Measure for Measure: Sex, the Law, and the #MeToo Movement

Measure for Measure is not one of Shakespeare's better known or more popular plays, yet has attracted widely divergent views – though none, I believe, has plumbed the real achievement of the dramatist 's subtlety in composing it. Literary criticism should be enlightening and enliven a text; at the very least should make it more accessible. I'm not, however, convinced that any of its critics has got the play quite right, and in looking at two of its scenes this morning I hope to offer something of a new approach. Given the play's plot and Shakespeare's own past history, it arguably dealt with a subject that demanded his creative subtlety. In displaying this, Shakespeare shows himself, as so often, ahead of his time, being on the side of the women's movement in a way that feminist criticism seems to have entirely overlooked.

But before we come to the text of Act 2 scenes 2 and 4, a word about the play's early staging. This probably occurred for the second time at the Banqueting House in Whitehall as part of the Christmas entertainment of 1604. This might well have been James I's first Christmas in London as the new English king, because of the presence of plague the previous year. Though the play's setting is Vienna, its Duke is clearly meant to suggest James himself since so many of the play's details reflect his ideas and attitudes.   Now writing as one of the King's Men, Shakespeare would obviously have been keen to gain for his acting company the continuing patronage of the king, and he therefore presents its events so that the play will gain James's applause. The injunction of Christ's Sermon on the Mount – 'with what measure ye mete, it shall be measured to you again – is reflected in the Duke of Vienna's pronouncements at the end.

The play's action comprises the Duke intent on having the death penalty administered for fornication or sexual intercourse outside marriage. Having been too lax or indulgent to administer the death penalty himself, he announces he is going abroad so that he can appoint the puritanical Angelo as his Deputy, who will strictly administer the law. Meantime the Duke stays around incognito, disguised as a friar, so that he can witness events at first hand. He acts in some sense the role of the Disguised Ruler which, as a literary motif, had affinities with tales concerning monarchs who went about in secret among their subjects, discovering abuses and writing wrongs.

The play's first line, 'Of government, the properties to unfold', spoken by the Duke to his second-in-charge Escalus, would have caught the new king's ear. As James VI of Scotland he had written a book on statecraft or how a king should govern. When he became James I of England in 1603, it became an international best-seller. To quote from James's work: 'When you have by the severitie of justice once setled your countries, and made them know that yee can strike, then may ye thereafter all the dayes of your life mixe justice with mercie'. The action of *Measure for Measure* illustrates this. Deputy Angelo immediately administers the law by proclaiming all the brothels in the suburbs will be pulled down, and Claudio is publicly seen being led to prison for having got his beloved Juliet with child. He is due to be executed the next day. At the end of the play the returning Duke pardons everyone, including those who have committed fornication. The Duke had said, in granting Angelo's commission, 'Mortality and mercy in Vienna / Live in thy tongue and heart', but one may wonder how mercy could be shown if the death penalty was to be the punishment for fornication.

In Shakespeare's time what legally constituted marriage was something of a vexed question, for the plighting of troths, even without witnesses, could be so regarded, though the Church saw sex between the pair as sinful if their union had not been first solemnized by a marriage ceremony. Claudio and Juliet had secretly made a 'true contract', and he regarded her as 'fast my wife', but was still condemned to 'die tomorrow'. The Bible had stated that man was made in God's image, while St Paul had said 'fornicators' were among the 'unrighteous' who would not 'inherit the kingdom of heaven'. The heat this generated in Shakespeare's day is evident in the work of the Puritan Philip Stubbes who wrote: 'Who so commiteth fornication sinneth against his owne body. . . . Knowe you not, that your bodyes are the Temples of the holy ghost, which dwelleth within you? And who so destroyeth the Temple of God, him shall God destroy'.

The Duke wanted the operation of the law strengthened, but the play raises the more general question whether legislation should operate in such matters. Wallace Robson raised this point in reviewing the new Arden edition of the play.

He referred to 'the vivid imagining in art, by the greatest English mind known to us, of the consequences of an attempt to impose morality by legislation'. Legislating about the morality of sexual matters still raises vexed questions today, as any number of recent events have shown. A question also asked by the play is what should be the law. When Escalus ventures into the city he meets Pompey Bum, the 'tapster' or barman of Mistress Overdone's brothel. Escalus asks Pompey, 'How would you live, Pompey? By being a bawd? What do you think of the trade, Pompey? Is it a lawful trade?' Pompey replies: 'If the law would allow it, sir'. What amounts to justice in this play is not necessarily determined by the law. On hearing what Pompey says, Escalus becomes emphatic: 'But the law will not allow it, Pompey; nor shall it be allowed in Vienna'. Pompey then asks: 'Does your worship mean to geld and spay all the youth of the city?' When told 'No', Pompey says: 'Truly, sir, in my poor opinion they will to't then'. The city's attitude can be seen in the edgy joking that goes on between Claudio's friend Lucio, a vocal man-about-town, and two Gentlemen. When the nine times married Mistress Overdone appears (Overdone by her last husband), she is described by Lucio as Madam Mitigation, and the three of them reckon the cost of what one gets in a brothel as 'three thousand dolours a year' – not just 'dolours', pains, but 'dollars', coins, and as Lucio adds, 'a French crown more'.

On his way to jail, with the sentence of death hanging over him, Claudio asks Lucio to approach his sister Isabella, a novice nun, to request she plead for him:

> Implore her, in my voice, that she make friends
> To the strict deputy: bid herself assay him
> I have great hope in that; for in her youth
> There is a prone and speechless dialect
> Such as move men; beside she hath prosperous art
> When she will play with reason and discourse,
> And well she can persuade.

This has attracted feminist criticism of the type that has developed around Shakespeare's work over the last forty years. The text of the play is regarded as having a 'masculine bias', being 'impenetrable to feminist criticism' because 'the dilemmas of the narrative and the sexuality under discussion are constructed in completely male terms'. A well-known American professor and critic Nicholas Radel has written:

> There is, arguably, a reason for Claudio to ask Isabella to 'make friends' with Angelo, and no necessary sexual innuendo need be ascribed to his request. But when, immediately following, he suggests that Isabella's youth may move Angelo, he alludes to her physical capacity to affect Angelo's passions, in obvious contrast to her rhetorical ability, which he alludes to almost as an afterthought. . . . The point is that from the first – and even within her own family context – Isabella is conceived of as an object of Angelo's desire, and she is imagined to be acquiescent in her ability to excite men's passions.

This surely overstates what Claudio has said. Rather than being 'acquiescent' in exciting Angelo's passions, Isabella resists Lucio's suggestions that she should be more cajoling. In fact, because of the feelings she arouses in Angelo, he responds with surprise how 'modesty may more betray our sense / Than woman's lightness'.

Professor Radel is nearer the mark when he writes: 'Isabella is a sexual and gendered being whose power and autonomy are structured and controlled by the men around her'. But his remark that needs to be challenged is when he supposes that 'the ways in which imposed sexual and gender roles constrain women exposes the implicit misogyny of Shakespeare's text'. I hope to show, on the contrary, that the play demonstrates Shakespeare's forward-looking recognition of the plight of the wronged woman.

About to join the sisterhood, Isabella would have regarded sex outside marriage as sinful; nor would she have known of Claudio and Juliet's having plighted their troths. Asked by Angelo what is her 'suit', she says:

> There is a vice that most I do abhor,
> And most desire should meet the blow of justice:
> For which I would not plead, but that I must,
> For which I must not plead, but that I am
> At war 'twixt will and will not.

This is easily answered by Angelo:

> Mine were the very cipher of a function
> To fine the fault, whose fine stands in record,
> And let go by the actor.

As Isabella is preparing to go, Lucio intervenes:

> Give not o'er so; to him again, entreat him,
> Kneel down before him, hang upon his gown,
> You are too cold.

It is not in Isabella's nature to appeal to Angelo in such a way, certainly not to kneel before him. Her chastity was supremely important to her and all she now asks is, 'Must he needs die?' Angelo's terse, unyielding response is, 'Maiden, no remedy'. In saying 'Yes' Isabella seems not to be agreeing so much as marshalling her thoughts, for she then says: 'I do think that you might pardon him, / And neither heaven nor man grieve at the mercy'. Again Angelo is blunt: 'I will not do't'. When she presses him, 'But can you if you would?', he responds: 'Look, what I will not, that I cannot do'.

With mercy refused, Isabella senses what is missing from Angelo's responses, shifting her argument to give prominence to human feeling:

> But might you do't, and do the world no wrong,
> If so your heart were touched with that remorse
> As mine is to him?

Angelo remains adamant, taking refuge in upholding the law: 'He's sentenced, 'tis too late'. Immediately Isabel seizes on what he has said:

> Too late? Why, no, I that do speak a word
> May call it again. Well, believe this:
> No ceremony that to great ones longs,
> Not the king's crown, nor the deputed sword,
> The marshal's truncheon, nor the judge's robe
> Become them with one half so good a grace
> As mercy does.
> If he had been as you, and you as he,
> You would have slipped like him, but he like you,
> Would not have been so stern.

Isabella makes Angelo's rigidity appear not just lacking in human flexibility but as inhumane. Again she introduces the concept of mercy, rating it above any trappings of office.

Self-defensive herself when her religious conviction is threatened, she challenges Angelo's self-defensiveness. When, as though losing patience, but perhaps also feeling a disturbing force she possesses, he says, 'Pray you be gone', Isabella pursues her advantage without descending to any of the ploys Lucio had suggested:

> I would to heaven I had your potency,
> And you were Isabel: should it then be thus?
> No, I would tell what 'twere to be a judge
> And what a prisoner.

By 'potency' Isabella might be referring only to Angelo's greater power to act, though the word also has a sexual connotation. And the brevity of Angelo's responses might suggest he was feeling something he needed to protect himself against. When Angelo merely says,

> Your brother in a forfeit to the law,
> And you but waste your words,

Isabella extends her argument by citing the supreme power that had granted mercy to all mankind:

> Why all the souls that were, were forfeit once,
> And he that might the vantage best have took
> Found out the remedy. How would you be
> If he, which is the top of judgement, should
> But judge you as you are? Oh, think on that,
> And mercy then will breathe within your lips
> Like man new made.

Angelo again takes refuge in the law:

> Be you content, fair maid,
> It is the law, not I, condemn your brother . . .
> he must die tomorrow.

Pointing out her brother is not prepared for death, she asks: 'Good, good my lord, bethink you, / Who is it that hath died for this offence?' She has been seeking a response more alive to the human situation in the operation of justice without finding in Angelo the 'grace' or 'mercy' that should be reflective of a higher power. Even when she suggests he 'show some pity', Angelo uses the same argument King James had used in claiming mercy is included in the way the law is being administered, namely, that summary punishment will deter future wrong-doing.

There is no doubting Angelo's sincerity, or his conviction that making the law effective will put an end to fornication, despite what other characters in the play say about the inevitability of human desire. Isabella, however, follows the line she has already started by contrasting the action of 'man, proud man, / Dressed in a little brief authority' with the action of a 'Merciful heaven'. This she contrasts with man's ignorance and insignificance, describing man's ridiculous pride, so deserving to be laughed at, as what would make the angels weep. In questioning the importance Angelo would assume, she challenges him in language that, given what he has begun to feel, cannot but strike home:

> Go to your bosom,
> Knock there, and ask your heart what it doth know
> That's like my brother's fault. If it confess
> A natural guiltiness, such as is his,
> Let it not sound a thought upon your tongue
> Against my brother's life.

Angelo's aside, 'She speaks, and 'tis such sense / That my sense breeds with it', reveals the conflict taking place within his breast between the law his religious belief insisted on and a desire he finds disturbing and unfathomable. Angelo experiences unexpected and overwhelming psychosexual conflict, and looks to give a meaning to her words that answers to his own inner promptings. Invited to come again tomorrow, Isabella answers, 'Hark how I'll bribe you'. To Angelo's eager 'How?', she responds with 'prayers from preserved souls'. When she adds, 'Heaven keep your honour safe', Angelo says in an aside: 'Amen. / For I am that way going to temptation / Where prayers cross'. As she departs with 'Save your honour', Angelo says to himself:

> From thee: even from thy virtue.
> What's this? What's this? Is this her fault, or mine?
> The tempter or the tempted, who sins most, ha?
> Not she: nor doth she tempt: but it is I
> That, lying by the violet in the sun,
> Do as the carrion does, not as the flower,
> Corrupt with virtuous season.

The strength of Angelo's inner conflict should not be understated. Moral confusion marks the time between their meetings, the turbulence in his soul forcing him to question his inner self and why he so greatly desires Isabella. He is conflicted by the violence of his frustrated desire. Isabella is above all determined to preserve her chastity, and in the play she later insists rather shrilly on her own inviolability. Both characters display a self-defensiveness that invites comparison, and when they meet next day there is a parrying of suggestiveness with counter-measures that enables us to witness both an anticipation and a negation of sex as indications of frustrated human desire.

Masochism and sadism appear in their respective utterances. Isabella is prompted to imagine an ecstasy of martyrdom:

> were I under the terms of death,
> Th'impression of keen whips I'd wear as rubies,
> And strip myself to death as to a bed
> That longing have been sick for, ere I'd yield
> My body up to shame.

And when Isabella continues to refuse him, Angelo says: 'thy unkindness shall his death draw out / By lingering sufferance'. The extent to which what Angelo desires is to him an evil is plain when he equates illicitly fathering a life with committing murder:

> Ha! Fie, these filthy vices! It were as good
> To pardon him that hath from nature stolen
> A man already made, as to remit
> Their saucy sweetness that do coin heaven's image
> In stamps that are forbid.

Suggesting a concept of divine justice that leaves no room for mercy this echoes the terms in which Stubbes had condemned fornication. Isabella's comment, ' 'Tis set down so in heaven, but not on earth' both endorses Angelo's fear of future judgment and questions the need for his present judgment. Isabella also believes losing her chastity would cause her to suffer eternal damnation, so when Angelo says, 'Then must your brother die', she remains unyielding. Angelo is proposing a kind of 'measure for measure', her brother's head for her maidenhead. Though he tries different ways to persuade her, she cleverly frustrates him by always turning whatever he says another way. Finally he is forced to be outspoken, saying: 'Plainly conceive, I love you'. It is then Isabella questions his meaning of 'love' by citing the love of her brother for Juliet:

> My brother did love Juliet
> And you tell me that he shall die for it.

She neatly underscores the difference between real love and what Angelo was proposing, thereby questioning the validity of the law condemning Claudio to death. Angelo's debased regard is evident from his earlier lines indicating his evil intent:

> Having waste ground enough
> Shall we desire to raze the sanctuary
> And pitch our evils there?

And when Isabella hears Angelo's direct expression of desire, she tellingly says:

> I know your virtue hath a licence in't
> Which seems a little fouler than it is
> To pluck on others.

This use of 'licence' suggests both the advantage his position affords him and what as a man his '*vir*tue', because of his gender (*vir* being Latin for 'man'), can be allowed to stretch to.

When Angelo professes his 'honour', Isabella challenges him, issuing a threat:

> I will proclaim thee, Angelo, look for't.
> Sign me a present pardon for my brother,
> Or with an outstretched throat I'll tell the world aloud
> What man thou art.

But in Shakespeare's contemporary world Isabella is overplaying her hand in seeking publicly to expose Angelo. He points out his reputation and authority will be believed over her:

> Who will believe thee, Isabel?
> My unsoiled name, th'austereness of my life,
> Will so your accusation overweigh
> That you shall stifle in your own report
> And smell of calumny.

Later events prove the very tenor of what Angelo is saying. 'Stifle' vividly suggests Isabella's account will be deprived of air as she seeks to give breath to it. The weakness of her position against a powerful male offender she admits to herself as she thinks about her situation more. 'To whom should I complain? Did I tell this / Who would believe me?' Her questions underline her predicament, and her plight resembles what prompted the #MeToo Movement. Isabella remains subject to a power relationship resulting in unwanted harassment by a man in a position of authority, prepared to enforce his will in seeking sex, while making it appear of some benefit to her. Isabella has most to lose by refusing him, being unlikely to be believed when subject to his lies, and likely to lose out if she does try to tell what happened.

Shakespeare has unerringly realized the disadvantage, the plight, of the wronged woman when confronted with an inequality of gender roles and an imbalance of power. Moreover, in Shakespeare's time, the plight of the wronged woman would not have aroused the same sympathy as now. Women were traditionally regarded as secondary, as inferior to men, existing for their pleasure. Despite what Professor Radel has called 'the implicit misogyny of Shakespeare's text', Shakespeare was plainly ahead of his time in realizing how misogynous, in certain circumstances, the masculine domination of his world could be. He had, already created one of his greatest heroines in Rosalind, who admits to her conventional cousin 'how many fathom deep' is her love for Orlando: 'It cannot be sounded: my affection hath an unknown bottom like the Bay of Portugal'. The role of Rosalind suggests Shakespeare envisaged a woman could herself possess desire, without having its existence depend on the behaviour of a man.

Measure for Measure not only questions the act of fornication being subject to the extremities of the law, but contrasts a casual indulgence in sex with a love that transcends merely temporary gratification. The mercy the Duke shows at the end reflects this, but the point is decidedly made when the 'mutual' love of Claudio and Juliet is set against other relationships in the play. This, however, has not always been realized by so called experts on the play. The renowned American professor Ann Jennalie Cook, who made a special study of Henry Swinburne's *Treatise of Spousals, or Matrimonial Contracts*, termed both Claudio and Angelo 'seducers', adding: 'Claudio's passion for Juliet degrades him to imprisonment and the sentence of death'. She thought the Duke's final words to Claudio would be met by the audience 'with silent acquiescence', and she therefore makes no distinction, rather like a member of the Duke's world, between Claudio's action and Angelo's. But to ignore a distinction that is made between love 'mutually' entered into and what is merely pursued for the sake of sex is to approach the play in a reductive way. Ann Cook even claimed that 'the buying and selling of lives, wives, and female bodies stands at the core of *Measure for Measure*'.

To regards Shakespeare's text as implicitly misogynistic is also to approach it too reductively. Such a view fails to realize the importance Shakespeare attaches to his female characters, and what such a world can force them to suffer. Too often we fail to see how subtle and relevant is his apprehension of the human condition, and how significantly his perceptions answer to our own experience of life. In the dedicatory epistle Ben Jonson wrote for the First Folio of 1623, where *Measure for Measure* was first published and grouped among the 'comedies', he described his late friend and fellow-poet as 'a monument, not a tomb'. Jonson regarded Shakespeare as 'alive still while thy book doth live, / And we have wits to read and praise to give'. Jonson realized the enduring relevance of Shakespeare's work which makes him a classic. His apprehension of the human condition remains both remarkable and significant.

Something of Shakespeare's range of insights can be inferred from a brief look at some of his other plays. What *As You Like It* offers has already been mentioned. In conceiving his four great tragedies, Shakespeare avoided the kind of choric consolation encountered in Greek tragedy whenever it is stated that all is ultimately for the best according to the will of the gods. Shakespeare, on the contrary, made the tragic experience authentic, even ultimately invigorating, by confining it to this world. As Edgar states at the conclusion of *King Lear*, 'The weight of this sad time we must obey'. The worst that life can present is what must be faced up to, what we must be obliged to bear. In *The Tempest*, Shakespeare's final play, Prospero, the former Duke of Milan, goes to great lengths by his magic arts to take revenge on those responsible for driving him from power. Through the agency of his spirit Ariel, he calls up a terrible storm at sea, which wrecks their ship and has them cast up on an inhospitable coast. In the last Act of Shakespeare's last play Ariel says to Prospero:

> your charm so strongly works them,
> That if you now beheld them your affections
> Would become tender

Prospero replies: 'Dost thou think so spirit?   Ariel says: 'Mine would, sir, were I human'. What a remarkable use of 'human', which also serves to epitomize the breadth of sympathy and human feeling that Shakespeare's plays so remarkably embrace.

It is also part of Shakespeare's subtlety as a dramatist that he avoided being didactic, and was protective of his craft at a time when the drama could attract political censure. He never sought to run counter to the views of the Lord Chamberlain. Nor in writing *Measure for Measure*, where his own response was likely to be different from the king's, would he have been seeking openly to challenge the views of the Church or any views James I might have had. It is unlikely he was inviting the king to rethink his position, or seeking to challenge the Church's attitude towards Biblical texts or its acceptance of a woman's state as secondary to that of a man.   Even so Shakespeare's literary intelligence was such as implicitly to acknowledge certain things that, in the fullness of time, have come to appear telling. Despite the views which *Measure for Measure*'s male-dominated world has attracted, what should nevertheless be stressed is Shakespeare's awareness of the plight of the wronged woman because of gender inequality and power imbalance. These are things which even today the women's movement can find, for a variety of reasons, difficult to oppose. Shakespeare's awareness of this is perhaps most evident in the play when, after her debate with Angelo, Isabella reflects on the things which would, in Angelo's words, 'stifle' any claim she could make against him, and this situation has today duly exercised the women's movement, and been rightly challenged by the #MeToo movement.