Women and Crime

in the Street Literature of Early Modern England

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Judge you wanna hear my plea, before you open up your court,
But I don't want no sympathy, 'cause I done cut my good man's throat

I caught him with a trifling Jane, I warned him 'bout before,
I had my knife and went insane, the rest you ought to know

Judge, judge, please mister judge, send me to the 'lectric chair
Judge, judge, good mister judge, let me go away from here

I wanna take a journey, to the devil down below
I done killed my man, I wanna reap just what I sow

Oh judge, judge, lordy lordy judge, send me to the 'lectric chair
Judge, judge, hear me judge, send me to the 'lectric chair.

(From 'Send me to the 'lectric chair', by George Brooks,
sung by Bessie Smith, 1927)

Introduction

The women whose crimes are at the heart of this book often went gladly to their deaths on the scaffold or at the stake, like the woman in Bessie Smith's song, cited on p. viii, and did not ask to live longer. But in other ways they were quite unlike her: not only did their crimes never involve 'trifling Janes', but they nearly all expressed the deepest regret for what they had done and, helped by ministers of the Church, they tried their best to make peace with God before they died in the expectation of escaping eternal damnation. Or at least so the reports of their last days on earth would have it. Executions were public events in early modern England, and it was important to the state that they were conducted as spectacles of moral and social edification. The accounts I discuss here are literary representations and, although some of the writers take pains to stress the truthfulness of their version of events in contradistinction to others available, they are not necessarily factually accurate, since they are shaped by other concerns. Whether in the form of ballads, domestic plays or prose pamphlets, these are stories about sensational acts – predominantly murder or witchcraft – rendered the more scandalous because they are acts of deviancy committed by women.

This is not a book about the history of women or of crime. My focus is not on the social reality of these crimes, how and why they were committed, or on women's place within the penal system. It does not seek to measure the accounts against what 'actually' happened. What I hope to do is consider how, and with what interests in mind, crimes committed by women are shaped as subjects for representation in various forms within the developing marketplace of print. Only unusual crimes were saleable commodities: principally, murder and witchcraft. In a society which conceived of women's roles in terms of their function within a patriarchal system, the woman who committed an act defined as criminal was doubly deviant, infringing the norms of gender and of social order which constructed woman as secondary, inferior and subject to male authority. One of the concerns of the book is to address the part played by considerations of gender in the telling of these stories of women's acts of extreme disorder.

Women as perpetrators of disorderly, evil or criminal acts go back to the very beginnings of Western mythologies, and still today the woman who commits a crime of violence is a figure of fascination, in tabloid terms an 'Angel of Death' perhaps, or a 'Black Widow'. The continuing notoriety in Britain of such figures as Myra Hindley and Rosemary West who enter that exclusive category of serial killers, exemplifies the most extreme example of this; women who allegedly murder their children generate intense media

interest, as websites devoted to the recent British case of Angela Cannings, and in America of Susan Smith, illustrate. In these instances, pathological factors such as mental illness, depression and postpartum psychosis are drawn on to explain what seems otherwise so unnatural in the weaker sex. The extent of women's participation in violent crime has always been a fraction of men's, and is the more intriguing for being exceptional. In early modern England there were also totemic names – Alice Arden, Anne Sanders, Mrs Page of Plymouth, Margaret Vincent, Mrs Turner – evoked to call up that special *frisson* attached to women who kill.

According to sociologists, serious research into female criminality is a comparatively recent development, with much progress still to make, although there is a considerable amount of low-grade popular commentary on the subject. It is also the case that the study of early modern popular literature and culture is a comparatively new area, developing concomitantly with the broadening of interest in non-canonical texts of the period and in history 'from below'. The attitudes of both literary scholars and historians towards the value of exploring the lives, beliefs, work, recreational activities, textual traces and social identities of people who did not participate in the 'grand tradition' of Renaissance culture have changed markedly in the later decades of the twentieth century. Some forms of popular culture from the period, such as ballads and other folkloric forms, have been extensively studied since early in the century, but largely from an antiquarian stance. Scholars such as Hyder E. Rollins and C. J. Baskerville have done groundwork to which all who follow them must be indebted, though their sometimes *de haut en bas* perspectives on the cultural forms they examine qualify and date the aesthetic judgements they made. In the present climate, where boundaries between disciplines are breaking down, historians are becoming conscious of the contribution of popular writing to the study of mentalities to counter the hitherto prevailing bias towards materials relating only to the life and thought of an educated élite. I use the term 'street literature' to refer to broadside ballads and cheap pamphlets available in increasing quantities in this period to a wide audience in streets, markets and public places. An audience of listeners as well as readers is involved; ballads were initially delivered by public performance and circulated orally as much as if not more than through reading. And there is evidence that pamphlet texts, like other kinds of popular print such as jestbooks, were shared communally, or read aloud by a literate member of a group to others. I also include plays on subjects of topical news; although the printed texts of these would not have been available to a broad readership, their substance has a strong degree of overlap with that of ballads and pamphlets on topical news, and would have reached the same kinds of people. In particular, domestic plays served some of the same journalistic functions as ballads and pamphlets, and one of the concerns of my book is with forms of early modern news, produced

and distributed at a time before the existence of newspapers as such. In this context, news does not necessarily mean, as nowadays, accounts of very recent events, but it does refer to events which actually occurred, many of them documented in records of court proceedings, and were regarded by those who read, listened to, sang or viewed their literary representations as contemporary. The events took place in England and were in that way domestic; and although the crimes recorded in these forms were sensational and exceptional, not typical or common, they were perpetrated by common people and thus bore some relation to the lives of their readers and audiences and the cultural formations in which they participated. Such people did not have access to many images of their own lives; but these texts constituted a resource on which they could draw in the construction of social and cultural identities. It is my hope that we can also find in the texts ways to extend our own understanding of those identities.

Contents

1

Early Modern News and Crime Writing: Its Literary and Ideological Context

An interest in news is probably a feature of all societies since it constitutes a basic element in communication between individuals and groups and a footing for social intercourse. But news is not a neutral or objective concept, through whatever medium transmitted; it is a construction which exists in oblique relation to actual events. A modern sociologist refers to news as 'the end-product of a complex process which begins with a systematic sorting and selecting of events and topics according to a socially constructed set of categories',[1] and this is a process which operates even in the most primitive form of news, that of orally transmitted gossip. In contemporary societies, the news media play an important, and often highly contested, ideological role in the existing structures of power. Raymond Williams calls newspapers 'a signifying system through which necessarily (though among other means) a social order is communicated, reproduced, experienced and explored'.[2] The accounts of reality which newspapers put forward are shaped and constrained by the interests they represent. In the early modern period, before the systematic and professional production of news in the form of newsbooks, corantos and official newsletters, news writing, both scribal and printed, circulated in a variety of forms, many of them no longer in existence, in which the interaction of oral and written cultures was highly significant. It was occasional, random, regulated, but in less systematic and formal ways than now, sporadic and commonly unauthored, so that its relation to the power structure was very differently constituted. It was less likely to 'reproduce symbolically the existing structure of power',[3] and in an era well before that of mass communications, it played a less important part in the formation of what we now call 'public opinion', although its role in the emergence of the public sphere, to use the term brought into circulation by Jürgen Habermas, has been recently much discussed.[4] As I hope to show, early modern news, and perhaps especially crime news, performed a special sort of ideological function in the way in which it brought events into an already constituted 'realm of meanings'[5] in order to make them intelligible.

The news report is a response to something that has happened which must have some bearing on the lives and beliefs of those who receive it, yet in important ways it also stands outside those lives. The selection of items for report and the development of criteria for newsworthiness, or 'news values' are made on the basis of assumptions about these lives.[6] Though crime itself is by no means an absolute conception, and is constructed in relation to the moral and social values of specific societies, the characteristic of crime news is that it depicts what society regards as the exceptional, the unexpected, the out-of-the-way; it stands in contradistinction to the everyday. In the early modern period, as now, only certain types of crime become news: the bias towards the crime of murder resulted in an over-representation, which still exists. In that period, the murder of spouses was disproportionately highly represented.[7] Crime news typifies the preference of all news writing for the deviant over the normal; it rejoices in what is sensational, exploiting the elements of deviance in what is constructed as criminal behaviour. The news values inherent in the activities of 'people who depart from expected roles'[8] particularly apply to the subject of women who participate in criminal activity, especially so in early modern England when gender roles were narrowly prescribed. The murder of Thomas Arden by his wife Alice in 1551, described in prose accounts, chronicles, ballad and at least one play,[9] is rightly said to have assumed 'an almost totemic significance in early modern culture',[10] and Alice Arden continued to symbolise what in early modern England represented the most extreme form of domestic evil for nearly a hundred years. Lena Cowen Orlin has explored in impressive detail the meaning of the gap between the historical circumstances of the murder and its literary representations in the surviving play and ballad. One of the things illustrated by the size of this gap is the process by which events can be shaped into a news story. The emphases imparted to this particular story in the play and the ballad are, of course, conditioned by their socio-cultural context in late sixteenth-century England, and modern news stories of husband-murder are differently inflected. The Arden story and its history can be read as an affirmation of the way in which crime news is made a means by which a threat to society is confronted and eliminated, and thus the social consensus reaffirmed. It also demonstrates how criminal activity can be converted into discourse, what Stephen Foley calls 'a discursive site for the negotiation of power relations'.[11] The imaginative embodiment of the story in drama and verse makes cultural capital out of media which are no longer generally considered appropriate for the transmission of topical news in our times in the West, although it is worth noting that ballads about sensational crimes, such as those of the Yorkshire Ripper, continue to be written; and drama, on both stage and television, still has a role in commenting on and developing the implications of topical news stories. Many of the functions of news reporting remain constant, and it answers to many of the same needs today as it did in an age before the invention of the newspaper.

What I hope to do in this introductory chapter is locate early modern news and crime writing within the particular conditions of the literary marketplace of its time and to relate it to other kinds of ephemeral print, to suggest some of the features which distinguish crime writing from other kinds of news, and to describe something of its cultural role. How was news conceived in the period before the appearance of newspapers and professional journalists? How was news of sensational crime conceptualised, and what were the functions that the relating of it, in plays, prose, or verse, believed to perform? In the value-system on which the writing of such news is predicated, what is the role of truth? These are some of the questions I will address. The focus will not be on writing about women's crimes as such; the role played by issues of gender in these texts will be explored in chapter 2.

* * *

Histories of journalism or of the popular press in England commonly take the 1620s as a starting point because it was in this decade that the regular production of newsbooks and corantos began.[12] As a result, modern accounts of the 'news' that was reported in the seventeenth century often have a strongly political bias and define it in relation to public events, to official attitudes towards the kind of information suitable for what Charles I called 'popular view and discourse',[13] and especially to the events of the years from 1641 to 1660, when the newspaper in England is deemed to have been invented. But news writing in a broader sense had a longer history; the printing of occasional news had been going on for more than a century, almost since the appearance of the printing press in this country,[14] and there is much evidence for the existence of efficient networks by which news could be spread orally during the sixteenth century.[15] Although, as Adam Fox puts it, 'the proliferation of written media was conspiring in the creation of a new world of information' in the sixteenth and seventeenth centuries,[16] the appetite of the populace for news and information about events in the world that had some bearing on their lives was already very great. Continued efforts by the state to control or even suppress this appetite, such as the Star Chamber decree of 1586 banning the publication of home news of a political nature, testify to this. A scribal culture, by which 'private' letters written by individuals could be utilised to communicate information more broadly, had existed for some time and continued to flourish well into the era of print. The broadside ballad, a form that mediates between the oral and the written, had been used as a medium of news, especially political news, from early in the period. There was, for instance, what has been described as a 'flurry of ballads'[17] on the fall of Thomas Cromwell in 1540, and many of the publications concerned with the rebellion of the Northern earls in 1569–70 took this form.[18] The power

of rumour and word of mouth to spread panic and anxiety on a grand scale, evident from at least the mid-sixteenth century, continued unabated throughout the seventeenth century. Fox illustrates in detail how oral and literate cultures interacted in this period to stimulate the growth both of an appetite for news and current information and of media with which to satisfy it.

There were several factors which defined the particular climate for the production and reception of news which then existed; the growth of the print industry, the regulation of that industry by the state, and the nature of the 'marketplace of print'[19] that centred on London were all significant, as well as the distribution networks which existed throughout the country. Most relevant to an account of popular news about crime, which is my concern here, is the marketplace of print, in which the writing and publication of popular news, in whatever form, occupied a significant but ambiguous place. Recently, historians such as Peter Lake and Alexandra Walsham have argued for the existence of a niche market for popular news of crime and the kind of providential journalism of which it forms part, together with accounts of prodigious events and strange happenings. Walsham, in fact, goes so far as to say that 'providential journalism seems to have been a fiercely competitive branch of the monopolistic and increasingly specialized London book trade, nothing less than a recipe for professional success', citing the publishing operations of men like John Danter or William Barley.[20] What Lake calls 'the raw material of domestic mishap, criminal enormity or local tragedy' was transformed into a saleable commodity in the period, which formed a staple of the printing industry.[21]

Yet, like ephemeral writing of all kinds, such productions were held in low esteem, regarded as trivial, time-wasting and damaging to serious literature, in that they usurped the attention and consideration which, in a well-regulated economy of publication, belonged elsewhere. Elite writers at the end of the sixteenth century already perceived the marketplace of print as a highly competitive one, in which the apparent explosion of literary production from the non-élite threatened to oust the work of serious and learned authors from its rightful place. In 1580, William Lambarde, the Kentish historian and JP, citing 'pamfletes, Poesies, ditties, songes', drafted 'an acte to restraine the licentious printing selling and vttering of unproffitable and hurtfull Inglishe bookes' because their only purpose was 'to let in a mayne Sea of wickednesse, and to set vp an arte of making lascivious ungodly love, to the highe displeasure of GOD, whose guiftes and graces bee pitiefully misused thereby to the manifest iniurie and offence of the godly learned, whose prayse woorthie endevours and wrytinges are thearfore the lesse read and regarded'.[22] This same sense of direct competition for readers is regularly expressed, reinforced by reference to the dangers posed to learning and religion by irresponsible ephemeral writing. The preacher, Henry Crosse, in *Vertues Common-wealth*, reported that if any

godly writer 'set forth any notable book of divinitie, humanitie or such like, they are in no request, but to stop mustert pots, & what is the reason but this, euery stationers shop, stal, & almost euery post, giues knowledge of a new toy, which many times intercepts the vertuous discipline of a willing buyer' (sig. P1). Philip Barrough, in *The Method of Phisicke* (1590), points out the greater effort required of genuine writers to win acceptance: 'We see it dayly; that ridiculous toyes and absurd pamphlets being put forth without anie colour, be neverthelesse plausibilie and pleasinglie accepted; whereas a man moved with an honest care to profite his countrie, being willing to leave a testimonie of the same behind him ... if he hath not a delectable subject, it behoveth him to shew manie grave and substantiall reasons of his doing, or else they will not yeeld their hoped for benefit' (sig. A4^{v}). 'Pamphlet' in this context is not a term specific to prose; the word was commonly used for ephemeral publications generally, as when, in *The Returne from Parnassus*, which is a rich source of information about the popular literary scene of the 1590s, Luxurio (Harvey) accuses Ingenioso (Nashe) of peddling his own works:

> Were thy disapointed selfe possest with such a spirit as inhabiteth my face, thou wouldest neuer goe fidlinge thy pamphletes from doore to dore like a blinde harper for breade & cheese, presentinge thy poems like oulde broomes to euerie farmer.[23]

One of the few writers prepared to defend the right of the unlearned to a voice was the soldier-pamphleteer Barnaby Rich, who recognised the strong element of social snobbery in these attacks and the implicit desire to defend class interests:

> But such is the delicacie of our readers at this time, that there are none may be alowed of to write, but such as haue bene trained at schoole with Pallas, or at the lest haue bene fostered vp with the Muses, and for my parte (without vaunt be it spoken) I haue bene a trauayler, I haue sayled in *Grauesend Barge* as farre as *Billings* gate ... No marueill then good reader, although I want such sugered sape, wherwith to sauce my sense, whereby it might seeme delightfull vnto thee; such curious Coxcombes therefore, which cannot daunce but after *Apollos* pype, I wish them to cease any further to reade what I haue written; but thou which canst endure to reade in homely style of matters, more behooueful and necessarie, then eyther curiouse or fyled, goe thou forward on Gods name.
>
> (*Allarme to England* (1578), sig. *iii^{v})

The desire of a non-élite audience for popular print, in such forms as chapbooks, news ballads and pamphlets, was generally constructed as diseased appetite, greedy, undiscriminating and insatiable, characteristic of

the unregulated body of the vulgar sort who were unable to recognise what was good for them. Rich claimed that 'one of the diseases of this age is the multiplicity of books, they do so overcharge the world that it is not able to digest the abundance of idle matter'. King James himself referred to the common desire for news as a disorder, an 'itching in the tongues and pennes of most men, as nothing is unsearched to the bottom'.[24] Chettle, in *Kind-Harts Dreame* (1592), wrote of the widespread desire both to write and to publish as 'raging' like the plague:

> For such is the folly of this age, so witlesse, so audacious, that there are scarce so manye pedlers brag themselues to be printers because they haue a bundel of ballads in their packe, as there be idiots that thinke themselues Artists, because they can English an obligation, or write a true staff to the tune of fortune. (p. 9)[25]

The brunt of the condemnation falls on ballads and ballad-writers who met with abuse from all sides.[26] Hence it is that Nashe, who never let go by an opportunity to abuse unlearned writers, *de haut en bas*, 'poore latinlesse Authors', is particularly withering about 'these rude Rithmours with their iarring verse':[27]

> Hough *Thomas Delone, Philip Stubs, Robert Armin* &c. Your father *Elderton* is abus'd. Reuenge, reuenge on course paper and want of matter, that hath most sacriligiously contaminated the diuine spirit & quintessence of a penny a quart.
>
> (*Works*, 1, 280)

He censures the presumptuousness of those who write ballads in praise of topical heroes: 'What politique Counsailour or valiant Souldier, will ioy or glorie of this, in that some stitcher, Weauer, spendthrift, or Fidler, hath shuffled or slubbered vp a few ragged Rimes, in the memoriall of ones prudence, or the others prowesse' (*Works*, 1, 24). His dismissive remark, in a private letter to William Cotton, about the demand for news is often quoted: '& for the printers there is such gaping amongst them for the coppy of my L. of essex voyage, & the ballet of the threscore & foure knights' (*Works*, V, 194–5). But Nashe did admit to lowering his own standards if needs were pressing: 'Twise or thrise in a month, when *res est angusta domi* ... I am faine to let my Plow stand still in the midst of a furrow, and follow some of those new-fangled *Galiardos* and *Senior Fantasticos*, to whose amorous *Villannellas* and *Quipassas* I prostitute my pen in hope of gaine' (*Works*, 3, 30–1). He also, of course, participated, though pseudonymously, in the pamphleteering war initiated by 'Martin Marprelate'. Harvey may have been pointing out an embarrassing truth when he accused Nashe of having written 'filthy Rymes, in the nastiest kind'.[28]

Nashe's admission, even if it does not refer to the composing of ballads, typifies the dilemma of the professional, or would-be professional, writer in this period. The implicit self-contradictoriness of his stance is symptomatic of the fluid and complex nature of the literary market where news-writing in its various forms was searching for a place. Kemp, Chettle, Dekker and John Taylor are other writers who abuse ballad-writers and the popular press in similar terms to Nashe, though perhaps from more socially marginalised positions. Kemp's is the most direct and personal voice. In the dedication to Lady Anne Fitton of his pamphlet *Kemps Nine Daies Wonder* (1600), he claimed to be setting the record straight against the many 'abhominable ballads' (p. 32) written by 'lying fooles I neuer knew' (p. 4) recording his dancing journey from London to Norwich:

> One hath written *Kemps farewell* to the tune of Kery, mery, Buffe: another his desperate daungers in his late trauaile; the third his entertainment to New-Market; which towne I came neuer neere by the length of halfe the heath. Some swear in a Trenchmore I haue trode a good way to winne the world; others that guesse righter, affirme, I haue without good help daunst my selfe out of the world; many say thinges that were neuer thought. (p. 3)

Kemp's attack on popular print, while operating within the same mode, might imply fear of competition as well as of traduction. His dismissal of other accounts of his journey as unauthorised and inauthentic confers a special status on his own. Yet Kemp was an unabashed self-publicist, whose role as a folk-hero was advanced rather than diminished by such notoriety, and hence he had an interest in creating a literary controversy. There is a clear relation here between the circulation of such publications and that of gossip.

Chettle's objections to ballad-writers come from a different position. He was a printer and stationer who had played a part in editing the text of *Greenes Groatsworth,*[29] and he put out *Kind-Harts Dreame* as an insider's intervention in the unregulated world of popular printing. Chettle positions himself at two removes from his discourse: the pamphlet is presented as the dream of Kind-Heart, supposedly a tooth-drawer venturing into print for the first time; Kind-Heart reports the contents of letters delivered to him while he slept by five apparitions. He disclaims responsibility for their content, but delivers a brief commentary on them in the 'Conclusion of his Dreame'. The first apparition is Anthony Now now, a street-musician and ballad-singer, who sends a letter to 'Mopo and Pickering, Arch-ouerseers of the Ballad singers, in London, or else-where' urging tighter controls on the singers and distributors of unlicensed ballads and pamphlets.[30] The objection is threefold: to the idle and vagrant lives led by these men, to the lewd and corrupting nature of their material, and to the ease with which they can distribute it throughout

the country. Anthony Now now traces the source of these abuses to the heart of the printing industry:

> Some as I haue heard say [are] taken to be apprentices by a worthlesse companion ... being of a worshipfull trade, and yet no Stationer, who after a little bringing them vppe to singing brokerie, takes into his shop some fresh men, and trusts his olde searuantes of a two months standing with a dossen groates worth of ballads. In which if they prooue thrifty, hee makes them prety chapmen, able to spred more pamphlets by the state forbidden then all the Bookesellers in London, for onely in this Citie is straight search, abroad smal suspition, especially of such petty pedlers. Neither is he for these flies only in fault, but the Gouernors of cutpurse hall, finding that their company wounderfully increast, heweuer manye of their beste workemen monthly miscande [*sic*] at the three foot crosse, they tooke counsaile how they might find some new exercise to imploy their number. (p. 19)

Chettle may have a specific target in mind as the 'worthlesse companion', but the practice he describes of giving to unpaid apprentices work that might otherwise have gone to journeymen was well known in the printing trade.[31] He acknowledges that both these malpractices – the use, as it were, of non-union labour and large-scale circulation of unlicensed texts – are endorsed by the 'Gouerners of cutpurse hall' (the Stationers' Company), looking for ways to 'imploy their number'. Hence the printing trade is trapped in a vicious circle and the constant supply of ephemeral material, though unsanctioned by the state, is none the less essential to the functioning of the trade.

Pamphleteers like Dekker and John Taylor, in their attitudes to the explosion of print, typically figure the ambiguous and insecure situation of the popular writer. Both had other trades, Dekker as a jobbing playwright, Taylor as a Thames waterman, and both were prolific in the production of pamphlets, constantly trying out new forms. Taylor, the author of at least 200 named publications, many of them pamphlets of news, embodies many of the paradoxes of the popular writer's position. Emulating Ben Jonson, he collected his *Works* in a folio of 1630, and he regularly expressed scorn for non-élite readers:

> the ribble-rabble senseless crew,
> The Hydra-monster inconsiderate,
> Who scarce know P from G, or black from blue.[32]

'Not unto everyone can read, I write; / But only unto those that can read right,' he asserted firmly. He abused the pamphleteer William Fennor, with whom he conducted a literary flyting – 'Thou art the Rump, the tail,