

“Free from Any Other Meaning”: Truth and Politics in the Rhetoric of Elizabeth I

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ABSTRACT

“‘Free from Any Other Meaning’: Truth and Politics in the Rhetoric of Elizabeth I,” considers the relationship between rhetorical education and practice by examining the rhetoric of Queen Elizabeth I of England in light of dramatic shifts in rhetorical theory in Elizabethan England. This dissertation first examines rhetorical manuals of the sixteenth century, and discusses how a move from considering rhetoric as a complex relationship between knowledge, truth, and language to focusing almost exclusively on the use of figures of speech points to an anxiety over meaning and truth themselves. It then analyzes rhetorical performances of Elizabeth and her interlocutors in key debates during her reign, showing that Elizabeth drew on this anxiety about meaning and truth in order to overcome what was for her the most problematic “truth” of her reign—the doubtful authority of her status as a female prince. Tracing out two parallel narratives—the development of rhetorical theory and the development of Elizabeth’s rhetorical strategy—I show finally that a series of dynamic shifts in rhetorical thought were not simply the result of pedagogical needs and intellectual currents, but responses to the problem of female rule.

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CHAPTER 1

INTRODUCTION

In their comprehensive bibliography of Renaissance rhetorics, Lawrence Green and James Murphy look to the call of Paul Oskar Kristeller, issued in the late 1960s, for the reinvigoration of the study of this rhetoric, a call most notable in its call to comprehensiveness:

Renaissance rhetoric is a large area that is still insufficiently explored by modern scholarship and badly in need of further investigation. We need a correct and complete listing of the manuscript and printed sources, as far as that is possible, an analysis of their content, and critical editions of the more important texts. We need monographs on the more important writers who should also help us understand the links between their contributions to rhetoric and their other works and activities. We should try to understand, in this area as in others, the differences that distinguish the various stages within the Renaissance and the various countries, regions, and cities that played a role in the general development. Special attention should also be paid to the differences between Latin and vernacular rhetoric in both theory and practice, and to their mutual influence where pertinent. (xv)

I don't set this quote out as a guide to what my own work will do—to some of these ends I hope it contributes, such as understanding the links between writers and their other activities, to others it certainly does not contribute, such as providing the kind of comprehensive analysis of texts that Kristeller has in mind here. This is not to say that there is no analysis of texts in what follows; on the contrary, my dissertation is largely textual analysis. But it differs significantly from that envisioned here by Kristeller, and namely it differs on the rather fundamental assumption about what a history can be. For we note in Kristeller's call here traces of the idea that the past of rhetoric is a stable object, one with a true history, even if that history is incomplete, even if large parts of that history, as Green and Murphy point out in their own bibliography, is lost beyond recovery. But for Kristeller there is a complete list, in a perfect

world, and that list could be organized in terms of the importance of the writers of the texts on that list, even if we don't yet understand how the texts actually relate to the other activities of those writers, that is to say to the "world." In other words, the pursuit of the history of Renaissance rhetoric, for Kristeller, is a pursuit of something that could be, in perfect circumstances, absolutely true, even though we are, in our current bibliographically fallen state, incapable of completely ascertaining that truth—but the pursuit of the truth is its own end, and has its own value irrespective of any use to which that truth might be placed.

In this, Kristeller's position is not unlike that of the scholar or politician of the sixteenth century, who, in the shadow of the Protestant reformation, faced the possibility of having to come to a text on his or her own and interpret it even though interpretation is completely fallible, and only perfect in its eternal imperfection of understanding. Truth, which is for the Protestant scholar, thinker, or writer divine truth, is accessible through text—the bible—but is imperfectly accessible because understanding is imperfect; nor is the interpretation of another to be trusted as truth, though with study some will produce better interpretations than others. The complete truth, like Kristeller's corpus of Renaissance rhetoric, remains forever incomplete in ways that must inevitably affect the nature of the interpretation. Nevertheless, some remain more qualified than others to say in what ways truth is affected.

The project of this dissertation is to offer an alternative way of thinking about the truth of Renaissance rhetoric. My approach to this, an approach I hope will appear increasingly justified as the dissertation progresses, involves treating the rhetorical practice of Elizabeth I of England as central to the story of English Renaissance rhetoric, considering her rhetoric not only as measured within the rhetorical practice or theory of her day, and not only in terms of its political

efficacy, but considering her rhetoric in its political efficacy as instrumental in the development of sixteenth century English rhetorical theory and practice.

In considering how Elizabeth's rhetorical practice affected rhetorical history, I work out of several premises. My initial premise, which it will be the project of this dissertation to demonstrate, is that the success of the reign of Elizabeth I of England was a success executed rhetorically. That is, the stability of her nation, the maintenance of her people, and the avoidance of foreign and domestic conflicts, were all executed through a careful and savvy control of rhetoric. By rhetoric here I do not mean through particular moments of oratorical brilliance, though she certainly exhibited some of these moments. Instead, Elizabeth's rhetorical skill emerged in her attention and sensitivity to the totality of discursive space as the field of decision making and deliberation. This is not to say that she did not execute her political will, or that she allowed her rights as sovereign to be questioned or infringed upon in any way, only that she approached her exercise of those rights as being rhetorically constituted.

My second premise is that sixteenth century England was experiencing a crisis of meaning, an idea derived in part from Stephen Greenblatt's central text of early modern literary studies, *Renaissance Self-Fashioning*. As a Protestant church arose that believed communion with God was enacted on an individual level, rather than through the community of a universal Catholic church, truth itself and the meaning that it guaranteed became problematic. Truth is vested in the divine, but meaning delivers that truth to humanity; under a universal church this meaning is a product of community, but in a disparate Protestant church, meaning is vested in individuals, and is therefore somewhat suspect. Greenblatt makes his argument clear as he describes the ultimately fatal problem that Protestantism presented for Thomas More, who, like

his friend Erasmus, sees the fundamental threat of Protestantism having to do with the nature and grounds of truth. Greenblatt explains:

Certainty about that which does not exist becomes for More the very emblem of what is maddening and satanic about the heretics. Luther's power over the unsuspecting, who long for a release from an uncertain, imperfect, and guilt-ridden existence, derives from his unscrupulous understanding that, in the absence of reality, the mere forms of reality will suffice. He has grasped that the conventional techniques of representation may be employed in the service of that which cannot *truly* be represented because it does not and cannot exist. (59)

Under More's older, Catholic worldview, the fact of a constructedness of meaning is relatively unproblematic, because in matters outside the divine, meaning is low stakes, and in divine matters, community's guarantee, through the church, of access to truth keeps meaning meaningful.

For More consensual belief is constitutive only of religious truth; its force over men's minds is no less powerful elsewhere, but in realms apart from what is essential to man's salvation, consensual belief can constitute meaning, that is, it can determine what men consider real, but it cannot constitute truth. . . . the wise man . . . will understand that, in matters apart from the truth of the faith, he must always live with doubt . . . Only the timeless, universal truth of religious belief will admit to no subversion, no countertruths, for it is guaranteed by what More takes as the irrefutable fact that the Holy Spirit would not have allowed his flock to be in mortal error for over fifteen hundred years. . . . Christian faith dwells in the light of public knowledge, not in the dark hidden recesses of the individual soul or in the "no place" of an invisible church. (61)

In a Protestant conception, however, this meaning is made problematic because communion is dissolved and because the divine is less and less separable from the non-divine. Where a Catholic worldview saw this mortal world preceding the heavenly world, the Protestant is obligated to make this world a reflection of heaven, and even if this is impossible, the heavenly world is meant to be the guiding principle in the conduct of human affairs in this world.

In all of the works of religious controversy, any intimation that reality is not given but rather constructed by the shared convictions and institutions of men depends upon the certain existence of a sole, ultimate community, the Catholic Church. . . . By undermining that consensus, by fostering discord, doubt, and individual judgment, the Reformers threaten for More the very possibility of a final haven of meaning and hence deprive him of that license for subversive play on which he once relied. . . . the perception that reality is a construction and identity, a mask, suddenly bids fair to engulf everything. (63)

Ultimately we have then the familiar story in which once the church no longer guarantees meaning, truth and meaning and access to them retreats from the community into the individual rational subject. There are certainly difficulties with Greenblatt's analysis, but he does make a compelling case that language in the sixteenth century was undergoing a crisis of meaning. The relationship between truth and language is shaky in our own age, but this is at least in part a product of a 20th century effort to undo much of the work that was done in the 16th 17th and 18th centuries to control this relationship and fix it in such a way as to maintain a particular social order. But, in the beginning of Elizabeth's reign, this relationship is troubled because the very understanding of truth itself is suffering from a radical instability (as Greenblatt's analysis of More suggests).

This dissertation, then, tells the story of how, in political conflicts, Elizabeth's rhetoric takes advantage of this instability, and describes the efforts of those in her realm to rectify this instability. After first describing this instability as it was manifested in sixteenth century English rhetorical manuals, the dissertation looks at the development of this struggle through three movements around three moments of rhetorical conflict. I consider how Elizabeth first takes advantage of this instability by asserting a prudential rhetoric against a providential rhetoric, then by asserting a communicative truth against a transcendent truth. Finally I examine how her

opponents shore up this instability, and thereby reclaim rhetorical control, by asserting a truth and a rhetoric based in law. Fundamental to all these movements is the problematic truth of Elizabeth's status as a monarch who is also a woman. My intention in the following chapters is to begin to bring this crisis of meaning to bear in such a way as to complicate the history of Kristeller and those historians of rhetoric who operate out of his model of Renaissance rhetorical study. Elizabeth is the ideal subject for such an exploration because she problematizes rhetoric in her own day—just as she will, I hope, complicate it in our own—because her own rhetorical practice highlights and exploits this crisis of meaning.

Elizabeth reigned for 44 years, outlasting an entire generation of French monarchs (the children of Henry II of France, the last members of the Valois line), and reigning as long as her nearest rival in power and success, Phillip II of Spain. She finished the Tudor project of solidifying the borders of England, and in her choice of succession created a united England and Scotland. She faced only two uprisings, and both of these were distinct failures, failing at exactly the point of popular support. She avoided the wars of religion that racked continental nations, notably France, and she kept her nation, for the most part, solvent and peaceful. In these terms, her reign was successful by the standards of her own time, and of those since. If she had a failing as a ruler, it would have been, as she herself said towards the end of her reign, that “It may be thought simplicity in me that all this time of my reign [I] have not sought to advance my territories and enlarged my dominions” (Marcus 329). As she says, however, it is not on these terms that she asks to be judged, for while “This kingdom hath had many noble and victorious princes, I will not compare with any of them in wisdom, fortitude, and other virtues; but (saving

the duty of a child that is not to compare with her father) in love, care, sincerity, and justice, I will compare with any prince that ever you had or shall have” (Marcus 329).¹

The question at hand then is not what it means for Elizabeth to have been successful, but what it means for her to have been rhetorically successful.² What this dissertation will argue is

¹ Queens are in a precarious position in historical accounts; they either make terrible mistakes, or glorious successes occur around (and despite) them. Elizabeth is no different in this regard. For a good example of the former, see Christopher Haigh’s *Elizabeth I*. Of the latter, Wallace MacCaffrey’s work provides a good example. Feminist historians, especially Carole Levin and Elizabeth Bassnet, have done much work to refocus attention on Elizabeth’s particular role in government. Historians’ evaluations of Elizabeth have tended to limit the extent of her action in her own government. Although this attitude can be extended to treatments of her reign as a whole, it begins with her handling of religion. In discussing the English Reformation, Diarmid MacCulloch posits the transformation from Marianism to Protestantism as “an operation planned with great skill for the Queen by Cecil and his associates” (27). In this view, Elizabeth becomes little more than a cipher or “focus” for Protestant machinations. In a similar manner, Wallace MacCaffrey draws a picture of a triumvirate of Elizabeth, Cecil, and Dudley, with Elizabeth the conservative out of touch with popular contemporary sentiments and the other two self-interested new men whose “task was to draw her to a reluctant acceptance of this new-fashioned world” (20). The portrait of Elizabeth as mere cipher, or as an out-of-touch obstacle, seems untenable as circumstances evolved that demonstrated an even more conservative approach to government than that advocated for by Bacon, Cecil, and Matthew Parker, who, according to Patrick Collinson, were “mediocritists”, who steered the course of state to stability and governmental security (Collinson, “Sir Nicholas Bacon and the Elizabethan Via Media”).

² The definitive text on rhetoric during Elizabeth’s reign is the aptly titled *Elizabethan Rhetoric* by Peter Mack, where Mack looks at how specific aspects of rhetorical training in educational settings inform rhetorical practice in governmental settings. I move out of this work to look at how theories of discourse and philosophy that underlay that rhetorical training in turn affected rhetorical strategy at large. An important text for the relationship between rhetoric and the Reformation, Pettegree treats the Reformation as focused on print and performance, and argues that this process was carried out throughout manifold discursive practices that moved masses to action irrespective of doctrinal distinctions. A number of texts deal with rhetoric about Elizabeth, especially pertaining to her sex. Louis Montrose focuses on others’ uses of Elizabethan imagery, as does Walker’s volume. (The central text for imagery is Strong, whose argument is presented in his introduction: “The cult of Gloriana was skillfully created to buttress public order and, even more, deliberately to replace the pre-Reformation externals of religion, the cult of the Virgin and saints with their attendant images, processions, ceremonies and secular rejoicing” (16)). Approaching the matter in a way more centered on Elizabeth herself is Frye. Examples of analyses of individual performances include Green and Heisch. On conditions of Elizabethan political discourse in general see Phillipson and Mears. The two most compelling treatments of Elizabeth’s rhetoric have been those of Mueller and of Glenn. Mueller’s essay is invaluable for its comprehensive treatment of Elizabeth’s historical conditions and in its examination of her rhetorical handling of the fact of her own sex, a political liability in the 16th century. Though her work predates Mueller’s, Glenn’s examination provides, I believe, important correlatives to Mueller’s thorough and compelling treatment of Elizabeth’s rhetoric. These correlatives are made by foregrounding two important elements: first, the

that Elizabeth's approach to rhetoric is efficacious because it exploits precisely the problem of meaning. One of the ways her rhetoric does this is by exploiting the "new-found" lack of unitary meaning, a tactic we can read in her very first speech before Parliament, which addressed Parliament's debate over the question of her marriage. To assert her rights before her interlocutors, Elizabeth's speech moves nimbly among different registers of meaning and differing guarantees of truth, grounding its claims not on one divinely guaranteed discursive level, but through multiple discursive levels—the personal, the social, the godly. This first of a series of successful bids to control her own marriage, her own heir, and her own body establishes a strategy that will be successful throughout her reign, as she exposes and exploits in her interlocutors' rhetoric the absence of a stable and unerringly certain ground of truth.

This speech was in a sense extra-Parliamentary, as it did not arise out of the forwarding of a bill, but out of a request made to the queen by the speaker of the house and other members on behalf of the whole commons and in a private audience.³ Thus Elizabeth responds to this request urging her to marry and secure the succession in a manner in which she controls the space, and before the difficult or contentious work of Parliament had begun (Neale 47). More than a response for a particular place and moment, however, Elizabeth's response here sets up

extent to which Elizabeth emphasized her right to rule as a way of bypassing the question of gender ("transcending" this question, in Glenn's terms); and second, the fact that Elizabeth's rhetoric is important not because of its aesthetic qualities but in terms of "the use of rhetoric to assert authority" (161). What I hope to do in this essay is to begin to look at the underlying rhetorical discursive communicative conditions out of which Elizabeth's rhetoric works.

³ Two versions of this speech exist, one delivered in her meeting with the commons delegates, and another, treated here, written by Elizabeth and delivered for her to the commons. Francis Teague has compared the two versions, by way of pointing out some of the difficulties of discussing Elizabeth's oratory and the centrality of oratory to her reign. Agreeing with Teague's underlying sentiment, I am obviously moving beyond oratory to discourse in a larger sense.

the terms that will provide the mainstay of her rhetorical strategy on this question. To their petition, Elizabeth responds that she approves of it insofar as it is vague and doesn't impinge upon her rights: "it is simple and containeth no limitation of place or person"; if it had, it would have signaled "very great presumption" (Marcus 56-58). And though she initially places the impetus to her marriage to be one of God's doing, something she will take up "whensoever it may please God to incline my heart to another kind of life [i.e. married life]," she quickly moves the question away from God to the social world of the realm itself: "my meaning is not to do or determine anything wherewith the realm may or shall have just cause to be discontented." God here therefore serves not as a source of deliberation, but merely as a means of self effacement. Elizabeth will not simply take it upon herself to get married, but when she is compelled to do so, it will a) be by a higher authority than that of Parliament, and b) it will be undertaken with the full consideration of its political and social impact. Elizabeth does not swear to this on God—indeed she is always, here and in the future, very careful not to make God the guarantor of any deliberative strategies or rational persuasions; instead, she gives as her guarantee the future, and the proof of social—not divine—obligation that Elizabeth will exhibit therein: "what credit my assurance may have with you I cannot tell, but what credit it shall deserve to have, the sequel shall declare."

Now Elizabeth wants to be in a place here where she is obligated neither to marry nor declare an heir—she does not want to be bound on these issues by anyone other than herself. Therefore, she is not done referring to God in this speech, who has a specific role, especially should she decide not to marry at all, in that it must be trusted to that "by His help may be made in convenient time, whereby the realm shall not remain destitute of an heir that may be a fit

governor.” In other words, things that are beyond control or beyond speculation may be trusted to God, but things that are the product of deliberation in the here and now need to be judged and executed according to a rationality that is based on socially constructed understandings. Much has been made of this speech, especially in its most famous expression: “In the end this shall be for me sufficient: that a marble stone shall declare that a queen, having reigned such a time, lived and died a virgin.” Conventionally, this is taken as the beginning of the virgin queen trope that is to dominate Elizabeth’s presentation of herself.⁴ What is overlooked in such an analysis of this speech are the ways in which it manipulates the grounds on which agreement is to be reached in a public forum. It is not the individual moments that are important here, impressive as they may be in isolation, nor is the virgin queen trope the most efficacious or notable rhetorical strategy that gets established here. What’s more important is that Elizabeth begins to lay out a strategy in which she emphasizes and takes advantage of an inherent feature of discourse used to persuade, argue and communicate, that is, that these tasks operate through multiple possible discursive levels. Consistently, Elizabeth’s rhetoric works to emphasize that these different levels exist—the social, the personal, and the godly—and further to privilege the social and the

⁴ Mueller, Marcus, Rose and others (such as Bell, “Elizabeth I—Always Her Own Free Woman”) have questioned this pervasive perception of the usefulness and dominance of this virgin queen strategy, and rightly so. Rose specifically challenges such interpretations as unsupported by the evidence of Elizabeth’s speeches, so that while “it is widely contended that Elizabeth identifies herself strongly and frequently with the traditional female roles of virgin and mother [. . .] these sweeping arguments are assumed rather than demonstrated” (1077-1078). My point here is that the virgin trope may be effective specifically as a trope, but the focus on any particular trope ignores the larger strategies at work in Elizabeth’s rhetoric. In this chapter I am concerned with articulating this strategy, which works out of a tension between different understandings of the relationship between rhetoric and rationality; in Chapter 2 I hope to more fully elucidate the discursive conditions that privilege the trope as rhetorical construct.

personal above the godly. By trading in these multiple discursive levels, Elizabeth's rhetoric uncovers the communicative, rather than the transcendent, basis of rationality.

But my analysis here requires rethinking a dominant timeline involving the emergence of a modern differentiated, exclusively rational lifeworld, and my approach requires telling the story of this early modern period from a slightly different perspective. Yet another premise I am operating out of has to do with the way rhetoric "works," and is based on Kenneth Burke's idea of identification. In the work to follow, I am taking as a starting point the idea that rhetoric functions effectively not through the efficacy of an individual performance, or even through a mastery of pre-received forms and techniques of rhetorical practice, but through effective control of the terms and understandings that will and can be employed in rhetorical practice—not through mastery of the use or employment of forms, but through control over their very availability. In the work to come, Burke and Jürgen Habermas will play key roles, roles that are complementary. Habermas's precise and thorough description of the processes of communication provides a mechanism through which identification can work, and, because Habermas's ongoing concern is with describing sociocultural structures as features of discursive communication, and communicative practice as the undergirding of human understanding, does so in a way that actually allows for a methodical analysis of the period, along with critique of the ways Kristeller, Burke, and others, including Habermas himself, have conceptualized that period's role in the history of rhetoric.

The concept of a movement of truth from a Catholic universal community to a solitary thinking Protestant individual is by no means a new invention. In the history of rhetoric, this idea is presented by numerous scholars, as the Cartesian subject's emergence signals a triumph

of solitary philosophical inquiry over communal rhetorical inquiry in the ordering of human affairs, thus serving as the climax of a story that begins with Socrates's exchanges with Gorgias and Callicles in Plato's *Gorgias*. This narrative is also reflected in Burke's discussion of Spinoza, in Weber's discussion of the Protestant ethic, and in Habermas's response to Weber in his discussion of the emergence of a modern lifeworld, among many other philosophers and rhetoricians. What this dissertation hopes to add to this discussion is the recognition that this movement, such it was or may have been, did not take place simply through exchanges on paper and in pulpits and ledgers between dynamic and brilliant men searching for better ways of finding a remote and elusive truth. I want to show that this movement is inextricably connected to political processes and pressures, and also, perhaps more importantly, that one of the most significant political pressures, one of the forces most destabilizing to the realization that an individual could discover his own truth, is that, most disturbingly, this individual might be a woman.

In her first speech to Parliament, as she asserts her right to determine her own status, Elizabeth says that she is "free from any other meaning" to indicate that she has chosen and will continue to choose and fill the life and role of a monarch. But we can also see in the articulation of this claim that Elizabeth has entered into a world that is composed of signs and signification, and we can see through her assertion here, by virtue of her occupying the place of a sign that signifies sovereignty, her determination and ability to participate fully in that system of signs. What she proves to be, however, is a kind of sign that the builders and maintainers of that system are ill-prepared to account for, for Elizabeth's claim and her rhetoric serves to insist that if she is to be reduced to the role of a sign, she will determine her own meaning—an insistence that

threatens to bring wreck to the entire system itself. We should read the struggle that this dissertation charts out, then, as a struggle to stabilize this system of meaning. The implication, I hope, is that we should begin to think about this moment of rhetorical history as one in which the system of meaning is not disrupted just by philosophy and theology, but by the ongoing struggle of women—and others—who have previously been assigned meaning in a signifying system, and who continue to insist that they will make their own meaning.

The history of rhetoric provides a study of past terms and processes of arguments that may be marshaled to make claims about the processes of argument today. Arguments about rhetoric's history are problematic—and interesting—not only because the past is unstable, but because rhetoric is foremost about language, and language's chief characteristic is instability, this instability itself being a product of language's symbolic nature. As the meaning of symbols is not even constant from situation to situation, it is also inconstant across time. This is by no means to say, however, that symbols or patterns of symbols that are from the past do not have meaning in the present, only that that meaning is made in the present. This dissertation will consider how sixteenth century rhetoric can be made meaningful in the present. In particular, I am concerned with how a history of sixteenth century moments that might be called rhetorical can be used to create a history of the twenty-first century, one that intentionally sets out to change the terms by which rhetoric's past is understood in order to make new terms available to rhetoric's present.

CHAPTER 2

REPLANTING THE GARDEN OF ELOQUENCE

There would be no eloquence in the world if we were to speak only with one person at a time.

(Quintilian, *Institutes*, 1.2.31)

We find two related impulses in sixteenth century English language treatises on rhetoric—(one) an effort to diminish rhetoric’s relationship to the formation of community, which depended in turn on (two) an effort to diminish language’s importance to reason. The first of these impulses was a radical break from the current tradition, while the second, while also radical, nevertheless stemmed from an effort to alleviate a tension that had been present in rhetoric throughout the century, although implicitly—the possibility that language, which was a product of convention and community, was also productive of, rather than an adjunct to, reason. The purpose of this chapter will be to describe this tension, as it is this tension which Elizabeth I’s rhetoric most takes advantage of, and to document a shift in how English rhetorical treatises attempted to negotiate this tension, a shift that occurs around the midpoint of Elizabeth’s reign. For the first twenty years of Elizabeth’s reign, until about 1580, we see rhetorics deal with this

problem by asserting a divine source of truth that lay behind both reason and language and their role in the formation of community. Even given this divine truth, however, language remained a problem—because of language’s interpretability, it was ultimately impossible to guarantee access to this truth which must be manifested through language. This meant in turn that the communal functions that language directed were equally uncertain manifestations of truth. In English rhetorics after 1580, we see an effort to maintain a language for discovering truth that is nevertheless immune from the problems of a contingently established interpretation of a truth that is impossible to fully access—this is accomplished by trying to establish a logical system based in language that is not subject to the imperfections of language, in which the processes by which truth is discovered are held to be separate processes than those by which that truth, once discovered, is transmitted.

This chapter will chart out this struggle in three movements. The end of a universal Catholic church marked the end of a kind of certainty about the sources of truth and meaning, a certainty I want to illustrate by considering the work of Erasmus, whose rhetorical classifications were influential on sixteenth century English rhetorics, and who saw rhetoric’s function as establishing a connection with ancient authorities who were the source of all knowledge. Second, the emergence of a state sponsored Protestantism led to a series of treatises that wrestled with a now shifting relationship between language and truth by articulating a divine source of meaning and truth that emerged through linguistic processes. Finally, as a more radical Protestantism took shape in response to Elizabeth’s more conservative church, an English rhetoric emerged that attempted to establish truth as a discovery of a dialectical process that occurred outside language altogether. In the end, educators of rhetoric in Elizabethan England

were left to work out a constantly shifting relationship between language, meaning, and truth as best, and as safely, as they could. As this chapter will show, the primary means of approaching this problem was through the examination of figuration, a solution that met with only limited success.

In *The Light in Troy*, Thomas M. Greene points out a 14th and 15th century concern over history and language, what he calls the “historicity” of language, of the signifier, of culture. He sees this concern connected to a Derridean linguistic instability, against which only by constructing or fabricating a continuity of linguistic meaning can cultures “communicate across time” (12). Beginning with Dante, the humanist concern was with repairing a shameful, even sinful, historical rupture between the Renaissance (as we now call it) and the antiquity of classical Greece and Rome.⁵ The means of resisting linguistic drift and historical rupture is by fabricating a continuity of language and history, which is achieved through allusion in particular, but more generally through an assumed though fictional commonality with the body of classical texts as a whole, providing a fixity and continuity that can be opposed to drift and rupture. This commonality is to be established in part through the humanist’s scientific study of the workings of language, which are inextricably connected to the workings of culture. For Greene, the “imperfect expressibility of communal intuition is the root cause of the historicity of the signifier” (23); the knowledge of a culture is eroded because language use changes over time—and thus the most productive way of both excavating the past and of fixing the present against erosion is through the stabilizing use of tropes, analogies, and metaphor, i.e. in figuration, which

⁵ See Streuver for a discussion of Petrarch as engaged in the same project through the production of letters and poetry.

is dependent on and constitutive of, community.⁶ Figuration as central to Renaissance rhetoric therefore both constitutes that linguistic community and also complicates any sense of unproblematic historical and linguistic continuity with the classical past.

A look at vernacular rhetorics allows us to see that the use of figuration as a way of stabilizing language against a signficatory drift is not (or not only) a question of history; looking at how these rhetorics discuss figuration will allow us to explicate more fully the nature of this drift. That is, the particular realization of drift in the sixteenth century was not only a question of history in terms of a rupture and continuity with a human past, but in a larger sense was a question of meaning formed under pressure of contingent, human history in tension with a divine, ahistorical truth. Social rhetoric was in conflict with the simultaneously developing belief that truth had a fixity that was, particularly in the case of the divine, and particularly in the case of Protestants, both foundational and inaccessible. This conflict weighed heavily on the mind of the early modern scholar, who was forced to account for a timeless and transcendent truth that nevertheless could be actuated only through contingent communicative acts and that was meaningful only in historical moments. At the same time, the focus on figuration as a solution to “drift” necessarily involved not only a concern about history, but also about the very processes of reason, and therefore also of knowledge and truth. These English rhetorics’ emphasis on figuration betrays an early insight into that realization by Vygotsky that the heart of

⁶ This is an idea central to some modern rhetorics as well; thus Diane Davis describes as central to Kenneth Burke’s concept of identification that “There can be no identity without identification, and there can be no identification without figuration, without the suasive force of meaningful figures” (Davis 127).

language is symbolization.⁷ Metaphor and all figuration work through one thing like another standing in for that other; this invention is fundamental to human communication and understanding. In this way a stylistic rhetoric points to the basis of human understanding, rather than to the surface features of linguistic style. Figuration works as a set of understandings that bind together communities because of a shared lexicon through which members can identify one another, but also because symbolization is at the core of linguistic understanding. The primary implication I want to draw from *Thought and Language* is simply that language and thought and action are closely connected in terms of their processes and their development—notably in that both are reliant upon symbolization, upon things standing in for other things in some regulated process. But a potential implication of this is that reason is a social process and that, by extension, it and the knowledge it uncovers are somehow social products, and the truth these processes discover is potentially neither exclusively divine nor otherwise transcendent in its source.

The focus on figuration as a means of ensuring continuity—i.e. of preserving the very ability to maintain a specific capability of discourse—indicates that it is out of this classical past, then, that the functions of and possibility for communication—persuasion, dissent, and agreement leading to action—are formed. Greene’s analysis points up the fact that the mutability of language is not a postmodern discovery, but an idea central to the formation of the educated community of early modern England. Theorists of argument, and government, were

⁷ “The child feels the need for words and, through his questions, actively tries to learn the signs attached to objects. He seems to have discovered the symbolic function of words. Speech, which in its earlier stage was affective-conative, now enters the intellectual phase. The lines of speech and thought development have met” (Vygotsky 43).

actively engaged in the formation of linguistic convention rather than, as in the case of the derridean/post-modern product, uncovering this convention. That is, in the early 16th century through the beginning of Elizabeth's reign, it was understood that the pathways of understanding and persuasion were communicatively formed. In the midst of her reign, however, theorists and practitioners began to assert the force of an absolute and transcendent truth as the basis of argumentation. We can see this shift by following out the description of rhetoric's and especially figure's function in communication, understanding, and argumentation as described by a sequence of rhetorics published throughout the 16th century. We will thus see a movement from figuration as a means of connecting with classical sources, to figuration as a means of connecting with divine truth, to figuration as a means of expression for truth discovered through a non-linguistic dialectical process.

Renaissance theorists saw figuration as constitutive of community, and, indeed, thought of schemes, tropes, and figures as ethical imperatives. This belief in the connection of rhetoric with community stretches back at least to Cicero, who, in his *Orator*, claims that the power of the orator lies at the root of civilization. "What other force," Cicero has Crassus ask, "could have gathered the scattered members of the human race into one place, or could have led them away from a savage existence in the wilderness to this truly human, communal way of life, or, once communities had been founded, could have established laws, judicial procedures, and legal arrangements?" Indeed, as Crassus goes on to argue, oratory lies at the very heart of state formation (65). What is notable about the English treatment of this idea, however, is the need to assert a divine foundation for the processes of oratory, coupled with a placement of figuration at

the center of these processes. At the same time, what was problematic for the English rhetoricians is that these figurations also seemed to serve as central elements in rationality.

Regardless of how rationality and figuration were connected, however, God is the wellspring and guarantor of knowledge in that God is truth. That truth, however, is imperfectly accessible—that is, there is the truth revealed in scripture, which is subject to imperfect understanding at best, and the truth of the world that god created and bestowed upon man—to achieve this world god also gave man natural reason, which was intended to help man cope with this world, as well as language by which to distribute and accord this reason. However, both the reason and the language, though naturally bestowed, must be perfected by art.⁸ In later chapters I want to suggest that the need for a sounder method of inquiry stems from problems of rhetoric exposed by Elizabeth I’s practice. Here I want only to point out that achieving this soundness involved first and foremost trying to neutralize the problem of linguistically and communally constructed—and therefore historically contingent—reason and truth. To this end, rhetorical thought in England, as well as throughout Europe, looked both to a classical heritage and an emphasis on rhetoric’s figurative functions, the first as a means of establishing authority and the

⁸ Often noted for his emphasis on earthly, rather than divine, principles Machiavelli offers a conception of rhetoric in which rhetoric’s primary exercise is through a reliance on communally formed responses to contingencies; nevertheless, throughout his work, which values both prudence and eloquence, runs a constraint on action that refers to a nebulously defined set of terms relating to vice and virtue, good and evil, which can be seen in their results, at times, to be evidenced by their effect on states, and therefore to be measured according to human consensus, and which nevertheless seem to emerge from some source outside of human activity, and to be essential qualities that thereby influence human contingencies. Thus Machiavelli says that “a corrupt city that lives under a prince can never be turned into a free one . . . unless the goodness of one individual, together with virtue, keeps it free . . . in the times of the Tarquins the Roman people was not yet corrupt, and in the last times [after the Caesars] it was very corrupt” (Discourses 47). Despite his insistence on things as they are and his prudent measure of the success of any city, terms like “virtue,” “goodness,” and “corrupt” are never quite defined by Machiavelli, for whom “freedom” always remains vague in its requisite conditions, even if success does not.

second as a means of keeping language separate from reason. A stylistic rhetoric serves both these functions, as style is developed out of the best exemplars from the past and as it necessarily emphasizes facility of figure. In rhetorics after 1580 this will be an explicitly followed division, but in all the rhetorical theory of sixteenth century England, a focus on style ultimately only exacerbates the problems it is meant to alleviate, because no rhetoric is able to adequately keep functions of reason from impinging upon practices of figuration; this ties reason, rhetoric and history quite uncomfortably together, because such a linking indicates that meaning does not inhere outside of the community of languages, for instance in a timeless divinity, but within them. To show this problem at work, I want to consider how the figure metaphor serves as an exemplary moment in this problematic relationship of language, truth, and meaning, first in Erasmus's rhetoric, then in early English rhetorics, then in English rhetorics influenced by the work of Ramus.

In a pre-Protestant rhetoric, before, as Greenblatt suggests, meaning has become complicated, figuration enjoys a fairly easy and unexamined relationship to the classical past. My example here will be Erasmus, not only because he exemplifies this but because his texts *Copia* and *Studii* serve as models for much of English rhetoric. However, his project is significantly different than that of English vernacular rhetorics. While he saw a connection with classical sources as vital, he saw this as a connection that needed to take place in Latin and Greek. Erasmus's program involved above all else education in the Latin language, in an effort to instill in children the ability to produce stylish and effective Latin—to impart “a true ability to speak correctly,” but in the Latin tongue (669). There is an explicit assumption in Erasmus's work that “almost everything worth learning is set forth in these two languages [i.e. Greek and

Latin]”, and so instruction for youth ought to focus immediately on the grammar of these two languages (667). Classical literature (meant in the broadest sense, i.e. letters) serves as a compendium of knowledge upon which contemporary understanding depends.

Erasmus outlines this program in *De Duplici Copia Verborum ac Rerum*, in English *On abundance of both words and ideas*, commonly abbreviated *De Copia* and commonly translated as *On Copia of Words and Ideas*. Erasmus says that attempting to acquire copia is useless if you haven’t already at least functionally acquired Latin—“What clothing is to our body, diction is to the expression of our thoughts . . . if anyone should wish to strive for copia before he has acquired competence in the Latin language, that one, in my opinion at least, would be acting no less ridiculously than a pauper who did not own a single garment that he could wear without great shame, and who, suddenly changing his clothes, should appear in the forum covered by assorted rags, ostentatiously exhibiting his poverty instead of his riches” (18). For Erasmus, there is no question of copia in a language other than Latin. At the same time, the relationship between words and ideas here is made fairly stable as a relationship analogous to that between clothing and what is underneath, between the rags of a pauper and his appearance in the forum. But this is a troubled analogy, for if a pauper were to appear in just a single ratty garment, or even in rich garments, how would that affect his status as pauper, or the forum’s reception to him? Rhetoric is by nature about fundamentally public appearance, and yet in sixteenth century Europe the business of the forum was almost nowhere conducted primarily in Latin. This in turn doesn’t call into question the need to learn the language, which remained the language of formal education, but does call into question the very stability of the clothing that language was supposed to be and its relationship to the body/thoughts that were supposed to be clothed.

Given his feelings about the ancients as sources of knowledge, we can understand that in outlining the sources of copia, Erasmus focuses on the classical authors themselves. Quintilian, Vergil, Cicero, Homer, Ovid all employ copia, even if, as in Ovid's case, they are at times criticized for so doing. Furthermore, it is evident to Erasmus that copia also leads to conciseness, that understanding how to produce abundance is a method not only of adding impulse to phrasing, but of gaining complete facility with language. As words are primary and the vehicle through which understanding is reached, we may also infer that copia leads to understanding, and thus can comprehend why copia comes in two kinds, that of words and that of ideas. However, as Erasmus points out, the two are not neatly distinct, but are divided so for convenience and for pedagogy. This indistinction points to a pedagogical problem; it also points to a problem of meaning. This meaning is indicated not least by the function of the text itself, which is to impart skill in expressing the same idea in as many different ways as possible; we can see how this might be problematic by considering Erasmus's handling of the technique of metaphor.

In looking at Erasmus's treatment of metaphor, we can see how meaning remains problematic despite his connection to classical sources, but we can also see that Erasmus, unlike his English followers, avoids dwelling on the sources—and thus the problem—of meaning. The importance of classical sources is unquestioned and unexamined, and their role in forming community and guaranteeing truth are likewise left unmentioned. Nevertheless, they are apparent. The Greek derived term metaphor is often expressed in these texts as the Latin “translatio,” as Erasmus points out, “because it transfers a word from its real and proper meaning to one not its own” (King 28). It is clear from this explanation first of all that words have a “real

and proper meaning,” though it is not necessarily clear what guarantees this meaning. At the same time, it is clear that meaning is not necessarily stable, for while it may be real and proper, it can also be transferred, and, in addition, other meanings can be “taken on”. What state this leaves words in as regards stability or certainty of meaning is not at issue here, at least not for Erasmus. And indeed, Erasmus’s treatment of metaphor, beyond this definition of *translatio*, stays away from metaphysical questions. His categorization of metaphors is short in comparison to those we might see in later rhetorics; meaning may be transferred from irrational to rational or vice versa, from animate to animate, from inanimate to animate or vice versa. These categories are seemingly separate from the first method of metaphor, *deflexio*, in which “a word is transferred from a related thing to one very close” (28). Erasmus’s example for this consists in a movement from the sensory to the non-sensory, “as, I see, for I understand.” And this is the most frequent use of metaphor as well—“Nothing is more used than such a type of metaphor,” though it is unclear whether by such a type is meant from sensory to non-sensory, or the work of *deflexio* as a whole. In any case, as we shall see, the movement from sense to non-sensible will be taken as the primary source of metaphor in the English rhetorics I want to consider. This movement from sense to non-sensible also parallels the movement from the world to language—the most prominent type of metaphor takes advantage of the fundamental problem (or feature) of language itself.

Erasmus closes his discussion of metaphor with a separate chapter, “Reciprocal Metaphors”, which covers both metaphors that are reciprocal, such as “charioteer for pilot,” and those that are not, as, for example, “you rightly transfer crown from man to mountain, so you would not properly refer summit to man” (29). Again here, it becomes clear that meaning is

paradoxically both transferrable and stable—it can be transferred, but only in certain ways, as if to imply that while a man might be at the summit of his career, he could not be the summit of a career. This is probably useful as a category, and yet it appears that Erasmus does not eliminate the possibility of the creation of new metaphors, exactly, though this classification would seem to do so. So he goes on to explain that sometimes such a movement is necessary “as the farmers speak of a gem on vines, of vines gemming,” a resort the necessity of which Erasmus appeals to Quintilian to establish: “metaphor contributes not only to copia of speech by assuring that nothing will appear to be lacking a name, but also to ornamentation, dignity, vivid presentation, sublimity, humor” (28). In this phrasing, we can see first that it is through appeal to and connection with classical knowledge—again, a source of all knowledge—that the processes of meaning making can be understood. Second, we can see that this process of meaning making requires work, that things might at least “appear” to be nameless were it not for the resources of copia, and it is unclear what state of meaning we would have if something were to appear nameless—or even what the difference is between appearing and being nameless.

These are thorny questions, however, which Erasmus passes by. His discussion of the reciprocity of metaphors moves quickly away from suggestions about the processes of meaning and the particulars of the rationale behind his classifications: “it is not within our present plan to pursue in more detail the number of ways metaphor may be used and to what degree it may differ from very closely related tropes” (29). That is, Erasmus does not want to get hung up on technicalities here, but wants to cut to the real work of offering instruction—instruction that, again, is best left to the student working through the classics: “whoever wishes to be more fluent in speech should observe and collect from the best authors a great number of striking metaphors”

(29). Here in the interest of efficiency Erasmus moves from thorny questions to direct advice. But this justification masks more problematic principles underlying Erasmus's claims—that meaning is transferrable, that it can be made, that it resides in words, or doesn't, and, especially, that it is best accessed through the best authors, thereby giving both meaning (as well as value (of authors)) a fixity apart from its transferability or reciprocity. Providing a means of transmission for meanings by operating on disjunction of signification between objects sensible and non-sensible, a discussion limited to the techniques of metaphor, engages the problematic relationship between language, meaning, and truth while simultaneously bypassing the problem of the relationship through a focus on the techniques of employing that relationship.

Erasmus's *De Copia*, which focused specifically on figuration, was hugely successful in sixteenth century terms, running through over a hundred editions and translations, authorized and otherwise. As such, it is little surprise that *Copia* becomes one of the models for English rhetorics throughout the remainder of the century. While English texts borrow heavily from Erasmus, they also indicate an anxiety about the relationship between language, meaning, and truth that may or may not have been present in their originals, but which is present and dramatic in certain of the texts under consideration here—until the question is finally excised completely by reconfiguring the province of rhetoric itself. Examining the treatment of metaphor shows what remained stable about rhetoric despite its reconfiguration—namely, the problem of meaning and, ultimately, truth.⁹ I want briefly to point out these continuities and discontinuities by first looking at Metaphor in two pre-1580 examples and then two examples from after 1580.

⁹ It is only right to point out here that most of these rhetorics are heavily dependent on sources, so much so as to have been heretofore considered in many cases simply reworkings of their originals, as Leonard Cox is seen as little

One of the English texts that clearly draws on Erasmus's *Copia* is the first exclusively stylistic rhetoric in English, Richard Sherry's *A Treatise of Schemes and Tropes* (1550). Sherry was writing under the developing but relatively short-lived Protestant reign of Elizabeth's brother Edward, and so writing in light of a truth not as immediately evident as Erasmus's universal Catholic church, Sherry takes time, if not care, to work out the relationship between truth, meaning, and language. In explaining the function of figuration and its importance to an educated citizen, Sherry's emphasis is on the linguistic bases of community, communication, and ultimately rationality. Eloquence, the third canon of rhetoric, is mastered through a complete knowledge of schemes and tropes and, as such, provides the key to analysis of texts both classical and contemporary, the substance by which the community of the learned is united, and the proper means of expression for reason and thoughts; the invention and arrangement of these

more than a poor imitation of Melanchthon, "essentially a translation of the first book of Melanchthon's *Institutiones Rhetoricae*," as the editor of Peacham's later work argues—though that same editor goes on to modulate this statement somewhat—or perhaps more than somewhat, as Cox includes "some additions from that scholar's [i.e. Melanchthon's] *De Rhetoricae libri tres* [itself not actually an "authentic" work of Melanchthon, but a text printed without authorization] and from Cicero's *De invention*. Cox also had some acquaintance with Cicero's other rhetorical treatises and he took many examples from the orations. Erasmus's *Libellus de conscribendis epistolis*, 1521, and his *De duplici copia verborum ac rerum* were both mentioned by Cox, the latter of which furnished illustrative material for several points. For further treatment," Crane goes on to explain that Hermogenes and George of Trebizond both provided material, though clearly more by George than Hermogenes. While Cox is clearly, from Crane's evidence, derivative, one has to begin to wonder if the combination of so much unoriginality does not in fact begin to border itself on originality. The same might be suggested of most of the works under consideration here, all of which an earlier generation of scholars have demonstrated depend in key ways on earlier texts, but also all of which combine and recombine those texts in addition to laying in original examples or providing borrowed examples deployed in original ways. Coupling this recombination with a more contemporary tendency in literary studies to rethink what constitutes originality, we can begin to see that derivation is by no means a reason to discount this work, and it is important to consider that even a translation of an adjacent text was a startling act of originality for its moment, in almost every case requiring real justification in prefatory remarks. At any rate, while all of the authors I am considering acknowledge their indebtedness to other authors for their work, none of them himself calls his work a translation or a reworking, though some, such as Sherry, explain that they have combined translation with their own work.

figures are skills easily acquired, and meaning is impossible without the ability to express them. For Sherry, however, the whole point of figuration depends on community in a complicated way, insofar as the commonality of understanding depends on the ingeniousness of the figurative expression, which can nevertheless be fully comprehended through the analytic of a system of schemes and tropes. Thus, at times, Sherry explains, “we be compelled to speak otherwise than after common fashion, unless we will be ignorant in the sense or meaning of the matter that excellent authors do write of, we must needs turn to the help of schemes and figures: which verily come no seldomer in the writing and speaking of eloquent Englishmen, than either of Grecians or Romans” (13). Several elements are at play here—a continuity of understanding across time, a community of eloquence that also cuts across history, and an access to the eloquence of both past and present (and future) available through the understanding of figuration offered at least in part through this slender volume.

In addition to constituting community, however, eloquence also is partly constitutive of, in practice, reason: “Tully and Quintilian thought that invention and disposition were the parts of a witty and prudent man, but eloquence of an orator. For how to find out matter, and set it in order, may be common to all men, which either make abridgements of the excellent works of ancient writers, and put histories in remembrance, or that speak of any matter themselves: but to utter the mind aptly, distinctly, and ornately, is a gift given to very few” (19). For Sherry, rationality in practice is rooted in lexis—all men have insight into argument in the crudest sense, but refinements of eloquence that connect us with a grand history of argumentative possibilities, specifically with a lineage of understanding stretching back to Cicero and Quintilian, had to come through training, not nature. Though some are blessed with this gift, Sherry offers his

unblessed reader the possibility of effectively “uttering the mind.” In this way, though access to linguistic skill is a matter of exclusion, Sherry’s orator participates in a rationality that is based and that functions in the space of communication, and thereby depends on formal communicative practice to be enacted. Form is the means of insuring production of a stable culture, but form is also the heart of a rhetoric understood to encompass argument and rationality.

The way that Sherry, like other English authors, leads his readers to eloquence, and thereby provides continuity across time as well as a stability of meaning was through a focus on and refinement of the process of figuration. Thus Sherry says “The common scholemasters be wont in readyng, to say unto their scholars: Hic est figura: and sometyme to axe them, per quam figuram? But what profit is herein if they go no further? In speakyng and wrytyng nothing is more folyshe than to affecte or fondly to laboure to speake darkeley for the nonce, sithe the proper use of speach is to utter the meaning of our mynde with as playne words as may be.” (12-13). On the one hand we note here that the scholemasters in question are operating in Latin, despite the fact that the rest of the prose here is in the vernacular—there’s a little doubt in the dissonance produced there as to the efficacy of the Latin based educational system at work in England at this moment. What is this instruction ignoring however? The major concern seems to be the indiscriminate use of figuration, but in this case not tied necessarily to an inadequate training in Latin, but merely to an inadequate training and more particularly a fundamental misunderstanding about the function of figuration as a means to expression of the thoughts or the “mynde”, to which task figuration is intended to increase available resources, rather than merely act as ornamentation. This is, though reminiscent of the concern expressed by Erasmus in his clothing metaphor, somewhat different—here language is a vehicle for expression, rather than a

garb for it. Sherry thus brings the question back to one of efficacy and the native tongue: “syth it so chaunseth that som tyme ether of necessitie, or to set out the matter more plaily we be compelled to speake otherwise then after common facion, onles we wil be ignorante in the sence or meaning of the mater that excellent authors do wryghte of, we muste nedes runne to the helpe of schemes [and] fygures: which verily come no sildomer in the writing and speaking of eloquente english men, then either of Grecians or Latins” (13). Here schemes and figures are not comparable to clothes, that is not exactly as a means to exhibit the richness of thoughts (or the poverty thereof) but seemingly as more essential to their expression—or at least more directly so in Sherry’s formulation. In this case it is necessity and plainness that drive the need for figuration, a closer link of language and thought than that offered by Erasmus—and thus more tellingly necessary to be applied to the exploration of the vernacular. Eloquence is not limited to a product of Latin learning, but the exercise of language regardless of the particular language in use. This might be a claim Sherry makes with some trepidation, but it nevertheless represents an expression of a sentiment that is building—that English is a viable language for expression—as well as a more troubling claim that expresses a growing but anxiety-laden sentiment: that language is closely tied to thought, and that therefore (by implication) reason might be the product of a linguistic community—the grounds of thought lie at least as much in that community as in divine or natural sources.

In *A Treatise of Schemes and Tropes*, Sherry’s first concern is to define the terms of his title. Thus scheme is composed of two parts, figure being the first part, while allegory is the second. Figures can be of word or diction (the distinction is not entirely clear) or of construction. Tropes are often treated as figures in other authors, claims Sherry, but the primary

difference is that tropes alter the meaning of words: “for neccessitye or garnyshynge, there is a movynge and chaungynge of a worde and sentence, from theyr owne figuracion into another, which may agre with it by a similitude” (40). Here metaphor is notable in that it can serve not only to ornament, but also to fill in meaning or create meaning where none was. And it is under trope, as the first and most important example, that metaphor—that is “translation”—is listed and described by Sherry.

Here parallels to Erasmus are clear. Translation “is a worde translated from the thyng that it properlye signifieth, unto a nother which may agre with it by a similitude” (40). In Sherry’s definition it is the word itself that undergoes transformation. Meaning is stable, words properly signify a given thing, but the words that point to meaning are mobile and may be moved to another thing that they connect with in some way. However, it is not clear what lies behind the agreement or similitude, nor even if that agreement and similitude is between the word and the secondary thing, or the primary and secondary thing. Neither is it clear how “proper” signification is determined in the first place. But Sherry has attempted to move from Erasmus’s position insofar as meaning is brought back into the question, and what’s dealt with here are words and things in a process of signification; at the same time, the singularity of words and things Erasmus depended on has lost some of its certainty by the introduction of a concept of similitude and agreement.

This loss of singularity aside, however, metaphor is for Sherry highly valued; indeed, “amonge all vertues of speche, this is the chyefe,” making metaphor important not only as a figure, but as a vehicle for speech. In elucidating this point, Sherry shows again how metaphor moves between being an essential part of language’s meaning making function to serving a

function somehow less essential for raw meaning, and instead as a means of more effectively transmitting that meaning. “None perswadeth more effecteouflye, none sheweth the thing before oure eyes more evidently, none moveth more mightily the affections, none maketh the oracion more goodlye, pleasaunt, nor copious” (40). Sherry’s list of the effects of metaphor follow the purposes of oratory—to delight, move, instruct—though inexactly. Furthermore, it takes in logos, pathos and ethos, also inexactly, moving from persuasion proper of an audience by a speaker, to the sensory and affective qualities of the audience members (the “us” of “oure eyes”) to an abstract judgment of the oration itself taken in part through its effect on the audience (goodlye and pleasaunt) and in part through a standard gauge of quality, that is, copiousness—although in this last point even the consideration of audience is cast in terms of the speech itself, rather than explicitly in terms of the effects it produces. Looking at Sherry’s definition and description of attributes of metaphor, then, it is uncertain how precisely metaphor relates to meaning—but it seems at least suggested that these processes—persuasion, bringing to the mind’s senses (showing the thing before our eyes), moving the affectations—all have to do in some way with the making of meaning, in which case meaning inheres in the processes of transmission. An alternate possibility is that these activities, like things and words themselves, are separate qualities from meaning, which can either properly signify or signify through similitude—but in this latter case, it seems unclear, then, if meaning does not consist at least in part in the act of communication, what difference there would then be between proper signification and mere agreement through similitude. In either case, the location and underlying principles of meaning-making are unclear.

It is also telling that metaphor in its classifications depends in part upon this uncertain location of meaning. Like Erasmus, Sherry identifies different types of metaphor, but his categories differ from those of Erasmus—unreasonable to reasonable and vice versa; living to living, living to non-living, non-living to non-living. But before these types is the classification from the body to the mind—that is, from the sensible to the supersensible: “I have but lately tasted the Hebrue tongue, for newly begun it. Also I smell where aboute you go, for I perceyve” (40). Putting aside the rather unfortunate choice of bodily actions in tasting tongues and smelling about people, it is clear that the difficulty in constructing this kind of metaphor, even if it be the most common type, as Erasmus has suggested, is that of constructing a similitude that is original but that still conveys meaning adequately. The difference between Erasmus’s “I see for I understand” and Sherry’s “I smelle whereabout you go” to indicate the same meaning is vast—not least of which insofar as Erasmus’s version is still in use today, while it’s hard to believe that Sherry’s was ever used without a touch of ridiculousness—nevermind tasting Hebrew tongue. The point here is not to suggest that Erasmus is more gifted than Sherry—there is no particular genius in “I see”—though his renown as a scholar is certainly greater today as it was in Sherry’s age. But at least part of Sherry’s difficulty here comes in the inability to dislodge meaning from language—and this difficulty is especially evident in the problematic thingness of something like understanding, which, after all, can only really ever be referred to metaphorically—a problem when the meaning of metaphors resides in the things referred to.

Thus we understand in looking at Sherry that part of the necessity of figures is not simply in their ability to transmit meaning effectively, but in the fact that they bear meaning. This

suggests then that meaning is product of communication as much as it is an entity that inheres in things. And, given the communal nature of figuration, and given its connection to historical literature, Sherry's text suggests, however implicitly, that meaning is a product of communicative practice within communities, and that understanding emerges out of the uses of language, rather than inhering in things themselves or in the individual's conception of them in any kind of singular relationship. This is not, however, a tenable position in a model of knowledge in which understanding and reason are fixed attributes of a divine or otherwise eternal, ahistorical and transcendent process—and it is thus a feature of language and especially of the practices of persuasion that the rhetoricians who come after Sherry will continue to grapple with, or to bypass.

To more effectively cope with the difficulty of meaning, community, and language, other theorists traced out a connection to a divine source that guarantees both meaning and the formation of human communion. Such a move occurs in the later writing of Henry Peacham in his *The Garden of Eloquence* (first edition 1577). Peacham sees rhetoric as essential to understanding, particularly in its use of figures: “no man can read profitably or understand perfectly either poets orators or the holy scriptures without them, nor any orator by the weight of his words able to persuade his hearers without the use of them” (sig A3). However, in reaching the ultimate source of this understanding, Peacham takes a different approach than Sherry, who was a religious man, but who did not articulate God as the heart of reason in the manner that Peacham would do. In explaining the relationship of language to ethical concerns, Peacham relates the roles of figure to understanding in service of an argument about the supremacy of man's allotment of reason as given by God: “To the end that this sweete reason might spreade

abroad her beautiful branches, and that wisdom might bring forth most plentifully her sweete and pleasant fruits, for the common use and utility of mankind the Lord God hath joined to the mind of man speech, which he hath made the instrument of our understanding and key of conceptions, whereby we open the secretes of our hearts and declare our thoughts to other, and herein it is that we do far pass and excel all other creatures” (sig A2). Peacham definitely sees rhetoric as inextricable from reason, as he identifies the need for a rhetoric in English because of the number of books on philosophy and lack of books on rhetoric, despite “the needeful assistance the one of these do require of the other” (sig A2v), making no priority as to which needs which. But Peacham’s attempt to both praise God and to credit man leads him into some confusion, for while God is the wellspring of reason, the use of figures appears to be an invention of man: “Necessity was the cause that tropes were first invented, for when there wanted words to express the nature of diverse things, wise men remembering that many things were very like to one another, thought it good, to borrow the name of one thing to express another” (B1v), and goes on to explain that orators realized the effectiveness of such borrowings—“translations”, Peacham calls them—in setting ideas in the memory of or in moving their hearers, and so adopted the use of figures more generally as a strategy.

Peacham, like Sherry, sees metaphor as operating through transference of words, but in this case what the words move against is not things, but significance. Thus “Metaphora is artificial translation of one words, from the proper signification, to another not proper, but yet nigh and like” (1593 3). Here again we have the sense of propriety as connected to meaning, but Peacham has here gotten around the problem of meaning’s relation to the world of things that plagues Sherry’s understanding of metaphor, instead connecting words to signification, out of

which they may be translated from proper to not proper, though there must be some proximity of either properness or significance—it is not clear which. This does not get around the problem of meaning necessarily, but the use of propriety as the gauge of signification places meaning potentially as something that may be judged. Defining metaphor, Peacham explains that this figure operates first of all by translating from the senses to the mind, most especially from the sense of sight: “as to say, I see what your pretense is very well, here the translation is from the sight to the minde, for properly we cannot saye, we see men’s pretenses and thoughts which cannot be seene, but only perseaved by some token and understood by some reason”; this understanding of the function of language assumes a subjectivity that takes shape only in communion with others, a rationality that gains significance only in communication, a subjective world that is only effective insofar as it is made manifest.

In going on to elucidate the workings of metaphor, however, Peacham makes an interesting innovation. Namely, he places metaphor in a causal relationship—a product, specifically—of memory. “It is apparant that memorie is the principall efficient [i.e. cause] of a Metaphore, for being the retentive power of the mind, it is the treasure house of mans knowledge, which as it possesseth the formes of all knowen things, so is it readie at all times to present them to mans use, as often as occasion, and cause both necessarily require” (1593 3). In Peacham’s conception, then, if one sees a caterpillar gorging in the morning and then a profligate heir in the evening, the comparison will force itself upon the mind, or force itself from the mind, as the case may be. As Peacham goes on to explain, however, it is not memory alone that results in metaphor, but a complex of cognitive processes: “ample knowledge, perfect memorie, and exact judgment ioyning together in one mind, are the principall and especiall causes of all apt

and excellent translations” (3-4). On the one hand here we can detect three of the canons of rhetoric—invention, judgment, and memory—though perhaps inexactly framed in the case of knowledge as invention. On the other hand, it seems clear that a complex of cognitive processes is responsible for the linguistic practice of metaphor-making; judgment is necessary to the working of memory to produce metaphor because of the mind of the man making the metaphor, “for a man may easily remember what he hath seene, but yet if he want discrete judgment, he cannot aptly compare to it the thing that he now seeth although there be some fit similitude between them, and also some necessarie occasion to use it” (3). Similitude, which is related to meaning, may inhere in the thing seen, but is meaningless without the faculties of mind to make that similitude signify. Furthermore, if the processes that produce this signification are capable of development through the training of rhetoric, this places meaning as a product of social activity.

In the first edition of 1577 this explanation of the efficient cause of a metaphor is absent; it is added in the 1593 edition. This inclusion illustrates on the one hand that the book was at least popular enough to warrant a reworked edition some 15 years later. It also indicates, however, that the question of meaning and its sources had become a pressing one in those intervening years. Other changes occur as well. In the 1577 edition’s dedicatory epistle, Peacham explains that “Many not perceiving the nigh and necessary conjunction of these two precious jewels, doe either effect fynnesse of speech and neglect the knowledge of thinges, or contrarywise covet understanding, and contemne the art of Eloquence . . . the one sort of these speak much to small purpose, and the other (though they be wise) are not able aptly to express their meaning . . . From which calamity they are free that doe use a right judgment in applying

their studies so, that their knowledge may be joined with apt utterance, and their copie of speech with matter of importance, that is to saye, that their eloquence maye be wise, and their wisdom eloquent” (1577 Sig A2v). Here as with Erasmus, words and things are suggested as epistemic divisions, but though knowledge is precisely cut apart from eloquence, each as it turns out depends upon the other. In either case, however, it is through the application of study that facility with words and things is acquired and through exercise that the combination may be effected in its essential relationship. And though Peacham makes clear at the beginning of his epistle that it is God who has blessed humanity with virtue in excess of all other creatures, the publication of this manual and its emphasis on the work necessary for humans to make anything of this virtue, especially insofar as building knowledge is concerned, tends to diminish—however implicitly—God’s role in the process.

This has changed in the 1593 edition, however, where Peacham is certain to be clear on this point: “For if we enquire what wisdome is, we shall find that it is the knowledge of divine and human thinges, if whose gift it is, we shalbe certified, that it is the gift of God” (Sig AB2v). Lest there be any doubt, Peacham wants to make clear that not only wisdom, but eloquence as well is the product of the divine: “almightie God the deepe sea of wisdome, and bright sunne of maiestie, hath opened the mouth of man . . . By the benefit of this excellent gift, (I meane of apt speech given by nature, and guided by Art) wisdome appeareth in her beautie, sheweth her maiestie, and exercisith her power” (Sig AB3). Here the work of humanity in learning, despite this being in essence the preface to an instructional manual, is, as far as possible, minimized. Humanity has little to no agency either in the development of wisdom or in its setting forth through speech—either God is responsible, or, as in wisdom exercising her power, the agent is

hidden, left by reference to be a product of God perhaps, but of man, certainly not. The change here is distinct: even though the 1593 edition still carries the problem of meaning in its delineation of metaphor, despite efforts to clarify the source of meaning, and perhaps even exacerbated by those efforts, Peacham wants no misunderstanding that the source of knowledge ultimately resides beyond the realm of human contingency. Thus, while the 1577 edition's epistle spends a great deal of time building connections to a classical past that emphasize the historical processes at work in the creation of meaning, the 1593 edition limits itself to two references, one to Cicero and the other to Horace, carefully circumscribed by thorough descriptions of the role of God in the production of knowledge. The point here is not that Peacham found religion, but that for whatever reason he felt compelled to fix meaning—in this case through appeal to the divine—and fix it beyond the ravages of human contingency.

The relationship between word and idea, object and text, that is, the problem of knowledge and rhetoric, was not so easily resolved, however, by an appeal to the divine as the source of knowledge. A more precise, though, as it turns out, no more effective, solution to the problem came in the English embrace of the theories of Peter Ramus. This solution was quite simple, and in this lay its genius—rhetoric was no longer to concern itself with the sources or the nature of knowledge—the strict imposition of disciplinary bounds meant that such questions properly belonged exclusively to logic or dialectic—rhetoric's function was merely that of adornment. Thus we see in the rhetorics of this sort a new division, in which what had previously been five canons of rhetoric—*invention*, *arrangement* (or *judgment*), *style* (or *eloquence*), *delivery*, and *memory*—have now been redistributed. To begin, *memory* has been more or less dropped as a concern altogether. This done, *invention* and *judgment* are posited as

strictly in the discipline of dialectic, or logic, while rhetoric encompasses only eloquence and delivery. While this division in practice doesn't appear much different than the work of Sherry, whose rhetoric was concerned more or less exclusively with schemes and tropes, what has changed is the clear statement and demarcation of these disciplinary boundaries.

This uncomfortable linking of natural reason with artifice was exactly the problem that Ramist rhetorics, like those of Dudley Fenner and Abraham Fraunce, would tackle. However, as the following somewhat prevaricatory attempt to disentangle the two in terms of the use of logic will show, as long as they are conjoined, it will be in an uneasy juncture.

It is therefore said here, that Logike is an Art, to distinguish artificiall Logike from naturall reason. Artificiall Logike is gathered out of diuers examples of naturall reason, which is not any Art of Logike, but that ingrauen gift and facultie of wit and reason shining in the perticuler discourses of seuerall men, whereby they both inuent, and orderly dispose, thereby to iudge of that they haue inuented. This as it is to no man giuen in full perfection, so diuers haue it in sundrie measure. And because the true note and token resembling nature, must bée estéemed by the most excellent nature, therefore the preceptes of artificiall Logike both first were collected out of, and alwayes must be conformable vnto those sparkes of naturall reason, not lurking in the obscure head-péeces of one or two loytering Fryers, but manifestly appearing in the monumentes and disputations of excellent autors. And then is this Logike of Art more certaine then that of nature, because of many particulers in nature, a generall and vnfallible constitution of Logike is put downe in Art. So that, Art, which first was but the scholler of nature, is now become the maystres of nature, and as it were a Glasse wherein shée séeing and viewing herselfe, may washe out those spottes and blemishes of naturall imperfection. For there is no one particuler nature so constant and absolute, but by examining and perusing her owne force, shée may bée bettered: no nature so weake and imperfit, which by the helpe of Art is not confirmed.
(Fraunce Sig. B2)

There is nothing in this series of statements that casts doubt on the fact of two types of reason, natural or artificial, but the very need for instruction in something that is supposed to be natural makes the disentanglement necessary both for a seller of educational materials as well as

someone invested in working out a viable epistemology. Nature is the ultimate source of reason, but that reason is perfected by art. In this way, art improves nature, whose “weake and imperfit” traits can only be improved by art—for instance, the seemingly unstable boundary between language and thought can be fixed by art.

There are pedagogical reasons for Ramism’s adoption of the stance that rhetoric is not concerned with invention and arrangement—that is, reason and rationality—which are exclusively the concerns of logic. For one thing, it saved having to teach students the same subjects twice and explaining why they might be different since they are encountered in two different courses. But it also seems that opposition to this view that rhetoric is essential to reason and argument serves as an answer to the epistemological problem of where reason ends and where language begins. Thus the Ramist rhetorics of the last quarter of the English sixteenth century stressed reason’s independence from language, seeing it as subsisting wholly in the isolated, or at least isolatable, activity of logic. So Fraunce, in his *Lawyer’s Logic*, explains that “the whole force and vertue of Logike consisteth in reasoning, not in talking: and because reasoning may be without talking, as in solitary meditations and deliberations with a mans selfe, some holde the first deriuation as most significant.” (Sig. B1) Such a formulation creates as many problems as it solves, of course, for a man deliberating with himself must presumably be doing so in some sort of language. Though such a possibly silent language is not the same as talking, the shape and regulation of such a language must, on some level, fall under the purview of rhetoric, at which point the distinction between the two disciplines, logic and rhetoric, becomes again uncertain. This is outside the question of how logic can bear force and virtue if it remains uncommunicated. The division of the two disciplines may be driven by pedagogical

concerns, but the very real difficulty of dividing the two disciplines along these lines becomes evident as soon as the question of how logic is to be transmitted comes into play.

As has been suggested, in their essence Ramus's reforms were not new to England. Most rhetorics, at least vernacular rhetorics, described rhetoric as the means of presenting arguments discovered through the reasoning process. Ramist rhetorics appearing in the 1580s, however, reformulated this dichotomy most notably by determining that reason itself was a process that was extra-linguistic. Thus Fraunce's Ramist rhetoric *The Arcadian Rhetorike* treats style exclusively, in accordance with Ramist principles excluding questions of invention and arrangement. But this distinction itself points to a developing concern—that reason, rationality, and ultimately truth be removed from the contingent realm in which rhetoric operated.

Like Sherry, Fraunce divides his rhetoric into tropes and figures: "A Trope or turning is when a word is turned from his naturall signification, to some other, so conuenientlie, as that it seeme rather willinglie ledd, than driue~ by force to that other signification. This was first inuented of necessitie for want of words, but afterwards continued and frequented by reason of the delight and pleasant grace thereof" (Sig. A2v). Even in this definition, Fraunce points to problems with his strict division between language and reason, for a word's "naturall signification" is incumbent on some force that apparently is subject to the work of language, which is capable of actuating "some force"—not, apparently, reason—to push the word to a different signification. Furthermore, the ability to move words from their signification is in turn invention—even if it is practiced now shearly out of "delight and pleasant grace." The effort to substitute delight and grace for invention and signification seems to be a compensation for an inevitable relationship between language and reason.

Fraunce's answer to this epistemological problem is, quite simply, to ignore it. Tropes are divided into two kinds, one containing metonymia and ironia, the other metaphor and synecdoche. Though his examples of metonymia, and divisions and definitions thereof, are extremely comprehensive, it is metaphor, though simply defined, that is the most prevalent trope in use: "A *Metaphore* is when the like is signified by the like: so then a *Metaphore* is nothing but a similitude contracted into one word. There is no trope more flourishing than a *Metaphore*, especially if it be applied to the senses, & among the senses chiefly to the éie, which is the quickest of all the senses" (Sig. B1v). And while Fraunce's definition of metaphor will be amplified by example, it is much less concerned than Peacham's with the mental workings of the trope, focusing instead on the qualities of sense, rather than on the mechanisms of transferral between sensory and non-sensibility. That is, Fraunce's definition rests upon the workings of the figure that have to do with delight and grace, as the senses are divided here from the processes of reason, despite the inevitable cognitive processes that would seem to be suggested by the contraction of similitudes. But there is no effort to acknowledge this complication, nor to investigate why metaphor is so prevalent. The point here is not to fault Fraunce for not investigating this, but only to point out that he does not, despite the evident complications in his understanding of figuration and metaphor, and despite his claim that reasoning has nothing to do with talking. The belief that the two functions can be so definitively distinguished remains a practice of convenience, the theoretical weakness of which is betrayed by the very presentation of language in use.

The same contradiction is evident in the work of Dudley Fenner, who, in his *Artes of Logike and Rhethorike*, is similarly unconcerned with the nuances of how or why metaphor

might work. On the question of metaphor, Fenner says as little as possible. He does note that it is the most usual of tropes, but then contents himself to a fairly limited definition: “A metaphor is when the like is signified by the like” (170). He then follows this tautology with a bible verse:

1. Cor. the Apostle sayeth, Doctrine must be tried by fire, that is, the euidence of the worde spirite tryinge doctrine as fire doth metall. So Christ is said to baptise with fier, where fier is put for the power of the holy Ghost purging as fier. So Christ saith, None shall enter into the king dome of God, but he that is borne of the holy Ghost and Water. So Paul calleth him selfe the Father of the Corinthes, who saith that he begate them in Christ. So he calleth Timothie and Titus his naturall sonnes in the faith. (170)

“Doctrine must be tried by fire”—the metaphor is rich in that it pulls in multiple meanings of fire, of course, not only the possibility of an analogy between word and spirit and fire and metals, but also the possibility of martyrdom. The metaphor thus draws on multiple possible categories that others have established—sensible to non-sensible, but also reasonable to unreasonable, and even complicates these categories by adding additional ontological states to the mix, so that “spirite,” is put in relation to “word,” which means that doctrine, or words, are compared to words just as spirit is compared to fire—all of which would require in any case a relatively sophisticated understanding of both metaphoric language—particularly as it is actuated by the new testament—and of scripture and doctrine itself. But Fenner avoids any discussion of the complexities of how this figure might work, or what makes it effective, instead relying on the force of an example to bypass the need to examine the figure itself, which can only lead to problematic subtleties—for instance, the question of how to classify “spirite”.

Likewise, compared with earlier rhetorics that went to great lengths to determine the nature and scope of rhetoric, Fenner defines logic and rhetoric quite simply: at the beginning of the first book, “Logike is an art of reasoning. Logike hath two parts, the spring of reasons called

invencion and judgment” (151). And, at the beginning of the second book, “Rhetorike is an art of speaking finely. It hath two partes, Garnishing of speache, called eloquution, Garnishing of the manner of utterance, called Pronunciacion” (168). Here, as we can see, the problem of how rhetoric relates to knowledge—the relationship of words, ideas, authors, and objects—has been neatly bypassed, and the source of knowledge clearly demarcated, so that the “spring of reasons” no longer need worry the “speaking finely.” And while Fenner’s text does contain some brief prefatory remarks, these are only by way of justifying presenting his work in the English language, because, notably enough, while Fenner acknowledges that Greek and Latin are a “storehouse” of all knowledge, the products within that storehouse are not meant to be kept only for those who understand those languages, “but at the least that by their trafficke, it might with their gaine of the prayse and glory, become common to euey particular nation, that euerie one who had neede, might buie of the same.” Knowledge as a commodity is an interesting metaphor here, for it indicates that while it is to be made widely available—to those who can afford it—knowledge is also in this way stable in its essence, even if it is transmittable.

Fenner’s other task in his preface is then of clarifying certain distinctions he has made in presenting his logic—the underlying assumption of which demonstrates clearly that rhetoric’s relationship to knowledge is articulated only through the practices of logic. Thus, on the question of his decision not to categorize distinct types of contraries: “the diuisions of *Contraries* are lefte out: First into *affirming and denying* , which are no sortes of contraries, but of the manner of vttering *contraries* , which as it falleth not into Logike to handle, so it is nothing to this purpose, because the dyfference ariseth not from any distinction of the contrarietye it selfe, whiche it should doo, if they were diuerse sortes of *contraries* , but from the

difference of expressing one and the same kinde.” Here expression works only as a different sort of subject than the arts of reasoning, such as discerning contraries. This classification of invention and judgment as strictly concerns of reason does not necessarily rectify certain underlying questions. For one, if affirming and denying are, as it turns out, only means of expressing contrary states, this understanding does not touch on the problem that it is through affirmation or denial that those contraries, which reason has not yet sorted out, must be discussed in terms of affirmation or denial—how one is to sort through the logical problem of what is a contrary and what is merely the expression thereof without resorting to expression itself, Fenner does not address. That is, the knowledge of how one bases these classifications is a given, but the source of this knowledge, or any knowledge, remains unclear.

This uncertainty of knowledge is problematic precisely because of the Ramist innovation embraced by English scholars. In removing invention and arrangement from the province of rhetoric, English radical Protestant rhetoricians also cut off the possibility of discussion about how rhetoric itself is to operate, out of a concern that such a discussion would veer into questions properly reserved for logic. While this was intended as a pedagogical advance, it meant in practice that such questions could not be worked out through channels of debate, dispute, and discussion—in other words, dialectic. Notions of how or why rhetorical figuration worked, or even if or whether it worked, were therefore presented as givens. As the examples of metaphor, and the discussion of the distinction between scheme, trope, and figure indicate, however, such determinations were far from clear even to those scholars most involved in translating and presenting them in English. While Fenner attempts to reorient his logic, so that the role of God as an ultimate guarantor of knowledge is set aside but simultaneously acknowledged (his text is

dedicated “to the Christian reader”), his sophisticated organization and classification will necessarily become problematic when it is precisely on questions in which the divine impinges that affirmation or confirmation are required.

The problematic relationship between language, meaning, and truth, and the way that these elements combine to form knowledge, would prove to be a rhetorical problem for the first half of Elizabeth’s reign. In the following chapters, I want to look at moments from Elizabeth’s reign as a way of considering a series of attempts to find a grounding for knowledge that could be articulated through rhetoric in a satisfactory way. Of course, this raises the question, “satisfactory for what?” and answering this question will be a part of the project. The reason for choosing the rhetorical practice of Elizabeth as a way in to this question, however, is that Elizabeth’s practice pointed out the problems that rhetorical theory had to face, because it was by exploiting the problematic nature of knowledge’s relationship to rhetoric that Elizabeth’s rhetoric proved so effective. This is not to say that a rapidly changing understanding of this relationship was a reaction to Elizabeth’s rhetoric, either in part or exclusively. But Elizabeth’s practice was in certain ways outside the norms of rhetorical practice of her day in several ways. First, in that place and time orators—either of speech or writing—depended on a specific order of training to instill the epideictic principles out of which arguments would be effected. However, Elizabeth, while she had a thorough training in the rhetorical principles of her day, missed out on certain other formations that would have been essential to forming these practices—grammar school, university, the inns of court, etc. Second, as a related point, Elizabeth was a woman. This meant that, of course, she did not participate in these educational sites, though this would have been true of any monarch. But moreover it meant that she was outside not only the bases of that

rhetoric, but that the bases of knowledge out of which true arguments were formed also worked against her, because certainly primary among those assumptions was the primacy of men and the inadequacy—naturally, divinely guaranteed inadequacy—of women. Both of these situations meant that Elizabeth had to be inventive in her rhetorical practice in order to prevail in moments of rhetorical agonism, but her training meant that she was equipped to do so based on both the theories of rhetorical action and the practices of rhetorical space—she knew the parts of an oration, but more importantly understood the principles behind them; she knew the routines of Parliament, church, and university, but more importantly understood the privileged place her office—rather than her person—held in those spaces. Elizabeth’s practice in the political sphere thereby serves as a light that points up the untenable contradictions that underlay rhetorical theory and practice in the second half of the sixteenth century. It also provides a series of moments to see how this theory and practice attempted to adjust to its own realization of these contradictions and conundrums.

Nor would one say that sixteenth century English rhetorics, especially in the vernacular, serve as exemplars of the cutting edge of rhetorical understanding of their day. That work was done largely on the continent, and largely in Latin. But it is precisely for their mundanity that these rhetorics work well as a gauge of the problems underlying rhetorical theory at their moment. Their authors were well versed in the intellectual currents of their day, and all were involved to greater or lesser extent with public policy in their day—all were scholars, all were men of politics. But they also all therefore had the advantage of distilling the best (as it were) of what the continent and Latin scholars had to offer in new ways of understanding knowledge and rhetoric, and were then able to adapt those understandings to their own particular political

situations—but also to attempt to do so, successfully or not, in ways that would not undermine the universal principles on which everyone felt rhetoric and knowledge must be based.

Coupled with this instability in universal principles was an instability in other received truths—specifically in that the Protestantism that England was to embrace in the second half of this century under the reign of Elizabeth I necessitated a reformulation of the very metaphysics that underlay the conception of the world’s order.¹⁰ In addition, the fact that a queen ruled England and the fact that that queen’s Protestantism required political support and necessitated new educational structures—for the training of preachers and of administrators—meant that matters of seemingly incontrovertible truth, like the relationship of god to his created subjects, became matters to be hammered out in the printing press and the Parliament floor.¹¹

This is important because it ultimately shows us what can happen to rhetoric when truth, that is, the understanding of what guarantees knowledge, and the establishment of which, therefore, is thought to guarantee arguments, becomes unstable. In the next three chapters, I want to look at a series of contests between Elizabeth and her opponents as a way of drawing a picture of sixteenth century English rhetoric, hoping that this perspective allows us to see something new in how knowledge and rhetoric and truth and politics were brought together to make and remake the world of sixteenth century England.

¹⁰ See Moss on the connection of Humanist epistemology and the revision of Renaissance Latin. See Kahn and Greenblatt on the connection between Protestantism and the instability of truth.

¹¹ See Petegree. On the battle over the universities’ relationship to the reformation, see Jones.

CHAPTER 3

“BY REASON ALL OUGHT TO BELIEVE”: RELIGIOUS TRUTH AND THE RHETORICAL PRACTICE OF ELIZABETH I.

In the ten years prior to Queen Elizabeth I of England taking the throne, the nation saw nearly continuous political and religious upheaval. Following the death of Henry VIII, as each of his 3 children came to the throne in turn, they moved the nation back and forth through religions, from Protestantism under Edward VI, to Catholicism under Mary I, and back to Protestantism under Elizabeth. Elizabeth oversaw the nation's return from Catholicism to Protestantism, but she did so in conflict with a significant body of English Protestants, who pushed for the establishment of a more extreme reformed version of Protestantism than Elizabeth herself favored, a version that rejected Elizabeth's conservative, centralized church, but more importantly rejected the idea that church, and therefore state, would be products of rhetorical work. This chapter will trace out a conflict between competing versions of Protestantism and competing versions of rhetoric. A prudential theory of rhetoric that valued rhetoric as a process for building consensus and discovering truth in human affairs was challenged by a providential theory in which rhetoric's function was not to reach consensus, but to realize a transcendent divine order. Elizabeth confronted this providential rhetorical theory in the beginning and throughout her reign, and resisted it through her own prudential rhetorical practice. This chapter will consider one challenge to Elizabeth's efforts that emerged out of the dual nature of the government, which was rooted in both secular and religious bases. This relationship of the secular and the religious is also at the heart of the rhetorical nature of Elizabeth's efforts, and the relationship between the two can be seen in a crisis in rhetoric at the time, specifically a

movement away from a vision of rhetoric as the foundation of a solid civic society to a vision of rhetoric as a threat to religious and therefore secular truth.

The theoretical work of sixteenth century Protestant humanists led to a new conception of rhetoric, in which, as Victoria Kahn tells the story, a providential understanding of rhetoric began to replace the older prudential model. The theory that the political was built and maintained out of the study and practice of rhetoric had to give way, as Protestants like Martin Luther, and more especially John Calvin and John Knox, began to see this theory as flawed in the face of the singular truth of what was to them a rediscovered word of God—rediscovered not only because newly endowed with true faith, but quite literally in the sense that the legacy of the humanist education, with its focus on writing, texts, and authors, had led them to a new and different examination of these scriptures than that practiced under the old catholic religion. For these Protestants, it was the word of God, not the words of men (and women), out of which human society ought to be built. Elizabeth's response to this crisis was to solidify the possibility of a prudential rhetoric, which she achieved by emphasizing a dialectical movement between secular and divine terms in her rhetorical performances.

The close association between humanism and Protestantism produced what Kahn calls “the antinomy of rhetoric and religion, prudence and faith” (113). Kahn sketches out a development of humanistic rhetoric that divides Quattrocento Italy from sixteenth century northern Europe. For the Quattrocento humanist, rhetoric's multivalency—its function of arguing all sides of a question—was inherently linked with prudence; in prudential rhetoric, truth is arrived at through the practice of working toward and arriving at consensus, consensus being the ground of truth that leads to rhetorical certainty and right action (25). For the 16th century

northern humanist, on the other hand, the possibility that rhetoric can actually lead to “right action” is in some doubt, and rhetoric’s multivalency indicates an instability that ultimately speaks to the impossibility of human access to truth. This late humanistic doubt of rhetoric emerges in tandem with humanism’s relationship to the Reformation. For Protestants this scholarship emphasizes a carefully studied literal interpretation—this approach does not produce truth, which is God’s alone, but only certainty in having read the truth correctly. But because for Protestants the bible—God’s true word—provides the blueprint for the ordering of earthly affairs, the fact that truth is not accessible by human negotiation or human reason results in an antagonism towards rhetoric, the function of which is to provide a method for ordering human affairs based precisely in negotiation and reason.

A clear example of the kind of antagonism towards rhetoric engendered by some Protestants comes from John Knox’s admonition to the English Protestants under the reign of the Catholic Mary Tudor. Here he attempts to bolster the support of the persecuted and marginalized by pointing out that they are, in their rejection of Catholic rites, adhering to a higher truth.

Even as you entende and purpose to avoid Gods vengeance both in this lyfe and in the lyfe to come that so ye avoide and flee (as well in body as in sprete) all fellowship and society with Idolaters in their Idolatrye. You shrink (I know) even at the first. But if an orator had the matter in handling, he would prove it honeste, profitable, easye, and necessary to be done, and in every one pointe were store ynough for a longe oration. But as I never labored to perswade any man in matter of religion (God I take to record in my conscience) except by the very simplicite and plaine infallible truth of Gods worde. No more minde I in this behaulfe [. . .] The only comfort and joye of the soule is God by his worde expelling ignorance, synne, and death, and in the place of those planting trew knowledge of hymselfe, and with the same justice and lyfe by Christ his sonne. (Knox, A Godly Letter sent to the Fayethfull in London, Sig. A3)

While we should understand this statement as a kind of polemic itself, and may recognize Knox's use of Christian ethos to persuade, it is also nevertheless clear that the notion that truth or even accord can be reached in any legitimate way through rhetorical persuasion is, for Knox, fallacious. "Idolatry" is self-evidently false and wrong, both in whether it should be practiced and in what it is that constitutes it. Knox, and presumably any similarly devoted Christian, need not attempt to "perswade any man in matter of religion," because the truth of that religion is something given by and received from God directly. And while Knox is here speaking of religious order, that order was bound in close relationship to civic order, and herein lay the threat presented by this understanding of truth, as expressed in Kahn's "antinomy." Elizabeth wants to preserve rhetoric—prudential rhetoric—as the heart of the civic order, but has to negotiate this antinomy—and the concomitant hostility to rhetoric—in order to do so. This is the challenge Elizabeth I faced when she took the throne, as eleven years of national religious and political turmoil culminated in a struggle to gain control of a church and thereby a nation, a struggle that we can read as one between a providential and prudential rhetoric. To preserve prudential rhetoric, Elizabeth's own rhetorical performances emphasize a dialectic between the secular and the divine.

Elizabeth Tudor's accession the throne of England in 1558 came after eleven years of national religious and political turmoil. Upon his death in 1547, Henry VIII left a church that differed from the old Catholic religion mainly in that the king of England was its titular head, and all its monasteries had been converted into crown lands. Her half brother, Edward VI, was a minor whose staunchly Protestant regents had made increasingly radical reforms to the English church. Upon Edward's death in 1553, Elizabeth's half-sister Mary came to power, and

reinstated a fully catholic, fully papal church. At the accession of Elizabeth, who was known to be a Protestant herself, the pendulum of religio-civic order was set to swing back towards Protestantism—but the exact form that Protestantism would take was unclear.¹²

The development of Protestantism involved two separate movements—one outward, a movement necessitating a decisive break away from the Roman Catholic Church; the other inward and connected to degrees of difference between Protestantism and Catholicism. A shorthand way of referring to this latter movement is through the distinction between Calvinist and Lutheran practices and beliefs. The two are connected in certain fundamentals, most especially the foundational belief that salvation was a product of grace, not works. But the differences in these movements arose in how these more fundamental shared beliefs were to manifest themselves in a religious system. Lutheranism maintained certain aspects of belief and of the organization of the religious service and church as a whole that seemed, to the Calvinist, to indicate an insufficient removal from the errors of Catholicism. So, for instance, the vestments of the Lutheran minister seemed too ornate for the Calvinist, who felt that such garb was a way of reinforcing the division between the minister and the congregation that indicated that each congregant did not have equal access to grace. Of greater consequence was the nature of the Eucharist—though they did not precisely hold the Catholic doctrine of transubstantiation, Lutherans nevertheless still believed that during the communion service the bread and wine actually transformed into the body and blood of Christ; the Calvinist saw the communion as a

¹² On the Elizabethan Reformation, see Dickens, Jones, O’Day, Cross, and Haugaard. On the settlement in the larger context of Elizabeth’s reign, see Collinson, *The Elizabethan Puritan Movement*, and MacCaffrey. A good summation of the recent historiography of the settlement is Haigh, “The Recent Historiography of the English Reformation.”

strictly symbolic ritual. These differences were deeply significant, however, because every decision about the organization of a church was in some way a reflection or indication of a deeper underlying belief about the nature of the religious mechanisms of the universe.

The terms Lutheran and Calvinist do not adequately capture the richness of diversity that made up the Protestant churches in all their different incarnations, all of which were ultimately bound together primarily in a belief that they as a whole had access to a truth that was obscured by the superstitious beliefs and practices of the Catholic church. Part of what allowed Protestantism to succeed on the continent was the fragmented and heterogeneous political nature of Germany and Switzerland, where a locality might be a principality or duchy, or might be an independent town organized by merchants. So it was among the merchant towns of Germany and Switzerland that Protestantism gained its first footholds on the continent. But this also meant that the establishment of any church was a matter of negotiation between the organizers of the church and the political authorities—which meant in turn that the organizers of that church had to make adjustments between the strictures of their consciences and political exigency. This led to, in practice, a variety of liturgical arrangements, though in general churches conformed either to the Calvinist or Lutheran variety. The difficulties of organizing a church were compounded when, as in France or in Marian England, the state had outlawed Protestantism in any case; these difficulties were further exacerbated when exiles from such areas sought refuge in Protestant states, where they might have to adapt their practices to conform with the local variety.

It was in this last situation that Protestant exiles from Marian England found themselves as they attempted to carry on their practice of Protestantism in various locations on the continent.

The English Protestant movement itself was still relatively young and idealistic, and, having found a great deal of intellectual energy from the universities, mainly Cambridge, it was a movement that was ready to uphold the principles upon which it was built—it was, on the one hand, idealistic. At the same time, the English church had enjoyed a thorough legitimation and recognition under Edward VI, including notably the establishment of its own order of service in the prayer books of 1549 and an even further reformed version of 1552, the latter most notably different in describing the communion service as a symbolic memorial to Christ’s sacrifice, rather than an experience of a real change in the substance of the Eucharist. The combination of legitimacy and idealism was an uneasy one, however, and it led to a tension among the Marian exiles. Exemplary of this tension was a rift between John Knox, an early Scottish reformer who had spent time on French Galleys for his Protestant teachings and played some role in the revising of the prayer book into its 1552 edition, and Richard Cox, chaplain to Thomas Cranmer (Archbishop of Canterbury under Edward VI, with whom Knox had clashed while in England), and chaplain and tutor to Edward VI himself.

In Frankfurt, Knox was called to lead a group of Protestants who had received license from the town authorities to establish their own church—having this, they became the only secularly sanctioned English church on the continent. This led, for the congregants, to a sense that their behavior ought to be of a model for other exiles, and as such they took great care about their order of service, excising those parts of the prayer book that were offensive to their strict

Protestant interpretations.¹³ This arrangement created conflict, however, when Cox arrived with a large number of exiles to join the church. In the strife that arose, one could not say that the recent arrivals behaved particularly well, as, for instance, Cox spent the better part of one service negatively responding aloud to the day's preaching. The source of contention was precisely the arrangement of the service, Cox pushing for a service that conformed to the Edwardian Prayer book, and Knox for a fully reformed church devoid of anything even resembling Catholic practice. This would lead to a famous exchange between the two, Cox declaring "that they would do as they had done in England, and that they would have the face of an English church," and Knox responding "The Lord grant it to have the face of Christ's church" (Knappen 127-128). In the end, though, the Coxian party took control of the church and saw Knox exiled to Geneva. Once in control of the church at Frankfort, however, Cox and his supporters nevertheless began excising those parts of the Edwardian service that did not accord with a true Protestant conscience.

All parties felt themselves to be of God's party, and in all cases it was understood that the earthly order was not inevitably a reflection of the heavenly order, and that they had a responsibility to make the earthly order conform to the evident truth of true religion. Though they differed over how the process should be enacted, all exiles felt, like John Knox, driven by the need to realize God's true church on earth—and this was a mandate and a church that transcended national boundaries, God's kingdom of course taking precedent over any worldly

¹³ Their arrangement of the service was not entirely at their own discretion, as the order of their service was, in the end, subject to approval by the authorities of Frankfort. They had a great deal of latitude as events turned out, nevertheless.

concerns—where worldly concerns might at best be a kind of idolatry if they interfere with the carrying out of God’s plan. More conservative reformers might tolerate a slower pace of reform than Knox, but the stakes were the same for all of them, as Knox’s own argument to Londoners, written from exile in 1554, illustrates:

When I remember the fearethful threatenings of God pronounced against realms and nacions to whom the light of Gods word hath ben offered and contemptuously by them refused as my hart unfaynedly morneth for your present estate . . . but that Gods trew word hath ben offered to the realme of Englande can none denye except suche as by the devil holden in bondage hath neither eyes to see nor understanding to dycerne good from bad, nor darknes from light. (Knox, A Godly Letter sent to the Fayethfull in London, Sig. A2)

Two elements are important in this passage. First, it clarifies the stakes felt by the Protestants who were in exile, and those who had remained in England. The movement of Protestantism was, as Protestants saw it, away from the superstition and mediation of the Roman Catholic Church, and towards an unmediated access to the word of God. The second, related, element is that what Knox and other Protestants were proposing was the existence of a final and unitary truth. And while it is clear that all have the opportunity for access to this truth, just as “that Gods trew word hath ben offered to the realme of Englande can none denye,” it is equally clear that, for whatever reason, this truth is not in fact accessed by all. The difficulty enters here, of course, when someone does not see the same, unitary truth, or its implications, as Knox or other radical Protestants do. Put another way, this truth simultaneously justifies action within a community but is not negotiable by that community; it is self-evident but not seen by all; it is transcendent

but requires divines such as Knox to deliver it, although this only in practice, not in theory.

“Trewth” here impinges upon the sensible world, but objections to this impingement are trumped by appeal to an authority beyond this world.

For Elizabeth, a monarch intent on maintaining her own authority, this is obviously an untenable position. The bind is that it also was a position that could not be appealed against directly. Hoping to build her power among Protestant supporters who had remained in England and who were returning from exile, for both practical and theological reasons Elizabeth could not deny the general tenor of Knox’s and others’ arguments—there must be a truth that is being manifested in this world, because some such truth necessarily undergirds the ruler’s own temporal authority. At the same time, Elizabeth could have no interest in giving up her authority to a theocrat, or leaving her realm to be ordered by forces beyond her immediate control or even beyond her input. Thus her objection would have been in part personal—she might have been answerable to God, but it was clear that she had no intention of answering to God by answering to a minister, especially in regards to how she organized her realm. Beyond this personal investment, though, such an imposition of a transcendent organizing truth threatened the very balance of the Tudor government. While this was not a republic in the model of Florence, the balance described by Machiavelli of a successful republic applied to the Tudor state insofar as it was a careful balance of the people (that is, the lower classes (an anachronism but a useful one)) the nobles (including wealthy merchants and powerful gentry, the newly made men) and herself, the prince and head of state. Elizabeth could not do without Parliament, on which Tudor authority rested and which represented the nation as a whole but was composed of its most successful or most aristocratic members, nor could she alienate the people as a whole, to whom

she continually throughout her reign appealed as the mainstay of her rule. At the same time, she could not tolerate a Parliament or a people that answered to a higher authority than her and thus bypassed her own authority. And she most certainly could not tolerate a truth that would finally determine the shape of the government and the civil order, a truth that inevitably tended towards the model of a Calvinistic Geneva—in short, a theocracy.

This dilemma interests us because her goals, the stability of her nation, the maintenance of her people, and the avoidance of foreign and domestic conflicts, were all executed through a careful and savvy control of rhetoric. By rhetoric here I do not mean through particular moments of oratorical brilliance, though she certainly exhibited some of these moments. Instead, Elizabeth's rhetorical skill emerged in her attention and sensitivity to the totality of discursive space as the field of decision making and deliberation. She controlled politics by considering the end of her politics to be the maintenance of a discursive space for deliberation and decision-making, rather than as a means to execute decisions. This is not to say that she did not execute her political will, or that she allowed her rights as sovereign to be questioned or infringed upon in any way, only that she approached her exercise of those rights as being rhetorically constituted. Thus the term rhetoric is applied here in a larger sense that draws upon contemporary rhetorical theory, that is, as the totality of complexes that have to do with making things happen through communication including the creation and preservation of the systems of communication entailed therein. In what is in many senses the foundational text for rhetorical theory today, Kenneth Burke defines rhetoric as “the use of language as a symbolic means of inducing cooperation in beings that by nature respond to symbols” (*Rhetoric* 43). A key to this conception of rhetoric is the concept of identification; for Burke, identification designates the

complex that determines “the ways in which the members of a group promote social cohesion by acting rhetorically upon themselves and one another” (*Rhetoric* xiv). Thus, according to Burke, “we must think of rhetoric not in terms of some one particular address, but as a general *body of identifications* that owe their convincingness much more to trivial repetition and dull daily reënforcement [sic] than to exceptional rhetorical skill” (*Rhetoric* 26, original emphasis). Burke’s point here is incompletely tautological as stated—what I want to stress is that exceptional rhetorical skill obtains in controlling the “general body of identifications”—which is precisely where Elizabeth’s skill lay. In short, Elizabeth placed the highest priority on maintaining a rhetorical space through her government, and in turn she excelled at controlling that space. In this way her reign was successful because it was rhetorical.

At the same time, while her goal might be to maintain control over the understanding of truth that underlay government, this too was unrealistic. Her goal must therefore be to keep truth from becoming finally fixed—to keep truth in play. To keep truth in play, she relies on a strategy I will describe by borrowing from the work of Burke, specifically by looking at the way terms contribute to the identificatory process of establishing and operating on a body of shared beliefs and/or ideas. In the readings that follow, I look at the ways Elizabeth relies on this shared body of identifications to assert her will rhetorically through the manipulation of what Burke calls positive, dialectical, and ultimate terms. In his *Rhetoric of Motives*, Burke divides the verbal ordering of the world into positive, dialectical, or ultimate terms. Positive terms have as referents the tangible, such as tree or house; dialectical refers to terms that gain their meaning in tension with other such terms like democrat and republican; and ultimate terms describe the principle of resort that orders, transcends, or obviates the dialectical tension. For Burke, it is

through the shared use of these terms that the world of discourse, of symbolization, is ordered and understood, and it is through this ordering and understanding that rhetoric operates. Dialectical terms “have no positive referent” (184), but, for this very reason, they exist “on the level of Parliamentary conflict, leading to compromise” (187). Ultimate terms, however, bestow on such conflicts a design; they provide a hierarchy and a “principle or idea behind the positive terminology as a whole”; this under/overlying principle takes what would have been “‘dialectical’ in the sense of the Parliamentary jangle” and “transforms the dialectical into an ‘ultimate’ order” (189). In this ultimate order, the terms of dialectic and positivism assume a place in a larger transcendent order—dialectic tension becomes a means to achieving an ultimate order, and that ultimate order expresses not only a hierarchy, but a principle that explains that hierarchy. Tapping into this ultimate order is at the heart of effective rhetoric as expressed through the idea of identification, because “the mystery of the hierarchy” (333) is universally appealing. In this way, particular differences between, for example, “Liberals” and “Conservatives” become subsumed under a general concept of “Freedom.”

For Burke this transcendence is an ideal achievement, as it brings about a space in which active deliberation and disagreement can take place, as, for instance, the possibility of freedom includes the possibility to dissent.¹⁴ The transcendence that Burke sees as the product of this

¹⁴ For Weiser, Burke’s view of transcendence and unity is in opposition to a more menacing, and false, unity: “This was the unity of one voice, the ‘false cooperation’ engendered by war, rather than the ‘true cooperation’ of unity emerging from dialectic that Burke advocated” (Weiser 294). Thus Burke’s transcendence and dialectic together allowed for a productive system of dialogue: “Dramatism encourages a poetic dialectic—the celebration of differing perspectives—and transcendence—the search for points of merger—in an effective Parliamentary debate. It is the opposite of the stance mandated by total war: monolithic certainty in the rule of the strongman” (Weiser 287).

dialectic process is one that maintains the ambiguity and uncertainty of human relationships so as to lead neither to a monologic totalizing voice nor destructive war. As Weiser points out, instead of silent obedience or violent eruption, Burke's idea was one in which, "Incorporating uncertainties and alternate perspectives, this poetic transcendence returned participants ambiguously 'to the division, now seeing it as pervaded by the spirit of the 'One'' (GM 440)" (Weiser 299).

But this is a different transcendence than either Elizabeth or her more radical opponents are dealing with—in their emerging struggle for power, it is difficult to see how Burke's transcendence could have emerged, as in the forms of either prudential or providential rhetoric, dialectical tension and transcendence are co-opted to instrumentally advance motivations that had little to do with communication as any sort of self-sustaining virtue. Put another way, as we shall see, in this rhetorical conflict, there does emerge room for competing views, but only two such views, and only with the possibility of one succeeding and the other failing. But whatever Burke hopes for from an ultimate order that transcends dialectic, Elizabeth sets herself absolutely against such an idea. More precisely, she does not object to the idea of a hierarchy, particularly one at which she is at the head, second only to God and in an equality with her fellow European princes. What she does object to and cannot abide, however, is the imposition of a principle behind this hierarchy, and especially a principle beyond her control. Not a republican in the modern sense of the term, Elizabeth's approach to rule, or at least her approach to the religious question, inexorably favors the "Parliamentary jangle" of the dialectic over the smooth unity of the "'ultimate' order." For the Protestant, obviously, an ultimate term—God and/or truth—is already at hand, and lacks only realization. To deny this appeal to the ultimate, to keep truth in

play by prolonging the dialectic, Elizabeth adopts two strategies—first, she constantly works to emphasize the existence of a dialectic between secular and divine; second, where an appeal to the ultimate is unavoidable, she makes certain to establish herself in the penultimate term of the ultimate dialectic hierarchy—to place herself next to God, to truth.¹⁵

As both more and less radical Protestant parties returned to England, then, they exhibited their differences primarily in terms of the pace with which they saw reform as needing to be enacted. All had developed a sense of the need for political compromise, the idea that the perfect church had to await the proper secular conditions, but both parties also felt that, whatever the pace, the church must move inevitably towards a stringent reform. These two parties, not so far apart in ideology, then met back home in England reformers who extended the range of their difference, but possessed the essential similarity. That is, there seem to have been very few Protestants in 1559 who did not feel that a fully reformed church was a necessity for the nation—disagreement among Protestants had to do largely with the pace at which reform was to be implemented.¹⁶ Elizabeth, however, wanted a more conservative reform; she also, as the Parliament of 1559 unfolded, engineered a final form of that religion. In working toward this end, she was confronted with two parties, both of which saw the end of Parliament's role to

¹⁵ For an alternative view—and there are several that see an appeal to providence as the mainstay of Elizabeth's rhetorical strategy—see McLaren, *Political Culture in the Reign of Elizabeth I*, especially chapter 1, “‘To Be Deborah,’ the political implications of providentialism under a female ruler.”

¹⁶ An oft-cited work is the anonymous document which seems to correlate with the religious settlement as it initially was enacted, called the Device for the Alteration of Religion. Though it has been the source of debate as to its influence on Elizabeth's settlement, it nevertheless mirrors that settlement, at least in its initial phases, pretty closely—mainly in the idea that the movement from Catholicism to Protestantism ought not to be done drastically, but gradually. Where it differs from the settlement, however, is in the fact that the settlement of 1559 was, in effect, the last word on the look and shape of the church under Elizabeth—the device, however, which seems to speak to even the most moderate Protestant vision, was pointed towards a fully reformed, that is Calvinistic, religion.

establish the true church, but one of which was willing to directly defy Elizabeth, and another that was reluctant to do so. The first year of her reign therefore saw a set of struggles and maneuvers on the part of all parties, but the end result of these struggles was that the form of religion established in this first year, authorized by the Parliament of 1559, was satisfactorily conservative for Elizabeth's liking, but not reformed enough for most devout Protestants.¹⁷ Nevertheless, it would be the final form of the church. More importantly, however, this first year's struggle resulted in Elizabeth's being able to maintain a discursive space in which truth was not final and absolute.

The first challenge to Elizabeth's religious authority concerned her sex. Given a strict scriptural interpretation, it seemed impossible to many Protestants that a woman could be head of the church. In practice, few went as far as John Knox did in his "First Blast of the Trumpet against the Monstrous Regiment of Women", which was directed against Queen Mary but the argument of which he stressed even to Elizabeth: "To promote a woman to beare rule, superioritie, dominion or empire aboue any realme, nation, or citie, is repugna~t to nature, co~tumelie to God, a thing most contrarious to his reueled will and approued ordina~ce, and finallie it is the subuersion of good order, of all equitie and iustice" (Sig B1). Most did not believe that a woman could not be a ruler, though many did believe that Elizabeth's rule was an

¹⁷ In fact, how much the settlement reflected Elizabeth's desires and how much it reflected a compromise of her principles has been a source of much debate, particularly concerning the form of the religious service itself. My point here, however, is that the settlement that emerged was at least conservative enough to suit Elizabeth, and that the basic form of the religion was never substantially modified thereafter, despite the desires of reformist Protestants. On Elizabeth's vision for the reformed prayer book, see Bowers.

exceptional case—a belief that would play into her strategy. But her role as head of the church did present problems for Protestant belief. Elizabeth’s assertion of authority over religion was based on her position as supreme governor of the English church, a position established at her first Parliament in 1559, at which England’s transition from Catholicism to Protestantism was made official policy. But in the lead up to this settlement, Elizabeth found herself in a particular predicament: the clergy resisted a lay leader, and the laypeople resisted the exclusivity of another layperson in determining either jurisdictional or doctrinal matters.

Elizabeth would gain control over the church at her first Parliament through the strategy of replacing an appeal to the ultimate order with that order’s dialectical components. This strategy manifested itself initially in the early defenses of Elizabeth’s rights issued by more conservative Protestants through whom Elizabeth would build her church. While the Protestant divines who developed this dialectic would later prove strongly disappointed in the lack of further reforms to the church, Elizabeth found in their early defenses part of the blueprint for her successful claims over religion. Protestant Bishop Philip Aylmer argued that there were two concerns of the governance of the church, the “spiritual ministry and formal jurisdiction,” and while a woman could not govern in spiritual matters she could “act as an overseer in the church” (Cross 21). This argument was compelling because of a set of theoretical circumstances that both conservative and radical Protestants were forced to accept, articulated in an early defense of Elizabeth’s rights by Bishop John Jewel, a Marian exile and one of the early supporters of the uniquely English Protestant church, who would nevertheless later lead the charge against the lack of further and complete reform. Jewel took up four points: First, that “Verily the prince . . . had both the tables of the law of God evermore committed to his charge; as well the first, that

pertaineth to religion, as also the second, that pertaineth to civil government”” (Cross 28). Second, Jewel argued that the Prince’s authority was an extension of God’s authority, and therefore was held over lay persons and priests alike. Third, this concession was a necessary position as Elizabeth was the bulwark between England and Catholic Europe. Along the same lines, finally, the defense of the Protestant religion—whatever its specific form—gave the monarch the right to rule over the church (Cross 30). This would obviously not be the case where the wrong religion was upheld, but, thanks to Elizabeth, the right religion was upheld in England. Out of both Jewel’s and Aylmer’s defenses of Elizabeth’s right to govern the church emerged the dialectic between divine and secular authority that Elizabeth would rely on throughout her reign in her efforts to control religion and stave off the imposition of an absolute truth i.e. an ultimate term.

Out of this same source emerged her rhetorical failsafe—should this dialectical movement be preempted, she would insert herself at a key place in the rhetorical ultimate hierarchy. Jewel’s third and fourth points emphasize that Elizabeth plays a unique and privileged role in the establishment of God’s order on earth, and though Elizabeth seems to prefer the operation of the dialectical strategy, she can take advantage of her position within the ultimate hierarchy as well. In order to legitimize and defend their fledgling religion, reforming Protestants had to buy into a narrative constructed along the same lines as Jewel’s defense of Elizabeth; in short, they had to accept that the Prince was an instrument of God’s will who was placed in a position to defend the true (that is, Protestant) church against its (Catholic) enemies. This narrative was laid out in the earliest days of Elizabeth’s reign, and we can see it at work in the oft-described figuration of Elizabeth as the Old Testament prophet Deborah. On January

14th, 1559, the day before her coronation ceremony, Elizabeth undertook an elaborate procession through the city of London, stopping at various tableaux-vivants that served to represent and celebrate the coming reign. One of the most commented upon both by contemporaries and by historians since was a tableau that figured Elizabeth as Deborah, the Old Testament judge who calls Israel out of its waywardness and reestablishes true respect for God, allowing Israel to defeat its enemies and be delivered from bondage.¹⁸ Historians have debated whether this tableau was consciously chosen by Elizabeth and her ministers to assert her authority and to justify her rule, or whether it was meant by those ministers and/or the guilds that sponsored it as an admonition and exemplar to the new ruler. In either case, what Elizabeth saw that perhaps those around her did not was that it was in the emphasis on religion that this figuration actually set the rhetorical grounds for her authority, because it cemented her penultimate place in an ultimate hierarchy. Protestants who wanted could appeal to a truth beyond Elizabeth, but they would have to acknowledge that Elizabeth was nearer that truth than they. This was a dicey move for Elizabeth, in that it seems unclear that a firebrand such as Knox would acknowledge this position, and in that it cut away at the notion of civil order essential to maintaining the Machiavellian balance of prince, nobles, and people—but it was appealing to the bulk of the population.

¹⁸ Susan Frye has composed one of the most comprehensive readings of this procession, which focuses heavily and convincingly on the gendered aspects of the various tableaux, reading the procession as a series of admonitions to the new ruler from the city of London and from her council. A more recent article by DeMolen runs down the historiography on the procession nicely. The primary contemporary account of the procession is collected in Kinney.

The risk of employing this providential strategy exclusively was the possibility of foreclosing the rhetorical space really necessary for a functional Tudor government. Elizabeth's dilemma then was this: she had to keep the dialectical terms secular/divine in play without giving up authority. To do this, she would have to impose the ultimate term of a providential history that would reify her authority but do so in such a way as not to close off the deliberative rhetorical space necessary for a functional—that is, non-theocratic—government.

Elizabeth began to lay the foundations of her rhetorical position in one of her earliest royal Proclamations, dated December 27, 1558, a month before her first Parliament would meet (Hughes 102-103).¹⁹ The exact legal nature of proclamations under the Tudors has been the source of much debate, in their day and in our own, but it seems most likely that under Elizabeth they were issued primarily to call attention to an existing law, and as such served mainly, due to their widespread distribution, as an educational or, in a different sense, propagandistic tool. These would be sent to local authorities throughout the country and in cities, and their contents would be disseminated and enforced by those officials—so that their effectiveness in implementation depended on the crown's relationship to the particular localities. In other words, while their legal status was uncertain, they are effective gauges of the intentions of the monarchy. More than this, these proclamations can be seen as attempts to intervene into public

¹⁹ In considering this as an expression of Elizabeth's political will that is fully implicated in her rhetoric, it is useful to point to Hughes and Larkin, who collected the proclamations into the definitive anthology. They define a Tudor royal proclamation as "a public ordinance issued by the sovereign in virtue of the royal prerogative, with the advice of the Privy Council, under the Great Seal, by royal writ" (xvii). Also on proclamations, see Youngs, who treats this proclamation in particular—his reading differs from mine, however, in that his focuses primarily on the ambiguity of interpretation for Catholics and Protestants. His reading gives weight to the possibility that the proclamation was intended to keep Catholic hopes alive, while I see this effect as more incidental to a larger strategy.

discourse by setting the terms of that discourse—they are efforts to shape the ways in which the world under the monarch are thought of—both in the sense that they serve as reminders of the presence and authority of the monarch, as well as in the sense that they connect a particular understanding of the world to that authority.²⁰

Elizabeth ascends the throne with the approbation of a populace who was, even aside from the question of religion, deeply unsatisfied with the previous ruler in terms of both economic and foreign policy, and Elizabeth brought with her accession hope both for a change in religion and for an increase in the general fortunes of the nation. In coming to rule, Elizabeth therefore entered into what would today be called a honeymoon period. This is not to say that she could overturn the constitution or otherwise rule with abandon, but rather to suggest that her public actions, including proclamations, at this early stage in her reign would carry with them the added bonus of actually being paid attention to—not that they would be unquestionably assented to, but that they enter into a discursive field the participants of which are eager for a change—meaning that the terms of this change, if not the change itself, will be embraced—they will be foundational, the points from which additional changes will have to be made. In short, her early moves set precedents that would determine the course of the reign. In this case, the genre of the proclamation is one calculated to influence the broadest possible range of society—she is executing an identificatory strategy on the people at large.

The proclamation under question here was somewhat unusual in that, rather than announcing or reminding the peoples of existing laws, it was meant to fill in a legislative gap, in

²⁰ Hughes defines the proclamation as “a literary form psychologically gauged to elicit from the subject an obedient response, favorable to the will and interests of the crown” (1. Xxvii).

a sense—i.e. it was an emergency measure. It ostensibly replies to a problematic legal situation, the uncertainty of religion following the death of Queen Mary, but at the same time it makes important moves not only to cement Protestantism as the new official religion, but to ordain a certain kind of Protestantism—and especially to emphasize that it is the queen who is responsible for and in control of the religion of her nation. This is a document issued publicly and expressing the will of the Queen by her authority and composed in consultation with her Privy Council. It is impossible to say that the queen was its author, but it seems more than certain that it was issued under her approbation, and seems most likely that she would have approved, at this early stage in her reign, its text. The proclamation itself was widely distributed, at least in London, with apparently over 100 copies printed, ten of which were sent to the mayor of London for distribution “where the people may see and read it” (Qtd in Hughes and Larkin 102). Issued under her seal and authority, the proclamation is a part of the Queen’s rhetoric.

My argument for this proclamation, and the other documents I want to examine here from the opening months of the reign, focuses on the ways that Elizabeth works to set these tactics up from the start. In this proclamation from only a month into her reign, not only is the proclamation set up to effectively restore order, it is set up to begin a process of discourse that places Elizabeth in control of the church and of religious matters, and it does it in such a way as to be certain that as many parties and individuals as possible will agree to the very terms that will later serve to keep them from realizing the religious order that they wish to see.

The initial purpose of this particular proclamation was to establish the order and nature of preaching that could take place until Parliament met and sorted out the exact nature of the church. The proclamation itself is organized in three movements: the need for the proclamation,

the substance of what preaching is to be allowed by the proclamation, and the penalties for preaching in an unsanctioned manner.²¹ In the first movement, the need for the proclamation is established in two parts—the first part regards the authority to preach, but touches on this only obliquely, and the second part deals with the effects of this preaching on civic and religious order. The proclamation explains that people are carrying on the act of preaching and, for this purpose or as a result of this action groups of people are assembling. The first notable thing here in stating the need for the proclamation is the doubtfulness as to the precise source of authority to preach at the current moment, so the queen, according to the opening of the proclamation, understands that the people currently preaching are “certain persons having in times past the office of ministry in the Church which do now purpose to use their former office in preaching and ministry” (Hughes 102). Now, it is unclear from this opening what the sequence of time involved is for these “persons” in relation to their “former office”; that is, it is not clear at what point these people were dispossessed of their office—under Mary, or now under Elizabeth, or at some other point in time. The third of these options seems unlikely, but of the first two, that they were dispossessed under either Mary or Elizabeth, either seems possible—the law has not been changed and no one has yet been removed from office here in only the second month of Elizabeth’s reign. Technically, then, the identification can only apply to those preachers who were dispossessed of their rights to preach under Mary—but the ambiguity, especially as this is

²¹ The proclamation as reprinted in Hughes and Larkin reflects this organization with paragraph breaks, though the paragraphing is substantially different in the printed editions that survive. Hughes and Larkin also note that a proclamation was traditionally organized into five parts: Authorization, Rationalization, Order, Enforcement, and Penalty—I have collapsed these into the three movements listed, though I touch on the parts as listed by Hughes and Larkin in my analysis (xxvi-xxviii).

issued so close to Elizabeth's taking power, allows the proclamation to seem to be addressed to Catholics as well, if not directly—in other words, the problematic preachers, though obviously known by reputation, are not directly singled out or identified as Protestant or Catholic. The point here is that this is a proclamation aimed at limiting Protestant preachers, but it does so without explicitly singling out those preachers. This is furthered by the careful choice of the term “office of ministry,” which encompasses both the Catholic priest and the Protestant minister and/or preacher. In this way, Protestants can feel comfortable, but not too comfortable, in the proclamation's application; i.e. this is an identificatory strategy, one that works through a feeling of coherence it both creates and participates in.

The issue of what species of preaching is unauthorized having been left sufficiently vague, the proclamation moves to the troubles caused by this ((un)(authorized) preaching. Ostensibly, this has to do with crowd control, as the unauthorized preaching has led to the “assembling specially in the city of London in sundry places great number of people; whereupon riseth amongst the common sort not only unfruitful dispute in matters of religion, but also contention and occasion to break common quiet.” But imbedded in the midst of this concern for crowd control is likewise a concern with belief control, for connected with the the assembling of these great numbers is a contention amongst themselves as to proper religious beliefs. Nothing here is causal—the contention and the breaking of common quiet are associated with religious dispute by the conjunction “but also,” but they are not grammatically linked to it in a cause and effect relationship. The relational term “whereupon” does, however, link both of these fairly equally as results of the assembly of great numbers of people—though this phrase itself acts as a sort of mediation between the preaching and the religious disputes/other contentions. That is, the

sentence reads that those who formerly held offices of preaching and ministry now “partly have attempted the same, assembling specially in the city of London in sundry places great number of people; whereupon riseth” both dispute and contention, religious and otherwise. In this way, those who are preaching are responsible for the assembly of crowds, but not directly for the religious disputes that follow and which are in any case buried between what seem to be charges of unlawful assembly and disturbing the peace. But these conflicts, which may be religious in nature, simply “ariseth”—there is no agency attributed here. In other words, the sequence of causality laid out is that somebody is preaching who is no longer explicitly charged with that duty, that that preaching is leading to those people assembling, and that of those people, a certain set is given to seeing the eruption of disorder either religious or civil. The source of a problem is identified, but only ambiguously, and the problem itself is only tenuously connected to that source.

This tactic is in this way both terministic and identificatory—it is terministic in that it depends on keeping in the public’s mind the idea that religious and secular order are terms that derive their meaning through a relationship to each other that is nevertheless not fixed—it does not assert, for instance, that the preaching of a correct or true service will immediately lead to civil order; at the same time the tactic is identificatory in that it doesn’t single anyone out for blame, but sets itself in the best interests of all. On the other hand, the proclamation does make clear that the queen is responsible for regulating civil order, and that she may therefore intervene in religious matter to do so. In the opening of this proclamation, in identifying the need for the proclamation, Elizabeth leaves all issues of religion untested, while simultaneously establishing some terms under which she will feel compelled to act in cases of religion. Though unfruitful

religious disputes may appear secondary to general civil disturbance, they are necessarily equally within the queen's jurisdiction regardless of who is causing them, and however distantly their actions may be or their intent may be from a result of religious discord. The fact that this is not an act of law, but rather a response to an exigency that is made public, means that rather than enforcing her will, Elizabeth is establishing a pattern of thought about what the queen's role is to be in the question of religion. By not intervening on behalf of any one religious approach, but rather on behalf of a more generalized religious concord, the queen suggests that she herself is the guarantor of that religious concord. This concord, however, is bound up in a civil/religious complex—a dialectical set of terms. Preserving this concord (and this dialectic) becomes the justification for the choices she makes in the next movement of the proclamation, which outlines the response to this need, that is, what manner of service will be authorized.

The proclamation moves from the point that there are general occurrences of “contention and occasion to break common quiet” to establishing the queen's justification for the proclamation, which is issued “according to the authority committed to her highness for the quiet governance of all manner her subjects.” In this way, the queen stresses her authority not over religion, but over subjects and general order—equally important, however, is the inclusionary scope of this authority, which extends to “all manner her subjects, as well those that be called to ministry in the Church as all others.” The proclamation thus situates her authority outside any specific religion and claims to exercise that authority in this instance in regards to civil jurisdiction, which is nevertheless a jurisdiction that extends into religion insofar as subjects who have an authoritative role in religious matters are still subjects. Furthermore, the specification that this applies to those called to ministry has several implications. As above, it makes the

authority one that encompasses all variety of her subjects—but more specifically, it emphasizes that the queen does have an authority that extends over ministers of the church. But even the description of those ministers has resonance. The church itself was in a state of upheaval, and what the precise nature of the edifice of the church entailed or encompassed was not entirely clear. Certainly those who had been ministers in the Protestant church under Edward must have felt that, with the passing of Mary and the accession of Elizabeth, the Church was changed, and that form of worship or structure or organization that had previously been established under Mary, i.e. the Roman Catholic Church, no longer obtained. “Ministry in the church” is therefore an ambiguous grouping, and the phrasing “those that be called to ministry in the church” is even more so, because the calling could speak to a calling that is held either with or without the endorsement of any state-sanctioned church organization. In this way, though the grounds of her authority lie, in this formulation, in maintaining civil order, Elizabeth’s authority extends over anyone, Protestant or Catholic, regardless of whether they hold the position of minister at the behest of any state organization or, as they themselves might see it, at the behest of God. In other words, Elizabeth establishes here her own civil authority as taking precedence over any assertions of actions based in a communication with the divine. In the matter of civil order, the queen’s authority trumps any other right to act, even if someone is called by God so to do.

In this instance, both in the way she arranges the justification for the proclamation and in establishing her authority, Elizabeth stresses terms that have to do with the civil order and her place in that order, and in this way seeks to keep religious terms from attaining any ultimate status. All her moves to this point are meant to minimize questions of religion and to emphasize her own position in the realm and the burden of safekeeping of order that devolves upon her in

the role of queen. She trades, in this regard, on the distinction between Caesar and God made in the gospels—a certain allegiance is owed to her in matters pertaining, as in this case, to the general governance of the nation. Where this becomes a trickier question is in those places where the governance of the nation and of the church overlap. This proclamation is important on the one hand because it lays out what her tactics will be in such cases—to move the question away from religion to one of administration, even in questions of the church organization. When she is not able to make this move, she has to assert for herself a unique place within an order designated by the even more transcendent term, that is, God.

The proclamation opens with the phrase “The Queene’s majestie understanding” Traditionally, Tudor proclamations had tended to open by appeal to the authority under which the crown was issuing the proclamation (Hughes 1.xxvi). So for instance in the proclamation announcing her accession declares her “Elizabeth by the grace of God Queen of England, France, and Ireland, Defender of the Faith, etc,” thereby situating Elizabeth’s authority to reign in the power of God. Different occasions require different authorizing moves, however, so that a proclamation licensing shipping is authorized “by divers and sundry proclamations heretofore published,” presumably because licensing shipping doesn’t require the kind of leverage that taking the throne does. In this proclamation, however, the Queen has elided that formal opening altogether, suggesting that her authority to issue that proclamation is unquestioned or at least doesn’t require stating. Elizabeth trades off the customary offering of authorization in order to more firmly but less explicitly situate herself as in a position of authority regarding the regulation of religion. In other words, the people, to whom a proclamation is directed, expect to

see by this the authority situated in the opening sentences—in this case that authority, implicitly, is Elizabeth.

To cut off the appeal to an ultimate religious order—the sort of true church that Knox saw as self-evident—the queen now uses this role of authority to assert her own position in any transcendent movement. In short, Elizabeth stresses in this proclamation the idea of herself as responsible for the institution of Protestantism. Under the earlier Tudor Kings, the final paragraph of a proclamation had traditionally been reserved for reiterating the authority of issue and the purpose of the proclamation, along with the outlining of punishment. The spirit of this approach is maintained here, but softened, as for punishment the proclamation remains suitably vague—“her majesty must and will see the same [i.e. any offender] duly punished.” But more important differences lie in how the final paragraph opens and closes. “Religion” being the last word of the penultimate paragraph, the final paragraph opens “the tru advancement whereof, to the due honor of Almighty God, . . . her majesty most desireth and meaneth effectually by all manner of means possible to procure and to restore to this her realm” (103).²² Here, Elizabeth not only emphasizes that this is a reestablishment of the true religion, but also emphasizes her primacy in being the one who returns this religion to the people and to the nation, so that the means by which this return is effected are merely instruments of her will (which is in turn an instrument of God’s will). She makes herself, in this proclamation, to be the deliverer of true religion to the realm, though the proclamation has left the specific nature of that truth somewhat vague. More than open to interpretation, the proclamation here lets each person hope what she

²² It is here that the different presentation of Hughes and Larkin’s makes a substantive difference. In the original proclamation as printed, this line begins the final paragraph.

may, so long as she recognizes it is the queen who brings this truth to fruition. The final paragraph is also canny in its closing, for its final grammatical clause explains that violators will be punished “both for the quality of the offense and for example to all others neglecting her majesty’s so reasonable commandment.” The choice of the term commandment is no doubt telling, with its Mosaic overtones—but more important is that the commandment belongs to the queen, and is set equal to the actual offense against religion.

At no point in this proclamation does Elizabeth explicitly claim dominion over what is shaping up as the Church of England. Instead she orders the details of her proclamation so that they serve as claims, both made and upheld, that rest upon an unstated premise: it is within Elizabeth’s power to determine issues of religion because the truth of religion rests in Elizabeth’s determination insofar as that truth stands in relation to a secular truth. At the same time, she establishes herself as the deliverer of the English church, and so the hero of a Protestant history, the authorship of which is nevertheless outside the control of Protestants themselves. This position of authority is claimed indirectly, but is nevertheless absolute, as it turns out, for all that. Taken all in all, the proclamation offers an example of a subtle groundwork through which the queen situates the right to control religion in her own power.

In the case of her proclamation regulating religion in an interim period, Elizabeth relied on two features to establish her rhetorical position. First, she used the exigence of the situation to emphasize the dialectical terms available and to make ultimate terms unavailable. Second, she relied on the identificatory qualities of the proclamation form itself—its widespread distribution, its tradition, its communal importance, and its traditional form—to set this terminological strategy into the minds of her subjects, to make them keep these dialectical terms in play, and to

encourage them, should they be inclined to substitute an ultimate term, to look to the monarchy, the nation, or order as that term, rather than any religious truth. Moving from a form pointed towards a broad popular audience to one pointed towards the nation's (economic and aristocratic) elite entailed similar tactics, though the question of authority had to be finessed a bit more since authority itself was at stake. As her first Parliament assembled, she put into action the same basic tactics, as she entered into a debate over the religious form that would be determined for the realm. She relied on traditional occasions with preset formal arrangements in which she could emphasize dialectical terms that would gain traction and support because of the exigency of the situation, so that enough mass would be built up for her particular vision to counter more radical views as they developed in this Parliament and beyond.

Such rhetorical opportunities obviously arise fairly often in a body as bent on procedure and tradition as Parliament was even at that early date. So, for example, in the opening of Parliament, as Parliamentary historian T.E. Hartley explains, formal occasions become sites of policy making. In the above proclamation, Elizabeth's desire to determine truth is directed outward towards the population at large, in this way making a perhaps tenuous political claim into a publicly disseminated epistemological fact. This epistemology was also executed in the legislative forum as well, where immediately with the opening of Parliament Elizabeth insinuates her position through the rhetoric that she authorizes. We have no record of any speech made by Elizabeth dealing with religion at the Parliament of 1559. Nevertheless, as Hartley explains, she was in control of the terms of discourse from the opening of the session. The speech by Lord Keeper Nicholas Bacon that opened Parliament "is, in the broadest sense, a declaration of intent by the young queen, not only for 1559, but for the whole reign. If religion would be established

soundly, the commonwealth would have a secure foundation” (Hartley 3). Thus Elizabeth’s will is established through the mouthpiece of the Lord Keeper, and it is through the terms that Elizabeth chooses to emphasize through her mouthpiece that she effectively limits the power of future Parliaments over religion. The particular terms chosen realize the theoretical basis of Parliament’s move to Protestantism in such a way as to simultaneously validate that theoretical basis while circumscribing any practical political action radical Protestants might wish to make. Elizabeth seeks to institute dialectical terms, keeping an ultimate order at bay and preserving both Parliamentary viability and her own authority. The dilemma is that in a space dedicated to prudential rhetoric, she must oversee the implementation of a providential order that does not obviate the exercise of prudence. The issue of religion, however, does not easily admit an unresolved dialectic—establishing a true church necessitates an ultimate order, unique and transcendent. Elizabeth’s tasks, then, are twofold: to keep that ultimate term the product of a dialectical process, rather than that dialectic’s underlying order, and, barring this, then to insure that once it is established, access to that that ultimate term is conducted through herself.

In his opening address, Bacon lists three purposes for the Queen having assembled this Parliament: the establishing of a uniform church, the making of certain civil laws, and the granting of a subsidy. The granting of a subsidy—that is, the granting to the queen, for the benefit of the realm as a whole, some sort of funding outside her own revenues—is often the driving force behind the monarch’s calling Parliament. In this case, however, the situation is slightly different. While at other times the queen might put off calling Parliament until she absolutely needed funds so as to avoid the enactment of legislations she did not want, in the case of this Parliament, though she did need funds, it seems likely that the settling of a religious order

was of equal importance—funding did not take priority here. This means that the need to establish religion is already at the forefront of the assembly, and so, as with the proclamation, an urgency is attached to the issue of religion, and, in Bacon’s opening as with the proclamation above, the need has to do with the security of the state. So Bacon describes the first reason for calling together Parliament as “the well making of laws for the accordinge and uniting of the people of this realm into a uniforme order of religion, to the honor and glorie of God, the establishment of his church and tranquillitie of the realme” (Hartley 34). Here the secular is drawn into a complex with the divine, a complex that is harmonious but in which the dialectical elements—church and realme—are still distinct (“his [i.e. God’s] church,” but “the realme”) but related in such a way as to leave unclear which is the cause of which, and which is the priority. What the queen is seeking in this Parliament, then, is “the advancement of Gode’s honor and glory,” because this advancement serves “as the suer and infallible foundacion whereupon the pollicie of every good publique weale is to be erected and built.”

On the one hand, the claim that the advancement of religion is foundational to order seems to prioritize religion. On the other hand, the purpose of a religious settlement, though certainly to do with the advancement of the church as its own good, is never framed as something separate from the state of the secular realm, nor is it justified on its own. Though not set in any definitive priority, these terms are allowed to assert their own dialectical force, even if the result is a productive one, i.e. an orderly realm. Further, the queen is determined not to let dialectical terms disintegrate into destructive terms like heretic and schismatic; the idea of a true as against a false religion is still maintained. But it is also understood that the nature of this religion is to be worked out through the secular order, so that the members of Parliament are to

“conforme your selves together, usinge your whole indeavor and diligence by lawe and ordinaunce to establish that which by your learning and wisdoms shalbe thought most meete for the well perfourminge of this Godlie purpose.” Note that in this quote it is the legal process that is stressed, the process of consultation and legal establishment that is most prominent in developing this new order, and Godliness is reduced to an adjective. This is not to cast Elizabeth as a secularist or an opportunist in terms of religion, but only to say that as far as the establishment of religion it must be stressed that this is a secular process, not the enactment of a religious truth to which access is uncertain and limited. For the same reason, the most puzzling portion of the document becomes clearer: A “greate enemye to good counsell,” the speaker explains, are “contentious reasoninges and disputacions and all sophisticall, captious and frivolous arguments,” which are “more beseeminge for schools than for Parliament howses.” At a glance this would appear to be a statement foreclosing debate. But rather than shutting down debate, it indicates instead a desire to shut down a particular kind of debate, one that seeks as its outcome an end of reasoning that is final and immutable—a particular kind of dispute is discouraged because scholastic debating pretends to a finality of truth that lies outside the purview of this political activity of establishing a religious order.²³ The forum of the Parliament House is a different space than the closed hall of the university. Here Parliament is reminded that as much as legislating, its duty is to advise the prince; but it is also reminded that its duty in this regard does not involve working out some truth about religion (hence also the need to avoid

²³ Mack cites this phrase as an example of a shared rhetorical education (251 n. 113).

terms as “heretike” and “schismatike”) but to come to a political arrangement that will order a church for the good of the realme—not to realize a true church in its particulars.

However, should the need arise for an appeal to an ultimate term that gives order to all action—as the Protestant believed the divine, true church did— this speech also intimates that Elizabeth herself would provide that ultimate term, or at least access to it. Here, as in her coronation progress, Elizabeth asserts through Bacon her old testament, prophetic role. For what should keep the Parliament from dissolving into a futile and fractious search for truth is the example and especially the role of its sovereign:

And for your better encouraging to runne this right and strait course . . . I thinke I may affirme that the good king Ezechias had noe greater desire to amende that was amisse in his tyme, nor the noble queene Hester a better harte to overthrowe the mightie enemye to Gode’s elect, then our soveraigne Ladye and Mistris hath to doe that that may be just and acceptable in Gode’s sight.

Elizabeth is not overeager for her Parliament to give up prudential work towards an amenable religious settlement and take on providential work of seeking out or dictating truth enacted through the church—but should they wish to make the move to the providential, ultimate term, Elizabeth here reinforces her own position within that providential history, and therefore with the true reflection of Providence.

This positioning of herself within the terms of the ultimate hierarchical ordering is also at work in the Lord Keeper’s Reply to the Speaker’s Petitions, dated January 25, 1559 (Hartley 42-43). This speech was delivered on the opening day of the Parliament, and was a formal and routine rhetorical occasion: the speaker of the house had requested liberties, and the Queen, through her representative, was responding to this request. The speaker, as Neale explains, requests four liberties: “access to the Queen and her nobles . . . permission to amend any slips he

might make in reporting the decisions of the House . . . ‘liberty of speech for the well debating of matters propounded’; and ‘freedom from all manner of suits’,” that is, freedom from arrest (Neale 44). Through the Lord Keeper, the Queen, who alone had authority to do so, granted these liberties without necessarily closely defining any of them. Before taking up this functional formality, however, the Lord Keeper’s speech here addresses a more ceremonial formality. The speech also serves as a response to the speaker of the House having praised the Queen’s virtues, to which praise Elizabeth makes this reply through Lord Keeper Bacon:

The Queen’s Majestie giveth you most hartie thanks as for a good exhortacion made to her Highnes to become such a one as yee have commended her for, but not acknowledging those virtues to be in her highness, marye, confessing that such as she hath be Gode’s giftes and graces; and therewithal her highnes wisheth (as she trusteth you all doe) that for Englande’s sake there were as manye virtues in her as would serve for the good governmente of this her realm committed to her royall chardge, and desireth you all with her to give God daylie thanks for those that she hath, and to make humble peticion to graunte such increase of the rest as to his devine providence shalbe thought for his honour most meete.
(Hartley 42)

Here the Queen’s virtues being derived from God serves first of all as a type of formal politeness, an example of humilitatio in a ritual address. The approach of humility is a routine tactic in the opening moves—the exordium—of an address at this time. Indeed, Bacon himself uses such a strategy in his speech to open Parliament, but Bacon’s approach is different: there, he merely claims that he is not worthy of the task of opening Parliament in a way “beseeminge for the majestie, honor and understanding of this presence” and he hopes that the Parliament’s general sense of tolerance will extend to his efforts (Hartley 33). Here, however, Elizabeth’s turning to God is something else—it is more than a matter of simply humbling oneself before the audience, as the Speaker did, in order to elicit a sympathetic ear. This humilitatio turns back on

itself—it makes Elizabeth appear not only humble, but it gives her the credit of acknowledging the divine source of all virtues—it is a declaration of piety along with humility. At the same time, however, it is an implicit assertion of a religious doctrine that becomes, by a neat insertion in a formal and ritual declaration, a political fact: that Elizabeth is whatever she is by the grace of God. In other words, the reply emphasizes her role as a divine instrument. Her virtues are not her own, and she stresses this point not only for its flourish of humility, but because doing so emphasizes that the virtues by which she is to rule are in fact granted her by God. Anyone might claim this, of course, but doing so in this context reinforces the idea that Elizabeth is in a privileged position regarding an access to religious truth. Thus an act of humility also immediately emphasizes her role in government—that is, a role as God’s agent. The move to an ultimate term—God—is in this address already being directed by Elizabeth, so that an appeal to an ultimate term will inevitably lead to an appeal to her.

At the same time, Elizabeth does not want to rely on this move to ultimate terms in order to maintain control—it is more to her advantage to keep the dialectic of secular/divine control in play. To this end, she stresses the position of the realm—it is “her realm,” that has been “committed to her royall chardge”—while also stressing that her subjects ought to have a vested interest in the realm’s performance, and indeed in her performance. But this interest is not expected to manifest itself in direct action—instead it ought to manifest itself in her subjects’ supplication to God to make her (His instrument) more possessed of the virtues required for right rule. She gives up any claim to authorship herself, and in doing so neatly inserts herself in the providential history as agent. Not only is she not the author of history, she’s not even necessarily the author of the speech. But by not asserting agency, but allowing that agency to be asserted for

her through the author of providential history having ascribed to her a role, she actually gains agency.

At this point, Bacon's response then moves on to the matter at hand, granting the House its desired liberties so long as the members of the House do not, in the exercise of these liberties, infringe upon the prerogatives of the Queen. Here the response is not, as above, framed as being in the Queen's voice, but presented as a routine matter of state issued at her command: "the Queene's Majestie hath commaunded me to say unto you that her Highnes is right well contented to graunt them [liberties] unto you" (Hartley 43). The shift in point of view blurs the distinction between the Queen's will, the exercise of state practice, and the will of God. These elements become inextricably bound, and here, as she will continue to do, Elizabeth sets a pattern through which she can move to any of these positions at any time, humbling herself and through so doing, through the appearance of surrendering her own authority, actually exerting political agency. In this way she keeps open to herself the possibility of moving fairly seamlessly between the ultimate terms of religiously granted authority to the dialectical mode of secular versus religious authority.

This movement plays an essential role in Elizabeth's efforts to maintain the rhetorical space of governance while also maintaining her control over that space. In June of 1559, eight Catholic bishops, who had been stripped of their sees under the Parliament of 1559, appealed to Elizabeth to restore the true religion and thereby be accepted back by the see of Rome. Her reply was, according to John Strype, the 18th century antiquarian and historian of the reformation who preserved it, widely celebrated among Protestant believers. That is, though the reply was directed to these recalcitrant bishops, its audience was much wider; the reply is thus

identificatory insofar as it relies on the solidarity of both popular and elite sectors of society against the Catholic bishops and the Roman church. But because the question at hand was not the administration or organization of the Protestant church, but rather its existence as a legitimate entity, her emphasis on the secular/divine dialectic does not hold the same argumentative resonance as it might in other circumstances; she arrives at it instead obliquely. In her reply, ER fully rejects the bishops' appeal, but her positioning there also adumbrates her later rejection of more radical Protestant demands for reform (Strype 139). Her call for them to assemble before her is evidence of this positioning, for she asks them to "take into their serious consideration the affairs of the church, and expulse out of it all schisms, and the superstitious worship of the church of rome." The splitting of schism and Rome here means that all schisms, not just papacy, are to be defended against. But even in this call she makes clear her position in relation to the Old Testament prophets, for "as Joshua declared, saying, I and my house will serve the Lord: So she and her Realm were resolved to serve him. For which cause she had assembled her clergy" (139).²⁴ But then, further in her reply, she brings this vision of her unique place in an ultimate hierarchical ordering into a relationship with a more dialectically tempered position. So she draws a further parallel between herself and Joshua, "who assembled the Ancients of Judea and Jerusalem purposely to make a covenant with the Lord. Thus had she assembled her Parliament together" (140). In this appeal to an Old Testament figure, Elizabeth effectively emphasizes her relationship to Parliament in a hierarchy that has been laid out in the Old Testament—and she is clearly in the higher position in this hierarchy. She also appeals to a narrative that is not of her

²⁴ Though Strype indicates that these were the words of Elizabeth with quotation marks, he records them in the third person.

own making, but also not of Parliament's—it is, nevertheless, a narrative to which Protestants of all stripes are obliged to subscribe. The statement is both a rebuttal to the Catholic bishops and an affirmation of the legitimacy of the Protestant church. But pointing out that she parallels Joshua in two ways—her calling of the clergy and her calling of the Parliament—is a subtle reminder that there are two forces here—a secular and a religious one. The skill of the positioning is that it allows Parliament a space in which to exercise authority as a body for legitimizing changes to both the religious and legislative structure of the realm while also stressing the Providential narrative that is perforce appealing to Protestants of all inclinations, and in so doing she checks a tendency of Parliament to arrogate more authority to itself than she would like. She gives Parliament its due, but also keeps it in check.

As she states immediately following, her convocation of both religious and secular leaders allows her the justification to have “ejected that usurped and pretended power” of the pope to rule the ecclesiastical life of England. But a further statement has a broader implication: in claiming that “her crown was no way either subject to or to be drawn under any power whatsoever, saving under Christ the King of Kings” she firmly establishes that she is the head of the nation and the church. The same effect is produced by her drawing a comparison between herself and Joshua—in this comparison she does not rule at the behest or under the authority of Parliament, but they at hers—it is she who has convened the nation for purposes of covenanting with God. This anticipates a number of reformist arguments regarding the nature and composition of the English church. Thus, though the reply ends on a strong note condemning papistical practices or obeisance, it also lays the foundations for Elizabeth's constant placing of herself as the head of the English church. And so while, as Strype says, the response

“encouraged the hearts of those who were affected to the reformation” (140), it also circumscribed them, especially as they had little choice at this point but to rejoice in her answer and therefore feel themselves vindicated but also to accept the terms of the reply in all its aspects, thinking that these expressions from the queen presaged change rather than established doctrine. By taking advantage of the rhetorical situation ER thereby forces those audiences to accept truth that, in another situation, they would not.

Strype also recounts one of Elizabeth’s more famous rejoinders to the Bishops (146-147); the reading of the reply above, however, gives a somewhat different, or more nuanced, emphasis to her claim that “whereas you would frighten us, by telling us that Emperors, Kings and Princes have owned the bishop of Rome’s authority, it was contrary in the beginning. For our saviour Christ paid his tribute unto Cesar, as the chief superior. Which shows your romish supremacy is usurped.” Two things happen here. The first is that Elizabeth moves between earthly and ecclesiastical jurisdiction without specifying the distinction—that is, while Christ may have given tribute to Caesar, the injunction, of course, concerns what is due to both Caesar and God. But more to my point, is that ER uses these occasions not just to separate herself from the Roman church, but to establish her own dominance within her church. This line places her pretty well at the head of that church, and by leaving out the Godly part of Christ’s injunction, implies that the earthly church is an earthly matter jurisdictionally. Emphasizing Caesar’s role places her at the head of that earthly church, but it also points out that the two realms, earthly and divine are separate and exist in a dialectical tension with one another.

It is hard to believe that, given the choice, Elizabeth would not have exercised her authority as an autocrat answerable to none but God. She was not, however, to have this choice;

the nature of the English polity by the time she took the throne was such that her own power was dependent on the power of others. What she had to avoid, however, was any one branch of that authority asserting access to political truths that were final and inaccessible to her. This was a self-interested endeavor, but one that in turn may have benefitted the nation—or at least proved a rhetorically vibrant polity. An ultimate truth inaccessible and unchangeable through institutional means would have meant a collapse of her personal authority, but also would have meant a dramatic shift in the structure of the political itself, a threat that was exacerbated by the fact that her personal status was inextricable from the state of the realm. In this chapter, I have concerned myself with the ways in which Elizabeth kept a potentially threatening concept of political truth from taking hold by rhetorically stressing the dialectical relationship of secular versus divine authority, and by usurping the use of an ultimate hierarchy of terms used to order political understanding. In the next chapter, I will consider more precisely the nature of the mechanisms of identification and the complications of truth and politics when the political is bound up with the personal.

CHAPTER 4

WHAT WE TALK ABOUT WHEN WE TALK ABOUT COURTSHIP: ELIZABETH I, QUEEN OF ENGLAND; FRANCOIS, DUKE OF ALENÇON; AND JÜRGEN HABERMAS, PRINCE OF MODERNITY

In one of the more detailed studies of her rhetoric, Cheryl Glenn points out that Elizabeth's rhetorical strategies must "transcend such earthly concerns [as gender]; hers was a divine right" (160).²⁵ Like Glenn, I want to account for the ways Elizabeth used rhetoric to overcome the great challenge to her authority—the "truth" that, as a woman, Elizabeth was fundamentally incapable of rule. But I want to put the term "transcendence" to work in a way that perhaps goes beyond what Glenn intended by it, because it is exactly a problem of transcendence that defined Elizabeth's rhetorical challenge. The nature of divinity and transcendence was not Elizabeth's alone to determine, and could quite quickly turn against her, especially if she chose to base her authority in it. This problem can be most clearly seen in the question of the queen's marriage—to urgings that she marry, she had to respond in terms that sidestepped the role of the divine either in her marriage in particular or in the ordering of the world in general, because the same theo-ontologically ordered world that guaranteed her right to

²⁵ Mack discusses how rhetorical education manifested itself in political practice. For treatments of some of Elizabeth's individual performances, see Green and Heisch. All three of these tend to treat Elizabeth's rhetoric in terms of its use of contemporary formal practice, such as her handling of schemes and tropes. Glenn and Janel Mueller both focus more on historical and political conditions, and how Elizabeth innovates or adapts to those conditions; in particular by focusing on how Elizabeth adapts to the question of gender, they present her rhetoric as operating through a number of strategies in addition to stylistic performance—which, as a marker of a certain education, training, and sociality, could serve to exclude as well as facilitate rhetorical performance. The implication of their work, especially considered alongside Mack's, is that while Elizabeth certainly had a similar rhetorical training to her contemporaries, her unique position as a woman involved in politics provided opportunity and necessity for a rhetoric that operated outside of stylistic convention.

rule also determined Elizabeth's obligations of marriage and of heirs, or, in the case of an unpopular potential match, her obligation not to marry. In this case, transcendence as a rhetorical strategy was not so useful.²⁶ At the same time, the term transcendence speaks to one of the key conflicts in rhetorical theory at Elizabeth's moment. For rhetoricians at work in sixteenth century England, tension between a divine, transcendent truth and the possibility of a social activity both of discovering and communicating such a truth, led to the uneasy possibility that truth itself is socially produced, and that reason is rooted in communicative practice. The controversy over Elizabeth's marriage shows how Elizabeth attempted to take advantage of this uncertainty while her interlocutors attempted to overcome it.

In the work of English rhetorician and humanist Thomas Wilson we can see how important the question of gender was to these conflicting issues of truth and transcendence. Wilson was one of England's foremost scholars, an exile under the Catholic Queen Mary, and Elizabeth's Principal Secretary.²⁷ He also authored one of the first logics and one of the first rhetorics in English. In the opening pages of his *Rule of Reason* (1551), Wilson brings together these concerns of gender, communication, rationality, and their relation to the divine, in a way that suggests that gender is a central point of tension for these concerns. Wilson opens his *Rule*

²⁶ As Levin argues, there seems little question that the legal construct of the king's two bodies plays a role in how Elizabeth negotiates this question. But this also proves to be a strategy bound up with the possibility of transcendence. Kantorowicz's book *The King's Two Bodies* describes a legal fiction refined by Tudor lawyers concerned with legitimizing the Tudor claim to rule: that of a temporal, historical body possessed of the mortal ruler, and a timeless, ahistorical ruler engaged in the concept of a continuous sovereignty—as wrapped up in the paradoxical phrase "The King is dead! Long live the King!" As Kantorowicz describes the legal situation, it is a means of combating the contingency of nature and natural decay and historical process with an atemporal fiction that is nevertheless legitimized by being inscribed in law. This two-body construct therefore works as an effort to combat historical contingency through the conscious inscription of a transcendent term.

²⁷ See Medine for the most complete account of Wilson's life and works.

of Reason with an anecdote that considers woman's status while making a statement about the absolute truth of terms as well. A group of Cambridge students are discussing a scholar and his new wife, pointing out the woman's relative merits, when one of them says "I, for my part, take her for a catholike woman" (8). This is uproariously funny to his fellow students because the word catholic "signifieth nothing in England, but universal or commune" (8). The humor (presumably) comes from the pun on catholic, which, because of the singular truths of terms, signifies not a religious nature, but a common one—"And we cal in Englishe a common woman, an evil woman of her bodie" (8). The word catholic is therefore a pun, the funniness (as such) emerging from the disjunct between a possible meaning relating to religion and an actual meaning relating to the natural evilness of a common woman's body. Likewise a woman's body becomes a site that can be judged of as good or evil, presumably with the help of reason. Woman functions here as the means through which a potentially limited communal understanding—a limitation evidenced by the very ambiguity that makes the pun work—can achieve an absolute, universal and transcendent understanding. At the same time, Wilson's explication effaces the social nature of this unitary truth. So while Wilson does not dwell on, or is not conscious of, the limited audience or community that could therefore have insight into this truth—those who are educated in Greek, or at least those who know the etymology of the term catholic—woman here functions as the means of expressing a desire for a truth that exists beyond the contingency of human interpretation or consensus, a truth that is transcendent even if impossible to access, a truth by which ultimately definitive judgments may be made. Woman is a fixed point to which this transcendent truth can be applied, and through which it can be accessed.

For Elizabeth, the connection between womanhood and transcendent truth allows for serious challenges to her authority. These challenges emerge out of the question of her marriage, which is made problematic by the theo-ontological status of a woman's body that, in this particular case, coexists with the queen's body. Beginning with her very first Parliament, Elizabeth faced urgent calls to marry and produce an heir, punctuated by assertions of others' rights to determine these marriages, either by supporting or rejecting various candidates. Also beginning with her first Parliament, Elizabeth successfully resisted these calls in a series of rhetorical conflicts that lasted for the first half of her reign. This chapter will consider the last of these conflicts, which was, arguably, the least successful from Elizabeth's perspective. Nevertheless, we can see in examining this conflict that Elizabeth is able to avoid this ontological determinism because her rhetoric moves in such a way as to emphasize the communicative framework of rationality, while she simultaneously works to expose this framework in her interlocutors' arguments. These movements create the possibility for a communicatively based deliberative political sphere over which Elizabeth is then able to exert control. Ironically, she neither intends for that communication to be two-way, nor, in the end, is she able to maintain control over the political sphere.

In August of 1579, Francis, duke of Alençon and Anjou and younger brother of Henry III of France, after six years of on again, off again courtship with Elizabeth I of England, and in the midst of legal negotiations for a marriage contract, made a secret journey across the English Channel from Boulogne to Greenwich. Here, disguised as the seigneur du Pont-de-Sé, Alençon played suitor to the Queen, participating in feasts and dances and flirtation that left both participants pleasantly surprised and excited about a possible marriage. The prince traveled in

disguise, however, because of the uncertainty that the visit would result in marriage—Elizabeth did not want the marriage to appear finalized to her subjects, and Alençon did not want to lose face. And the marriage did not come off; Alençon departed in a couple of weeks, and, despite apparently being smitten, Elizabeth informed Alençon in a letter at the end of the year that she could not marry him, because the opposition of her people, staunchly Protestant and still carrying the memory of her sister Mary’s marriage to a foreign, Catholic prince, was too great. And despite a continuing negotiation and long-distance courtship, and even an official visit two years later, the issue was never seriously engaged again.

Managing these marriage negotiations and the backlash against them comprised a complicated set of rhetorical events. At the time, the marriage negotiations between Elizabeth and Alençon seemed the most serious, and the most likely to succeed, of any of a long series of potential marriages. Nevertheless, despite even a public declaration of their engagement, the marriage did not occur, partly because of widespread opposition in England, and partly because the diplomatic advantages of the marriage became increasingly doubtful. Observers then considered Elizabeth’s handling of this affair—and her courtships generally—to be clumsy, if not disastrous; recent scholars have often agreed.²⁸ There is certainly plenty of reason to view

²⁸ Haigh sees this, in keeping with the general tenor of his text, as a series of blunders; MacCaffrey (*The Shaping of the Elizabethan Regime*) is less vehement, but sees the courtships as a conflict between responsible statecraft and “bitter, highly personal, and often sordid” struggles for power among courtiers, engendered, or at least enabled, by the queen’s incertitude (148). Levin, on the other hand, sees Elizabeth’s courtships as well-handled or at least as fitting into a larger strategy of establishing solitary rule based in representational tropes, notably that of the Virgin Queen, with which I earlier took issue—in her viewing of Elizabeth’s failed courtships as strategy rather than accident, however, Levine follows the line established earlier by J.A. Neale. Doran (“Why Did Elizabeth Not Marry?”) sees her indecision as simply rooted in political unsuitability of her suitors and the lack of agreement among Elizabeth’s counselors and people on a suitable match, but acknowledges that “The courtships were undoubtedly damaging to Elizabeth’s reputation both at home and abroad” (52).

Elizabeth's courtship with Alençon as unsuccessful; at any rate, Elizabeth did not gain clear advantages for herself or for her realm through the course of the romance. I find the episode and Elizabeth's handling of it interesting, however, not because of the immediate political efficacy, or inefficacy, of her rhetoric, but because her exchanges with opponents of the marriage and with Alençon evidence Elizabeth's engagement not only with a key political moment, but with a critical moment in the understanding of rhetoric itself. Elizabeth's rhetorical performances of 1579 occur at a moment when the relationship between rhetoric and reason—specifically between rhetoric and dialectic—was undergoing serious reformulation in England. As a Ramistic educational system began to gain currency, Elizabeth's performances exposed through practice the conflicts in this system's theoretical conception of rhetoric. The first half of this chapter will lay out this rhetorical environment, hoping to briefly sketch out a central tension in the rhetorical thought of sixteenth-century England, and the theoretical innovation that was meant to resolve this tension. The second half of this chapter will examine two particular rhetorical performances of Elizabeth—her letter to Alençon refusing his suit, and her engagement with one of her own citizens over the possibility of the marriage—in order both to show how she exploits this rhetorical tension, and how her rule and her rhetoric provides the driving force for a reaction to reforming rhetorical theory in England. For this analysis, I will employ concepts taken from the work of Jürgen Habermas, not only for the precision of the analytic tools he provides, but because it is out of this same tension that his story (and that of his philosophical contemporaries) about the progress of modernity emerges—a story, ultimately, that I wish to call into question.

The rhetorical problem Elizabeth confronts is that though language is a gift from the divine, its function and practice is social, and the point of rhetoric is to sustain these social bonds. As a result of this divine grounding of truth, even reason that might be founded in how a community communicates develops a certainty that lies outside that community, separate from the social world and somehow untestable by that world's truths. This sociality, however, along with the inaccessible nature of a divine truth, produces an inevitable anxiety over the possibility of accurately putting this truth into effect. This anxiety was especially problematic in the case of women's status in society. Constance Jordan demonstrates that the movement towards something like a feminist consciousness between the 16th and 17th centuries was based upon a movement away from explaining society in terms of divinity and instead in terms of behavior—that is, in the idea that “custom and the behavior it mandates function as expressions of ideology and not of nature” (170). She notes that the apparent ability of women to work alongside men in agrarian and artisanal and industrial sites and situations began to give the lie to notions of a woman's inherent, natural and divinely guaranteed inferiority. It therefore stands to reason that an intellectual response either explicitly or implicitly interested in maintaining an understanding of men's absolute superiority to women must accept the benefits of empirical experience as a source of investigation, but at the same time to preserve enough of rationality unsullied by experience to be able to uphold non-sensible claims such as the inferior abilities of women. The challenge for thinkers then will be to find a way to move a truth that transcends sociality away from the divine while still maintaining its transcendent certainty. This transcendence will ultimately be found in the rational isolated subject—Descartes' *I/ego/je*, a point towards which

we might read tentative steps in the rhetorical efforts of opponents to Elizabeth's marriage to Alençon.

The issue of marriage was an especially complicated one because in it the most personal aspect of the queen—her physical body—became the site of a public contestation—her body itself seemed to have a special obligation to the realm.²⁹ If in the divine order the obligation of a female body was to bear children, there was no reason why this should not apply even to a female body that ruled over the state—especially when it seemed that the bearing of children was of importance to the state. Likewise, the state had a vested interest in the partner with whom this body would be wed, and this was even of greater import if it was indicated that religion came into play as well—if the queen, as her rhetoric at times indicated, was fulfilling a divine role, then she had to play that role out—in short, to marry a catholic was out of bounds, being without question outside the narrative of Protestant destiny. There was therefore a clear exigence in the queen seeking to move the marriage question away from any contact with the divine and into the realm of the social. Rather than asserting a question of, in essence, jurisdiction, Elizabeth had to undercut the the grounds of a divinely based argument. In order to chart out how this occurred, I want to consider her approach as asserting a rationality based in intersubjectivity and communication, rather than in a transcendent divine.

²⁹ The relationship of the queen's body to her reign, her crown, and her kingdom have been treated a number of times. On this relationship in general in England, Charles Beem makes the point even that the possibility of a woman ruler is rooted in this understanding of the body, as it was established with Henry II that the inheritance of the crown was transmitted through a woman's body. Beem's book centers around other ruling queens of England, but his central effort is to derive a methodology that accounts for female rule without ascribing failures to femininity and describing successes in strictly masculine terms. As a way of setting this argument up, however, his introduction gives a thorough survey of the historiography around Elizabeth's reign and the question of her gender.

The need to undercut a divine position in turn is a function of Elizabeth as a woman—but by this I mean something fairly limited, that the exigence Elizabeth responds to in this case has to do with her ontological status as a woman, which collides with her ontological status as a sovereign. The ontological status of a woman in 16th century England was, to say the least, overdetermined, and the truth of this status appears to be fixed, a fixity that emerges out of or at the least intersects with ongoing developments in how knowledge was theorized. That is, the truth of women’s ontological status is fixed and transcendent, which speaks to an understanding of truth as a whole.

This understanding of the divine as the foundation of reason, and thereby of communication, can be seen in Wilson’s explication of his “catholike” joke. On the relationship of lexical ambiguity to an underlying truth that obtains despite misunderstandings of communication, Wilson, referring to “catholike” as his example, writes that “though termes be darke, and the meaning unkowen to many, yet the trueth enclosed, is always one, and geven us of God, use what termes we liste” (8). From this quote two points are apparent. First, there is a singular unity of meaning that can be discovered in the use of terms, by which Wilson means here not only individual words but elements of reason and argumentation. Second, these meanings are rooted in the divine—they are both unitary and transcendent. At the same time, Wilson describes a moral aspect to the act of reasoning: “Manne, by nature hath a sparke of knowelge, and by the secrete woorking of God, judgeth after a sorte, and discerneth good from evil” (8). This knowledge was perfect before the fall of Adam, but afterwards man was in darkness. “Wisemen therefore, consideryng the weaknesse of mannes witte, and the blindnesse also, wherein we are all drowned: invented this Arte, to help us the rather, by a natural order, to

finde out the trueth” (8-9). Reason, that is logic or dialectic, is an art invented by man, but one that works to seek out a truth that is guaranteed by God, through a method that is available from nature (or Nature). Rationality and reasoning are therefore social systems in their methods, but the truth that they discover is fixed, unified, and divine, transcendent at least beyond the realm of social agreement. Truth holds a theo-ontological status, as in its employment to judge women. This status is complicated but not overturned by the social nature of epistemology that pursues this fixed truth. This is a quandary that arises in not only reason/logic, but its sister science Rhetoric, that is, the theory of the process of communication and argumentative persuasion.

Thus Wilson, in his systematic text, the *Arte of Rhetorique*, first published two years after the *Rule of Reason*, explains the foundations of rhetoric as being divinely established. But the processes of rationality are such that they are not natural gifts, but must be maintained through a conscious exercise of rhetoric. Wilson explains the foundations of rhetoric, like logic, are divinely established. The basis of rhetoric lies in the distant past: “when man was thus past all hope of amendment, God, still tendering his own workmanship, stirred up his faithful and elect to persuade with reason all men to society, and gave his appointed ministers knowledge both to see the natures of men, and also granted them the gift of utterance, that they might with ease win folks at their wit, and free them by reason to all good order” (54). Here the capabilities of both knowledge and communication emerge out of the divine, and though Wilson goes on in the next two hundred pages or so to offer numerous principles and strategies of oratory, at their root is always a divinely governed truth.

Distinguishing this transcendent truth from the processes of communication, however, is not so easy. For instance, in discussing invention Wilson claims that all matter for disputes can

be fit into one of four categories: “either it is an honest thing whereof we speake, or els it is filthie and vile, or els betwixt both . . . or els it is some trifeling matter” (8). The honest cause is defined as one “that all men would maintayne”, which makes truth, or at least honesty, sound as though it is determined through consensus; a filthy matter, on the other hand is seen when “we speake against our own conscience in an evill matter, or els withstand an upright truth.” In the case of a filthy matter, then, it seems that the determination of truth emerges from the self-evidence of conscience or else the self-evidence of a truth itself, both of which are grounded in the divine, because for a sixteenth century Protestant the individual conscience provides the most certain, though not absolute, guide toward the divinely authored truth. Wilson’s conception of rhetorical truth thus bounces uncertainly between a truth derived from a communicatively constructed world (“what all the world maintains”) and one that transcends that very world (“conscience . . . an upright truth”).

The tension between a transcendent rationality and a communicative one that is exposed in the problem of maintaining women’s status provides a different way of discussing the dramatic shift in rhetorical thought in England in the late 1570s and 1580s—the embrace of Ramistic rhetoric by those theorists of rhetoric most clearly connected with a radical Protestant position, the same party out of which the most extreme objections to Elizabeth’s marriage to Alencon would be voiced. This system emerged out of the need to establish a logical system that is based in language but is not subject to the imperfections of language, that does not rely exclusively on a communal understanding of language but on an understanding of language that transcends communicative contingency without necessarily appealing to a divine that is by

definition inaccessible, though perfect and true. The move to a Ramist logic and rhetoric is the effort to make truth accessible without overturning the social structures upheld by that truth.

The French scholar Petrus Ramus is most noted today for his implementation of an approach to rhetorical and dialectical education that altered the two disciplines first by considering them as absolutely separate and second by determining that invention and arrangement, in rhetoric the procedures by which arguments are formulated, belonged exclusively to the discipline of dialectic (which for Ramus was synonymous with logic). Ramus today enjoys two different scholarly evaluations. On the one hand, scholars like Peter Mack and Marc Fumaroli see Ramus as having made important innovations that served to streamline a system for rhetorical and dialectical education that had become overburdened under medieval scholasticism. On the other hand, scholars such as Walter Ong and E Armstrong have argued that Ramus's innovations were not reforms at all, but over simplistic revisions to the processes of dialectic that detracted from its complications while simultaneously denying rhetoric as a valuable tool for discovering truth through dialogue, thereby impoverishing both rhetoric and dialectic—but especially rhetoric. In either case, for rhetorical history Ramus thereby marks a turning point in a narrative about its own decline from the heights of a humanist education that privileged rhetoric above all the liberal arts to the dark vale of an enlightenment and post-enlightenment rhetoric bereft of intellectual content, or at the least of respect as an intellectual endeavor. This narrative is most succinctly told by George Kennedy in his classic text on classical rhetoric; beginning with Descartes rhetoric is dismissed as a flawed intellectual practice: “Put in an extreme form,” Kennedy explains, “the new logic claimed that the only

sound method of inquiry is that of geometry, proceeding from self-evident axioms to universally accepted conclusions” (261).

In their essence, Ramus’s reforms were not new to England. Most rhetorics, at least vernacular rhetorics, described rhetoric as the means of presenting arguments discovered through the reasoning process. The late 1570s and 1580s, however, reformulated this dichotomy most notably by determining that reason itself was a process that was extra-linguistic. Thus one of the Protestant rhetorics of this late period, Abraham Fraunce’s *The Arcadian Rhetorike* treats style exclusively, in accordance with Ramistic principles excluding questions of invention and arrangement. While a rhetoric that focuses exclusively on style is not new—Richard Sherry had produced one in the 1550s—the absence of any introductory material to justify such a presentation was. The absence is especially notable because it is in such an introduction that questions of reason, and questions of how schemes, tropes and figures function in human community would be explicated. But reason has no place, for Fraunce, in a treatise on rhetoric—reason is exclusive to logic. As Fraunce puts it in his *Lawyer’s Logike*, a reworking of Ramus’s logic, “the whole force and vertue of Logike consisteth in reasoning, not in talking” (sig. Bi). But this distinction itself points to a developing concern—that reason, rationality, and ultimately truth be removed from the contingent realm in which rhetoric operated. Against a previous conception in which truth and reason operated very much through and in concert with rhetoric, and therefore through communal interaction, a position was emerging in which reason was not a communal process of a contingent realm, but a transcendent process of an absolute—though not exclusively divine—realm. While over time this movement would lead to an understanding of reason as an exclusive mental process of a solitary individual—that is, the modern subject—at

the moment of Elizabeth's courtship this process of reason, though isolated in the individual, was nevertheless bound up with a truth that was more or less exclusively a divine property. In this way the conception was an uneasy one, and it was through this uneasy relationship, between the divine and rational truth, between transcendent and communicative reason, that Elizabeth's rhetoric around her courtship operated.

While the movement to a logical system of absolute certainty is seen as a historical progress towards a newer, better epistemology, the mainspring of this movement is not so much a question of a need for radical change as for reactionary stasis. As a new class of university-educated administrators moved into Protestant church and government, one fundamental problem lay in a female ruler whose presence was essential to the stability of the nation and the guarantee of continued Protestant religion, but whose sex was a threat to a preordained system of knowledge and understanding. It would be too much to argue that a systematic effort to curtail female rule lay behind the adoption of Ramistic rhetoric and logic—but it does seem clear that as rhetorical innovation continued throughout the century as a part of a larger, continental process, one of the central issues was the relationship between rhetoric and truth, and one of those at the forefront of the shifting relationship between language and truth in her rhetorical practice was Elizabeth I herself.

Whatever his judgment of such a progression, by placing Ramus as part of a progression towards a Cartesian revolution, Kennedy participates in a dominant narrative about modernity. The significant feature of modernity, especially as a concept that entails a Hobbesian approach to politics and a Cartesian approach to philosophy, is the reliance on the conception of an isolated, calculating subject. This subject is especially problematic for rhetoric, which considers action in

terms of its coordination and the influence of one person on another or on others—exactly the kind of influence that theories of subjective rationality seek to exclude, particularly in the calculation of collective analysis. Habermas is symptomatic here, as he posits the moment of the emergence of the liberated subject as the possibility for deliberative democracy, but also as a model of rationality that poses the biggest threat to that democracy and its possibility of cooperative action by moving the seat of rationality to the individual acting solely in her own interest understood in isolation, thus presenting the need for Habermas to come up with the possibility of communicative action and a concomitant communicative rationality.

Looking at a moment before this emergence—which happens at the earliest only with Francis Bacon but really not until Hobbes, who served briefly as Bacon’s secretary—allows us to see ways that instrumental and communicative rationality are in fact inextricably bound together. The master narrative of the emergence of the modern subject is that it (the subject) moves from a belief in truth that is religiously guaranteed to one in which truth is the province of the individual calculating subject. What in fact unites these models across this posited evolutionary rupture, symbolized most potently in Descartes, is that in both cases the seat of rationality transcends communality. Where truth is located in both cases is *absolutely not* in you and I arguing that something is or isn’t the case. We might uncover truth in such a process, but that discovery is incidental to a truth that transcends our exchange in so far as its existence is independent of that exchange.

For Habermas, these multiple worlds of communicative action point to a narrative of epistemological development given in terms of subjectivity, rationality, and communication,

specifically in a political framework.³⁰ Habermas thus presents the possibility of communicative action and a concomitant communicative rationality—a rationality not centered exclusively in the logical discoveries of the isolated subject. The emergence of this subject that is simultaneously liberatory and yet threatening to the very liberty it produces comes about as a specific historical process. Central to Habermas’s theory of communicative rationality is the emergence of a modern, differentiated lifeworld. This modern lifeworld, with its subjective, objective, and social spheres, is posited against and emerges out of a mythic lifeworld in which self, body, nature and the divine are, for purposes of understanding, relating to, and acting in the world, unitary and indivisible. Elizabeth’s rhetoric around her courtship with Alençon points to an apparently differentiated lifeworld, and thereby complicates this narrative. In it, we see Habermas’s differentiated rationality at work simultaneously within a mythical world in which logic and myth coexist in an undifferentiated stew. What this exchange suggests is that the positions of mythical or logical, differentiated or unitary, are not distinct rationalities or worlds, but places out of which arguments can be staged.

I therefore want to consider an illuminating moment before the advent of the Habermasian modern—which is certainly not his modern alone, but his and that of even his most adamant philosophical opponents, such as Foucault, or Gadamer, or Lyotard—to consider the ways that communicative rationality and transcendent rationality interact and are

³⁰ Actually, for Habermas there’s not really very much world at all before Kant; but in his charting out the trajectory of the modern philosophical problem of knowledge in his early work, notably *Knowledge and Human Interests*, one can find glimpses that indicate Descartes as the vanguard, and Bacon as an early progenitor, of the modern—as opposed to a mythical—lifeworld: Descartes as the founder of the project of radical doubt (see *Knowledge and Human Interests* 13) and Bacon as the visionary of observational science (*Knowledge and Human Interests* 77).

interdependent in the construction of arguments and in those arguments' efficacy. What makes the movement between both these models indicative of historical continuity, rather than of rupture between a premodern and a modern world, is that both models work to exclude two elements that are prominent forces in both the superseded and the superseding models—rhetoric, and women. How the relationship of women to power points up this continuity can help us better understand what is at stake in a devaluing of rhetoric, and how such a devaluing of rhetoric is a distinctly rhetorical act that is not meant to rescue reliable dialectic from unreliable rhetoric, but to guarantee that efficacious rhetoric remains outside the access of those seen as not worthy of being dialecticians, for instance, historically, women. As a woman ruler schooled in rhetoric and dialectic operating just on the cusp of modernity, Elizabeth provides an interesting test case for these questions.

We can read Elizabeth's rhetoric as emphasizing and taking advantage of an inherent feature of discourse used to persuade, argue and communicate, that is, as Habermas suggests, that these tasks operate through multiple possible discursive levels. By trading in these multiple discursive levels, Elizabeth's rhetoric uncovers the communicative, rather than the transcendent, basis of rationality. Doing so mean that those who want to maintain an ontological truth about women's inferiority, however, must find a different seat of transcendence from which to do so—the modern Cartesian subject.

The movement from one transcendent (divine) to another (the mind of the subject) as a source of truth works in both cases to remove truth from the realm of the social and contingent. For opponents of Elizabeth, this removal emerges from a need to gain leverage in a debate over a monarch's prerogative to marry. Theoretically the problem is that the prince reflects and directs

the will of God in her handling of the state. The task for Elizabeth's interlocutors is therefore to posit a truth that trumps the monarch's will in this matter, because, while the monarch is expected to obtain council on issues of state, she is not obliged to follow that council. So to be successful, any argument opposing the monarch's will must find its warrant outside the people or a community, but without being grounded exclusively in the divine—its truth must transcend in some way that is not exclusively divine. The answer lies in an intellectual alchemy of logic and divinity that helps to bridge the gap between the mythical and the modern without disturbing the continuity that connects both—the need to guarantee male power.³¹ In examining Elizabeth's response to these efforts, we can see two movements at work. First, Elizabeth's rhetoric moves in such a way as to emphasize the presence of distinct discursive spheres—that is, her rhetoric depends on a differentiated communicative world and as such avoids a dependence on a transcendental theo-ontological basis for agreement and argument. That is, her rhetoric depends on a rationality based in communication rather than an absolute. The second manifestation of this approach comes in an effort to expose the fact of a communicatively formed rationality in others' rhetoric even when that rhetoric is ostensibly rooted in a transcendent rationality.

³¹ The relationship of the queen's body to her reign, her crown, and her kingdom have been treated a number of times. On this relationship in general in England, Charles Beem makes the point even that the possibility of a woman ruler is rooted in this understanding of the body, as it was established with Henry II that the inheritance of the crown was transmitted through a woman's body. Beem's book centers around other ruling queens of England, but his central effort is to derive a methodology that accounts for female rule without ascribing failures to femininity and describing successes in strictly masculine terms. As a way of setting this argument up, however, his introduction gives a thorough survey of the historiography around Elizabeth's reign and the question of her gender.

The courtship between Elizabeth and Alençon was no mere romance, but one steeped in statecraft, one watched attentively by half of Europe. These marriage negotiations, which lasted in practice almost a decade, were fraught with international implications. Principally, the issue of the Netherlands and their ongoing rebellion against Spain was foremost on the minds of the English people.³² Behind this tension, certainly for many of Elizabeth's people, was the survival of a European Protestantism, so that that religion's status in France was also an ongoing concern. In Alençon both these concerns came together—Alençon's position as leader of a French faction that, for political reasons, supported both French Protestants and Dutch Protestants made him a convenient lever against both of Elizabeth's and England's two major continental rivals, the kings of France and Spain. At the same time, Alençon's Catholicism made his candidacy a troubled issue domestically.

These political stakes in turn meant that a principle question regarding Elizabeth's courtship with Alençon related to how sincerely she actually wanted to marry him (or anyone else for that matter). This issue has come up in almost every survey—scholarly or popular—of Elizabeth's various marriage negotiations. As Susan Doran, in her book on Elizabeth's courtships, explains, “Too often in the past, biographers and historians dismissed the queen's courtships as ‘empty charades’, ‘political dalliance’, or ‘diplomatic games’ which had no chance of success” (Doran 1). Doran takes the relatively novel approach of assuming that Elizabeth in fact acted in good faith in her various negotiations—that is, that she acted as a person who

³² MacCaffrey views the courtship almost exclusively in terms of a set of political maneuvers centered around the Netherlands and England's unhappy relationship with Spain and the Hapsburg Empire (“Queen Elizabeth and the Making of Policy” 243-266).

wanted to get married if she said she did, but who was also aware of the political stakes and repercussions of any marriage she might undertake. I generally agree with Doran's approach here, but the fact remains that Elizabeth's sincerity in this matter is ultimately impossible to test.³³ And this issue of sincerity and its testability is one of the central features of Habermas's conception of communicative action.³⁴

For Habermas, what distinguishes communicative action is that a speaker puts forth claims that her audience can test in terms of set understandings of validity—sincerity, normativity, or truth. These claims do not correspond with a worldview in which, in the case of the Elizabethan age, truth is derived from and ultimately testable in terms of divinity alone. Instead these claims themselves, in being put forth and tested by intersubjective agents, constitute the world and the truth of that world. Elizabeth's rhetoric is situated so as to consistently point up these differentiated fields of communications—in part this allows her a mobility of argumentative positions, but the larger effect is to intervene into a debate over a

³³ In another article, Doran divides the historiography on Elizabeth's non/marriage into two camps, that which focuses on psychological factors for Elizabeth's singleness, and those that focus on the need to maintain her own power (though the two issues, as either historiographic camps or as deciding factors, are not, one might add, necessarily separable). Doran dismisses the psychological argument as being methodologically unsound, and the latter argument as being politically untrue; that is, there were a number of reasons why Elizabeth could maintain power even if she married. Furthermore, Doran, like Glenn and Mueller, notes Elizabeth's proclivity for asserting her divine role as instrumental to her power, her tendency to "project herself in this providential mold" ("Why did Elizabeth not Marry?" 37).

³⁴ It is a truth universally acknowledged among both philosophers and rhetoricians that the theories of Habermas present tantalizing possibilities and frustrating difficulties. Recent articles by Rosa Eberly and James Arnt Aune point to these difficulties and possibilities for rhetoricians. Eberly discusses "wanting to read Habermas without 'having to throw the baby out with the bathwater.'" Playing out this trope, she explains that "The baby was the great promise of Habermas's insights into language use in political economies, into structures of legitimation, into social reproduction. The bathwater was his philosophical idealism, culled from the high-theory works of his long middle period." Eberly's analysis is sharp; nevertheless, I want to employ, and interrogate, key concepts of Habermas from exactly these "high-theory works of his long middle period."

communicative, rather than a divine transcendent, rationality. The fact of her taking advantage of this differentiation necessitates an emphasis on the communicative basis of rationality. And so against the effort to remove truth to a theo-ontological source that guarantees a fundament of argumentation, Elizabeth's strategy is to emphasize the communicatively founded basis of rationality and argumentation.

Habermas classifies three worlds that form the basis of possible communication in the modern lifeworld. "Taken together," he explains, "the worlds form a reference system that is mutually presupposed in communication processes. With this reference system participants lay down what there can possibly be understanding about *at all*" (84, original emphasis). The ability to communicate and negotiate through discourse is therefore rooted in a shared understanding of cultural worlds—this understanding consists first and foremost of knowing how to evaluate and interpret statements—and this facility depends in turn on recognizing what type of claim is being put forth for evaluation. Habermas specifies three worlds about and in which communication takes place and out of which validity claims are drawn: the objective, the subjective, and the social, and corresponding to each world is a specific set of validity claims by which interlocutors attempt to evaluate claims that are made in the act of communication: sincerity claims in the subjective world, normative claims in the social world, and truth claims in the objective world. "Speakers integrate the three formal world-concepts . . . into a system and presuppose this system in common as a framework of interpretation within which they can reach an understanding" (TCA 98). In the modern world, these processes of inquiry, discovery, argument, and ultimately communication are divisible or, in Habermas's term, "differentiated".

These processes are indivisible in a premodern world in which the basis of all truth lies in a religious, or, in Habermas's terms, mythical, understanding. A series of "differentiations" is thus of vital importance to Habermas's conception of the modern world, first and foremost among them a "differentiation between the object domains of nature and culture" (48). These differentiations emerge in a process—a decidedly modern, decidedly occidental one—out of a premodern "mythical understanding of the world" (45). Habermas is clear that we would err by considering the individuals who participate in these "mythical understandings" as illogical or unrational. On the contrary, Habermas explains that "the differences between mythical and modern thought do not lie at the level of logical operations" (44). Instead, they differ, in Habermas's view, at the level of "the formal-pragmatic basic concepts they place at the disposal of individuals for interpreting their world" (45). What is most notable about the lifeworld of mythical societies, then, is not an illogic in the operations of those who inhabit and communicate within them, but merely the limited number of aspects, that is worlds, on which they have grounds to communicate—so that, rather than being differentiated, "nature and culture are projected onto the same plane" (47). For both modern and mythical worldviews, the basis of these "formal-pragmatic basic concepts" is in language. Employing the differentiated lifeworld for analysis, we can see that this distinction between mythical and modern is problematic, and it is exactly its problematic nature that we see exploited in Elizabeth's rhetoric.

One of the most appealing aspects of Habermas's understanding of communicative action, and its concomitant understanding of argumentation, is that it is not ultimately concerned with how things are—in this case whether or not Elizabeth was really in love with Anjou, or really intended to marry, is, as we can understand, outside the purview of possible "knowledge."

Underlying the subjective world are validity claims Habermas describes as “sincerity claims.” For Habermas, a person’s sincerity can only be measured against a pattern of observable actions or behaviors, rather than against an internal essential state. The appeal of this is that it makes this particular kind of truth—that is, the sincerity of a person, whether she is ‘telling the truth’—something that can be manipulated by a subject on the one hand and tracked out by an observer on the other. There are certainly some serious precautions that need to be taken in such an approach—it’s no fair pretending that Elizabeth operates without fearing some sort of final Godly judgment, because she most certainly did, as did her interlocutors. But the approach offered by Habermas’s terms both allow a tracking out of the mechanisms of this identification and relieves a person of the obligation of trying to get at what Elizabeth *really* thought. In any case, an understanding of sincerity as a function of observable behaviors emphasizes the possibility of communicative versus transcendent rationality, because Elizabeth’s manipulation of this quality demonstrates a movement of rhetoric through multiple spheres of discourse that in turn indicates rhetoric’s purchase in a communicatively centered rationality, rather than in a transcendent truth.

So, for instance, the fact that during Alençon’s visit she carried around a miniature of the Duke in her prayer book need not indicate that she genuinely loved and wanted to marry him, nor that she was a dissembler fully committed to her lies. Alençon’s miniature becomes merely one fact to be considered amongst a number of other facts in weighing the sincerity of Elizabeth’s claims to truth—and it is such a fact both for me as an observer as it was for her as an actor as it was for her contemporaries as observers. This miniature and its presence in her prayer book therefore became an element that Elizabeth could mobilize in her own argumentative claims and

which we can observe in evaluating them. And though she never explicitly referred to this prayer book, the point is that the issue of sincerity provides a specific kind of claim that Elizabeth can mobilize. Sincerity is exhibited as a sequence of behaviors, rather than something measured by God alone, and thereby speaks to an understanding grounded in intersubjectivity rather than absolute transcendence.

But the clearest demonstration of understanding grounded in intersubjectivity emerges in a movement between differentiated rational and communicative worlds in the letter, written sometime in December 1579 or January 1580, in which Elizabeth informs Alençon of her decision not to marry him. Elizabeth's letter operates in at least two of the discursive worlds Habermas describes—the social and the subjective—and forwards validity claims that are based, not in God, but in sincerity and normativity, and that these are based in turn in the realm of discourse, rather than divinity—the transcendent. Elizabeth needs two things to happen from this letter—she needs to close down the possibility of marriage, but simultaneously leave open the possibility for amiable cooperation, and possible future marriage negotiations, in the present and in the future. She wants to present a finality of decision but keep open the communicative space that has been created through the courtship process. In this way she is engaged in communicative action, understood as non-teleological action based in communicative practice and geared towards understanding (though a self-interested understanding, in this case complicating Habermas's conception). She wants to keep the possibility of communication open, and she wants the fact of that possibility to be a publicly known entity, or else it would lose its diplomatic value—keeping the Spanish at bay in the Netherlands and the French

monarchy from moving strongly against Protestants but keeping them antagonistic towards the Spanish.³⁵

Elizabeth's letter [i.e. rhetoric] is effective precisely because it recognizes the existence of distinct, differentiated worlds and validity claims, and moves between them as rhetorical need arises. Elizabeth immediately places the forthcoming communication in the social world, and brings to the fore questions of rightness or normativity—the validity basis of the social world—as the ground for testing the validity of any forthcoming statements. The basis for her refusal rests in Alençon's practice of Catholicism; his unwillingness to give up the practice of this religion is too offensive to the people of this Protestant nation. However, it is not on a divine basis that Elizabeth turns him down regarding this point. Instead, she immediately sets her response in terms of the social world.

Her opening sentence addresses an issue of a man's word and the obligations that word entails—in other words, the opening sentence addresses the issue of honor. Elizabeth writes “When I remember that there is no more lawful debt than the word of a just man, nor anything that more binds our actions than a promise, I would forget myself too much in regard to you and my honor if I passed over the term appointed for my answer to the matter that we have long discussed” (Marcus 243). What the sentence does practically is inform its recipient that a decision is about to be rendered; it says simply that I am going to answer the question you asked

³⁵ The difference between Habermas's view of communicative action and what's going on here lies in his contrast between instrumental or teleological action and communicative action, between making things happen and making connection. But this distinction he attempts to make in *Theory of Communicative Action* is never entirely clear, and to some extent comes off as unworkable not because it is not realizable, but because in its lack of direction the space created becomes available to manipulation as a matter of course—and so the colonization of the lifeworld becomes an inevitability.

me. However, along with this announcement, it places the response in a larger question about honor, though it is not obliged to do so. That is, if the honorable thing to do is uphold a promise, and the promise involves meeting an obligation by a specific time, then presumably it would be enough to meet that obligation, i.e. to answer the question. However, in this case, Elizabeth sees fit to draw the reader's attention to the plane of discourse in which this answer is being given—it is given freely, but the answerer has obligated herself to her interlocutor, is meeting that obligation, and is explicitly placing the answer within that obligatory framework. In this way, I suggest, Elizabeth immediately places the forthcoming communication in the social world, and brings to the fore questions of rightness or normativity—the validity basis of the social world—as the ground for testing the validity of any forthcoming statements.

Elizabeth then goes on to begin justifying the decision she will shortly deliver, keeping the aspect of the social in the fore—"You are not unaware, my dearest, that the greatest delays consist in doing what our people should rejoice in and applaud" (Marcus 243). Here again it is in the social that this discussion will take place. In the end, Elizabeth must refuse the marriage, for its occurrence would threaten the goodwill of her people towards her. In this way, the reason for delay, the consideration of the people, is likewise the reason for her refusal—Elizabeth makes an appeal to the social world and its concomitant normative claims, in which the rightness of her actions depends upon the understandings of the social world. The letter explains the specific condition that threatens the maintenance of the people's goodwill, the public practice of Catholicism, a condition stipulated in Alençon's marriage offer. It is thus a specific point, as opposed to the entirety of the marriage itself, that has moved the marriage from being a possibility to being an impossibility, but this impossibility is put in terms of the social world and

is based in normative claims. The issue of Alençon's Catholicism, which might ostensibly be based in a solitary, mythic world and divine validity claim, instead operates as a specific point that allows her to maneuver between multiple discursive worlds and validity claims. The terms of discussion around this issue are grounded in the social, but tested against a second set of claims, sincerity claims.

Now, this social world and its normativity claims are complicated somewhat by the subjective framework placed around them; the writer herself "*remembers*" the issue of debt and the binding effect of promise, and if she were not to uphold this promise would forget herself. However, she would not simply forget herself, but would do so in relation to her addressee—she says she "would forget myself too much in regard to you and my honor" (Marcus 243). This subjective framework thus continues to function in the social world and address issues of rightness—indeed, the whole sentence specifically asks its addressee to judge its validity according to normativity claims. However, the mentioning of the subjective world, and its sincerity claims, raises the possibility of a move to that world even while it leaves any formal expectation of judgment in the social world. The writer thereby is trying to set a ground for agreement on the social world, but keeps the subjective world, with its sincerity claims, in play.

When she therefore moves to this subjective world in the second paragraph of her letter, she has prepared her interlocutor for this move. This can be clearly seen when Elizabeth appeals to exactly the question of experience, rather than knowledge of an essential self, as a test of sincerity. She asks Alençon to bear in mind "how sincerity accompanies me in this negotiation from the beginning to the present," indicating that the test of sincerity is experience, just as Habermas has explained, and that, further, the evaluation of sincerity is an act taken up by the

interlocutor, so that in presenting the record of her actions as testimony of her sincerity, Elizabeth will place herself “before the seat of your just judgment and acquit myself of every wile and dissimulation” (Marcus 243).

What does not happen here, however, is a direct appeal to a singular truth, or to a mythic world underlying action—the framework in which this communication is being offered is distinctly social and subjective, but is not mythical, nor does it inadequately distinguish between a subjective and a social world. It seems an obvious point, but is worth noting, that the relationships articulated here are between the self (memory), the law (lawful debt), and word (action bound by promise). These are all operations that take place in a world whose existence is apparently determined in the social and subjective worlds, not in a natural or supernatural one, and as such, all are bound in discursive practice rather than in the transcendent—either through subjective essence or absolute, objective truth.

It may be on the other hand that Elizabeth merely uses the issue of the goodwill of her people to avoid the commitment she is loath to make, while still maintaining both her honor and her amicability with the French. Whether or not something like this is the case, I want to make clear how complex an operation this use of this issue is, because it operates beyond any level that might be derided as mere dissimulation or, worse, as womanly inconstancy. Instead, what I am suggesting is that Elizabeth’s varied approaches take advantage of a dissonance between the levels or planes of discourse as marked by the validity claims on which the arguments she puts forth rest; in other words, Elizabeth moves from one communicative world to another, and therefore from one set of validity claims to another, as her argument requires.

So even though Elizabeth might marshal her relationship to god as a testimony to her sincerity, she will also mobilize other evidence as well that operates through different, differentiated worlds and through a differentiated understanding of validity claims. By moving among different validity claims, and especially by raising the possibility that her subjects' understanding is founded not in God, but in reason, Elizabeth points towards a rationalized and differentiated worldview. God and reason are not exclusive—the point is that God does not practically serve as the guarantor of reason. Operating against a theoretical position in which truth rests in the transcendent, unitary and godly world, Elizabeth nevertheless demonstrates that in practice communication occurs through claims based in multiple worlds.

The opposition from Elizabeth's Protestant people found its most famous and vehement articulation in a 90 plus page pamphlet written against the marriage, the elegantly titled *The Discoverie of a Gaping Gulf whereinto England is like to be swallowed by another French marriage, if the Lord foerbid not the bannes, by letteing her Maiestie see the sin and punishment thereof*. The author of *The Gaping Gulf*, as the pamphlet is called for short, was John Stubbs, who would lose his right hand for his offense to the queen and to the state in his writing of the pamphlet. Stubbs was not a member of the government or of Parliament, but as a well-connected lawyer, his education and his occupation placed him decidedly in the same discursive community as that shared by the Queen herself—that is, his linguistic training was of the humanistic, legalistic variety, and in this way they shared discursive—i.e. rhetorical—conventions: the same rhetorical training, the same logical training, developed through the same humanistic educational system. What we see in Stubbs' pamphlet, however, is an effort to efface any communicative basis of argument and reason, and emphasize an argument that posits both its method of

argumentation and the premises from which it argues as being fixed and beyond the limits of mere sociality—and, being beyond these limits, tapped into a divinely certain, rather than a communicatively contingent, rationality.

Stubbs' pamphlet seeks to uncover the fact that the weakness of England, the great gulf, lies in the fact of Englishmen being willing to council the marriage to the queen (4). The foolishness, the falsity, of such council, it is the Gulf's task to discover. The appeal to the wicked councilors of the monarch is a standard justificatory approach to addressing a situation—most notably offered in English history to this point in the deposition of King Richard II by Bolingbroke, who would become Henry IV. It would also be used by Essex in his dismally failed rebellion twenty years after the *The Gaping Gulf*. The discussion of council also speaks to an ongoing European debate about the relationship between sovereign powers and the rights of councilors. But this moment is different in that what *The Gaping Gulf* represents is an explicit attempt to intervene in a process of deliberation and council as a means of discovering prudent political judgments, and replace this process with one founded on an absolute and transcendent truth. Stubbs's pamphlet is therefore organized in such a way as to move from universals to make judgments on particulars. Thus, his pamphlet begins by laying out these universal and transcendent truths in the first ten pages, then moves into a series of amplifications of these first truths, consisting of scriptural examples illustrating these truths and a set of analogies providing a connection between the scriptural examples and the contemporary relations of France, England, and Rome, which movements take up another twenty pages. The remaining sixty pages of the pamphlet then go on to analyze the particular conditions of the politics of this potential marriage in light of the universals already established; this analysis consists of examples from history,

discussions of contemporary political events, such as Alençon's activities in the low countries, and the activities and behaviors of the French in general—including ample reference to the St. Bartholomew's day massacre—and some judgments of what might be best for the queen herself, both in terms of her health and her happiness.

But while these evidences are drawn from historical circumstances—that is, the somewhat sensible world—the fundamental bases of the argument are not. Thus, Stubbs's argument is arranged in the terms of a syllogism, as he describes, a “major proposition,” a “minor proposition,” and a “third proposition,” which correspond to the major and minor premises and the inference of the syllogism. The major premise: “sin provoketh the wrath of God” (6). The minor premise: “It is a sin . . . for England to give one of Israel's daughters to any of Hamor's sons” (6). The inference: “the conclusion or final sentence of God's punishment against this poor church for this sin if it be committed” (14). To put it a bit more formally: All sins will provoke the wrath of God; Marrying a Protestant woman to a catholic man is a sin; Marrying a Protestant woman to a catholic man will provoke the wrath of God. Stubbs attempts here to fuse together two transcendences, one divine (scripture) and one subjective (the syllogism). But it is no small coincidence that the application of the divine truth is predicated on a middle term that depends on Elizabeth's gender as a “daughter of Israel.” In this case, it is gender that provides the mechanism that fuses together these two transcendences.

Stubbs goes on to make the moves necessary to apply these universal and transcendent truths to this particular political situation. Thus, for instance, families, which are held together for purposes of keeping people from straying from God, are likewise necessary to the preservation of the country: “if the families be distempered and out of tune, the whole land is

disturbed” (8). The commonwealth and the church (which are consistently gendered female) cannot take this care for the least of its members and not also take it for the greatest, and thus “There is no such inequality as that of religion, no such disparagement as not to be faithful” (9). Further, “everywhere it is set down how the wicked perverted the good, but nowhere that the better part converted the wicked” (11), and so the idea that Alencon will convert from Catholicism is given the lie. For “if there were hope, yet, in so unadvised rashness to venture against the word of God, we may well look for God’s judgment to come between and punish our foolhardiness” (12). And, finally, because “the sin of the prince maketh the people to sin” (15), then if the prince sins in this way it is much graver than if one or a thousand of the people do so—an argument that reinserts the queen’s body into a ontotheology that guarantees its submission to a transcendent truth.

Here and throughout this opening argument Stubbs’s appeal is to a truth rooted in scripture, and in a strict Protestant belief—i.e. transcendent truth—so much so that he employs a disparaging Machiavellian reference, accusing “these discoursers that use the word of God with as little conscience as they do Machiavelli” of making a false comparison by not likening the papist to the cannanite (12). The reference to Machiavelli here is most notable as a trope intended to disparage and undercut judgments derived from contingency and negotiation—from communicative understanding. Stubbs goes on to offer arguments that these premises and inferences are in fact being actuated, but the syllogism itself is never tested and in fact is not testable; the premises are absolute and quite precisely transcendent in their truth. And this, for Stubbs, is the true means of argument, true in every way and for all time, and therefore true in the realm of politics: otherwise we have what Stubbs derides, again, as Machiavellian arguments

from particulars to general, decision making generated out of exigency and agreement rather than from absolute truths (50). So, before moving on to sixty pages of analysis out of these transcendent truths, the text then returns to the question of council. Elizabeth should continue in the path of righteousness, spurn her wicked counselors, and take comfort in the companionship and support of her righteous subjects, and “know assuredly, to your comfort, that all the faithful of God pray for you, and when you are in your secret, most separate closet of prayer they join with you in spirit” (30). Communality, here, is a closed off affair, one achieved not through communication, but through adherence and individual observance of a truth that has nothing to do with intersubjective relations.

The text goes on to amplify its argument with numerous examples from scripture, all the while drawing parallels between England as Israel and Catholic Europe, especially France, as the idolatrous enemies of Israel. What makes Stubbs’s pamphlet so problematic for the queen is the use of a fairly regimented argumentative technique in conjunction with a set of relatively untestable assumptions about the metaphysical ordering of the universe. Elizabeth, for a number of reasons, is not in a position to attempt to contradict scripture—nor can her response profitably engage in a dispute over interpretation, which is outside her purview. In engaging with Stubbs’s objections, therefore, Elizabeth’s response needs to relocate the grounds of the dispute in order to avoid the imposition of a truth beyond the negotiation of a community—specifically she wants to privilege communal rationality against transcendent rationality—either syllogistic or divine or both—that are beyond access to discursive coordination. Stubbs’s pamphlet, on the other hand, builds its case by depending on the use of a proscribed argumentative method that is based on inaccessible premises and truth claims.

Thus, while Stubbs grounds his argument in the closely related spheres of quality of counsel and reason based on divine premises (closely related because the logical quality of his argument ought to make the falseness of counseling for the marriage blindingly obvious), Elizabeth bases her own response—issued through proclamation—in the rhetorical qualities of Stubbs’s own pamphlet. As R.V. Youngs has noted, this proclamation is one of the lengthiest issued under Elizabeth; it is also one of the only of her proclamations to do more than simply issue an agenda or reiterate a legal ruling, but to actually engage an opponent. The legal force of the proclamation, such as it was, was to order the confiscation of any copies of Stubbs’s pamphlet, and to assure the public that those who participated in its publication would be punished, as indeed they were, as both Stubbs and the printer of the pamphlet would lose their right hands. To be frank, the rhetorical efficacy of the pamphlet itself is somewhat doubtful in historical judgment—it would be hard not to acknowledge the effectiveness of the pathos when Stubbs, in a scene often commented on and even represented on film, held up his bloody, mutilated wrist and shouted “God save the queen.” Furthermore, as seen above, the opposition of her people is precisely what Elizabeth cites as her reason for not getting married to Alençon in the end. But it is important to see this pamphlet as just one move in a series of efforts to implement a strategy in which a communicative rationality is posited and upheld as the basis for political judgment.

Elizabeth’s proclamation is therefore most effective in that it gives the lie to Stubbs’s pamphlet by calling into question the sources of truth on which that pamphlet asserts its grounding. Where Stubbs has attempted to situate his argument in divine scripture appealed to through the syllogistic presentation of its infallible truth, Elizabeth’s proclamation exposes his

text's participation in and basis on the same linguistic framework to which she herself appeals by pointing out the ways that Stubbs's pamphlet operates through rhetorical persuasive appeal to popular consensus rather than in a realm of absolute logical certainty. She accuses Stubbs and his printer of participating in slanderous falsehood rather than in deductive demonstration—and indeed the guarantee of the maliciousness of the slander is in its appeal to a logical and absolute certainty. She faults Stubbs for, in essence, empty rhetoric, but empty not because rhetoric is empty—for Elizabeth demonstrates here immense respect for rhetorical functions and the discursive realm in which they operate—but because Stubbs attempts to carry off the appearance of logical certainty above or in place of the political processes of rhetorical rightness. For Elizabeth, the field of debate is based in communicative functions, in language and in conciliatory rhetoric when appropriate. Stubbs's offense is in denying this fundamentally communicative framework as the seat of rationality.

In an antagonistic situation the need to counter theo-ontologically based arguments leads to an emphasis on the communicative basis of rationality that is explicit—and therefore binding. In particular, Elizabeth has to be careful to keep open different possibilities for truth—in particular that political truth does not need to be determined by a finality that is produced out of a rational system based anywhere other than in discursive exchange. This is not an altruistic move—Elizabeth needs to keep open the space in which she exercises her power, and allowing in a rationality that is based on inarguable logical system would impinge upon her own sphere of authority.

Elizabeth's first movement in this regard is to set out clearly the realm in which Stubbs's pamphlet operates—not in the transcendent or divine, but in the social. The pamphlet does not

represent an attempt, in Elizabeth's view, to actuate a divine and absolute truth, but rather to achieve a specific effect in the social sphere. Thus "under pretense of dissuading Her Majesty from marriage with the Duke of Anjou," the pamphlet not only slanders the Duke but is seen to be "also seditiously and rebelliously stirring up all estates of Her Majesty's subjects to fear their own utter ruin and change of government, but specially to imprint a present fear in the zealous sort of the alteration of Christian religion by Her Majesty's marriage" (148). Elizabeth then goes on to make a number of savvy refutations of the accusations as she has distilled them in her proclamation: no one has done more than she to defend religion; the Duke's character is unimpeachable even among the Protestants of France; the conditions of her marriage have always been debated in both Parliament and counsel; and marriage has been consistently urged upon her as the only remedy against the evils the book predicts will befall from a marriage. She finally goes on to impugn the motives of the pamphleteers themselves, who have not offered an alternative course for providing against these perils if she does not marriage, "for lack whereof it doth manifestly appear that the only scope hereof was, under plausible reprehensions, to diminish Her Majesty's credit with her good people and to set all at liberty for some monstrous secret innovation" (151).

Impugning the motives of Stubbs is more than just an ad hominem argument, however—the tenor of this move is such that it calls into question not only the character of her opponent, but the very grounds from which he claims to be arguing. Thus, "it is to be specially noted that nothing is once touched in all these seditious libels (though they pretend great care for the Church, the Crown, and the commonweal) how by any other good provision (if her Majesty should not marry) these so great perils may be avoided" (151). This appears to be the same

dodge we see today in the freshman comp essay—that an author is wrong because she only points out problems and doesn't offer solutions. But the problems of Elizabeth's marriage and the succession have been exactly an ongoing matter of public discussion for these same 20 years, in Parliament, in Counsel, even in the nation at large; and thus Stubbs, by attempting to sidestep the discussion and appeal instead to something beyond the social world of communicative understanding and rationality, shows his falseness. Herein lay the problem with Stubbs' pamphlet: it refuses to enter into an ongoing discussion through which satisfactory solutions might be found, and instead hides behind a predetermined (but nevertheless illusory) truth arrived at through a sleight of hand combination of metaphysics and logic.

The logical certainty which forced this unsolicited council is exposed as, in fact, a simple pretense for slander, especially in its use of illusory logical certainty to appeal to those outside the discursive community trained in the uses of such logic, and such rhetoric: these are “the simpler sort and multitude, [who,] being naturally affected towards her majesty and her safety, might be abused with the fair title of the book and hypocrisy of the author, as well as in abusing many texts and examples of the scriptures perverted from their true sense.” Now here Elizabeth's proclamation treats the discursive, communicative qualities of Stubbs pamphlet; it speaks to the persuasiveness and appeal of a title that is “fair”, and moreover it speaks to a truth held in the scriptures, but it is a truth that is deformable, that can be, and has been mobilized to deceive, but which is also a truth that is not self-evident, nor, as the presence of the proclamation itself indicates, beyond dispute. Elizabeth's proclamation thus works to point out the ways that Stubbs's pamphlet operates through rhetorical persuasive appeal to popular consensus rather than in a realm of absolute logical certainty. She herself, in this pamphlet, reverses the process of

Stubbs's argument, moving from particulars to universals; it is the facts of her reign that evidence both her standing in relation to her people and her nation's standing with God. The queen, through the excellence of her reign in maintaining peace and prosperity within and respect without, "therewith also [has] proof of the universal love, liking, and favor of her people" (147), a proof and demonstration that she "hath no cause through her steadfast hope in God to mistrust the continuance of these her graces towards her" (147). That is to say, the proof of the queen's care for her people is apparent and available, nor is the proof of her people's love towards her in doubt. But this proof emerges not out of private meditation, but out of a social, intersubjective, and communicative understanding of judgment.

Natalie Mears has used her work on Stubbs's pamphlet and Elizabeth's response, in which she sees the power of the monarch as existing in tension with an ongoing public discussion and debate of that power and its exercise and choices, to challenge Habermas's conception of the public sphere in terms of its situatedness, its participants, its subject of debate, and its historical moment. In so doing, she covers a number of arguments relating to the public sphere, such as those of Nancy Fraser on composition and participation, Keith Michael Baker, Craig Calhoun and Michael Warner on its situatedness and its topics of debate, and Alexandra Halasz on its moment. While Mears concludes that there was a nascent public sphere in Elizabethan England, I hope that this chapter serves to extend her discussion in two ways, first by discussing the idea that underlying a public sphere is an understanding of a rationality that is communicative in nature, and second, that this understanding makes it clear that as much as a political conflict, the exchange between Elizabeth and Stubbs was more fundamentally a rhetorical conflict—not because the exchange is carried out through rhetoric, but because it is

fundamentally a struggle over the nature of argumentation. Mears cites McLaren, who argues that “Elizabeth’s queenship was legitimated using a ‘providential’ model,” an argument not dissimilar from Glenn’s for the transcendence of Elizabeth’s rhetoric. However, both transcendence and providence as sites of argumentation run aground against the truth, established under the nature of transcendence and providence, that Elizabeth’s authority to make her own decisions regarding her person was in doubt owing to the very nature of her person as a woman—a truth rooted in the biological fact of her sex, but guaranteed by a transcendent, providential understanding of the nature of truth. A different way to read the exchange between Stubbs and Elizabeth is as a struggle over the very nature of truth: Stubbs—on his own, in collaboration with councilors, or as a conduit for the zeitgeist of a nascent public sphere—attempts to enact an argument that grounds itself and guarantees its truths in a rationality that is transcendent, while Elizabeth attempts to enact a rhetoric that grounds itself in a communicative rationality. This understanding helps to more precisely articulate the nature of Mears’s nascent public sphere, insofar as, in Habermas’s conception of the public sphere, it is only instantiated within the circumstances of a communicative rationality.

Mears ends her discussion by suggesting that “public sphere” is an inadequate term to describe the conditions of public debate under Elizabeth, and suggests instead the term “public discourse,” which she sees as “a haphazardly interlinking network of clusters of debate, comprising real men and women in real places” (216). However, because she is focused on the enterprise of Warner, Fraser, and countless others to describe the precise nature and value of the public sphere, Mears’s discussion stops short of prying into the nature of this discourse, the understandings that underlie approaches to argumentation itself. In addition to shared themes,

analysis of these debates points to shared assumptions about how argument works—and it is these assumptions themselves which are at play, I would argue, in the exchange between Stubbs and Elizabeth. How the processes of argumentation through which these debates play out is precisely what is being contested in this exchange—and what Mears allows is for us to see that what Stubbs is tapped into is a discourse that works by asserting a transcendent truth—grounds for argumentative claims—suspended somewhere between divine and dialectical absoluteness, while Elizabeth puts forward a model in which those grounds of truth are based in communicative practice itself. In sum, a transcendent rationality, one in the process of being moved from a divine transcendent to a transcendence based in a rationality situated within the individual isolated subject, is posed against a rationality situated in the communicative practices between and among subjects—a communicative rationality, but one that does not achieve a transcendence because it is valued precisely in its availability to a community and its practices. This corresponds to Habermas’s discussion of communicative rationality, in which speakers are able to communicate at all based on commonly held assumptions about the way language and the world intersect. Looking at Elizabeth’s response to Stubbs allows us to think about this exchange not just in terms of a public sphere, but an ongoing epistemological struggle underlying the exchange (and the possibility for a public sphere).

Now, I don’t want to imply that Elizabeth was here opening up the possibility for the work of rhetorical consensus around her marriage and the succession—Elizabeth made it clear repeatedly that such discussion of what she considered her prerogative was unwelcome and would be suppressed, just as the proclamation suppressed Stubbs’s pamphlet and inflicted corporal punishment upon Stubbs himself. The point is that here her rhetorical move is to appeal

to such a discussion, or, more to the point, to move the discussion that is happening—that between her proclamation and Stubbs’ pamphlet —away from transcendent grounds and into communicative ones. In this way, and out of sheer exigency, she pushes back against the imposition of a transcendent truth on the political.

Her way out of this dilemma is that she is appealing to and exposing the logically based certainty of Stubbs’ pamphlet as in fact linguistically based claims to rightness. While Stubbs attempts to locate his argument in the realm of transcendent and absolute truth, Elizabeth points out the dissonance inherent in his pamphlet. While it claims to be set in the truth claims of the objective world, Elizabeth points out that it operates in the normative claims of the social world. However, by not recognizing this disparity, Stubbs’ greater error is in appealing to a truth grounded in an absolute and inaccessible realm, as opposed to the contingent and accessible realm of communication. We can see then a process in Elizabeth’s rhetoric that emphasizes the communicative basis of rationality in regards to the possibility for judgment in the political sphere. This emerges out of the question of her marriage, which is made problematic by the theo-ontological status of a woman’s body that, in this particular case, coexists with the queen’s body.

Elizabeth’s use of the nature of truth as, in effect, a locus for argument finally forces a reconsideration of a narrative in which an emergent modern epistemology sheds its roots in the divine and reaches its full potential in the reasoning powers of the individual subject. My particular objection to Habermas’s position, however, is historical—like Mears’s argument regarding the public sphere, I do not accept a modern, differentiated communicatively based lifeworld as beginning with Decartes or Kant, or Bacon—my position here, however, unlike

Mears' is not that this moment ought to be repositioned in time, but rather that the mythical and the differentiated are in fact positions out of and through which arguments are quite consciously staged—so that an insistence on divine or subjective transcendence based or communicatively based rationality correspond to a worldview and a lifeworld only insofar as one set of interlocutors gains advantage by adapting such positions and is able to compel others to accept that position. In the case of Elizabeth's exchange with John Stubbs, and in her rhetoric on marriage throughout her reign, we can apply Habermas's concept of a modern lifeworld just as easily as his description of the mythic lifeworld. But this simultaneous presence of two lifeworlds does not speak to a lack of differentiation. The struggle at work in this exchange is a struggle over positions; on the one hand truth rests on a transcendent basis, a place from which to stage arguments that exists outside of socially formed judgment. On the other hand truth rests in communicative practice, a place from which to stage arguments that exists in social processes. In the case of Elizabeth's responses to both Alençon and Stubbs what is at work is a response to rhetorical exigence—the need to find the best available argument. But these moments also point to a problematic conception of rhetoric in the sixteenth century, and this problematic moment can also make us rethink a narrative of a burgeoning modern epistemology. Nor does this moment appear as one of rupture, or as a transition between stages in a social evolution. Indeed, what makes this period of dynamic change most notable is in fact its stasis. The dynamic shift occurs between different forms of and different justifications for a transcendent rationality—not between a transcendent rationality and some other privileged site of or method of reason. In this case, the movement we witness at work in the exchange between Elizabeth and Stubbs does not mark a desire for a newer, better system of knowledge, but instead indicates a desire for a stable

system of knowledge that can uphold social structures, not allowing for change but justifying its deferral.

CHAPTER 5

RHETORICAL EXECUTION: ELIZABETH, RHETORICAL THEORY, AND THE DEATH OF MARY, QUEEN OF SCOTS

Throughout the 19 years that Mary Stewart remained a prisoner of England—or, technically, a guest of Elizabeth's—Elizabeth consistently turned aside efforts from those around her to see Mary executed, even when all evidence seemed to point towards Mary's complicity in plots against the Queen (regardless of whether this evidence was genuine, manufactured, or the product itself of extensive plotting by Elizabeth's supporters, notably Walsingham). This effort on Elizabeth's part was so strong that even after Mary was found guilty in a trial of nobles of plotting to overthrow the crown, Elizabeth had to stage what appears to have been an elaborate conceit of blaming a councilor, William Davison, of putting Mary's death warrant into effect without her knowledge. Elizabeth's resistance to seeing Mary Queen of Scots executed in the wake of the 1586 Babington plot—setting aside the sincerity of this resistance—can be considered as a desire to avoid executing a fellow prince either because of a concern for that action in terms of European politics or out of a related desire not to set a precedent of subjects judging and punishing a sovereign.³⁶ What this failed resistance to Mary's execution also

³⁶ Bassnett points out that Mary's involvement in international relations as a direct threat to Elizabeth begin the very year Elizabeth takes the throne, the same year Mary briefly becomes queen of France. [MacCaffrey also points out the international complications of Mary's presence and execution.] Warnicke has suggested that, based on a suggestion of the duke of Suffolk, the best course for Elizabeth, at least for the first ten years or so of Mary's stay, was in fact to keep Mary prisoner. Holmes has extended this argument to suggest that Mary's imprisonment was a great political advantage to Elizabeth, one she was reluctant to let go, especially as most of the threats to Elizabeth were engineered only under the constant surveillance of Elizabeth's associates. The situation in 1586 is summed up neatly by Heisch: "Although Elizabeth's chief councillor, Lord Burghley, wished to proceed with what (at least publicly) he regarded as a legal activity, it has not been at all points clear how he was able to persuade the queen to take the steps necessary to accomplish the execution; because Mary was her relative, because she was female,

demonstrates, however, is the breaking down of a rhetorical strategy that had been efficacious throughout her reign to that point, ensuring her control of the church and her ability to determine her own marital status. This strategy involved emphasizing a communal and contingent truth against a divine and absolute truth posited by her interlocutors; while her interlocutors relied on a conception of argumentation and rationality that depended on the divine to guarantee it, Elizabeth consistently pointed out that their rationality was in fact a product of communicative exchange. In the case of Mary Queen of Scots, however, Elizabeth's rhetoric falters because her interlocutors have based their arguments specifically in a communally grounded test of rationality—the law. While the absolute truths of her interlocutors were beyond interpretation, because they depended on divine or logical first principles that had to be apprehended entirely, the law establishes certain truths out of which to argue, but establishes these truths through intersubjective relations that are then susceptible of interpretation and indeed depend upon interpretation. Arguments out of the law are necessarily derived from particulars to general principles.³⁷

because the doctrine of Divine Right of Kings (to which Elizabeth frequently resorted as proof of her own authority) specified that monarchs were subject to God's judgment alone (and not civil law), and finally, because of the foreign policy implications of executing a woman who was French, Queen of Scotland, near heir to the English throne, and a devout Catholic, Elizabeth hesitated to proceed" (Heisch 591).

³⁷ For McLaren, the execution of Mary signals a clear defeat for Elizabeth, leading directly to the failings and anxieties of the 1590s. McLaren sees the maneuvers leading to this execution as rooted in the formation of a revised political interpretation of the commonwealth, the formation of a 'mixed monarchy' involving the three estates of the realm as politically stabilizing while also limiting the power of the throne, by establishing the Tudor state as an ongoing divinely ordained entity. We come to different conclusions on this point, because while McLaren attempts to track out shifts in the conception of Tudor government, I am attempting to trace a shift in how political discourse could operate—consequently, where McLaren sees the entrenching of a "providential rhetoric" in Tudor discourse, I isolate a movement towards a discourse grounded instead in communicative practice itself, of which "providence" operates primarily as a *topoi*. See McLaren, introduction, chapter 7.

I want in this chapter to look at Elizabeth's rhetorical interchange as it is presented in a single text, a text that is rhetorically complex not just because it presents both sides of a debate, but because the rhetorical end towards which the text is pointed is unclear, even though it does seem certain that the text had a very particular end in sight. The text, Robert Cecil's *The copie of a letter to the Right Honourable the Earle of Leycester*, presents a debate between Elizabeth and special commissioners of Parliament over the potential execution of Mary Queen of Scots, signals an ultimate containment of Elizabeth's rhetoric, and marks or signifies a contract spelled out between Elizabeth and Parliament that would be binding for the remainder of her reign. Elizabeth's strategies up to this point have relied on positing a communicative truth out of which to argue against a fixed and ahistorical truth posited by her interlocutors. The result of this communicative truth has been, inadvertently, to open up something like a public sphere—or, more accurately, to bring to light such a condition's existence and possibility. Having uncovered such a sphere, Elizabeth also controlled this sphere—but now a new strategy engaged by her interlocutors would threaten that control. This strategy is the positing of a truth that is communicative and historical in its contingency, but equally strong in its finality—the law.

Elizabeth is central of course to the proper functioning of the law, as is recognition of her unique place within that law. But this fact of her situation by no means results in her being simply granted the right to maintain that place. Still present is the problem of her body and of a theo-ontology that in theory guarantees both her place under the law and her sex's unfitness to hold such a place. She has put this problem aside through the emphasis of a public, communicative truth, but the emphasis on that truth means that she also cannot resort to a theo-ontological truth that guarantees the monarch unchallenged finality over the now-apparent

political / public sphere. Such absoluteness will therefore only be granted the queen and the monarch's two bodies by some guarantee that what final power is granted to the queen is granted to her ahistorical, a-temporal body only insofar as that body acts through her historical, temporal body in the present, in a process of negotiating contingencies and exigencies. I am speaking here not of a legal arrangement but of a rhetorical one—not an arrangement hammered out in law courts and legal rulings over the nature of the sovereign's two bodies, but in rhetoric on the Parliament floor and the printing press over the grounds of acceptable argument in politics. This agreement requires being bound through more than a token gesture, and that the oath or bond be guaranteed. The only fitting guarantee for such a bond, therefore, is in the sacrifice and ritual, legalized destruction of a female sovereign body, one that has lost its temporal, historical powers and is a sovereign only in terms of its appeal to the timelessness of sovereignty itself. That is, to ensure her own continued role in the temporal and contingent, Mary, queen without a realm or subject, must die. The struggle over her execution is therefore exactly a rhetorical battle not only because it takes place through rhetorical means, but because it takes place for control over the space of rhetoric itself. Heisch suggests that after this struggle, Elizabeth cedes a portion of her monarchical power over to Parliament. I want in this chapter to show how this cession is an outcome of an ongoing rhetorical struggle.

All of the exchanges and moves in this particular political struggle can therefore be read against the backdrop of a larger, theoretical, foundational tension. In addition to taking place within particular political questions such as how the execution will affect English-continental relations, or Mary's role as a focus for Catholic plots and Protestant suspicions, these exchanges

should also be read as struggles over the very nature and shape of both the political, especially as the political is determined by rhetorical truth.

So for instance, the question that took up a great deal of the House of Common's debate (that of which law Mary could be brought to trial under) is more than a play to generate a specific political end (the execution of Mary) while balancing diplomatic and political concerns (closing the door on Catholicism while keeping relations with Spain open). The question is rather about where the law (which, in a sixteenth century understanding depends on sovereignty) resides in an absolute understanding of timeless, ahistorical sovereignty, or in an understanding of sovereignty as negotiated, as contingent, as rhetorical. Obviously Elizabeth does not want to concede the position of absolute sovereign, and thereby undermine her own sovereignty, even though it is she herself who has brought the contingent and communicative to light. Just as obviously, Parliament, having once understood the power it stands to wield within such a communicative truth—especially as that truth is expressed in law—is likewise unwilling to yield its authority. However, both Elizabeth and Parliament recognize the place and concept of the sovereign as an essential part of law.³⁸ The solution to this conundrum therefore lay in a trial of Mary by the nobility, a trial sanctioned by Parliament that would formally pass judgment according to law established by a Parliament composed of nobles and commons. But Elizabeth must finalize this agreement, and the only way to do so is to guarantee her assent to a sovereignty that does not rest in the timeless, ahistorical, absolute. Mary, queen who is not, must die.

³⁸ On the role of Parliament in determining the bounds of Tudor sovereignty—or not—see Elton ch 1. Also see Elton ch 5 on the use of treason law to solidify the position of the English sovereign.

This is the background against which I wish to read this curious text, which documents two exchanges between Elizabeth and special commissioners of Parliament, through whom Parliament asks Elizabeth to sign off on Mary's now legally required execution—that is, required in order to make the law complete, to fulfill the law—and in which Elizabeth resists signing the warrant for Mary's death. Throughout the exchange, Parliament relies on a communicative truth of the sort that has made Elizabeth's rhetoric to this point so efficacious, while Elizabeth continuously attempts to find some truth that can assuage Parliament's desire, maintain a communicative truth that will assure her place, but also maintain an absolute truth on which she can, should she need, rest an absolute sovereignty. But she cannot succeed in this final, precarious balancing act—if sovereignty is to retain its absolute quality, this will only be through the (contingent, historical) assent of the law as that law is determined through Parliament. A historical absolute sovereignty that will be allowed control over the now apparent rhetorical political public sphere requires the destruction of every last physical trace of an ahistorical absolute sovereignty—Mary must die.

The law under which Mary will eventually be executed emerges out of an extra-legal effort. The oath of association (or bond of association) was a petition circulated and subscribed to by hundreds of gentlemen, who swore to pursue to the death anyone who was to cause the death of Elizabeth. Statute XXVII Elizabeth 1, passed in the 1584 Parliament, gave this oath the force of law. The need for this legal measure, however, arose precisely from an uncertain status of Mary, who was in title a queen and therefore sacrosanct, who had no political power but, as a sovereign, was nevertheless subject to no one, and thus could not be guilty of treason, much less be brought to trial and judged for such a crime by subjects. The Parliamentary effort to define

the legal standing of a sovereign thus indicates an effort to make law preeminent over sovereignty, even if it depends on sovereignty.

This question of Mary's legal status—which necessarily entails a more general question about the nature of sovereignty—first arose after the failed Ridolfi plot of 1572, which saw Mary implicated in a plot to marry the Duke of Norfolk and seize the English throne, and which resulted in Norfolk's execution. Neale explains that for the Parliament of 1572, “It was a moot point whether the laws of England—whether even a special session of Parliament—could deal with the sovereign of another country, though she had renounced her throne, was resident in England, and had committed what in another would undoubtedly have been treason” (241). But this was nevertheless the problem that Parliament confronted. In his opening address to the 1572 Parliament, Robert Bell, speaker of the house, describing the legal status of Mary Stewart, asserts that the idea that she is untouchable is an “error”, and that Parliament's purpose is to “rectify the common error” (244-245).

At this 1572 juncture, however, Parliament did not really have the wherewithal to control this debate. So even though Thomas Hall described the necessary steps to remedy the situation as executing Mary, denying her the succession, and establishing a certain successor, this last step, as a challenge to Elizabeth's authority that was bound to fail and bring royal displeasure, was disallowed as a matter for debate, on account of past failings, by Chancellor Knollys (Neale 1.251). This limitation indicates a success on the part of Elizabeth at establishing her will in a rhetorical environment—that this matter is seen as practically beyond dispute suggests that

Elizabeth exercised in 1572 thorough control over what could be argued in Parliament.³⁹ We can see along with this control, as well, that Parliament avoids any question of what Mary's status entails. So on the one hand they attempt to put the question aside, as Robin Snagge does regarding the practice of monarchs and princes, and their relationship to law: "let her title alone, for when she comes to claim it she will seek it, not by law but by conquest," as Neale paraphrases. And on the relationship of the commons to the question of sovereignty, Neale quotes Snagge directly: "What have we to do with *ius gentium*, having law of our own? Shall we say our law is not able to provide for this mischief? We might then say it hath defect in the highest degree." (1.251). Snagge here attempts to bypass the question of sovereignty, and in no way directly takes it on. In the end, however, the Parliament rejects any question of a legally circumscribed sovereignty altogether. So, in deciding how to proceed in advising the queen on how to deal with the traitorous conspirators, the house decides it hasn't the standing to make demands, even in the case of a non-sovereign noble. Thus, Neale explains, the House determined to present its views on the rebellious Duke of Norfolk—who would ultimately be executed after this Parliament—to the queen as opinion, rather than request. The reason for this decision, ultimately, rested in the inescapability of Mary's status. So Bell explains "that though it had been alleged by some that the Queen of Scots was a subject or feodary, the same is not to

³⁹ It is important to note the difference between this arena and the larger public arena of print and rumor, where Elizabeth's control was often corporally enforced; so Levin (esp ch 4) points out a number of instances in which subjects spread various rumors about Mary Stewart's legitimacy, rumors which were squelched by corporal punishment, including execution. While Levin does not focus extensively on Mary, where she does discuss Mary it is very much in the context of anxieties over both succession and Elizabeth's sexuality. I take these as obviously important points, but points that ultimately become the vehicles for this struggle over the nature of sovereignty and its significance for political argument.

be taken as allowed, for the law was not so” (1.255). And likewise, even when the joint committee of lords and commons in consultation with judges concluded that “the facts against Mary Queen of Scots were ‘treason in the highest degree in any person, stranger or other’” (Neale 258), we can see that although treason is alleged, the contradiction of a sovereign’s ability to commit treason is not addressed at all, but rather avoided by the hopeful qualifiers “any person” and “stranger or other.”

The reason for Parliament’s reluctance lay in the essential relationship of the sovereign to the law—the sovereign in essence guaranteeing the possibility of law and of civil order. So Francis Alford argues the seriousness of executing a king as a traitor: “for it were perilous for princes that deposition by their subjects ‘should make them no princes’” (259), and “he described her offences as rather those of an enemy than a subject” (259). And while this speech was little appreciated (Neale claims that this speech was long remembered, and made Alford a subject of suspicion for decades to come) it was also little refuted. One attempt to answer Alford’s objections came from Thomas Wilson. To this speech Wilson answered that “‘The case of a king indeed is great, but if they do ill and be wicked, they must be dealt withal. The Scottish Queen shall be heard, and any man beside that will offer to speak for her. It is marveled at by foreign princes that, her offences being so great and horrible, the Queen’s Majesty suffereth her to live. A king, coming hither into England, is no king here’” (Neale 259). Of these last two points of Wilson, the first is spurious—what princes?—and the second wrong enough that Parliament can make no effective action on the question in its essence—no one other than Wilson seems to attempt to divest Mary of her sovereign status based on her political standing at this point—and indeed, no one ever will. That is why 1586 becomes so important—because it is

Elizabeth who must authorize the execution of a sovereign, participating in the divine truth that places her on par or above her fellow sovereign Mary in terms of status while simultaneously validating the very law that strips away the divine nature of the body politic.

But while the Parliament of 1572 was divided, to some extent, and ultimately capable of being put off by Elizabeth, and while its questioning was much more focused on whether or not Mary Stewart could be brought to trial, 1586 saw a discussion much more focused on questioning Mary's very status, or at least on articulating its nature most precisely, and of clarifying what the exact role and extent of the power of law was as regards a sovereign. Much of this conflict developed out of the bond of association and the act for the queen—namely, if one has sworn to do a thing, isn't one obliged then to also make the doing of it legal if given the chance? (Neale 36). Along the same lines, those who dealt with Mary were unwilling to kill her except as part of a legal procedure authorized by the queen (Read "Proposal"). In both questions, the problem is one of how to solidify or fix the truth—that is, in this case, the binding necessity—of a measure the truth of which is determined by communicative condition, rather than through appeal to a transcendent absolute.

This concern explains the (tremendous) respect for the rule of law found in Neale's account—so for instance the interminable wrangling over the bond of association evidences an anxiety about a leaderless state and an attempt to legitimize actions that might be paralegal at best. Likewise the Parliament of 1584-85 attempts to follow up on the same issue by creating a legal apparatus that fulfills the bond of association. In those debates we can see a concern for the rule of succession (pg 34) in crafting the bill for the queen's safety. Especially interesting is the rejection of a proviso to eliminate a catholic conspirator outright, because, in part, such a thing

might set a precedent to be followed on the continent, and such a policy would have been detrimental if it had been established under Mary Tudor. Parliament refuses to take steps in determining the succession, but here out of concern for the law, rather than fear of royal rejection or retribution.

On the one hand, there was a respect for law vested in the queen's (king's) person—so for instance the providing of an emergency interregnum government is opposed by the queen and is therefore not pursued by Parliament (Neale 2.34), as is any interference in determining the succession. On the other hand, however, it is clear that Parliament's respect for the law vested in the sovereign's body meant that there would have to be a shift in how that body was constituted. Temporality would be stressed, and the body's political, rather than divine, nature. Thus, according to Neale, Job Throckmorton argued that no Parliament of princes, in 1586, was necessary to try the sovereign Mary Stewart: “May not one write upon the doors of this House, *Quid Non?* . . . Under the warrant of God's law, what may not this House do? I mean the three estates of the land. To deny the power of this house . . . is treason.” (2.111) This decision, then, will be a careful and important combination of the three estates and the determination of god. Also, Neale points out that in 1586, as opposed to 1572, not a single vote was against execution.

The story of 1586, then, has to be the refusal of Parliament to see any option other than execution, and their insistence that this verdict come from the queen. However strongly its members may have felt Mary Queen of Scots to be a threat to their state, no one in Parliament was so much a patriot that he was willing to put his own interests aside (e.g. to act on the oath of association without royal approval, and therefore risk being charged with murder) or to make any extra-legal move whatsoever.

But this is not to say that such questions were not raised, as the 17th century historian William Camden reports. Camden charts out exchanges through various popular sources in which the two possibilities of Mary's legal status appear. So one correspondent there writes "in regard she was a free and absolute princess, and had no Superiour but God alone. . . . she could not commit Treason, because she was no Subject, and *Par in parem non habet potestatem*, that is, Princes of equal Degree have no Power of Sovereignty one over another" (269). On the other hand, as Camden presents it, Mary was held "not to be a free and absolute Queen, but a Titular Queen onely They reputed her also to be a Subject, though not originally, yet *pro tempore*, because two absolute Princes with Regal Authority cannot be in the same Kingdom at one time A King out of his own Dominions (except it be upon a warlike Expedition) is but a private person That she by her Misdemeanours had lost *merum Imperium*, her absolute and just Power and Sovereignty; and that such as are Subjects by their Abode onely and place of Habitation might commit Treason" (270). Camden's reports some twenty years after the fact make clear that discussions of treason hinged on what rights the status of Mary's sovereignty granted her. In the end, however, Mary's sovereignty is left intact legislatively, even though it is exactly this sovereignty that will be overridden by Elizabeth's final assent to execution. However this determination might have played out in theory, however, Mary was never convicted of treason, but rather of a different, newly invented statute that bypassed and reconfigured the question of Sovereignty as it related to attempts on England's sovereign, while leaving Mary's theoretical—that is, eternal—sovereignty intact.

The question of the relationship of the sovereign's two bodies—the bodies politic and natural—is complex and takes up some good argumentation in the works of Tudor jurists,

according to Kantorowicz, who charts out how this idea was developed from its medieval sources into a Tudor legal entity. Legally the terms “body politic” and “body natural” are most complex in that the body politic was more than just a political entity, on account of its somewhat divine attributes. The Parliaments of 1572 and 1586 take no legal action specifically meant to overthrow or even clarify the conception of these two bodies or to come to any ruling on whether or not Mary’s sovereign status had been abandoned. That she was no longer an “absolute” Princess was asserted, as to the French representative of the French King (Camden 275). As regards the person who was executed, however, no such final determination had been made. Mary’s temporal status as sovereign had been mitigated but that there were two bodies, and that one of them was not divestible by legal means, was a block Parliament still found itself unable to rectify. In one sense this body politic has a historical, contingent and political sense: “The politic capacity is invisible and immortal, nay, the politic body has no soul, for it is framed by the policy of man,” and treason was considered in terms of its effect on a natural body, because “his politic body is immortal, and not subject to death” (Kantorowicz, quoting Coke, 15). Thus the body politic was an arrangement of political, even rhetorical structures, determined by the members of the larger corporation (as Tudor and earlier jurists referred to it) of the realm and people.

Nevertheless, there was a mystical element to the politic body, and it was not clear how this element could be removed by acts of subjects, including revolt or deposition (as had been the case with Mary): thus “‘Body Politic’ and ‘mystical body’ seem to be used [in the legal cases and discussions] without great discrimination” (Kantorowicz 16). Arguing that examples of mystical language are so numerous as to need little cataloguing, Kantorowicz explains that “The jurists, styled by Roman Law so suggestively ‘Priests of Justice,’ developed in England not only

a ‘Theology of Kingship’—this had become customary everywhere on the Continent in the course of the twelfth and thirteenth centuries—but worked out a genuine ‘Royal Christology’” (Kantorowicz 16). In terms of the rhetorical problem at work, that of a tension between a truth grounded in a transcendent, divine force and a prudential, situational grounding, we see in the sovereign’s body politic the same tension—if it is a body framed by the policy of man, it is, then, temporal at least insofar as it is contingent and rhetorically determined. If, however, the body is divinely situated, then the space for argumentation around it becomes decisively more limited—it is, to a very real extent, a truth beyond bounds of argument. Thus, rather than two bodies, we see three—a natural body, and then a bipartite political body—one politically framed by policy, the other divinely imbued and removed from the discussion and determination of human actors.

It is precisely this divine, atemporal, ahistorical element that is at stake in this debate over Mary Queen of Scotland. Mary’s body stands in for that divine sovereign nature of Elizabeth’s body politic. As long as the queen’s body maintains its twofold nature, she always has the advantage of controlling a truth that is contingent and historical by appealing to the finality of her divine prerogatives, and while this finality has proven not to be absolute, because the will of the divine was not always clearly hers to determine, movement between the two bodies enabled her to always have the rhetorical upper hand, because truth and its foundations were always on her side. Parliament, which participated in the political aspect of the body politic, but was excluded from its divine aspect, could no longer abide this movement between the divine and political body politic; and while Elizabeth was to continue to be allowed to rule in the politic contingent sphere her rhetoric had helped uncover, it was only to be at the price of the divine aspect of her nature. This exchange of political for divine nature was to be guaranteed by the

execution of Mary Queen of Scotland, whose sovereignty, because it no longer had any real political force, existed only in light of this divinity

This question of the status of a sovereign has serious implications for understanding how language and rationality combine in the resources of argument. These implications are suggested by Habermas's discussion of the intersections of law and language in *Between Facts and Norms*. This work extends his earlier discussion of communicative rationality, in *Theory of Communicative Action*, in which Habermas specifies three worlds about and in which communication takes place and out of which validity claims are drawn. These three worlds are the objective, the subjective, and the social, and corresponding to each world is a specific set of validity claims by which interlocutors attempt to evaluate each other's acts of communication: sincerity claims in the subjective world, normative claims in the social world, and truth claims in the objective world. In this later work, Habermas further elaborates the distinction between what he calls communicative reason from practical reason: "Communicative reason differs from practical reason first and foremost in that it is no longer ascribed to the individual actor or to a macrosystem at the level of the state or the whole of society."⁴⁰ Rather what makes communicative reason possible is the linguistic medium through which interactions are woven together and forms of life are structured" (*Facts and Norms* 3-4). The implication of this communicative reason is that a network of presuppositions underlies all communication, and that these presuppositions have a binding force, but one that is rooted neither in the divine (of course, because that has already been surpassed) nor in an individual subject's access to a truth beyond

⁴⁰ Habermas here discusses the modern state, and as such, in his genealogy, the transcendental as divine has already been surpassed by the transcendent as subjective.

the realm of experience, but only in the experience of all individuals in negotiating the world through language. Insofar as this experience extends beyond any individual participant, it has the force of transcendence, but there is no guarantee to any truths established thereby nor force of compulsion derivable from those truths beyond that guaranteed by mutually shared but nevertheless constantly transforming language. Thus “Communicative rationality is expressed in a decentered complex of pervasive, transcendently enabling structural conditions, but it is not a subjective [nor divine] capacity that would tell actors what they *ought* to do” (4, original emphasis). This transcendent force which is not transcendent Habermas characterizes as a weak transcendence: “Communicatively acting individuals are thus subject to the ‘must’ of a weak transcendental necessity, but this does not mean they already encounter the prescriptive ‘must’ of a rule of action” (4), because the necessity has to do with assumptions one must make to communicate in the world, but those assumptions are infinitely and unpredictably malleable.

Against this backdrop, the law serves as both an analogy and a guarantee—as an analogy insofar as all its participants subscribe to and operate through its fixity but always only with the understanding that that fixity is also deformable. In Habermas’s terms, the law has both a “positivity” and a “validity,” a “facticity” and a “claim to legitimacy.” Positivity is evident in “an artificial layer of social reality that [despite its reality] exists only so long as it is not repealed,” while the law’s validity emerges through “the sheer expression of a will that, in the face of the everpresent possibility of repeal, grants specific norms continuance until further notice” (38). Like language, out of which it emerges and is constructed, law serves as the guarantee of a reality to which all participants continually submit by an agreement both that the reality is binding and that the reality is permanent only insofar as contingencies allow it to

remain so. Given then that law functions as communication does, through a differentiation of possible spheres of rationality, law then becomes a series of pathways to and, though this may not be exactly Habermas's point, struggle over, different possible types of reasons within that differentiated world, so that "the division of powers and responsibilities among authorities that respectively make, apply, and implement laws follows from the *distribution of the possibilities for access to different sorts of reasons*" (192, original emphasis).

What we will see in this final struggle between Elizabeth and Parliament—which has been present throughout Elizabeth's reign and now becomes completely apparent—is a struggle over exactly this access. This is not to say, with Habermas, that these different possible reasons are the product of a modern differentiation of the lifeworld. Rather I would suggest that the possibilities for these different reasons—both in communication generally and legislation more specifically—have been constantly present throughout Elizabeth's reign at least. Thus I do not say for example that Elizabeth invents a differentiated lifeworld, which is obviously absurd, but perhaps less absurdly to say that beginning with her resort in 1559 to participating in a divine narrative constructed for her, Elizabeth manipulated that narratives she was given through movement between different preexistent spheres of validity, but which the current conditions—legislative or otherwise linguistic, but clearly evidencing traces of power—had attempted to close off. Elizabeth through her rhetorical strategy in the first twenty-five years of her reign uncovered a multiplicity of possible reasons and ways to reason insofar as reason connects to expression—that is, to rhetoric. By this discovery she has, in effect controlled the game to this point, and the laws that go with that game. But her control has slipped from time to time, as it did in her only partly successful negotiation of her marriage to Alençon, and now, confronting

the question of Mary Queen of Scots, she now finds that the communicative possibilities she has uncovered are no longer hers alone to control.⁴¹

Of course, the movement between these different possibilities of argument did not go unnoticed in the period itself. We rely on Habermas here to clarify the movement for a modern audience, but the actual description and awareness of this possible shift is evidenced by those charged with theorizing discourse and its relation to power, and the sixteenth century rhetorician tackled this problem with the same vigor he or she tackled the problem of the distinction between language and the world.

Most particularly in this case, on the embrace of law as the fundament of rationality to which it is parallel in its finality and also its communicative nature, we have the work of Abraham Fraunce, in particular his 1588 *Lawyer's Logike*, which we considered earlier in its efforts to distinguish between language and reason. But the law offers a more promising track to achieve the same ends, that is, to overcome the problem of an uncertain relationship between language and reason, and the problems that uncertain relationship causes for arguments that emerge out of a “reason” and a “truth” that are accessible only through language. The law offers

⁴¹ This should clarify the distinction I am making between my argument and that of Mears, who sees in the Elizabethan period the development of the public sphere. What I am saying is that there is no development here—the conditions of the public sphere as Mears interprets it are in fact the conditions of a communicative rationality and a legal institution that explicitly rests on such a rationality—but that is by no means to say that such a rationality was not present before, contra both Mears and Habermas, but only that the terms under which it is differentiated are mobile but not so much so that they cannot be reformulated in a way that is binding. It would be tempting to see with both Mears and Habermas in the Parliament's re-seizing of these terms a triumph of some kind of deliberative politics, but what it illustrates instead is simply a shifting of power interests correspondant to, and perhaps even partly conditioned by, the ways those terms are relegated. In other words, the shifting of these terms, and the communicative and legal force that accompanies that shifting, is arbitrary and continual, but always apparently rooted in centers of power.

a rationality that is actuated through language, that is contingent, and yet nevertheless bears a finality of the absolute, at least in theory. This is the promise Fraunce offers in the first eight lines of his curious dedicatory poem, a twelve line poem written in fourteeners:

IF Lawes by reason framed were, and grounded on the same;
If Logike also reason bee, and thereof had this name;
I see no reason, why that Law and Logike should not bee
The nearest and the dearest freends, and therfore best agree.
As for the fonde conceyt of such which neuer knew them both,
Better beleue some mens bare worde, than their suspected oth.
I say no more then what I saw, I saw that which I sought,
I sought for Logike in our Law, and found it as I thought.

Here in lines 1-8, Fraunce makes an effort to ground reason in the law despite the fact that language itself, and the binding effects it produces through “oth”, often escapes the finality of reason. Law emerges out of reason. It operates, like logic, as a formalization of practices of reason, and, as such, reason itself dictates that they are likewise analyzable because they operate out of the same source. The problem with language based—i.e. rhetorical—approaches to the law is that language itself is so uncertain. The promises persons make to one another are not susceptible of certainty, but rather are constantly “suspect.” This suspect nature is due to the gap between “bare word” and the ritualized and sacralized—and therefore suspect—“oth.” A more or less methodical examination of the law, however, proves evidently that the law has a logic—is, in fact, coextant with logic. That is, law, like logic, is a formalized process that can overcome the failings inherent in the natural language out of which it is by necessity constructed.

The text of the *Lawyer’s Logike* itself Fraunce claims emerged from a work he has been at for seven years, at the urging of Philip Sidney, who saw an earlier draft of Fraunce’s attempt to compare the logic of Ramus with that of Aristotle; in its current form it represents, Fraunce

explains, an effort towards an “easie explication of Ramus his Logike” (sig ¶ 1).⁴² But even further than this is Fraunce’s effort, as he describes in describing his book’s genesis, to show a reciprocal and inseparable relationship between law and logic:

I thought good to make tryall, whether my eight yeares labour at Cambridge, would any thing profit mee at an Inne of Court, wheather Law were without Logike, or Logike not able to helpe a Lawyer. VVhich when I prooued, I then perceaued, the practise of Law to bee the vse of Logike, and the methode of Logike to lighten the Lawe. So that after application of Logike to Lawe, and examination of Lawe by Logike, I made playne the praecepts of the one by the practise of the other, and called my booke, The Lawyers Logike; not as though Logike were tyed onely vnto Law, but for that our Law is most fit to expresse the praecepts of Logike. (sig ¶ 1v)

The educational practices of Cambridge—Protestant, humanist, and based in a revision of logic that, by this point, reflects at least in part the efforts of Ramus’s revision of education—are seen to be by Fraunce paralleled in the work of his further education in the law at the Inns of Court. Bringing his scholarship to bear on his new studies, he finds that the practice of logic, rather than language, is the operative function of the law—thus finding “the practise of Law to bee the vse of Logike, and the methode of Logike to lighten the Lawe.”

It must be understood further that Fraunce argues here against an idea widely perceived—he puts it in the mouth of “one great [never identified] Tenurist”—that law and logic are not compatible, “cannot stand together,” and that logicians make poor lawyers. Fraunce works to bring the sort of orderliness to law that Ramus (upon whose work Fraunce’s logic is

⁴² From the fourteeners it may seem that Sidney’s poetic innovations had not touched Fraunce, though the argumentative progression of the verse does, at least vaguely, remind of Some of sidney’s structures, though there is little tension produced between the boundaries of the verse in terms of meter and rhyme and the boundaries of the argument in terms of sentence. One hesitates to call it a bad poem—but its closeness to Sidney comes in it being a dedicatorie poem to Henry Herbert.

based) has brought to dialectic, clearing away the clutter of centuries of badly taught Cicero and Aristotle and rectifying the errors of those and other ancients. This tenurist's position expresses a Ciceronian take on the law, and, we might say, on rhetoric, in which it is through the function of give and take on the courtroom floor that decisions are made and reached, and that truth is actuated. Fraunce's effort here in his own text is to dispel this idea, showing that underlying both law and logic are the same substance, of which, as pointed out in an earlier chapter, "the whole force and vertue of Logike consisteth in reasoning, not in talking" (Sig B1). To do this requires precisely the sort of Ramistic work that has made for the efficient production of University wisdom, a streamlining and refining of unproductive complexities into meaningful and systematic order: "But the Law is in vaste volumes confusedly scattered and vtterly vndigested: so was all other learning not long agoe: yet herein blame not the Law, if it bee darke, but Lawyers themselues that had no light: blame not the Lawe, I say, which was out of order, but Lawyers themselues that neuer knewe Methode" (Sig ¶ 3v). And, just as with the process of dialectic (and of rhetoric) the problem with law does not have to do with ancient authority, but with modern interpolators who merely add on to centuries of confusion with additional ignorance: "If those auncient fathers of our Lawe had lyued now, all had beene well, but if you had beene extant then, all had beene woorse. For neyther can you doo what you should, nor will let others doo what they would for the more orderly explication of the Lawe" (sig ¶ 3v-4). But Fraunce proposes to rectify these issues, and show the logic in law, thereby making law a ready subject for the dialectic method that will bring along dialectical certainty to the political practice of law, removing the ugliness that had previously accrued by considering the subject (erroneously) to be a rhetorical one, that is, subject to a science of opinion and its negotiation:

“Such is the vntowardly disposition of this scornefull age of ours, wherein no man prayseth any more, then hee thinketh himselfe able to performe, but seeketh to cloke his owne ignoraunce by deriding other mens skill, beeing himselfe so simple in other mens iudgement, and wise in his owne conceipt, that when hee hath spoken without measure to a doosen of poynts, all is not worth a penywoorth of pinnes: for neyther himselfe can well vnderstand his vnioynted discourse, nor the hearers conceaue his vncohaerent iangling.” (sig ¶ 4). And this is above all a further attempt to bring language into check: “VVoorde are lyke leaues, as Horace reporteth: leaues spring before Summer, and fall before VVinter; and the same inconstancy is in words. Let vs therefore vse that phrase whiche is most vsuall: and though in knowledge and conceipt wee contend to bee singular, yet in vttering our thoughtes, let all bee made partakers” (Sig 2 ¶ 2). This same certainty will now be brought to the law through the same process of wrestling, but because the imperfections of the law are more readily apparent, the arguments made out of and around the law are in a sense more stable: “There is no Law-maker so prouident, as that hee can in particularity foresee, and, as it were, by some propheticall spyrite fore-tell and praeuent the infinite variety of future inconueniences, by application of so many peculiar prouisoos, and speciall constitutions, but must of necessity leaue his Lawe generall, referring the addition, detraction, or mitigation of woordes vnto the conscience and discretion of the learned and vnderstanding Iudge” (sig 2¶ 1v). The law is effective, therefore, in inverse proportion to its generality, but is sufficient in direct proportion (sig 2 ¶ 2) and in this way resembles the paradoxical relationship of law to language under Habermas’s conception. Thus Fraunce attempts, via Ramus, to bring logical exactness to the realm of spoken discourse, especially as that discourse points towards or works out or through disagreement, as in a legal situation.

Habermas and Fraunce both point to an unfixed relationship between language and reason, and both attempt to fix that relationship, and though their theoretical approaches differ, they both settle upon the law as, within a reason either troubled or facilitated by language, providing a source of admittedly temporal and admittedly contingent fixity out of which arguments can be made that are provided a certainty parallel to that of—or even coextant with—logical certainty, that same certainty that was intended earlier to make up for the inadequacies of humanly accessed (and therefore misapplied and misunderstood) divine certainty. In Robert Cecil's documentation of the debate between Elizabeth and Parliament over Mary Stuart's execution, fully titled *The copie of a letter to the Right Honourable the Earle of Leycester, Lieutenant generall of all her Maiesties forces in the vnitied Prouinces of the lowe Countreys written before, but deliuered at his returne from thence: vvith a report of certeine petitions and declarations made to the Queenes Maiestie at two seuerall times, from all the lordes and commons lately assembled in Parliament. And her Maiesties answeres thereunto by her selfe deliuered, though not expressed by the reporter with such grace and life, as the same were vttered by her Maiestie*, we see Parliament engaged in a final, but ultimately successful, gambit for control of argumentative possibility under Elizabeth I. As intimated earlier, this gambit consists of tearing away divinity entirely from argument, from reason accessed through uncertain language, and placing the capability of language to discover truth on a foundation that is pliable enough to adapt to language's constant flux but firm enough to counter a sovereign will that has heretofore drawn its supremacy out of this very plasticity of language. And, as Habermas and Fraunce indicate, this hybrid foundation of truth is law.

The text itself is interesting because its purpose has remained unclear. It presents these exchanges as they were recorded and written up by Robert Cecil in 1586, and intended by him to be a presentation to Leicester, then in the Low Countries (and himself challenging Elizabeth's authority in his own way, by accepting the forbidden governorship of those provinces) heading England's forces in the wars between the Low Countries and Spain. Ostensibly the text was meant to be a gift to Leicester, a favor that would showcase Elizabeth's rhetorical skill for Leicester, who, according to the dedicatory epistle, was an unsurpassed admirer of that skill. Neale describes this as an obvious fiction and sees the text as joining an ongoing London pamphlet exchange on Mary's execution, while P. Croft has argued that the text is actually a propaganda piece prepared by Elizabeth and William Cecil to persuade the continental powers that Elizabeth had no choice in executing Mary, but had indeed resisted the execution to the best of her abilities.⁴³ Neither explanation of the text is entirely satisfactory. If meant to showcase the queen's rhetorical prowess, it falls short not only in that, as the text claims, it does not adequately capture her style, but also because, as Leicester well knew, the queen's argument was unsuccessful. If as propaganda meant to showcase the queen's resistance, it falls short for largely the same reasons. This is not to say that the text was not intended as either or both of these things. But what it also functions as is the trace of a contract, one in which Elizabeth agrees to give up timeless, transcendent sovereignty in favor of a communicative truth-based

⁴³ Neale also sees the piece as Propaganda, which was not drafted until December, even though Leicester returned in November (129-131). Both Neale and Heisch, like Croft, see in the text's identicalness with Elizabeth's manuscript revisions evidence that she was complicit in its publication, which participation makes sense, also, if the queen wanted to or felt obliged to issue public evidence of her assent to a new way of thinking about the King's two bodies and the law.

sovereignty that is absolute but bound in the communicative and contingent rather than the transcendent. The fact that her rhetoric is emphasized as the occasion for the text in spite of that rhetoric's seeming failure is appropriate, as arrangement, invention, and style are showcased not as a means of discovering truth, but as means to suitable political arrangement.⁴⁴

The Parliament of 1586, having witnessed the trial of Mary Stuart, now attempted to pressure Elizabeth into signing her death warrant. To do so they sent on two separate occasions a special committee to address Elizabeth. But from even their first of these addresses, it is clear that for this Parliament, the law provides what, in the case of Stubbs, the syllogism could not—a binding yet communicative rationality. To achieve this work they offer a strategy that emphasizes certain points that we have already seen in earlier efforts by Elizabeth: a decision making process that emphasizes communicative action; an appeal to a knowledge rooted in the active interpretation and reinterpretation of textual authority; an approach to argument that emphasizes the symbolic and figurative functions of language as central to communication and also therefore reason.

The pamphlet itself is divided into six parts. A brief dedicatory epistle by Cecil announces his purpose in addressing such a text to Leicester; the next two parts present the speeches by the Lord Chancellor and the speaker of the house urging the danger that Mary

⁴⁴ Heisch sees in these documents, from examining their manuscript sources, a similar struggle between Queen and council, specifically Burghley, in an effort to have Mary legally executed: "Leaving aside the awkward issue of propriety, it is easy to understand Burghley's position; he had decided, and various others had decided, that public execution propped up by Parliamentary statute, fortified by at least the appearance of legality, was the best way to proceed. The Bond of Association was good propaganda, but it was terrible precedent" (598). She sees Burghley as having "defly outmaneuvered" Elizabeth (599); this seems to me to be overstated both in its triumph and in assigning all the credit for the rhetorical events to Burghley, regardless of his editing involvement in both Parliamentary and Elizabeth's addresses.

presented; these speeches occurred on the commission's first visit to Elizabeth, after Mary's trial, and after debates on how to urge her majesty to follow through with the now required execution. These two speeches are followed by Elizabeth's response; a brief description follows this, explaining that after the first visit from the commission, Elizabeth sent a request that Parliament find some way of securing the safety of the realm that did not involve executing Mary Stuart. The next three sections are, again, speeches or addresses from the lord chancellor and the speaker of the house, each describing the deliberations of Parliament before deciding that there was no remedy for this danger except execution of Mary; these are followed finally by a closing speech by Elizabeth.

The end result of the original Parliamentary debates over how to proceed in the case of Mary ended in the adoption of a statute that more or less paralleled the terms of the oath of association, an oath sworn to by hundreds of gentry and nobility, which basically wrought punishment and persecution upon any who conspired to assassinate Elizabeth, or any in whose name such assassination was undertaken. Under the statute passed by Parliament in the previous year, this resolution to persecute was turned into legislation to prosecute. And it is to this piece of legislation that the first part of the pamphlet refers multiple times. The legal process for trial under the statute is enumerated, and according to the statute the determination is made that such a conspiracy had taken place, and further that "the said Queene of Scots, was the very ground and onely subject," on whose behalf such a plot had been undertaken. What's apparent here is not just the appeal to a legal mechanism that will bind the queen, but also to the way that Mary is described—by her title, not her name, first of all, and then as a "subject." The effect of this, though subtle, is to make clear that it is the title—Queen of Scots—rather than the name, that is

being tried here, as a result of that person who holds that title being made a subject, and being thus no longer a sovereign. This finding in turn leads the commissioners “upon their knees at her most gracious feete, [to] beseech and request in most earnest maner, that as well for the continuance of Gods Religion, the quiet of this kingdom, preservation of her person, and defence of them and their posterities, it would please her highness to take order, that the saide sentence might be published, and such further direction given, as was requisite in so weightie a cause, according to the purport and intent of the said statute.” The movement here is calculated to indicate not only levels of supplication, but also the development of the grounds on which the commissioners are arguing, as well as, most importantly, what they are arguing for. They do not make demands of the queen at first, but approach according to forms of supplication, that is, according to social convention i.e. according to the norms of communicative practice. These forms of social convention, in turn, are the vehicle through which the commissioners go on to offer a series of justifications, some involving transcendent values—“Gods Religion,” though, being the manifestation of that transcendence on earth—but more apparent justifications that are based in social concerns—the kingdom, the queen, themselves. And in any case all of the reasons given are placed in an equal relationship, social with the quasi divine and personal being equated through the phrase “as well.” What these justifications are to provide, in turn, is less a particular action, than a procedure so that such an action will take place according to a particular formula—that a warrant be published and other actions taken “according to the purport and intent of the said statute.” Here what the commissioners are most concerned with is the execution of law, rather than with an execution itself, a law that exemplifies a process of communicative possibility, one that has been transformed from oath to legal statute.

It would be fair to say that this concern with legality has to do with a concern of individuals for their own necks.⁴⁵ But that concern should be seen as an insistence that even though it provides a communicative truth, law ought to have the binding force of the monarch's final judgment, or of a transcendent truth, or any other divine determination. Indeed, an appeal to the divine closes this section of the pamphlet, as the commissioners are described as having been driven by an urge to help their majesty avoid "the heavie displeasure of Almightye God, as by sundry severe examples of his Justice in the sacred Scriptures, doth appeare." In this case, however, the divine is not a starting point, as it was in the syllogistic work of Stubbs, nor is a catalog of its sayings to be brought to bear on this question. Rather this appeal to the divine serves as a guarantee of fate, not as a reason for decision making—for what ought to bind that decision is, instead, verbiage in the form of supplication and, above all, formal use of communicative means and a communicative grounding for the truth on which reasons of decision making are established. Thus to close this movement, the Lord Speaker "delivered, to her Majesties owne hands, the petition in writing, which he said, had bene with great deliberation assented unto, by all the whole Parliament." What the commissioners here are arguing for is, true, an execution of Mary Queen of Scots, but more to the point they are here arguing for the implementation of a law that has binding force, as evidenced by the queen's potential assent, and which is yet based on communicative practices of reason, as evidenced by the facts of "great deliberation" leading to assent "by the whole Parliament"—the discursive community as represented by that body. The opening movement of Parliament, here in this pamphlet, is to set

⁴⁵ Read Conyers has argued about the reluctance to take paralegal action against Mary through assassination.

the terms over which the struggle will take place—not just execution, but the queen’s guarantee that the communicative truth she has wielded arbitrarily will now be brought under the binding force of law, out of which the Parliament can also argue.

Following this description of the Lords’ representatives, the pamphlet presents the speech of the speaker of the lower house. Divided into three sections of reasons why the queen ought to assent to executing Mary (“the danger of her majesties person”; “The danger of the overthrowe of the true Religion”; and the longest section, “The peril of the state of the realm”) this address, like that of the Lords, emphasizes the communicative bases of the arguments put forward, and in doing so posits a communicative truth that takes precedence over a transcendent one, but which is negotiable even as it is final, so long as it does gain its binding force through the law.

The final section of this address, “the peril of the state of the realm,” is divided into seven points, each of which is concerned, to some extent, with justice, but this justice is not, for the most part, seated in a transcendent or divine realm, but instead placed in terms of the structure of the law. Thus the first point sets the tone: “As the Lydians saide, Unum Regem agnoscunt Lydi, duos autem tolerare non possunt: So wee say, Unicam Reginam Elizabetham agnoscunt Angli, duas autem tolerare non possunt” (p. 9, sig B2v). Here it’s clear that the inability to serve multiple rulers is not rooted in a divine, but, at best, in a reference to an ancient authority, and really is situated in the announcement of a community—“we say” two rulers cannot be tolerated.

The second through the fifth points likewise form their arguments out of concern for, and out of reason established through, communicative and communal practice: “she hath already by her allurements brought to destruction moe [many] noblemen and their houses”; “she is the onely hope of all discontented subjects”; “mercie now in this case towards her, would in the ende

prove crueltie against us all”; “it will exceedingly grieve and in a manner deadly wound the hearts of all the good subjects of your land, if they shall see a conspiracie so horrible not co[rr]dingly punished.”

The sixth point, however, is clearest in emphasizing exactly the communal functions of law, stressing the figures and forms of that communal practice: “Thousands of your Majesties most liege and loving subjects, of all sorts and degrees, that in a tender zeale of your Majesties safetie, have most willing both by open subscription and solemne vowe, entered into a firme and loyall association, and have thereby protested to pursue unto the death, by all forcible and possible meanes, such as she is by juste sentence nowe found to be: can neither discharge their love, nor well save their othes, if your Majestie shall keep her alive: of which burden your Majesties Subjects are most desirous to be relieved, as the same may be, if justice be done.” This point is perhaps most telling as it is most clearly directed towards questions of law and of communal activity out of which arguments are based. The oath of association had been moved from being simply a paralegal document with a force of will to being, through Parliamentary process and royal statute, inscribed into law. Here as clearly as anywhere else in this special committee of Parliament’s approach to Elizabeth, we see exactly the sort of communal, intersubjective grounds for argument that have been so efficacious for Elizabeth for the previous 26 years.

The seventh and final point, which consists of a series of examples from scripture, is perhaps equally notable because unlike Stubbs’s pamphlet, this divine reference is an ending point, not the major premise of a syllogism. What her interlocutors have learned to apply is the

same process they had resisted before in engaging the Prince, that of forming arguments out of particulars and contingencies, rather than absolutes.

In response to the committee's arguments, Elizabeth's rhetoric now seems to have lost the ground of contingency upon which it had previously depended. Elizabeth cannot deny that the law now points to a determination of Mary's guilt and a requirement that she be executed, so instead she attempts to point out the ways she has had to adjust the law in order to bring Mary to justice, convening a special trial of nobles rather than a common jury trial. Thus, despite acknowledging that even the common law would have been sufficient for trying Mary Stuart, absolute truths such as status forced an exceptional resolution: "you Lawyers are so nice in sifting and skanning every woorde and letter that many times you stand more upon forme then matter, upon sillables than sence of the Lawe" (p 16, sig C3). What Elizabeth's objection appeals to here is exactly the stuff out of which law is formed and made effective: the back and forth, the intersubjective communication, upon which reason in law is built. This reason does not depend on truths that reside outside the law except insofar as those outside truths can be brought within the framework the law allows in its forms and processes. In appealing to a sense that exists or resides beyond the text, Elizabeth attempts to posit a truth that moves outside that which has been established in the only form in which it can be discussed—the "sillables" of the "Lawe." That is, the words out of which law is codified and the scanning of those words are exactly wherein the force of law resides, not in a transcendent "sence." The law operates in the realm of the contingent, and depends upon truths that are simultaneously both binding and also negotiable and changing.

Elizabeth therefore attempts to work around the law, but the problem for Elizabeth is that now she has to move from the unfixed to the fixed in her arguments. She herself, for instance, has enjoyed and here emphasizes an uncertainty of status, that is, of identity—"I know what it is to be a subject, what to be a sovereign," she explains (p 15, sig C3v). However, the problem with the lawyer's sifting, in this case, is that it undermines the fixity of Mary's status: "For in the strictnes and exact following of common forme, shee must have beene indited in Stafford Shire, have holden up her hand at the Barre, and been tried by a Iurie: A proper course forsooth, to deale in that manner with one of her Estate" (16 sig C3). Here Elizabeth is making an argument about her status and the status of princes in general—but what she is doing as well is attempting to use that status as a fixed and transcendent truth with which to trump communally formed ideals—the practices of indictment, of oath taking, of judgment by a group of people working in concert.⁴⁶

Elizabeth then sent the commissioners back to Parliament with the charge of finding some way, short of executing Mary Stewart, that would guarantee the safety of herself, religion, and the realm. Having made this attempt, unsuccessfully, the commissioners then returned for a second set of exchanges. The Parliament's second address, as delivered by the speaker of the house, addresses four points, listing the four possibilities by which the realm, religion, and the queen might be made safe, and then exposing the difficulties or impossibilities of each. To the possibility that Mary Stewart might become "A repentant convert," the house, among other

⁴⁶ Heisch (597) takes Elizabeth's speech as it was delivered in its reference to the oath of association as evidence of her determination that Mary be assassinated; I see it here rather as an establishing the grounds on which this implicit agreement between Queen and Parliament for politico-rhetorical control.

objections, has determined that she has not ever “entred into the first part of repentance, The recognition of her offence, and so much the farther off,” is Mary, “from the true fruites that should accompany the same.” For the second possibility, that Mary might be even more carefully guarded than she has been heretofore, or third, that Mary be bound by “Othe, Bonds or Hostages” it is noted that “there was no security therein, nor yet in the other two meanes propounded of bonds and hostages.” Here again the language of security and bonds makes its way into the question of the queen’s safety—again emphasizing that what is at stake has to do with the very nature of how agreements are to be kept, and wherein lay the truth of such agreements. Because if the bonds or oaths are broken, and the Queen is dead as a result, then the very fabric that underlay the law has been ruptured, and the guarantees become deeply problematic: “who shoulde sue the bonds, or deteine the hostages? Or being deteined, what proportion was there in bonds or hostages whatsoever, to countervaile the value of so precious and inestimable a Iewel, as her majestie is to this realme, and to us all?” This is no mere flattery, for at the heart of such agreement is the truth of law, a truth held in place or guaranteed, at any rate, by the very life of the queen herself—her historic, contingent life. Without the queen’s own guarantee on the force of law—which can be made sure only by the life of Mary, Queen of Scots—a bond or hostages or any other arrangement made under law is meaningless.

The oath of Mary is likewise meaningless, not exactly because of law, but based on the same sort of communicative judgment that obtains when determining sincerity, as we saw in the case of Elizabeth’s sincerity in pursuing marriage with Alencon. That is, sincerity in a differentiated, communicatively based lifeworld’s recognition of truth must be based on prior experience within that shared lifeworld, rather than any determination based on the inaccessible

reaches of an internal subjectivity. In this case, an oath from Mary is meaningless in part because Mary “hath already sundry times falsified her worde, her writing and her othe,” but even more importantly, as announced in bold print (as are the crucial points in each the possibilities and their refutations) Mary “holdeth it for an article of religion, That faith is not to be holden with heretikes, of which sort shee accompteth your Majestie, and all the professors of the gospel to be.” Here the importance is not on Mary’s (deeply seated, subjective) beliefs, but on her actions to this point. She has broken oaths in the past, but this breaking of oaths she has, by her own pronouncements, seen as justified based on religious beliefs that she likewise has pronounced through word and deed. That is, belief, intrasubjective truth that speaks to the transcendent, plays a role in determining the viability of legal actions but only insofar as that belief can be carefully traced out through a series of actions both verbal and otherwise that point towards the possibility of future sincerity. Thus, by her own evident movements in the lifeworld itself, Parliament has reason to say of Mary that “therefore have we little reason to trust her in that, whereof she make so small a conscience.” The final point, banishment, is dismissed as simply going from bad to worse in setting free one who has already made clear through her actions her intention to take the throne, and allowing her liberty to pursue through open conquest—and therefore international law—what she has not been able to pursue through subterfuge. That is, what we see here is an effort to uphold a law of communicative possibility—albeit guaranteed by the death of a sovereign—that guarantees stability of the law over the previously and still recognized right of sovereigns to succeed by conquest.

Elizabeth’s reply to the second appeal by these commissioners speaks even more than the first to the nature of the bond that underlies the possibility of a legal process based in

communicative truth, but also that Elizabeth will no longer have sole control over this space. “And since it is now resolved that my surety cannot be established without a princess’s end [head], I have just cause to complain that I who have in my time pardoned so many Rebels, winked at so many treasons, and either not produced them, or altogether slipt them over with silence, should now be forced to this proceeding, against such a person” (Marcus 201). Here we see that Elizabeth’s complaint has to do in some way with a movement of the law away from her ability to provide its execution—a litany of such pardons that represent that clemency, but also her own ability to have a final determination of how the law that her sovereignty guarantees will be realized. Here at this point that ability on her part is called into question, and indeed called to an end—it does not extend to the point of sovereignty itself, which again may not be allowed to stand as ahistorical, a-temporal, non-contingent, transcendent, but must be brought into the realm of time and limit by the sacrifice of a non-sovereign sovereign. This by no means indicates that Elizabeth is being deprived of her sovereign power, but rather that that power now comes under the limitation of non-transcendent (Habermas would say weakly transcendental) communicative reason. Thus we can see in the usage of the term “surety” at the time, that while it holds the meaning of safety from danger, it also supports the meaning of a token given as a guarantee for a bond—which is precisely what Mary Queen of Scots, as a token of timeless sovereignty, represents in this exchange. The term “surety” becomes of primary importance here as it does the work of indicating safety, but holds an equally prevalent meaning of something offered as the guarantee on an agreement contracted. Thus, according to the OED:

surety n. I.1: Safety, security *from* danger, an enemy, etc. II.5: A formal engagement entered into, a pledge, bond, guarantee, or security given for the

fulfilment of an undertaking. Chiefly in phr. *to do, make, find, give, put in, take surety* or *sureties; in, to, under, upon surety*.

And perhaps even more to the point for this polyglot queen, the term's French equivalent places prominence on the signification as a guarantee.

Seurté: promesse formelle, gage, engagement, caution, etc.; etat de celui qui ne craint pas, assurance. (Godefroy)

The slippage between surety as a certain, singular and objective state—freedom from danger—and surety as condition of agreement between parties mirrors the same tension out of which, I have argued, much of Elizabeth's rhetoric gains its efficacy. But more to the point here, it indicates a movement away from that certainty as determined in an absolute sense, and towards instead a position that emphasizes certainty arrived at through communicative process. That Elizabeth and her interlocutors had some sense of a contract being carried out is indicated by the fact that in a manuscript version corrected by Elizabeth's own hand the "surety" is a princess's "head," while in the exchange as printed, which according to both Neale and Heisch is supposed to have been taken from Elizabeth's own manuscript corrections, it is the non-tangible "end" that is offered as surety. But Elizabeth's use of "head" offered for "surety" emphasizes the very contractual nature of the agreement, and the fact that a real life is given as bond, while Cecil's correction points to the transcendent, non-tangible sacrifice of the spiritual portion of the sovereign's body politic—which is now at an end.

Elizabeth's address will end, rather cleverly, with a request for her audience "to content your selves with an answer without answer." But this answerless answer is contained, and represents not a suspension of the possibility for Mary's death because it is presented as a report after the fact, but one which proceeds towards a certain death of Mary, as we know from

history.⁴⁷ Before reaching this final answerless answer, however, the queen touches on two points. First she moves very carefully to ensure that her audience—whether that is the assembled commissioners or the wider reading audience—understands that she has not by her rhetorical movements to this point, nor by her request that Parliament discuss another way out, intended that she should circumvent the law of the land or the will of the people. Instead, she has been careful because the matter itself demanded care. For one thing, she has not wished to make her slanderers think, falsely, that she has taken any action out of simple regard for her own safety: “What will they not now say,” Elizabeth asks, “when it shalbe spread, That for the safety of her life, a Mayden Queene could be content to spill the blood, even of her owne kinsewoman?” Elizabeth goes on to stress that “I am so farre from it, that for mine owne life I would not touche her” (as her reluctance to this point fully evidences) “neither hath my care bene so much bent howe to prolong mine, as how to preserve both, which I am right sory is made so hard, yea, so impossible” (29). Throughout this discussion, Elizabeth is careful to demonstrate that her concerns come about based on a concern either for reputation, or for the law itself—in either case, she stages her reasons for hesitancy within the orbit of communicative conditions that ultimately bind her to a decision she does not want to make, while her reluctance to act upon the decision she has been forced to stems from her own innate goodness, so much so that she has

⁴⁷ As for the text itself, it appears in 1586, but that could be even after the death of Mary herself, as the year would extend until March first of the next year, and the Stationer’s register will not indicate the text, because it was licensed by the queen herself. As a propaganda piece it could have effectively been printed any time after Leicester’s return, either to sway judgment at home or abroad—but the point here is that it exists in either case as a means of pointing out, in effect, a new arrangement of the law.

in effect nearly sacrificed her own life for Mary's. In this way Elizabeth demonstrates subservience to communicative conditions without, seemingly, committing herself. And yet her submission to this law engages the question of sovereignty, intentionally or otherwise. Elizabeth has not in this discourse once mentioned Mary by name, but referred only to her kinswoman, or as her injurer, or else the "princesse" whose end will provide surety. There is no doubt that certain advantage is gained by leaving Mary nameless, at least insofar as a nameless victim is often a less sympathetic one, and removing Mary Queen of Scots to the abstract position of injurer, or more tellingly, kinswoman, places her on a level with those who have been "rebels" and "slanderers."⁴⁸ But there is a finality nevertheless insofar as it is clear that the queen's willingness to leave her own life at risk to protect her kinswoman's is not in this case an available choice. The queen is too important to those who legislate—and those whom the legislators represent—for her to be allowed to make this choice.

And yet if the queen has not been reluctant to act because of too much care for her own safety, she has also not been reluctant out of a willful disregard for the will of her people, for she acknowledges further down that she does "thinke my selfe infinitely beholding unto you, that seeke to preserve my life by al the meanes you may: so I protest unto you, that there liveth no Prince, that ever shall be more mindefull to requite so good desertes." The queen here places her decision squarely in terms of the will of her people, thereby giving over in effect the control of this decision upon which the good of the state rests to the community that makes up this state—she finds herself "beholden" unto them, they who have in turn made a commitment to her, and

⁴⁸ Heisch sees this as a strategy of "depersonalization" (601).

she intends to live up to that commitment, placing herself in another community, that of princes, against whom she can be measured by herself or by her subjects. In all cases, this is not a question settled in terms of transcendent rights, or pledges made out of time, but to pledges enacted and reconfirmed in historical acts and moments. Furthermore, these pledges are linguistically transacted in that Elizabeth here claims that she “protests unto” her audience, and, furthermore, the pledge or commitment is made not out of an inaccessible—i.e. transcendent—subject position, but on behalf of such a position: “I thinke my selfe” beholden to her auditors.

But this movement that emphasizes the communicative structure of this arrangement and the communicative context of this speech does not prove efficacious for Elizabeth in the way that previous such emphases have. Indeed, there is throughout this speech the sense that something more than simply the preservation of the tangible presence of a fellow prince is going to be lost. In the intervening paragraph, Elizabeth reiterates that, just as she does not hesitate out of disregard for the law or out of her own selfishness, she also does not hesitate out of ignorance. She explains that “I am not so voide of judgment, as not to see mine own peril: nor yet so ignorant, as not to knowe it were in nature a foolish course, to cherish a sworde to cutte mine owne throate.” If Elizabeth is careful to acknowledge the very real determinations of the communicative lifeworld, she is equally aware of (what Habermas calls) the “brute reality” that confronts her in this decision. To keep safe against such a reality, she has exercised judgment, and sense (in that she can “see mine own peril”), and acknowledged the threat to her own mortality and the preservation of that mortal self as an imperative in natural law—as it “were in nature a foolish course” to do otherwise. And yet in spite of all that awareness, there is nevertheless something that impels her to carry on in this recalcitrance: “this I do consider,

many a man would put his life in danger for the safegarde of a King, I doe not say that so will I but I pray you thinke, that I have thought upon it.” Here what is holding Elizabeth from taking the necessary step is something that operates outside the realms of the communicatively formed lifeworld of the earlier and later paragraphs, as well as outside the realm of brute reality that this paragraph has addressed; indeed, the factor that holds her hand operates even so far outside this reality that it operates outside the sex of the prince she would preserve, here described as a King. Now the movement to abstracting Mary’s identity takes on an additional significance rhetorically, for it is not ultimately the person of Mary, or the specific, timebound, historical sovereign that Elizabeth is preparing, or discussing preparing, to sacrifice, but instead the abstract notion of Kingship itself, a kingship that is not contingent, not historical, but which is bound up with the state and the community in its atemporal, ahistorical, and eternal form. The queen speaks of lives, and not of names, and of Kings, and not of the Queen, because what’s being sacrificed, what the law will execute, is not only the physical body of the Queen Mary Stuart, but the possibility of a sovereign Queen of Scots which is not bound to any particular political situation, which has been divested of its power through political action, but which still retains some status of sovereignty. The two lives at play in this contract are not just the lives of Elizabeth and Mary, but the King’s two lives, the temporal, historical body to live, and the ahistorical, timeless body to die.

Or at least to come under a new dispensation. This releasing of a timeless understanding of sovereignty in place of one bound in contingency is at work all throughout this document. In a later pair of paragraphs this shift is contracted quite clearly, as Elizabeth says that “When first I took the Scepter, my title made me not forget the giver,” an ambiguous expression that indicates

either that the title did not overblow its holder with such pride that she would forget God as its source, or that the title served as a constant reminder of God's being the source of the title. In either case, whatever peril she has faced and overcome, "I rather marvel that I am, then muse that I should not be: if it were not Gods holy hand that continueth me, beyond all expectation." Here though, as the first sentence indicates, there has been a constant pressure to attribute to the title of sovereign a divine attribute and source, and the continuing of the sovereign is likewise a matter of the divine. However, in the next paragraph, something more timely than divine succeeds, for Elizabeth explains that "then entred I further into the schoole of experience." It is from this school that Elizabeth learned the need for "Temperance, Magnanimitie, or Judgment," indicating that these qualities are not attributes bound to the king's eternal and divinely ordained identity, but instead are known from a movement in the world itself, that world of history and contingency. Thus in judgment the queen is fair, and bases that judgment not on the trappings of place as timeless deserts, but on a careful deliberation within the workings of historical justice: "I never knew a difference of person, where right was one: Nor never to my knowledge preferred for favour, whom I thought not fit for worth." Thus it is on these bases that the queen hopes, in the next paragraph, to "strive to make my selfe worthy for such subjects," thereby completing a movement away from a divinely ahistorical title to a king operating in history to such an extent that her worth is determined by the subjects around her.

Elizabeth's replies to the special commission do not finally rely on her attempts to work around the law and its contingently based truth—instead she merely attempts to delay, and in any case is unsuccessful in preserving Mary Stuart's life. But the moment indicates a clear shift in rhetorical advantage within Elizabeth's reign, as up until this point Elizabeth's rhetoric has

gained efficacy insofar as it emphasized communality and reason rooted in intersubjective relations, while her interlocutors' rhetoric lost in efficacy as long as it had stressed the ahistorical and transcendent. However, her interlocutors' rhetoric now gains in efficacy once it begins to introduce the concept of law as fundamental to its argument, as opposed to divine and natural or artificial reason grounded in divine principles—that is, now that it too has become grounded in the contingent, rather than the ahistorical. However, her interlocutors' understanding of law nevertheless requires a monarch as guarantor and ultimate source of law, but placing this guarantee in the realm of the divine or transcendent means that arguments springing from the law lose their intersubjective quality. The execution of Mary Queen of Scots can be read, then, not just as a struggle over political position or an understanding of sovereignty's power, but as a struggle over what kind of truth will underpin future arguments—for this truth to retain its intersubjective qualities, the transcendent qualities of sovereignty must be destroyed. Elizabeth will be able to continue to control the mainsprings of communicatively based argument, but this control will be granted as an agreement between Elizabeth and the other estates of the land—not as a political arrangement, but as a rhetorical one. For Elizabeth to retain this control under this agreement requires a guarantee, a pledge, however, and the surety for this bond must be enacted through a sacrifice exacted through the ritual of execution—and what must be sacrificed as surety is not only Mary's physical self, but the transcendent sovereignty connected to her physical body. From this point Elizabeth's political efficacy would be diminished not because the execution of Mary signaled the loss of a political struggle, but because it signaled the loss of a rhetorical struggle, a struggle over the very nature of argument.

CHAPTER 6

CONCLUSION

This investigation of Elizabeth's rhetoric—as seen in certain of her speeches, her letters, her proclamations, texts that were definitively 'authored' by her and texts that we can only claim to have been 'authorized' by her—reveals that her rhetoric was effective. We can say that her rhetoric was effective because it happened in an environment that was itself rhetorical, an environment in which debate and discussion and argument and verbal exchange were the means through which the business of government was transacted. Whether the force of these transactions was autocratic or bureaucratic, however, we should see them as rhetorical, not only because the primary basic training in statecraft was rhetorical in the English sixteenth century, but because both bureaucrats and autocrat engaged in a great deal of rhetoric—verbal or symbolic exchange motivated by the desire to produce effects. Given the rhetorical nature of government, it is clear that, as in the case of marriage and religion, Elizabeth's rhetoric was more effective than that of her interlocutors. I do not say here that there were no other reasons, complex and political, for her successes in these matters—only that her rhetoric took account of those complexities and was effective within whatever bounds those other complexities may have created. In these matters, at least, of all the rhetoric produced around these issues, Elizabeth's was more effective than that of all the other participants in government (here I mean government in the largest possible sense). Whether government was in general a process of opposition or cooperation, it is clear that Elizabeth's desires for religion and marriage were in opposition to the rest of government as a whole. It is equally clear in both cases that Elizabeth's rhetoric on these matters overcame that of her interlocutors—because she did not marry, she did maintain control

of the church, and she relied on rhetorical performances in order to effect her will in these matters.

Since these struggles were rhetorical, and Elizabeth succeeded in these struggles, then Elizabeth must have succeeded rhetorically. We must understand precisely what this means, and what this success implies. In the case of both marriage and religion, the debate was not won or lost solely through the means of rhetoric as they were taught in the sites of rhetorico-political training, not through, for instance, figuration or copia, nor through Renaissance Ciceronianism of style or anti-Ciceronianism of sense. Neither were Elizabeth's triumphs executed through our neo-Aristotelian categories of logos-pathos-ethos, nor through the theories of stases articulated by Hermagoras and all those who followed. Any of these approaches would serve to analyze the verbal artifacts of these debates in the terms each approach affords, but they are insufficient independently or in combination to explain the effectiveness of Elizabeth's rhetorical performances in these debates, which operated through these approaches perhaps, but did so in order to engage in a struggle over truth itself, both its guarantee and, therefore, how meaning was determined by it. None of these approaches allowed Elizabeth to deny the truths that were presented her as starting points in the course of these debates over religion and marriage; in order to succeed, she therefore had to convincingly move these truths themselves. Her opponents grounded their arguments in certain understandings of truth—either truth as guaranteed by divinity and therefore self-evident, or else divine truth as mediated by dialectical processes. Elizabeth's rhetoric in these cases is effective because it shifts and manipulates these grounds of truth, injecting an uncertainty that undermined the meanings her opponents attempted to derive by way of these truths. As her opponents continue to seek out a truth that will trump royal will,

Elizabeth continually resorts to argumentative approaches that undermine these truths, and thereby leaves the question of sovereign will untested.

We should not therefore allow a Renaissance lexicon to dominate our understandings of the period's rhetorical struggles, but neither should we allow our understandings of this lexicon to minimize the stakes of the conflicts either within or without rhetorical theory proper—and we must also recognize the porousness of the bounds between rhetorical education and theory in a rhetorical polity. I mean that the tools of Renaissance rhetoric are not adequate for a twenty-first century examination of that rhetoric, but not because of a poverty of those tools, but because of a poverty of our own understandings. Struggles over figuration were struggles over signification, and while this fact may have been recognized by others, its implications perhaps have not been—or at least the implications have not been taken as starting points for work on the period's rhetoric. A struggle over Cicero is a struggle over meaning and truth, and the reforms of Ramus and Erasmus are not only struggles to streamline a process of enculturation, but to shatter the very bonds of these processes, and Elizabeth's rhetoric ought to be considered in light of the same processes of remaking of culture, of education, of epistemology. An attempt to analyze her rhetoric in terms of engagement with or deployment of particular figures—e.g. the virgin queen trope—and the use of these figures within a certain arrangement of schemes and tropes, misses the point because it fixes what was in practice radically unstable—the processes of meaning making that those systems were attempting to describe as much as prescribe. The genius of Elizabeth and the impact of her rhetorical practice on rhetoric itself can be best understood as operating through the level of truth that founds meaning. Her innovation, or the innovation she

partook of, was in seeing this truth as a process that existed on the level of language and expression, not underneath it.

Thus while her opponents sought to fix truth, Elizabeth's rhetoric was effective not by denying the possibility of truth, but by pointing out that her opponents had no particular or exclusive purchase on truth. Her opponents made claims that would limit her rights and her power and her choices, and that were true—Elizabeth's rhetoric was effective because she engaged her opponents' claims not by questioning the truth of their claims so much as by questioning the nature of their truth, and she was able to successfully challenge their truths on this level because she worked out of understandings about how truth, meaning, and rhetoric operated that were different from those claimed by her opponents, but which emerged from the same cultural, philosophical, and rhetorical heritage.

All of this being the case, questions of truth and language ought to be as fundamental to the study of rhetoric, and particularly to the study of the history of rhetoric, as they have been to the study of philosophy and its history. Lawrence Green and James Murphy take the work of Paul Oskar Kristeller as a starting point for their reconstruction of the history of Renaissance rhetoric. Without diminishing the vital and exciting work that these two scholars have produced around Renaissance rhetoric, without which my own study would have been seriously impoverished, it must be noted that Kristeller's concern was not with Renaissance rhetoric *per se*, but with making an argument about the value of Renaissance philosophy for study, a philosophy that was articulated largely, in Kristeller's view, through discussions of rhetoric. I believe that the process of examining how Elizabeth's rhetoric worked has suggested that our understanding of historical rhetorics gains by drawing on the work of philosophers who treat

truth and language, both historical philosophers such as Descartes but also contemporary philosophers such as Habermas. Many of the finest works on Renaissance rhetoric treat the topic as a question of how linguistic characteristics were classified both for theoretical and for pedagogical purposes; when they project this work into the realm of the world tend to do so either in terms of how these classifications were later modified, or how they were enacted. This endeavor is obviously valuable, but what I hope my work has suggested is that by thinking about the question of Renaissance rhetoric more expansively, for instance as a question of how truth and meaning making are combined to produce effects in the world, the scope and the possible subjects of this historical study likewise are greatly expanded, and both the high stakes of Renaissance rhetoric and the full import of the meaning of a rhetorical culture, as Renaissance England certainly was, may be more vividly felt, and may more clearly be seen as part of an ongoing process of defining and redefining the nature of our own rhetorical culture.

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