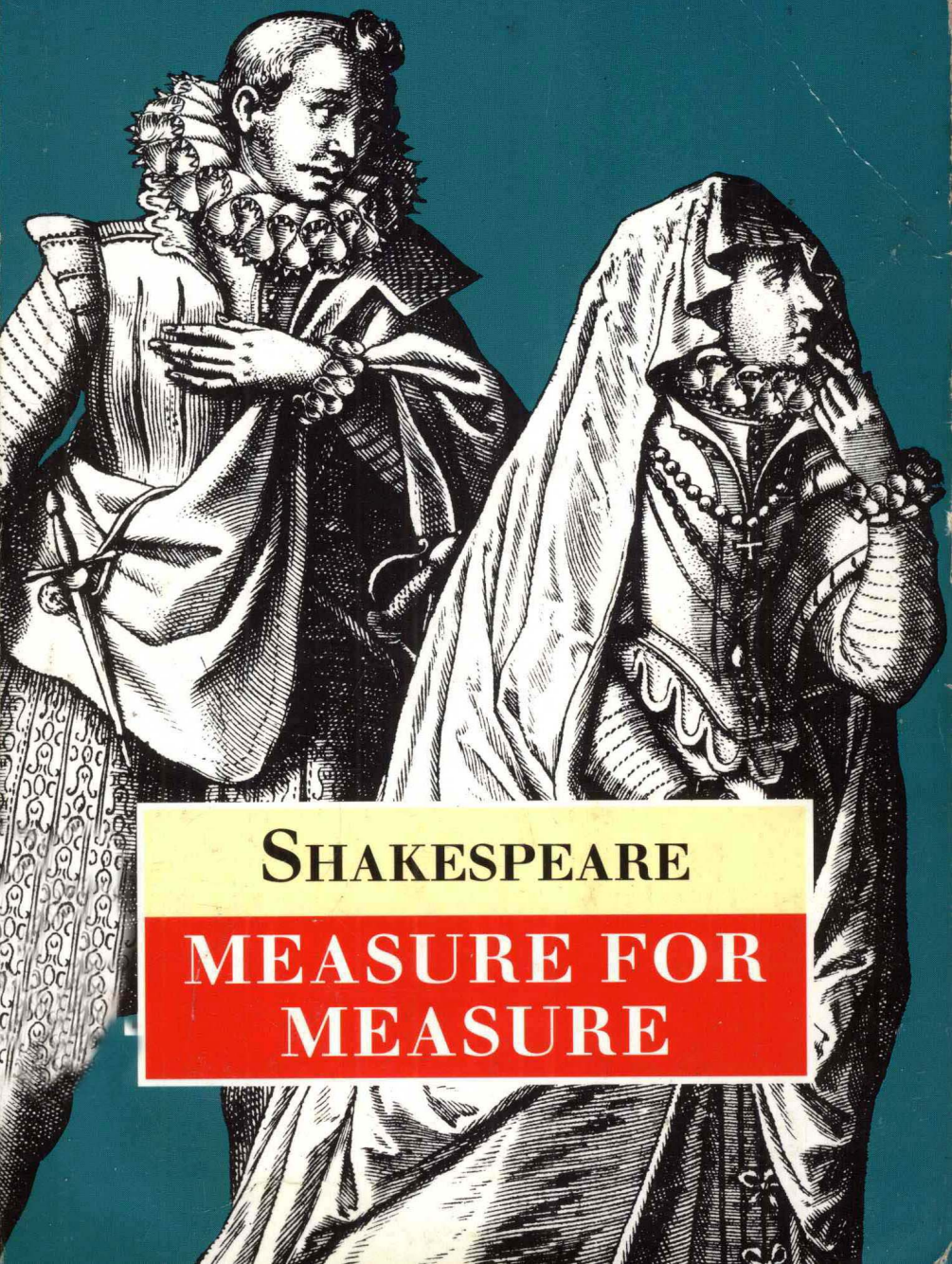


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SHAKESPEARE

MEASURE FOR
MEASURE

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MEASURE FOR MEASURE



Edited by

N. W. BAWCUTT

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PREFACE

LIKE all editors of Shakespeare I am deeply indebted to my predecessors. I have found J. W. Lever's Arden edition and Mark Eccles's *New Variorum* particularly valuable. Trevor Howard-Hill's concordance to the play has been useful at all stages of my work. I am grateful to the British Academy for the award of a Fellowship which enabled me to work for three months at the Folger Shakespeare Library. I am also grateful to my wife Priscilla for suggesting numerous improvements, to Dr Susan Brock for her generous help in finding illustrations, and to the General Editor, Stanley Wells, for his efficiency, helpfulness, and heroic patience.

N. W. BAWCUTT

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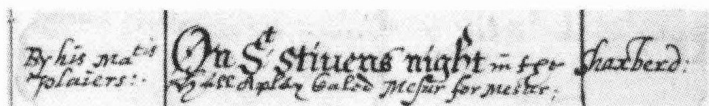
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GENERAL INTRODUCTION

Measure for Measure as a Jacobean Play

Measure for Measure has been strikingly popular for more than thirty years, both on the stage and in the study, and there have been wide divergences of theatrical and critical interpretation. This shows its continuing power to excite and puzzle us. At the same time, there is much in the play that is deeply rooted in the period at which Shakespeare wrote it, and we need to be aware of its historical background, though this will not necessarily determine our responses today.

The earliest allusion to the play occurs in a set of revels accounts, now in the Public Record Office, for the Christmas entertainments at court during the winter of 1604-5.¹ According



i. The entry for *Measure for Measure* in the Revels Accounts for 1604-5

to this document the play was performed by the King's company in the banqueting hall at Whitehall on St Stephen's Night (i.e. 26 December), 1604. The precise date of composition remains a matter of conjecture. On 1 November of the same year *Othello* had received at court its earliest recorded performance, and between November 1604 and February 1605 there were fourteen performances of plays at court, including Shakespeare's *The Merry Wives of Windsor*, *The Comedy of Errors*, *Love's Labour's Lost*, *Henry V*, and *The Merchant of Venice*, and plays by Jonson, Chapman, and Heywood. Though precise datings are rarely possible, some of these plays had been written ten or more years earlier, so it does not follow that the court performance of *Measure for Measure* was necessarily the first performance. (Also, the players would be

¹ PRO AO3/908/13; reprinted in *Collections Volume XIII: Jacobean and Caroline Revels Accounts, 1603-1642*, ed. W. R. Streitberger, The Malone Society (Oxford, 1986), p. 8.

unlikely to risk an untried play at court.) It is possibly relevant that the theatres were closed between 19 March 1603 and 9 April 1604 because of a severe outbreak of plague; no plays could have been performed during that period, but we simply do not know whether or not Shakespeare would have gone on composing plays during such a closure.

Some allusions in the play may have a topical significance that would help to date it, but this kind of material needs to be treated with caution. The play is set in Vienna, as repeated use of the place-name makes clear, and some references—to a peace-conference with the King of Hungary (1.2.1–5), a trip to Poland (1.3.14), and a special mission from the Pope (3.1.474–6)—are presumably intended to give the play a middle-European flavour. But the low-life section, with bawd, pimp, and comic constable, could easily have formed part of a play set in London, and there may well be allusions in the play to contemporary events in England. Some suggestions made so far about allusions are not fully convincing (see, for example, the commentary on 1.2.80–2); the most plausible relates to the opening section of Act 1, scene 2. The discussion between Lucio and the two gentlemen concerning an imminent peace that would deprive soldiers of their occupation, followed immediately by a mention of pirates (surely not very relevant to a Viennese context), seems to allude to King James's attempts in the summer of 1604 to negotiate a peace treaty with Spain. The treaty was signed on 18 August, and on the following day the king took an oath to observe its provisions and issued a royal proclamation to make it publicly known.¹ Privateers from London and the West Country had profited considerably from preying on Spanish shipping, an activity no longer legitimate in peacetime. (In any case, James hated pirates and did his best to suppress them.) If there is an allusion of this kind, the beginning of Act 1, scene 2 must necessarily have been written in the second half of 1604.

In the same scene Mistress Overdone is horrified to learn from her servant Pompey that a proclamation has ordered all the brothels in the suburbs of Vienna to be demolished. This has been related² to a proclamation by King James on 16 September

¹ No. 42 in *Stuart Royal Proclamations*, ed. J. F. Larkin and P. L. Hughes (Oxford, 1973), i. 91.

² Lever, pp. xxxii–xxxiii.

1603,¹ but it has nothing to say about brothels, and its main point is to prohibit new lodgers from residing in houses affected by plague. It does briefly mention pulling down houses, but this must be seen as part of a long though futile campaign by the authorities to prevent any increase in the size of London, and in particular to stop the growth of overcrowded slums which were regarded as breeding-grounds of disease and disorder.² James's proclamation refers back to one made by Queen Elizabeth on 22 June 1602, which ordered among other things that no new buildings should be erected except upon the foundations of older buildings, and that any building which flouted this rule should be demolished and the timber sold for the relief of the poor. A letter by John Chamberlain, dated 27 June 1602, indicates that some demolition did take place.³ But most of the provisions in the 1602 proclamation are derived from a much earlier proclamation of 7 July 1580, and there was a parliamentary act forbidding new building in 1593. In 1596 the Privy Council ordered the Middlesex justices to investigate and suppress all kinds of disorderly houses, including brothels, in the suburbs of London.⁴ The first audiences of *Measure for Measure* could easily accept the idea that a zealous magistrate would want to pull down brothels, but we should not restrict the topicality of the idea too narrowly.

The fact that the play had its first recorded performance at court has helped to inspire the speculation that it was deliberately written for court presentation and in particular for King James himself. It is even argued that the Duke is in some sense, differently defined from critic to critic, a portrait of King James, and that the play was intended to give the king advice on the correct behaviour of a ruler. Some of the evidence put forward to support this view is not very convincing. There are a few resemblances between *Measure for Measure* and the king's little treatise, *Basilicon Doron*, written in 1598 to give paternal advice to his young son Prince Henry. Seven copies were privately printed in Edinburgh in 1599, but in 1603 several editions were published in Edinburgh and London, and the book was widely

¹ Larkin and Hughes, *Stuart Royal Proclamations*, i. 47–8.

² See N. G. Brett-James, *The Growth of Stuart London* (London, 1935), especially chapter 3.

³ *The Letters of John Chamberlain*, ed. N. E. McClure (Philadelphia, 1939), i. 153.

⁴ *Acts of the Privy Council*, ed. J. R. Dasent (London, 1905), xxv. 230–1.

read by Englishmen anxious to gain an insight into the king's way of thinking. Most of the resemblances appear to be coincidental and some consist of commonplaces which Shakespeare had no need to learn from King James. Shakespeare may have read the book and remembered one or two details from it, but there is no case for arguing that he made systematic use of what is in fact a very miscellaneous collection of ideas, or was trying to show the king where he was mistaken.

There are, however, two features in Shakespeare's presentation of the Duke which may be more significant. The first is the Duke's dislike of the type of ruler who parades himself before his subjects because he enjoys popular acclaim (1.1.68-73). This is similar, though not identical, to Angelo's later metaphor describing the paralysing effect of his growing lust for Isabella:

even so
The general, subject to a well-wished king,
Quit their own part, and in obsequious fondness
Crowd to his presence, where their untaught love
Must needs appear offence.

(2.4.26-30)

While still in Scotland James had shown a dislike for crowds, possibly because the grim experiences of his youth made him terrified of attempts to kidnap or assassinate him. After his accession his progress southwards to London, beginning on 5 April 1603, drew what by contemporary standards were enormous crowds of English people who jostled to catch a glimpse of the new king. At first James enjoyed the public curiosity, perhaps because it reassured him that he was popular among his new subjects, but by the time he had got to London he had begun to tire of it, and in subsequent years, according to seventeenth-century biographers, he expressed bitter resentment at sightseers, however well-meaning, who thrust themselves into his presence.

The second point is the Duke's repeated references to slander and calumny, which have been related to James's own sensitivity on this issue.¹ An act of 1585 by the Scottish parliament made it treason to slander the king, and in 1596 a second act extended the offence to cover remarks made about the king's parents and

¹ See Ernest Schanzer, *The Problem Plays of Shakespeare* (London, 1963), p. 125.

ancestors. There were at least three executions in Scotland under the provisions of these acts, and James asked Burghley to punish Edmund Spenser for his portrayal of Mary Queen of Scots in *The Faerie Queene*, 5.9.38–50. James's claim to the English throne depended upon his legitimate descent from his great-grandmother Margaret Tudor, sister to Henry VIII and wife of the Scottish king James IV, but it was a common theme of contemptuous gossip that he was in fact the bastard son of his mother by David Rizzio. Slander of royalty, however, was also a serious offence in England, and in February 1601 a lawyer's clerk named Waterhouse was hanged at Smithfield for making libels against the queen.¹ Furthermore, slander of anyone in authority was dangerous: in the early part of Act 5 Isabella and Mariana seem at risk of severe punishment for apparently slandering Angelo.²

These connections between the play and the king have some plausibility, but if they are genuine they raise puzzling questions. Thomas Tyrwhitt, the earliest scholar to note the references to crowds, suggested that Shakespeare's intention was 'to flatter that unkingly weakness of James the first',³ and this bluntly raises the central issue: was Shakespeare's purpose flattery, and if so, why did he base it on these particular aspects of the king's personality, which hardly seem an impressive foundation for it? (It is true that Shakespeare disliked riotous mobs, and portrayed them unsympathetically in several plays, but that is not the point at issue in *Measure for Measure*.) Is it likely that James would have been flattered by even a partial identification of the Duke as himself? In December 1604 the king's company performed a play about the Gowrie conspiracy of 1600, which could hardly have avoided putting the king on stage, but it was so thoroughly suppressed that we know very little about it. Shakespeare's only indubitable topical allusion is to the Earl of Essex in the chorus to Act 5 of *Henry V*, and there may be a flattering reference to Queen Elizabeth in *A Midsummer Night's Dream*, 2.1.155–64; both are incidental digressions done with tact and delicacy. It would be best to be sceptical about excessive claims for a royal presence in *Measure for Measure*.

¹ *Calendar of State Papers (Domestic)*, 1601–3, ed. M. A. E. Green (London, 1870), p. 88.

² Other references in the play to slander are discussed below, pp. 55–6.

³ Thomas Tyrwhitt, *Observations and Conjectures upon some Passages of Shakespeare* (Oxford, 1766), p. 36.

On the question of the play's status as a tract directed at King James, it seems inherently implausible that a mere playwright would have the impertinence to act as schoolmaster to the king. The job of the king's company of actors, as set out in their patent, was to provide the king with 'solace and pleasure'; it was hard enough for the Privy Council to give him advice. In the first two years of James's reign there poured from the presses a flood of panegyric poems, congratulatory addresses, descriptions of welcoming entertainments, sermons before the king, and the like. Most of them express simple delight at the accession of the king, and any political ideas they contain are the most bland and inoffensive commonplaces. As one anonymous pamphleteer put it:

My muse dares undertake for to disclose
Nothing but what the meanest reader knows.¹

Some writers mention James's reputation as a scholar in tones which suggest that his learning made them even more diffident about presuming to address him. Finally, there is no evidence that James himself regarded *Measure for Measure* as anything out of the ordinary. He saw *The Merchant of Venice*, written between 1596 and 1598, on 10 February 1605, and liked it enough to request a second performance, which took place two days later. There was no repeat performance of *Measure for Measure*.

There are other ways in which the play belongs to its age, and some of the obsolete customs referred to may baffle the twentieth-century reader. One of these, vital to the plot, is the 'contract', or 'pre-contract'. It had some resemblance to the modern 'engagement' between a couple who intend to marry later, but had a much stronger legal force. As Richard Greenham remarked: 'although it be a degree under marriage, yet it is more than a determined purpose, yea more than a simple promise'.² In earlier centuries it had been a valid form of marriage for a couple simply to accept each other as husband and wife, though theologians believed that they ought subsequently to be publicly married in church after the banns had been called. It was not even obligatory to have witnesses to the contract, so that if a couple who had contracted privately later quarrelled it was impossible for an

¹ *Queen Elizabeth's Loss, and King James his Welcome* (London, 1603), A3^v (STC 21497).

² *A Treatise of Contract*, in *Works* (London, 1599), p. 288.

outsider to know precisely what had gone on between them. It is not surprising that the overwhelming mass of medieval marriage-litigation was concerned not with decrees of nullity but with attempts by one party to enforce a contract that the other party now repudiated.¹ The continuing coexistence of contract and marriage frequently created legal problems, but the anomalies were not removed until 1752, when Lord Hardwicke's Marriage Bill established that only a church wedding, made under certain specific conditions, was legally valid.

The problem was compounded by the fact that there were two versions of the contract, *de praesenti* and *de futuro*. Perhaps it would be best to let an Elizabethan lawyer define the difference:

First and principally spousals be either *de futuro*, of that which is to come, or else *de praesenti*, of that which is present. Spousals *de futuro* are a mutual promise or covenant of marriage to be had afterwards, as when the man saith to the woman, 'I will take thee to my wife', and she then answereth, 'I will take thee to my husband'. Spousals *de praesenti* are a mutual promise or contract of present matrimony, as when the man doth say to the woman, 'I do take thee to my wife', and she then answereth, 'I do take thee to my husband'.²

A *de praesenti* contract had almost the force of marriage, though the couple did not have the full legal status of husband and wife; it was indissoluble, and could annul a subsequent marriage by one of the parties, even if celebrated publicly in church and then consummated. The *de futuro* form was more conditional, and could be broken off by mutual consent, though it was made binding if the couple had intercourse. This at any rate was the theory, but it may be doubted whether the practice was equally neat. No set verbal forms existed for these two types of contract, and there was obviously much room for dispute in deciding which category a particular contract came into.

The device used by Claudio and Julietta of secretly contracting themselves but not marrying, in case they lose her dowry by alienating her family, is paralleled by an incident affecting Thomas Russell, one of the overseers of Shakespeare's will.³ In

¹ See R. M. Helmholz, *Marriage Litigation in Medieval England* (Cambridge, 1974), p. 26.

² Henry Swinburne, *A Treatise of Spousals* (London, 1686), p. 8.

³ The story is told in detail by Leslie Hotson, I, *William Shakespeare* (London, 1937), pp. 124-210.

1599 he wished to marry a rich widow, Anne Digges, but by her former husband's will she would have lost much of her property if she remarried. The couple therefore contracted themselves, and lived together as man and wife. In 1603 they were able to make arrangements which freed Anne Digges from the penalties of the will, and the couple married on 26 August 1603. Presumably they felt that the contract made their cohabitation legitimate, but it was clearly not fully equivalent to marriage. This ambiguous status helps to explain the paradoxes of Act 5 by which Mariana, who regards her contract to Angelo as still valid, can admit that she has never been married and yet considers herself and Angelo as wife and husband.¹

Something must also be said of Elizabethan attempts to control sexuality through the law. Probably to most members of a modern audience the idea of sentencing a young man to death for making his fiancée pregnant is so utterly preposterous that Angelo must seem a kind of monster even to think of it. They are entitled to their opinion, but it does not follow that an Elizabethan (or to be strictly accurate, Jacobean) audience would have had precisely the same reaction. This does not mean for a moment that there was a single uniform 'Elizabethan' attitude to sexuality to which Shakespeare was obliged to conform. Official theory and popular practice were frequently at variance: the moralists and theologians took sexual offences very seriously, but complained bitterly that far too many people regarded them as trivial and undeserving of punishment. Philip Stubbes was scandalized by arguments that God approved of copulation because he had equipped man, as well as all his other creatures, with the organs of generation and told him to increase and multiply. For Stubbes this was legitimate only within the confines of holy matrimony, and all sexuality outside marriage was 'damnable, pestiferous, and execrable'.² Stubbes was an extremist, but very few even of the more moderate Elizabethans would have believed, and none would have had the audacity to put into print, the position

¹ It may also throw light on the play to cite a case tried in the ecclesiastical court in York in 1422, as given in Helmholtz, *op. cit.*, pp. 32-3, where the circumstances parallel Angelo's behaviour to Mariana, as described at 3.1.210-32. In this case, however, it was the girl who tried to repudiate a contract made before witnesses because her partner, a merchant, lost most of his money while abroad on a business venture.

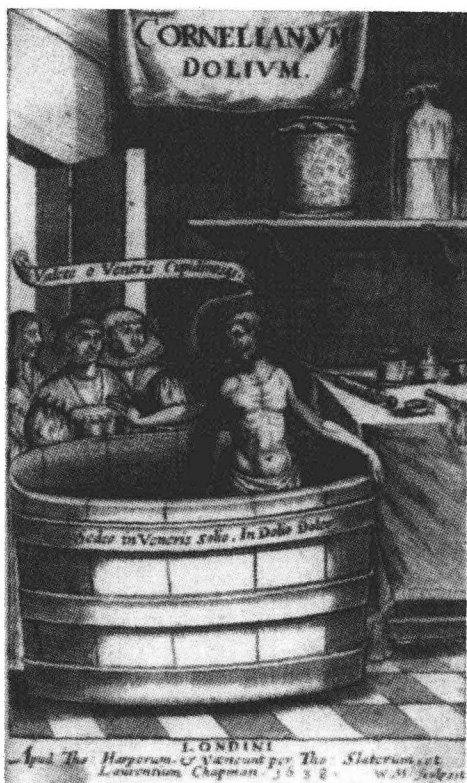
² Philip Stubbes, *The Anatomy of Abuses*, Part I (London, 1583), G7^v-8^v.

increasingly popular in the twentieth century that sexuality is a purely private matter which the State should not attempt to regulate.

It does seem, indeed, that there was increasing pressure in the late sixteenth and early seventeenth centuries for sexual offences to be treated more rigorously. In the Old Testament adultery had been punished by death, and there were frequent assertions by the severer moralists that this was clearly the correct punishment, and several attempts were made to introduce parliamentary bills to alter the law. None succeeded until 1650, after the triumph of Puritanism, when a bill was passed which made adultery a felony punishable by death.¹ (It did not, apparently, have much impact, and lapsed after ten years.) The Puritans had no monopoly of this kind of moral rigour: in Sir Thomas More's *Utopia* adultery is punished on the first offence by slavery and on the second by death. How far Shakespeare was aware of this trend can only be conjectured. In one of his mad speeches (4.5.107-28) King Lear rejects the death penalty for adultery and uses the kind of naturalistic argument ('The wren goes to't, and the small gilded fly | Does lecher in my sight') that so horrified Stubbes, but it may be significant that the speech as a whole presents a nightmare vision of a world in which all restraints on sexuality have broken down.

Claudio's offence, ante-nuptial fornication, was easily recognizable to a contemporary audience, and it would normally have been dealt with by the Church or consistory court which met at intervals in most parishes. (These courts handled so many sexual offences that they were nicknamed the 'bawdy courts'.) In such matters there was an overlapping jurisdiction among the various Elizabethan courts, but we could perhaps say that the minor, personal offences were handled by the bawdy courts, those with social implications, like prostitution and bastardy, by the justices of the peace, and the more outrageous ones, such as flagrant adulteries by people of higher social standing, by the Church commissioners who sat at London and various major towns (the so-called Court of High Commission, abolished in 1641). The Church courts were entitled to investigate any offensive

¹ See Keith Thomas, 'The Puritans and Adultery: The Act of 1650 Reconsidered', in *Puritans and Revolutionaries*, ed. D. Pennington and K. Thomas (Oxford, 1978), pp. 257-82.



2. Title-page of *Cornelianum Dolium* by 'T.R.', 1638, showing the sweating-tub used to treat venereal disease (see 1.2.81 and 3.1.323)

behaviour, even if impelled to do so merely by local gossip or hearsay. Constables, like Elbow in Act 2, scene 1, and Act 3, could bring offenders before a magistrate, and they even had power to break into houses where they suspected the presence of illicit sexuality, a power which they sometimes used in the crudest way. Church and State thus provided an elaborate machinery for the punishment of various sexual misdemeanours, in a way which the twentieth century would find intolerable.

Those accused of ante-nuptial fornication could not escape

punishment simply by getting married; there are cases where a couple were 'presented', to use the technical term, because the early birth of a child proved that conception had taken place before marriage. The existence of a contract did not automatically remove the offence, though it might mitigate the punishment. (Thomas Russell and Anne Digges seem lucky to have got away with their arrangement; perhaps they carefully avoided any outward cause of scandal, and they were reasonably well off.) Offenders were not, of course, sentenced to death; normally they had to undergo penance and public humiliation by standing, sometimes in a white sheet, for a certain period of time before the congregation or in the local market-place. (Presumably the way in which Claudio is 'shown to the world', I.2.I15, is intended as a form of penance or humiliation.) Fornication which resulted in a bastard usually received a whipping. Severity of punishment varied from place to place and court to court. In Bury St Edmunds in 1578 a group of Puritan magistrates drew up a penal code by which the penalty for fornication was to be

tied to the post for that purpose appointed (having her hair cut off if it be a woman) and so remain tied to the post for the space of one whole day and a night, and that day to be the Lord's day, and after on the market day to be whipped, receiving thirty stripes well laid on till the blood come, the constable seeing the execution thereof.¹

This seems harsh enough, but Puritan moralists poured scorn on the traditional punishments for fornication of penance and whipping as ridiculously lenient. The offence of ante-nuptial fornication was not legally abolished in England until 1787; by then it had become largely a dead letter, though in Scotland Robert Burns had to do penance for getting Jean Armour pregnant as late as 1786.

The conclusion appears to be that a spectator of *Measure for Measure* in the early seventeenth century lived in a society that attempted to control sexuality in all its manifestations, where radical voices took a fundamentalist religious line that urged a far more rigorous control than actually existed. (It is a nice irony that *Measure for Measure* contains the first use recorded in OED of the word 'permissive' in its modern sense.) In such a context Angelo's

¹ Quoted from Patrick Collinson, *The Religion of Protestants: The Church in English Society 1559-1625* (Oxford, 1982), pp. 158-9.