.2.27-28, 131, 141-42).

Hermione has been right, in the enchanted world of the play, to attribute ultimate power and involvement to the divine. But the gods at work in Sicilia do not entirely obscure human choice and power; Hermione still exerts her agency in a number of ways. Her primary concerns

throughout her self-defense are her children, and her reputation for their sake. She could not save her son from the gods' prophecy and Leontes's tyranny, but with the help of her ally Paulina, she preserves herself in case her daughter is found. Despite the deference that her conditional statements and questions show, her defense cannot work on her husband, who is determined not to believe her; however, her assertive yet respectful defense can demonstrate her power, rhetorical skill, and virtue to the lords of the Sicilian court. She maintains her reputation, which later helps the suspected bastard Perdita who returns and becomes heir. Rhetoric does not live up to its promised power when used by Hermione, illustrating the limits of the early modern concepts about rhetoric's subversive social power.<sup>90</sup> Even though Hermione speaks often and dominates conversations and situations, her speech is eloquent and truthful, and she is faithfully chaste. Leontes was wrong to think that a talkative woman is necessarily a promiscuous one.

Hermione's defense engages with debates not only about female speech, sexuality, and rhetoric but also about female sovereignty. Hermione draws attention to her situation's resonance with historical events, encouraging audiences to associate her situation and language with that of real British queens:

my past life  
Hath been as continent, as chaste, as true  
As I am now unhappy; which is more  
Than history can pattern, though devised  
And played to take spectators. (3.2.32-36)

She claims that her unhappiness, or misfortune, exceeds historical precedents, even historical events turned into plays to please audiences. Those "devised / And played" histories may allude to Shakespeare's and other playwrights' history plays and even to the current trial scene in which Hermione speaks: the historical Mary Queen of Scots's trial reimagined "to take spectators."

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<sup>90</sup> McKeown claims that Shakespeare "demonstrates a pointed dissatisfaction with rhetoric" in *The Winter's Tale* by showing that it leads to "social disintegration" (120). He also argues that, in the play, rhetoric is incapable of uniting people and bettering their understandings, as early modern discourses believed (121).

Although Hermione claims that her misfortune is worse than her predecessors', her situation fits into a historical pattern of queens who, like Mary Queen of Scots, are imprisoned and executed when their virtue is questioned (Frye).

Historical circumstances suggest that Shakespeare and his audiences had Mary Queen of Scots on their minds when *The Winter's Tale* was first written and performed. Shakespeare's source, the popular *Pandosto*, dealt with the "queenly sexuality" of Mary Queen of Scots, Anne Boleyn, and Elizabeth I and was published in 1588, one year after Mary's execution (Kaplan and Eggert 102). Even more significantly, James I was working to rehabilitate his mother's reputation when both *The Winter's Tale* (1610) and *Henry VIII* (1613) were written. Sculptors in Southwark, near the Globe, were carving Mary Stuart's life-size effigy from 1607 to 1612; Hermione's statue may have evoked this image for audiences. In September of 1612, the Scottish queen's body, covered by the effigy, was publicly moved to a new crypt in Westminster Abbey to rest across from Elizabeth (Frye).

While both plays contain echoes of the trial of Mary Queen of Scots, they have connections with Elizabeth I and other queens as well, suggesting that Shakespeare is using historical correlations to engage with the meaning of queenship more broadly. Susan Frye argues that the Stuart family's eagerness to connect themselves with Elizabeth and Mary prompted these connections. Kaplan and Eggert read *The Winter's Tale* as "an allegory of Anne's downfall and Elizabeth's bastardization" (96). It was performed for James I's daughter Elizabeth Stuart's marriage celebration, when she became Electress Palantine; she would eventually, though briefly, be Queen of Bohemia (Frye). If Perdita's wedding mirrors Elizabeth Stuart's, then Hermione can represent "an amalgamated and purified Anne Boleyn and Elizabeth Tudor" (Kaplan and Eggert 103).

Despite situational resonances with a numerous queens, Hermione's argument in self-defense most clearly parallels that of Mary Queen of Scots. Hermione describes her status as a queen in multiple ways:

For behold me,  
A fellow of the royal bed, which owe  
A moiety of the throne, a great king's daughter,  
The mother to a hopeful prince (3.2.36-39)

Her *expolitio* adds emotional force and argumentative soundness by describing her many claims to sovereignty: queen consort, queen regnant, and queen mother.<sup>91</sup> She contrasts her undeniable sovereignty with the requirement that she appear and speak in court: "here standing / To prate and talk for life and honour, 'fore / Who please to come and hear" (3.2.39-41). Mary Stuart, too, found it inappropriate for her to testify in court as a queen. The record of her state trial recounts:

She protested, that she was no subject of the queen's, but had been and was a free and absolute queen, and not to be constrained to appear before Commissioners, or any other Judge whatsoever, for any cause whatsoever, save before God alone the highest Judge, lest she should prejudice her own royal majesty, the King of Scots her son, her successors, or other absolute princes. But, that she now appeared personally, to the end to refute the crimes objected against her. (qtd. in Lewis 100)<sup>92</sup>

Mary repeatedly objected to her presence in the courtroom and her subjection, as a sovereign, to the laws of England. Just as Hermione knows, "it shall scarce boot me / To say 'Not guilty'" (3.2.24-25), Mary knew that "she was already forejudged to be guilty of the crime" and could not save her own life (qtd. in Lewis 97). Still, she showed up and defended herself for the sake of her and her successors' reputations, not wanting to neglect "the defence of her own honour and

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<sup>91</sup> Hermione also reflects on how it would sadden her royal father to see her current situation: "The Emperor of Russia was my father. / O that he were alive, and here beholding / His daughter's trial; that he did but see / The flatness of my misery; yet with eyes / Of pity, not revenge" (3.2.116-21).

<sup>92</sup> Although there is no evidence that any record of the trial was not published outside of the state papers before these plays were written, the terms on which Mary defended herself likely circulated orally, if not in manuscript form. Karen Cunningham categorizes playwrights among those who avidly consumed "legal stories in oral and written forms"; they drew characters from legal practice and dramatic material from trials (15-16). Given how frequently Cunningham says this happened with normal cases, it is hard to imagine that some details of Mary's trial would not be widely known and, after Elizabeth's death, sometimes dramatized.

innocency” (qtd. in Lewis 105). According to Jayne Elizabeth Lewis, Mary agreed to stand trial despite her reluctance in part because she was “anxious about her reputation” (22). Hermione’s expressions of concern for her children and her reputation’s effect on them show the same impulse. Katherine of *Henry VIII* makes similar points in her self-defense. She twice mentions that her father is a king (2.4.46, 70) and twice rejects the judge she has been given: Wolsey (2.4.78-82, 115-16). All three defenses share some of the results of Mary’s: the queen projected an impressive degree of composure and made a “symbolic difference” in the public imagination but “did not alter the legal outcome of her trial” (Lewis 25, 30). They all find their presence in court inappropriate but still speak to retain, not their lives, but their reputations for posterity.

This parallel between fictional and historical queens shows Shakespeare engaging with early modern discourses on female sovereignty, where issues of female speech, sexuality, rhetoric, and power intersect publicly and intensely. Looking at the most powerful, educated women allows Shakespeare to examine the upper limits of rhetoric’s power in the mouths of women, a typically silenced and disempowered group. In addition to participating in the recuperation of Mary Queen of Scots’s image for James’s sake, Shakespeare may also have staged this redemptive reimagining of the queen mother’s trial to experiment with a hypothetical situation in which almost all elements provided opportunities for the trial to go well; the queen would still be assumed guilty by the judge, but could she change his mind? Mary Queen of Scots’s trial, if not significantly altered, was a less than ideal means of exploring the potential power of female rhetoric in a threatening situation. Unlike Hermione, who is presented as innocent, Mary’s guilt or innocence was less clear. Mary’s “eventful sexual history” subjected her to stereotypes about female dissimulation and emotionality even more than a virgin queen or a queen with a reputation for chastity (Lewis 11). Mary also defended herself in a foreign

country, in a language she knew but, as the daughter of Marie de Guise, did not prefer above French (Lewis 10). So if these circumstances had been different, and if Mary had controlled the courtroom and spoken with rhetorical prowess like Hermione – both assertively and deferentially as the moment demands, using a variety of rhetorical tools – could the outcome be different?<sup>93</sup> Shakespeare’s imagined *if* says no: people in fixed subordinate positions cannot use rhetoric to climb the social ladder, incite social upheaval, or even prevent their own downfalls when social structures and intractable judges dictate their inevitability. But although Shakespeare’s reimagined dramatization does not avert Mary’s downfall, he beautifies it with eloquence and poetic language and revives the effigy of the queen mother when Hermione rejoins her child.

The romance genre keeps Hermione from the fatal end of Mary Queen of Scots and Katherine of Aragon, but her reconciliation with Leontes is ambiguous and incomplete. The world of the play still limits female speech, and Hermione only speaks once when she is “revived” and reunited with her husband. But she continues to exercise agency within these bounds: what she does speak, she directs toward the gods and Perdita, ignoring the now-fawning Leontes like he ignored her earlier. Just as in her trial she only stood to speak for the honor of her children (3.2.43-44), so she only stands up, revives, for her children now.<sup>94</sup> As for Leontes, he idolizes her as a statue and a memory, like he did in her absence. The spouses do not engage in meaningful conversation. He cannot conceive of a woman who is neither talkative, transgressive, and promiscuous nor magical, idealized, and silent, a goddess on earth to forgive his sins. Just as rhetorical power ultimately falls short for Hermione, so does the patriarch’s ability to conceive of female speech and identity in a nuanced way, even though he is given every opportunity to do so.

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<sup>93</sup> Of course, in reality, it could not, given the complicated political imperatives at work, but Shakespeare finds this question useful for musing about women’s rhetorical power.

<sup>94</sup> She tells Perdita, “I, / Knowing by Paulina that the oracle / Gave hope thou wast in being, have preserved / Myself to see the issue” (5.3.125-28).

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