



"Gentlemen, I Have One Thing More to Say": Women on Scaffolds in England, 1563-1680

Author(s): Frances E. Dolan

Source: *Modern Philology*, Vol. 92, No. 2 (Nov., 1994), pp. 157-178

Published by: The University of Chicago Press

Stable URL: <http://www.jstor.org/stable/438005>

Accessed: 09/10/2008 12:10

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at <http://www.jstor.org/page/info/about/policies/terms.jsp>. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Please contact the publisher regarding any further use of this work. Publisher contact information may be obtained at <http://www.jstor.org/action/showPublisher?publisherCode=ucpress>.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

JSTOR is a not-for-profit organization founded in 1995 to build trusted digital archives for scholarship. We work with the scholarly community to preserve their work and the materials they rely upon, and to build a common research platform that promotes the discovery and use of these resources. For more information about JSTOR, please contact support@jstor.org.



The University of Chicago Press is collaborating with JSTOR to digitize, preserve and extend access to *Modern Philology*.

“Gentlemen, I have one thing more to say”: Women on Scaffolds in England, 1563–1680

FRANCES E. DOLAN

Miami University

Recent scholarship has drawn attention to the theatricality of public executions and to the relationships between the scaffold and the stage in early modern Europe, emphasizing the displays of power on both.¹ As studies of the scaffold and its spectacles proliferate, scholars increasingly focus on the ungovernability and ‘generic slippage’ of executions and the unpredictability of the condemned’s behavior, stressing a constantly shifting interplay among the punishers, the punished, and the spectators, rather than the simple imposition of power on/against the condemned.² Given this slippage, the scaffold becomes not only a locus of domination and oppression, but also an arena of boundary crossing, negotiation, and possibilities for agency. Specifically, in the processes of subjectification that representations of executions make visible, the condemned is at once spectacularly acted upon and an agent.

Although gender contributed crucially to shaping these complex processes of subject-formation on the scaffold, scholarship on public executions has paid little attention to gender as a category of analysis

I would like to thank Mary Jean Corbett, Margaret W. Ferguson, Susan Jarratt, M. Lindsay Kaplan, Rosemary Kegl, Julie Solomon, Joy Wiltenburg, and several anonymous readers for their helpful comments on earlier drafts of this essay. The Miami University Committee on Faculty Research supported my research and writing.

1. See, esp., Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York, 1979).

2. See, esp., Thomas W. Laqueur, “Crowds, Carnival and the State in English Executions, 1604–1868,” in *The First Modern Society: Essays in English History in Honour of Lawrence Stone*, ed. A. L. Beier, David Cannadine, and James M. Rosenheim (Cambridge, 1989), pp. 305–55, esp. p. 309; Peter Linebaugh, “The Tyburn Riot against the Surgeons,” in *Albion’s Fatal Tree: Crime and Society in Eighteenth-Century England*, ed. Douglas Hay, Peter Linebaugh, John G. Rule, E. P. Thompson, and Cal Winslow (London, 1975), pp. 65–117, and *The London Hanged: Crime and Civil Society in the Eighteenth Century* (Cambridge, 1992), esp. pp. xvii–xviii.

© 1994 by The University of Chicago. All rights reserved. 0026-8232/95/9202-0002\$01.00

or to the instances and representations of women's executions.³ Catherine Belsey's work has been one exception. Mapping the contradictions that resulted in the early modern period when speech functioned as the means of being constituted and recognized as a subject—"to speak is to become a subject"—but often also was regarded as transgressive for women, Belsey has argued that "the supreme opportunity [for women] to speak was the moment of execution." As Karen Newman adds, this was also a moment at which women's speech might be *recorded*.⁴ I wish to explore the implications of both claims by looking closely at accounts of women's executions, attending to how these texts construct women as subjects—that is, as having access to consciousness, speech, and agency—and scrutinizing the conditions under which they represent women's speech.⁵ Spanning more than a century and a broad range of genres (martyrology, closet drama, scaffold speeches, and newspaper accounts), all of these texts participate in an English, largely Protestant, gendered aesthetic which licenses and records women's speech while downplaying the occasions of that speech, their bodily sufferings and deaths.⁶

Given prohibitions of women's self-assertion and public action, to represent them as speaking and acting is already to disclose a contradiction at work. When accounts of executions further represent women as agents through scripts strikingly different from those available to

3. See Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression* (Cambridge, 1984), chap. 5; and Joan W. Scott, *Gender and the Politics of History* (New York, 1988), chap. 2. Two recent studies catalog rather than analyze punishments of women: Camille Naisb, *Death Comes to the Maiden: Sex and Execution, 1431–1933* (London, 1991); E. J. Burford and Sandra Shulman, *Of Bridles and Burnings: The Punishment of Women* (New York, 1992).

4. Catherine Belsey, *The Subject of Tragedy: Identity and Difference in Renaissance Drama* (London, 1985), pp. 190, 191; Karen Newman, *Fashioning Femininity and English Renaissance Drama* (Chicago, 1991), p. 69. Compare Teresa de Lauretis, "Eccentric Subjects: Feminist Theory and Historical Consciousness," *Feminist Studies* 16 (1990): 115–150.

5. My use of the term 'subjectivity' has also been influenced by Louis Althusser, "Ideology and Ideological State Apparatuses (Notes towards an Investigation)," in his *Lenin and Philosophy and Other Essays*, trans. Ben Brewster (New York, 1971), pp. 127–86; Joan W. Scott, "The Evidence of Experience," *Critical Inquiry* 17 (1991): 773–97; and Paul Smith, *Discerning the Subject* (Minneapolis, 1988).

6. On the conventions shaping accounts of crime and punishment, see Natalie Z. Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, Calif., 1987); Lincoln B. Faller, *Turned to Account: The Forms and Functions of Criminal Biography in Late Seventeenth- and Early Eighteenth-Century England* (Cambridge, 1987); J. A. Sharpe, "'Last Dying Speeches': Religion, Ideology and Public Execution in Seventeenth-Century England," *Past and Present*, no. 107 (May 1985), pp. 144–67; and Lacey Baldwin Smith, "English Treason Trials and Confessions in the Sixteenth Century," *Journal of the History of Ideas* 15 (1954): 471–98.

men on scaffolds,⁷ and from prescriptions for feminine self-effacement, yet more broadly consonant with classical and Christian traditions of denying the body, these scripts open up possibilities for subjectivity through the very contradictions they disclose. On the scaffold, the process of subject-formation for women was distinct from that for men and particularly dependent on contradiction. In this paradoxical process, as we will see, women are constituted as subjects who think, speak, and act on the condition that they are represented as transcending bodily suffering and death. Like the mothers who, anticipating their deaths in childbirth and addressing texts to their unborn children, “first erase and then assert themselves as authoritative agents,” condemned women achieve public voice through the effacement of their bodies.⁸ Making visible the contradiction between female gender and most period conceptions of subjectivity, such women were only represented as “*eccentric* subjects,” in Teresa de Lauretis’s resonant phrase—fractured, multiply and paradoxically positioned, excessive.

I. MARTYRDOM AND THE SUPPRESSION OF THE SUFFERING FEMALE BODY: ANNE ASKEW

Since accounts of martyrdom assume that the executions described are unjustly inflicted, they demonstrate how, in death, women might assert themselves through suffering and “transform [their] apparently private and passive virtues into public, active attributes” without challenging sexual ideologies that dictated their piety and docility.⁹ Threatened with death or, worse, the temptation to recant and betray their own consciences, John Foxe’s female martyrs resolutely resist fear in order to assert their piety. It is not simply that they had nothing to lose as they faced death, for women like Lady Jane Grey and Anne Askew surely saw their participation in the rituals of their deaths as having considerable consequence for their own souls and for the prospects of religious reform in England. The scaffold within the enclosure of Tower Green on which Jane Grey was beheaded, or

7. While condemned men were represented as “tortured, dismembered, amputated bodies” and “willing central participants” (cf. Foucault, p. 8, and Sharpe, “‘Last Dying Speeches,’” p. 156) or as swaggering, disruptive folk heroes (cf. Laqueur), women were rarely represented as acting according to these same scripts.

8. Mary Beth Rose, “Where Are the Mothers in Shakespeare? Options for Gender Representation in the English Renaissance,” *Shakespeare Quarterly* 42 (1991): 291–314, 312; see also Elaine V. Beilin, *Redeeming Eve: Women Writers of the English Renaissance* (Princeton, N.J., 1987), chap. 9; and Wendy Wall, “Isabella Whitney and the Female Legacy,” *ELH* 58 (1991): 35–62.

9. Beilin, p. 152.

the stake at Smithfield to which Anne Askew was chained, offered such women visible positions from which to bear witness. Thanks to hagiographic descriptions of her death like Foxe's, "Lady Jane Grey's voice was amplified, not silenced, by beheading,"¹⁰ while less privileged martyrs could achieve an even wider audience for their final utterances and brave submission to death.

For although relatively private executions (such as Jane Grey's in Tower Green) might subsequently be made public through widely disseminated narratives, the complex possibilities that public executions offered to women were available largely to the nonaristocratic. While the stage might display the tortured and mutilated, aristocratic female body, the public scaffold never did so. In choosing the method and the venue of execution for royal or aristocratic offenders, the sovereign took the offender's gender and social status, as well as the political ramifications of the execution, into account. Of those traitors who were executed within the Tower Green rather than out on Tower Hill, for instance, all were aristocratic or royal, and all but the Earl of Essex were women—most notably queens Catherine Howard and Anne Boleyn, and Lady Jane Grey. Elizabeth I also wisely denied Mary Stuart a public execution in England. The execution of such illustrious personages was relatively rare and, as these examples suggest, usually preceded by scandal and political conflict. Restricting access to such executions prevented the further disruption which might ensue either from allowing the condemned to rally supporters or from the dangerous precedent for assaults on the aristocratic or royal body. A relatively private execution protected the aristocratic privilege represented by the condemned, as well as the political status quo that he or she threatened.

By contrast, nonaristocratic female offenders were central figures in dramas played out on a public stage. At Anne Askew's burning, for instance, "the multitude and concourse of people was exceeding; the place where they [the condemned] stood being railed about to keep out the press" of spectators.¹¹ Foxe's account of Anne Askew's martyrdom is distinctive within his *Acts and Monuments* (1563) both because she is a woman and because she wrote her own accounts of her interrogations, which he incorporates in his own narrative. As Askew's autobiographical voice gives way to Foxe's description of her martyrdom, a contradiction registers clearly: public executions both granted voices

10. Margaret P. Hannay, "Introduction," in *Silent But for the Word*, ed. Margaret P. Hannay (Kent, Ohio, 1985), p. 12.

11. John Foxe, *Acts and Monuments*, ed. Stephen Reed Cattley, 8 vols. (London, 1837–41), 5:550.

to the condemned, especially women, and prevented them from controlling the subsequent representation of their speech and action on the scaffold. Of necessity, the accounts of these deaths were all written from the other side of that fence controlling and protecting the crowd.

Just as Foxe intrudes on Askew's own account of her shameful and illegal racking—which Beilin has aptly called “restrained”¹²—to highlight the sufferings she downplays, he emphasizes the pitiful spectacle of Askew's arrival at Smithfield, disabled and long-suffering: “After that she (being born of such stock and kindred that she might have lived in great wealth and prosperity, if she would rather have followed the world than Christ), now had been so tormented, that she could neither live long in so great distress, neither yet by her adversaries be suffered to die in secret, the day of her execution being appointed, she was brought into Smithfield in a chair, because she could not go on her feet, by means of her great torments.”¹³ As a result of the racking, Foxe suggests, Askew has completed her mission and her interrogators have caused themselves considerable embarrassment; neither she nor they can think of any sequel other than her death. Since Foxe presents Askew's subjectivity as constituted through resistance and reaction, he depicts her execution as a compromise, a resolution that she and “her adversaries” reach jointly.

Foxe's account of her execution presents Askew in the same role of learned and courageous interlocutor that she plays in her own text. Chained to the stake, she attends to the sermon preached by Dr. Shaxton, confirming him “where he said well” and censuring him “where he said amiss.” Predictably, she refuses the temptation to recant, setting an example of constancy for the other martyrs who share her pyre. Foxe thus has Askew distinguish herself from these other sufferers, who take up much less space in his text, yet defines her heroism in relation to the community of the faithful, which she sustains and which will commemorate her through Foxe's monument: “And thus the good Anne Askew, with these blessed martyrs, being troubled in so many manner of ways, and having passed through so many torments, having now ended the long course of her agonies, being compassed in with flames of fire, as a blessed sacrifice unto God, she slept in the Lord A. D. 1546, leaving behind her a singular example of christian constancy for all men to follow.”¹⁴ Although Foxe is only too capable of describing the gruesomely tedious process of burning someone to death, as his infamous accounts of Cranmer's and Ridley's deaths attest, in

12. Beilin, p. 42.

13. Foxe, 5:550.

14. *Ibid.*

this particular account he erases the actual process by which Anne becomes a “blessed sacrifice,” skipping from her self-possessed avowals of constancy to her “sleeping.” The tortured body he so vividly evokes as she arrives at Smithfield disappears from the story at its central moment of suffering, to draw the reader’s attention to the spiritual transcendence by which Askew commands Foxe’s respect and her place in his text. Her disembodiment and silence complete what her “agonies,” resolute resistance to her interrogators, and painstaking composition of her own story began: the elision of her bodily death reveals the paradoxical process by which women are presented as asserting their subjectivity—figured in Foxe as spiritual integrity—through the transcendence of those vehicles we think of as central to the subject, the mortal body and the voice. In painstakingly elevating Askew from heretic to martyr through his narrative, Foxe suppresses the grisly process of bodily death in deference to a decorum that shapes representations of the executions of wrongfully accused or martyred women, whose virtue is registered by means of their disembodiment.¹⁵

II. MARTYRDOM AND THE SUPPRESSION OF THE SUFFERING FEMALE BODY IN *THE TRAGEDY OF MARIAM*

In the drama, the decorum which Foxe observes was reinforced by a more general, politically motivated reluctance to reenact executions (as opposed to murders). The stage seldom reproduced the spectacles of that rival scaffold or drew parallels between audiences at an execution and audiences in the theater or dwarfed, demystified, or problematized the most violent assertions of authority by “playing” them.¹⁶ In the theatrical staging of women’s executions, reluctance to reduplicate the spectacle of state execution for reasons of decorum and expediency combines with a reluctance to display a woman’s suffering body. Certainly standards of bodily propriety did not prevent the public executions of women or the dramatization of women’s gruesome

15. On martyrology as “an intensely corporeal genre” which yet insists on the separability of body and soul, see Elizabeth Hanson, “Torture and Truth in Renaissance England,” *Representations* 34 (1991): 53–84, 68.

16. Some plays do dramatize executions; see, for instance, the moment in which George Browne “leapes off” the scaffold in *A Warning for Fair Women* (line 2479) and the two scaffold deaths in act 5, scene 2 of *Two Lamentable Tragedies*. On the relationship between scaffold and stage, see Steven Mullaney, *The Place of the Stage: License, Play, and Power in Renaissance England* (Chicago, 1988), esp. pp. 111–13 and 117; and James Shapiro, “‘Tragedies naturally performed’: Kyd’s Representation of Violence,” in *Staging the Renaissance: Reinterpretations of Elizabethan and Jacobean Drama*, ed. David Scott Kastan and Peter Stallybrass (New York, 1991), pp. 99–113.

deaths.¹⁷ However, while women are killed in Renaissance drama with alarming frequency, they are rarely *executed* on stage. Criminals and villainesses such as Alice Arden or Joan La Pucelle are led off to the pyre or scaffold, but we do not see them once they get there. In plays about “evil” women, closure depends on eliminating rather than displaying the transgressors, whose sexuality is so closely associated with their criminality. There is an even greater reluctance to display the suffering bodies of virtuous women. As in Foxe, in plays about female martyrs the representation of their virtue depends on their being separated from their bodies and thus on our forgetting about what happens to those bodies that suffer and die, that undergo fatal forms of violence.

In *The Tragedy of Mariam* (written ca. 1604–9, published 1613), now commanding considerable critical attention as the only extant tragedy written by a woman in the British Renaissance, Elizabeth Cary, like Foxe, suppresses bodily death as part of the program for transforming the female protagonist into a near-saint. She simultaneously honors the dramatic convention of not staging state executions, whether unjust or justified, although she is not depicting a recent, local event. In act 5, in which the living Mariam nowhere appears, a messenger describes her execution to Herod in detail as an event that has already happened elsewhere. Mariam is dead, and Herod’s exclamations about her virtue, rendered most evident in her death, cannot save her. By narrating rather than enacting the execution, Cary can accomplish just what Foxe does, even in the confines of a drama. The Nuntius’s description of Mariam’s death presents her as both physically impressive and as disembodied. We hear about her “dutiful, though scornful smile” at her mother’s abuses and her “stately habit” and “cheerful face”; after the account of her death, Herod praises her “admirable face” and fair hands.¹⁸ Yet, while emphasizing the physical beauty and stateliness so prominent in Mariam’s public presence and in Herod’s obsession with her, the final scene also downplays Mariam’s bodily death. In this description, her body is imaged both as vividly and luminously present and as absent.

Mariam, whose speech has declared and complicated her virtue throughout the play, subsides into reticence as she approaches death. Described as impassively withstanding “the curious gazing troope” (*Tragedy*, 5.1.21) and her railing mother, “the stately Mariam not

17. See Leonard Tennenhouse, *Power on Display: The Politics of Shakespeare’s Genres* (New York, 1986), chap. 3.

18. Elizabeth T. Cary, *The Tragedy of Mariam: The Fair Queen of Jewry*, ed. Barry Weller and Margaret W. Ferguson (Berkeley and Los Angeles, 1994), 5.1.52 and 5.1.57; hereafter cited in text as *Tragedy*.

debas'd by fear" (5.1.26) speaks only one line in the messenger's whole narration: "Tell thou my lord thou saw'st me loose my breath" (5.1.73). This single line encapsulates the play's contradictory depiction of female speech.¹⁹ Although Mariam is executed for outspokenness, she utters only this terse remark, using it to insure both that Herod will know the irreversible consequences of his unjust sentence and that her death will gain the significance of being narrated, especially for the benefit of the man who ordered it.

Herod listens with alarming eagerness to the account of Mariam's "loosing her breath," zestfully wishing he could reverse the very story whose telling he urges ("But forward in thy tale"), but the messenger downplays its main event, Mariam's death. At Herod's insistence, he describes the obvious and inevitable:

Why, on she went,
And after she some silent prayer had said:
She did as if to die she were content,
And thus to Heav'n her heav'nly soul is fled.
[*Tragedy*, 5.1.83–86]

The messenger so subordinates the suffering and death of Mariam's body to the triumphant escape of her soul that Herod attempts to challenge the physical fact ("But art thou sure there doth no life remain?") until the messenger at last bluntly announces: "Her body is divided from her head" (5.1.87, 90). In the complexly gender- and class-inflected system of punishments in early modern England, beheading was the most privileged means of death, reserved for traitorous aristocrats and adulterous queens as relatively quick and dignified, and meted out by royal prerogative.²⁰

In her stately, pious death, and her provision that it will be told, Mariam is presented as asserting her own integrity as she could not in life;

19. Beilin (n. 8 above), p. 175; cf. Margaret W. Ferguson, "A Room Not Their Own: Renaissance Women as Readers and Writers," in *The Comparative Perspective on Literature: Approaches to Theory and Practice*, ed. Clayton Koelb and Susan Noakes (Ithaca, N.Y., 1988), pp. 93–116, esp. 105–11; and Rose, "Where Are the Mothers" (n. 8 above), p. 314.

20. For instance, Henry VIII debated whether to have Anne Boleyn burned at the stake or beheaded, perhaps using the promise of the more lenient sentence of beheading to get her to cooperate in annulling their marriage. At last, "her head was cut off by the hangman of Calais, who was brought over as more expert than any in England" (*Cobbett's Complete Collection of State Trials*, ed. Thomas B. Howell, 33 vols. [London, 1809–26], vol. 1, col. 421). See also Margaret W. Ferguson, "Running On with Almost Public Voice: The Case of 'E. C.,"' in *Tradition and the Talents of Women*, ed. Florence Howe (Urbana, Ill., 1991), pp. 37–67, esp. 56; and introduction to Weller and Ferguson, eds., pp. 30–35.

the play's last measure is to resolve the contradictory conjunction of female speech and virtue by making Mariam a Christ figure, as Elaine Beilin has shown. This allegory depends, of course, on sacrifice and loss: the play eliminates the heroine from the last act except as she is reported. In turn the mode of report suppresses the experience of her body while also distinguishing her dignified reticence from the unseemly volubility of Salome and Alexandra. As Margaret Ferguson argues, "Cary only imagines Herod coming to value Mariam's voice at the moment when the disputed property of her body is absent both from the stage and from the narrative 'present.'"²¹ Just as martyrs assert their virtue through death, Mariam can be lauded as Herod's "better half" only after transcending the pressures of bodily presence and the contradictions of being vocal, defiant, female, and virtuous.

In Foxe's and Cary's texts, both Askew's and Mariam's gendered bodies pose problems prior to their deaths. Askew is racked even though she is of gentle rank and a woman; her torturer hesitates only to inquire whether she is pregnant. Mariam copes with her sexuality, which confuses both her and Herod, by refusing to have sex with her husband.²² Foxe and Cary resolve the paradoxes of uniting a female body with virtuous self-assertion through the shape of the martyr's or saint's life, and its subordination of the body to the spirit and of mortal life to eternal life. This Christian tradition drew on classical traditions of distrusting the body as an interference and hindrance to the soul. Since both traditions associated the distrusted, denied, and disciplined flesh with femininity, both constructed disembodiment as especially difficult yet imperative for women who wished to achieve spirituality and purity.²³ In suppressing the final suffering and death of troublesomely feminine bodies, Foxe's and Cary's texts, like other representations of women's executions, deny the women's claims to mortality, sensation, and embodiment—which is in effect to unsex them, given the association of all three of these properties with femininity. The Christian allegory that makes them triumphant subjects denies their mortality and consequent loss; it erases the cost of their spiritual triumph.

Although Foucault's analysis of men's executions emphasizes the spectacular display of the disciplined body and of the state's power over it, the representations that I have been discussing suggest that the display of the suffering female body would undermine rather than

21. Ferguson, "Running On with Almost Public Voice," p. 57.

22. Ferguson, "A Room of Their Own," p. 109, and "Running On with Almost Public Voice," pp. 50–53.

23. See Susan Bordo, *Unbearable Weight: Feminism, Western Culture, and the Body* (Berkeley and Los Angeles, 1993), esp. pt. 2; and Caroline Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley and Los Angeles, 1987).

restore social order. If, as in Laqueur's view, executions were open, unstable, and fluid, they might have become occasions for displaying the female body, which was then associated with all of these properties and with the carnivalesque.²⁴ Yet, as I have shown, those who represented women's executions scrupulously downplayed the female body in order to highlight the divine comedy of the soul's release. Thus, the erasure of the condemned women's bodies becomes a means of avoiding the festive, unruly, carnivalesque possibilities of public executions on which Laqueur dwells and instead represents these women as authoritative and virtuous in spite of their bodies, which are always already disorderly because they are female.

Let me speculate further about the reluctance to display the disciplined female body, which, in accounts of women's executions, takes the form of a propriety that averts its gaze from the processes of bodily death and simultaneously from the law's extremity in dealing with the offender's body. Pieter Spierenburg argues that the historical reaction against corporal punishment began to take effect with mutilations in the century between 1550 and 1650 and subsequently encompassed public executions.²⁵ This process might have been triggered by squeamishness about the public enactment of violence against the female body, first recorded in representations of women's executions. Although nonnoble women could be whipped or hanged—both punishments involving display—no women of any class were ever disemboweled and quartered, or hanged in chains, the most spectacular displays of the chastened body. Explaining why women convicted of petty or high treason were burned at the stake, Sir Matthew Hale declares that “the other judgment”—that is, the severing and burning of the genitals, disemboweling, beheading, and quartering to which male traitors were subjected—“is *unseemly* for that sex.”²⁶ I assume that Hale's concern is directed more at the executioners and spectators than the condemned. Understood as men's property, women's bodies played important roles in defining and securing masculine power, perpetuating genealogy and transmitting inheritance; thus to open and

24. See Lynda E. Boose, “Scolding Brides and Bridling Scolds: Taming the Woman's Unruly Member,” *Shakespeare Quarterly* 42 (1991): 179–213, esp. 189–90; Natalie Davis, “Women on Top,” in her *Society and Culture in Early Modern France* (Stanford, Calif., 1975), pp. 124–51; and Gail Kern Paster, *The Body Embarrassed: Drama and the Disciplines of Shame in Early Modern England* (Ithaca, N.Y., 1993), esp. chap. 1.

25. Spierenburg (n. 3 above), p. 77.

26. Sir Matthew Hale, *Historia Placitorum Coronae: The History of the Pleas of the Crown*, 2 vols. (London, 1736), 2:399; italics mine. I would like to thank Julie Sikkink for this reference. On changing relations between the body and the spirit, see Francis Barker, *The Tremulous Private Body: Essays on Subjection* (London, 1984).

display them on the scaffold would undermine masculine authority and privilege. The executioner would appear as a brutal rapist, the spectators as sadistic voyeurs. Such a concern with propriety on the scaffold, commingling reverence for the female body with fear and shame, may have fostered revulsion at public, corporal punishments that gradually transformed penal practices.

The shape of the female martyr's life employed by Foxe and Cary resembles other scripts for female self-assertion that were available within the limits of then-dominant sexual ideologies. Certain Christian and Stoic traditions, for instance, construed "virtuous suffering, the extreme of which is victimization" not "as passive but as a kind of action, requiring perhaps above all a dynamic obedience to God." Within this "heroism of endurance," in Mary Beth Rose's phrase, women might be constructed as heroes.²⁷ Charting the particular appeal of *ars moriendi* tracts to women, Mary Ellen Lamb has similarly suggested that the moment of death paradoxically enabled women to assert themselves through submission.²⁸ Like these less violent scripts for moral heroism, sixteenth- and seventeenth-century texts about public executions constitute female martyrs as subjects whose agency is created in and through the transcendence of bodily suffering. They thus can represent women as subjects without challenging sexual ideologies that construct suffering, victimization, and death as the occasions of and constraints on virtuous female self-assertion.

Representing martyred women as disembodied may also participate in a Protestant aesthetic which opposes itself to a Continental, largely pre-Reformation, display, even glorification, of the suffering female body. Consider, for instance, Christine de Pizan's vivid descriptions of the violent tortures and deaths undergone by female martyrs or the mutilated bodies of female martyrs in Catholic iconographic traditions. Saint Agatha, plaintively displaying her severed breasts in a dish, is a prime example.²⁹ By contrast, the idealization of female martyrdoms in post-Reformation English texts consistently occludes the very bodily suffering on which that martyrdom depends, although both Protestant and Catholic martyrologies in England describe *men's* suffering bodies

27. Mary Beth Rose, *The Expense of Spirit: Love and Sexuality in English Renaissance Drama* (Ithaca, N.Y., 1988), p. 123.

28. Mary Ellen Lamb, "The Countess of Pembroke and the Art of Dying," in *Women in the Middle Ages and the Renaissance*, ed. Mary Beth Rose (Syracuse, N.Y., 1986), pp. 207–26, esp. 209; also Wall (n. 8 above), esp. pp. 42–43.

29. See De Pizan's *The Book of the City of Ladies*, pt. 3; Ferguson, "A Room of Their Own" (n. 19 above), pp. 104–5; and Maureen Quilligan, *The Allegory of Female Authority* (Ithaca, N.Y., 1991), chap. 4. I am grateful to Ann R. Jones for suggesting a contrast between Protestant and Catholic traditions regarding the display of the suffering female body.

in detail.³⁰ Despite her eventual conversion to Catholicism, Cary like Foxe participates here in an English—largely Protestant—aesthetic that finds the display of the female body “unseemly.”

Significantly, representations of the public executions of female criminals also participate in this aesthetic. These accounts blur distinctions between sinners or criminals and martyrs, between the condemned and their accusers and executioners. In these texts, as I will show, women accused of crimes against their husbands and masters can still be presented as achieving a kind of authority through the transcendence of suffering.

III. CRIMINALS AS MARTYRS: ELIZABETH CALDWELL

Although much scholarship since Foucault has considered the spectacular executions of heretics and traitors, in England hangings were both more frequent and less spectacular.³¹ Furthermore, women figured more prominently among the “common” criminals who were hanged. Before discussing accounts of the executions of two female criminals—one condemned for poisoning, the other for arson—I will briefly sketch popular attitudes to public hangings, creating a context for understanding how the executions of these women were represented. Descriptions of the hanging of Anne Drewrie and Anne Sanders, for instance, dwell on the huge and eager audiences that gathered for a last sight of these women, who conspired in the murder of Sanders’s husband: “For almoste the whole felde, and all the way from Newgate, was as full of folke as coulde well stande one by another: and besides that, great companies were placed bothe in the chambers neere abouts (whose windowes & walles were in many places beaten downe to looke out at) and also upon the gutters, sides, and toppes of the houses, and upon the battlements and steeple of S. Bartholmewes.”³² Obviously, these crowds positioned themselves to see the spectacle of execution. Yet, like Foxe’s account of Askew’s martyrdom, the accounts of women’s execution do not emphasize that spectacle but the moral self-assertion it could occasion. Most often, a woman’s highly visible bodily presence on the scaffold and her death by hanging—during which her body dangled, jerking and struggling for

30. See Hanson (n. 15 above), pp. 59–62.

31. See Katharine Eisaman Maus, “Proof and Consequences: Inwardness and Its Exposure in the English Renaissance,” *Representations* 34 (1991): 29–52, esp. 32.

32. Arthur Golding, *A Briefe Discourse* (1573), reprinted in *A Warning for Fair Women*, ed. Charles Dale Cannon (The Hague, 1975), p. 220.

breath—are omitted from representations, which focus instead on her speech.

Crowds and the authorities eager to edify and control them could exert pressure on the condemned, male or female. At the time of Adam Sprackling's execution, for example, two ministers "call'd upon him to consider his condition, and to glorifie God by a free Confession, and exhortation to the people, *there being (as was conceived) at least 2000 at his Execution.*"³³ By the late seventeenth century, a voluble and assured performance by the condemned had become so standard, so expected by those who were present and those who read about the execution afterward, that the writer who describes Mary Goodenough's execution for infanticide apologizes for her failure to rise above fear, physical weakness, and ignorance:

she said, or did little there but dy'd; only beg'd of the People to be warn'd against her Sins, by her shameful and untimely End. And indeed, without a Miracle almost, it could not be expected she should say much more; for she must needs be in great Confusion and Surprize, who in less *than Two months time*, was Committed, Try'd, Condemn'd and Executed for her Crime. Besides, she seem'd never to have had any great Faculty or Freedom of Speech; and farther, the Fatigue and hard Fare of a Prison, to one that kept the Two Thirds of her Lying-in-Month there, had mightily weakened her, and impaired her Spirits.³⁴

Despite the prescription that women should be silent and meek, this writer feels he has to apologize for Goodenough's failure to do anything on the scaffold but die. "Tho' she dy'd without such outward Demonstrations of it as some have done," she was as pious and penitent as any. With its deficiencies and apologies, this text demonstrates that, even of women, the scaffold demanded public speech.

For the female offender addressing a large audience—perhaps for the first and only time—from the scaffold, any speech, even one that affirmed the status quo and condemned herself, offered an opportunity to speak publicly that challenged powerful constraints on female self-assertion and volubility. Some condemned women are represented as going beyond this, seizing "symbolic initiative" to challenge the institutions and individuals who accused and condemned them.³⁵

I will now examine accounts of the executions of two women who, unlike poor Mary Goodenough, were able to satisfy and even to control a demanding audience by enacting their spiritual transcendence of

33. *The Bloody Husband, and Cruell Neighbour* (London, 1653), sig. B3, italics mine.

34. *Fair Warning to Murderers of Infants* (London, 1692), sig. B.

35. Stephen Greenblatt, *Renaissance Self-Fashioning: From More to Shakespeare* (Chicago, 1980), p. 79.

the suffering that provided them a platform. My first text is Gilbert Dugdale's *A True Discourse of the practises of Elizabeth Caldwell*. Although Caldwell was an adulteress condemned for attempting to poison her husband and for poisoning a neighbor child by accident, her preparations for death, as presented in Dugdale's text, transform her into an exemplar of virtue. "Desiring . . . that she might be as a looking-glasse to all that eyther did see or heare of her fall," she attempts "to convert all the rest of the prisoners."³⁶ As many as three hundred people visit her each day, providing her with pupils as well as onlookers; for "such as she thought were viciously given, shee gave them good admonitions, wishing that her fall might be an example unto them" (*Discourse*, sig. B2).³⁷ In documents and speeches presented as her own, Caldwell, a literate gentlewoman, overcomes such a considerable disadvantage as a murder conviction to assert herself as a moral guide for others. This stunning metamorphosis is brought about by her imminent death and her willing submission to it.

Both Dugdale's narrative and a letter presented as her own combine to implicate her husband in her crime and to exonerate her. Dugdale characterizes Master Caldwell as a neglectful husband, traveling abroad and "leaving her often times verie bare, without provision of such meanes as was fitting for her, [tha]t by these courses hee did withdrawe her affection from him" (*Discourse*, sig. A4). In her letter, Elizabeth Caldwell skillfully displaces blame for her transgression onto her husband while simultaneously embracing the repentance (and responsibility) that will gain her attention and approbation. Deploring what she specifies as "my weaknes, my povertie, and your absence," she urges him to seek God's help "to create a new hart": "I speake it not to lay any thing to your charge, for I doe love you more deerely, then I doe my selfe, but remember in what a case you have lived, howe poore you have many times left me, how long you have bene absent from mee, all which advantage the devill tooke to subvert mee" (sig. Cv). Although she claims not to place blame or to harbor any resentments, Caldwell's bold insistence that she is the one who has to forgive him, and that she is the one able to offer spiritual and moral guidance, denigrates him as a neglectful husband and Christian and as her own inferior. The letter ends with a veiled threat, "You see the judgements of God are begunne

36. Gilbert Dugdale, *A True Discourse of the practises of Elizabeth Caldwell* (London, 1604), sigs. B3 and B2v; hereafter cited in text as *Discourse*. A concluding epistle by Robert Armin suggests that he may have had a hand in writing this work. Subsequent references will appear in the text.

37. If the convict as preacher and scaffold as pulpit already make visible a contradiction, a woman in the role of both convict and preacher collapses distinctions even more shockingly. See Spierenburg (n. 3 above), p. 63.

alreadie in your house . . . heavior may be expected, especially, if you persist," and with the pious hope that husband and wife will meet at the day of their resurrection (sig. C4v). Insisting that her death will be worthwhile if it secures her husband's "true conversion" (sig. B4v), Caldwell simultaneously embraces death and authors a text to assert her moral authority over the man she has attempted to kill.

Dugdale thus presents Caldwell as inverting the hierarchy of marital authority and submission more successfully through piety than she could through poison. On the scaffold she is shown as subtly challenging the authority of magistrates by downplaying her responsibility for the murder for which she is condemned, emphasizing instead her other moral failings. She is also shown as challenging the king's authority by arguing that she deserved the pardon that was denied her. Finally, Dugdale presents Caldwell as asserting a moral and spiritual authority equal to that of ministers of the church. On the scaffold she "made knowne that she could teach as the Preachers, for they taught as they found it in the word, and she was able to speake from a feeling hart" (*Discourse*, sig. Dv). And from that feeling heart she leads the crowd in singing a psalm "with a good spirit," preaches at length against Sabbath breaking, adultery, and "papistrie," and describes her own repentance (sig. D2v).

Dugdale's lengthy and vivid description of Caldwell's behavior from the time of her arrest to her bravura scaffold performance concludes with a rather terse description of her death: "Saying her bodily death did not dismay her . . . she left this miserable world" (*Discourse*, sig. D2v). As in other accounts that I have discussed, the narrative subordinates the bodily death that occasions the woman's prestige and prominence to her articulate spiritual triumph over that death. Since bodily death "did not dismay" Elizabeth Caldwell, it recedes from the narrative of her energetic and confident self-assertions, leaving her voice to dominate the text while her body, with its transgressions and ultimate suffering, disappears. In the letter to her husband and in her remarks on the scaffold, Caldwell is presented as seizing the moral high ground, as she simultaneously accommodates herself to the conventions of the wayward yet repentant woman and manipulates those conventions to gain herself status and authority.

IV. CRIMINALS AS MARTYRS: MARGRET CLARK

In this concluding section I will discuss a number of texts that depict and debate the extraordinary behavior of Margret Clark, "the penitent incendiary," at her execution in 1679/80 for setting fire to her master's house. The majority of these texts defend Clark as a humble,

virtuous Protestant serving woman who was misled and betrayed by a well-connected, purportedly crypto-Catholic guardsman. They also present her as an author who produces and promotes a text that demonstrates rather than compromises her innocence. Drawing on the pattern already noted in other accounts of women's executions, her defenders justify her self-assertions by insisting that she renounced her body and embraced death.

Although she is a servant and a convicted felon, Clark attracts considerable attention and support because of the class-inflected religious controversy that attaches to her case. This controversy was fueled by the association of fire with Catholics and especially with Jesuits, "those grand *Incendiaries* in all senses"—an association so firmly rooted in the popular imagination that both Clark and John Satterthwait, whom she accuses and who is also tried, defend themselves by insisting that they are Protestants, as if their disavowal of papistry is evidence enough that they could not have set a fire.³⁸ The particularly volatile climate at the time of the Popish Plot thus contributes to the urgency of Clark's histrionic piety, for Clark, like Elizabeth Caldwell, holds herself up as a living lesson to others.

Satterthwait's and Clark's trials and the debate they initiate soon become a contest over Clark's integrity. Because the only evidence against Satterthwait is Clark's testimony, which must be disallowed since she is arraigned for the same crime, he is acquitted and she is found guilty. As the writer of *A Warning for Servants* observes, there is nothing to prove Clark's version of events but "her *Asseverations*, which have only this confirmation, That as they were *constant*, so they were pronounced with her *last breath*, and sealed with her *death*. And certainly those people who are so importunate with us to believe *dying mens words* against evident proof, will allow us not altogether to contemn those of a dying woman, in a matter doubtful at least, if we may not say attended with some *suspitious probabilities*" (*A Warning*, sigs. A3–A3v). The author evokes the widespread assumption that the moment of death is an occasion of authoritative and truthful speech and argues that the validation it traditionally confers on last words, even "against evident proof," must be extended to women. Defining the most credible speech as that uttered with "the last breath," he demonstrates how death works retroactively to justify and authorize the otherwise particularly suspect utterances of a woman and a condemned prisoner.

38. *A Warning for Servants: And a Caution to Protestants: Or, the Case of Margret Clark* (London, 1680), sigs. B2v–B3; hereafter cited in text as *A Warning*. I am grateful to Faller's bibliography (n. 6 above) for helping me to discover this text.

As the contest between Clark and Satterthwait intensifies beyond the court's proceedings and verdicts, the weapon of choice becomes the printed text. Although Clark was illiterate, the various published versions of her confession insist that it was her own composition: "She delivered her self as follows, her words being taken from her Mouth in short hand, and when written out, read unto her, who then likewise affirmed the same to be True, and in Testimony thereof did Sign the same with her own hand, in the presence of divers witnesses" (*A Warning*, sig. C4v). The printed text offers a "true copy" of this confession, lists numerous witnesses to it and to Clark's scaffold performance, and even directs readers to the original, with Clark's signature, in the custody of Sir Robert Hutton, High Sheriff of Surrey (sigs. A4 and D).³⁹ By carefully detailing the process by which an illiterate woman can become an author, *A Warning* presents Margret Clark as the producer and promoter of a text who outwits literacy as a condition of authorship. Since she will soon die, it becomes particularly important that her narrative of events be recorded in writing, authorized as her own, and published. *A Warning* thus represents Clark as moving her conflict with Satterthwait into arenas where she stands a chance of winning. Defeated in court, she transforms her conflict with Satterthwait into a battle between rival narratives for control of popular sympathies.

Clark's confession represents self-assertion as perilous and courageous; she reports that, as she walked in the prison yard, Satterthwait threatened her through a window: "I wish I could come to you, I would spoil your telling of Tales."⁴⁰ Despite such intimidation, Clark proceeds with dictating her version and thereby discrediting Satterthwait's, making even her execution an opportunity for publicizing her confession and insuring its wide circulation.

On the scaffold, Clark finds her moment when the executioner is about to pin the hood down over her face. As the cloth descends to muffle and blind her, Clark proclaims her enthusiastic embrace of death. But when the executioner hesitates at these words, she launches into an endorsement of her text: "*I have given an account in a Writing, which I hope will satisfie the World; for I take God to Witness; that all that I have written in that Paper is all true; O Lord thou knowest I would not lye, I am coming to thee!*" (*A Warning*, sigs. E3–E3v). In response to this reminder of

39. This text was published separately as *The True Confession of Margret Clark . . . Delivered in Prison to many witnesses a little before her Death* (London, 1680). It promised "a fuller Narrative . . . of her Behaviour in Prison, and what she delivered at her Execution," which is probably *A Warning* (p. 6). Much of Clark's confession was also published in Benjamin Harris's newspaper, *The Protestant Domestick Intelligence*, no. 76 (March 26, 1680); see also no. 74 (March 19, 1679).

40. *True Confession*, p. 4.

the existence of her "paper" and her dramatic assertion of its verity and her own eternal accountability, the undersheriff and officers inquire after Clark's writing. A copy is found for the high sheriff, "who was so affected, that his Worship was pleased earnestly to desire a Copy thereof before the same was Printed" (sig. E3v).

Clark does not rest with having caused this considerable stir and guaranteeing publication and an audience for her "paper." Again postponing the death for which she is purportedly so eager, she follows up her insistence on the truth of her narrative with an even more dramatic denunciation of Satterthwait's version: "When the Executioner was pulling down her Hood, to do his last Office; she put it up her self again, and said, *Gentlemen, I have one thing more to say, I have seen a Paper that John Satterthwait hath put out in his vindication*" (*A Warning*, sig. E3v). Boldly taking matters into her own hands, Clark brings the execution proceedings to a halt. Asked whether she has read Satterthwait's text, she responds that Mr. Cole, her minister, read it to her.⁴¹ She then denounces it and Satterthwait with confidence: "*I testifie before you all, now I am going to Eternity; that he is the very Man, [responsible for the fire] and that that Paper is a wicked and false Paper*" (sig. E3v). Just as Clark asserts herself as an author although she cannot write, she asserts herself as an assessor of textual verity and authenticity although she cannot read. Clark thus determinedly surmounts several obstacles to her construction of her own integrity and innocence: gender, her illiteracy, Satterthwait's social superiority (she is a servant while he is a soldier in the Duke of York's Guard, able to marshal numerous witnesses to his defense), and, finally, his acquittal.

Although the author of *A Warning for Servants* claims that "this Publication [was] not . . . intended to cast any Reflection or Scandal on the Gentleman, whom the Law hath Acquitted, much less upon the Honourable Court, or honest Jury, before and by whom he was Tried," the text, with its ruminations on "secret things" in the heart impenetrable by "Earthly Magistrates" and known only to "the Omniscient Judge," casts considerable doubt on the legal process (*A Warning*, sig. E4). More unequivocally than her biographer, Clark condemns the jury's verdict: "But this I must and will declare before I go hence, and am no more seen, That *John Satterthwait*, though he was clear'd by the Jury, was Guilty."⁴² Thus the texts defending Clark denounce not only

41. The author of *A Warning* also refers to a printed sheet, "said in the Title to be written with his [Satterthwait's] own hand" (sig. C2). None of the texts about Clark name this "paper," but I think that it must be *A True and Perfect Narrative of the Tryal and Acquittal of Mr. John Satterthwayt . . . Written With His Own Hand* (Kingston, 1679), which I found under Satterthwayt in the British Library catalog.

42. *True Confession*, p. 4.

Satterthwait but a system that would acquit him and execute her. Clark's utterances, as represented in her confession and on the scaffold, circumvent the institutionalized process for determining guilt and innocence to articulate and publicize her own judgments.

Yet, obviously, Clark's theatrical self-assertions on the scaffold—interrupting the attempts to cover her face, raising her voice, and promoting her text—are published and circulated only after she is hooded, silenced, dead. Her self-assertions thus require not only her extraordinary presence on the scaffold but also her impending absence. Like the other women I have discussed, Margret Clark is represented as embracing death as a means, first, of asserting her integrity, and, second, of salvation. “Oh! the Transcendent Joys; I am not able to express the joys I have had since I have been condemned,” she exclaims (*A Warning*, sig. E3). She transforms her execution into a mystical celebration, proclaiming as she climbs into the cart that will take her to the scaffold, “Oh! this is my Wedding-Day, I shall surely be married to my Saviour” (sigs. E_v–E₂). The gallows wedding—one available script in which condemned men might be cast as folk heroes—highlighted the complexly eroticized relation between the condemned and the crowd: men in the crowd identified with the heroized and “flash” condemned man; women in the crowd desired him.⁴³ While eroticizing the condemned man could make him more of a hero and could connect him in festive ways to the crowd who attended his “wedding,” within the script for female self-assertion on which I am focusing here any eroticizing of the condemned woman might disqualify her from admiration. Margret Clark's defenders insist on the wholly spiritual nature of her gallows wedding and rigorously deny the role of her body in her final drama.

However effectively Clark combines her ecstatic and energetic submission to death with the promotion of her own narrative and her own verdict, her execution becomes the subject of some controversy after her death. The author of *A Warning* challenges “a false and malicious story” published in a newspaper, *The True Domestic Intelligence*, which claims that, in despair of a hoped-for reprieve, Clark considered marrying someone under the gallows.⁴⁴ To defend Clark against this incriminating story, her biographer and other supporters must assure readers that she wanted to die: “So far was she from being in hopes of a Reprieve, that she neither expected nor desired it” (*A Warning*, sigs.

43. Laqueur (n. 2 above), pp. 347–48; Linebaugh, “The Tyburn Riot” (n. 2 above), pp. 111–15.

44. *A Warning*, sig. E4. See Nathaniel Thompson's newspaper, *The True Domestic Intelligence*, no. 77 (March 26–30, 1680), for the reports which *A Warning* refutes. *The Protestant (Domestic) Intelligence*, no. 80 (April 6, 1680), also refutes these reports.

E4–E4v). She is also defended against another charge, that she tried to “plead her belly,” that is, defer execution by claiming to be pregnant. Depicting Clark as committed to honesty, her defenders insist that she chose not to plead her belly, “knowing her condition not to be truly such” (sig. C2v). She is thus exalted as a paragon of self-regulation rather than the resistant object of external control. At stake in debates over Clark’s desire for death is, once again, the issue of disembodiment as a condition of representing women as virtuous, admirable, and authoritative. If Clark had falsely pleaded her belly or sought a last-minute marriage she could not have figured as a subject in the hagiographic scripts available for martyred or criminal women on scaffolds, which occluded rather than displayed the suffering female body. To plead her belly, to redirect attention to her body, would move Clark into a carnivalesque script, one which rarely shapes accounts of women’s executions, and which, when it does, works to discredit and dismiss rather than heroize them. In her confession and her scaffold performance, as represented by her supporters, Clark can only assert her integrity on the condition of her uncomplaining and rapturous embrace of bodily death.

The vehement claim that Clark did not plead her belly accrues further significance in the historical context of a legal system that located women’s claim to leniency in their fertility and men’s claim to leniency in their literacy. In early modern England, men could avoid execution for certain offenses by pleading the benefit of clergy while women could defer execution by pleading the belly. Each route to pardon was gender-specific; the two routes were not equivalent.⁴⁵ Male felons could benefit from a lingering legal fiction linking them to the clergy. In the middle ages, clerics had a right to be tried in ecclesiastical rather than royal courts for certain offenses. By proving that they were clerics by demonstrating their ability to read, they could escape punishment in secular courts. In practice, this came to mean that those men who could read could achieve pardon for certain offenses.⁴⁶ Until 1691, when women were granted the privilege of benefit of clergy on terms equal to men, women’s ability to read was irrelevant. Almost half of convicted female felons pleaded the belly, however, and a large percentage of those who did so were successful and may ultimately have secured pardons.⁴⁷ Women like Margret Clark could appeal for le-

45. Cynthia B. Herrup, *The Common Peace: Participation and the Criminal Law in Seventeenth-Century England* (Cambridge, 1987), p. 143, n. 16.

46. J. A. Sharpe, *Crime in Early Modern England, 1550–1750* (London, 1984), p. 67, cf. p. 147.

47. On pleading the belly, see Herrup, pp. 48, 143, and 175; James C. Oldham, “On Pleading the Belly: A History of the Jury of Matrons,” *Criminal Justice History* 6 (1985): 1–64, esp. 19–20 and 32; and Sharpe, *Crime in Early Modern England*, p. 68.

nieny not because of their own actual or imputed status, as men who pleaded benefit of clergy could do, but only on behalf of the “innocent” fetuses they carried.

Clark thus counters the legal and cultural emphasis on her fecundity, the institutionalized assumption of her illiteracy, and even the imminence of her death by downplaying her gendered body and presenting herself as an author, as the maker of a text rather than of an infant. By becoming implicated in arson and papacy, Clark stumbles into the possibilities offered by contradiction. She is reported as saying, “My horrible Sin hath made me a publick spectacle to the world.”⁴⁸ This visibility and her willing submission to death work together to focus attention on her as a popular heroine of Protestant conviction and fortitude, and as an author in her own right.



Although Belsey argues that public executions offered early modern women an opportunity to speak, she also emphasizes that executions were deeply problematic sites for female self-assertion. Women who found voice on scaffolds “paid a high price for the privilege of being heard.”⁴⁹ The texts that I have examined mystify the price of public speech that Belsey mentions (“saying her bodily death did not dismay her . . . she left this miserable world”), presenting condemned women as meeting actual death with silence or with the most conventional greeting: “Lord Jesus receive my spirit” (Dugdale, sig. D2v), “Come, Lord Jesus, receive me” (*A Warning*, sig. E3v). But it is important to remember that price. The spirit is separated from the body through violence, however placidly represented, and the disciplined body haunts the texts’ conclusions even if suppressed. In *The Tragedy of Mariam*, Mariam is beheaded. Of the actual offenders, Anne Askew was burned at the stake; Elizabeth Caldwell and Margret Clark were both hanged.

Paradoxically, the deprivation of bodily life is the means by which these women are constituted and published as authoritative agents. This cultural script remains constant for over a century, shaping diverse kinds of texts, from the most exclusive (Cary’s closet drama) to the most popular (early newspapers), representing women of very different social positions (literate gentlewomen, a queen of Jewry, an illiterate servant) and of equally diverse moral categories (a martyr, a Christ figure, an adulterous poisoner, and an “incendiary”). Each of the condemned women is presented as using her execution to challenge the church or courts that judge her and to show up the very men who are

48. *True Confession*, p. 5.

49. Belsey (n. 4 above), p. 191.

supposed to govern her, first through her transgressions, then through her self-assertions and counteraccusations. Even if the scaffold speeches and letters presented as having been written by these women record only mediated voices, all of these texts, taken together, provide insight into one of the pervasive, persistent, and paradoxical scripts for representing women as legal and moral agents, and as authors, in early modern England.