SHAKESPEARE LECTURE

Shakespeare, Oaths and Vows

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ENTER HECTOR AND ANDROMACHE. He is armed for battle; she, troubled by dreams, urges him not to fight. 'You traine me to offend you', he declares, then swears a mighty oath: 'By all the euerlasting gods, Ile goe.'[1] Oaths, according to early modern commentators, resolve disputed matter. For Shakespeare, however, their decisiveness is frequently deceptive; sworn over points of doubt, they are hedged, conflicted, and unravel. Certainly, when Cassandra enters, she is not satisfied with Hector's insistence that 'the gods haue heard me sweare'. 'The gods are deafe', she replies, 'to hot and peeuish vowes.' At this point, the early texts of *Troylus and Cressida* diverge. In the Folio, which gives us a better, and perhaps a later, version of the exchange, Andromache employs an elaborate, tangential analogy, between Hector's sworn commitment and robbery with violence undertaken for the sake of charity, to persuade her husband not to 'hurt by being iust'. Cassandra then concludes, as Andromache does in the quarto: 'It is the purpose that makes strong the vowe; | But vowes to euery purpose must not hold' (3214–23).

Rereading this passage a few months ago, I realised that, as so often, the familiarity of the dialogue was hiding my ignorance from me. Is F Andromache's ingenuity desperate, or is she justifiably reminding Hector that oaths are not free-standing commitments but caught up in moral

Read at the Academy 23 April 2009.

[1] Folio *Troylus and Cressida*, V.iii; 3201–2, inserting 'all' from the 1609 quarto. Unless otherwise indicated, Shakespeare quotations are taken from *The Norton Facsimile: The First Folio of Shakespeare*, ed. Charlton Hinman (London, 1968), giving act and scene, followed by through-line numbers.

Proceedings of the British Academy, **167**, 61–89.

reasoning? And how convincing is Cassandra, with her subtle, loaded shift between 'purpose' as intention and 'purpose' as plan of action? For a late-Elizabethan audience, was Hector's oath binding? When I turned to recent editions, the only guidance I could find was a quotation from Dr Johnson, buried in Arden 3: 'The mad Prophetess speaks here with all the coolness and judgment of a skilful casuist.'[2] It is easy to see why Arden has preserved this. Johnson's magisterial disparagement, both of Cassandra's character and of Shakespeare's ability to present it consistently, is obtuse but thought-provoking, and he is also historically perceptive, because he accurately identifies the context of Andromache's ingenuity and concedes that what an eighteenth-century reader will deprecate as casuistry in Cassandra does show skill and judgement. Though he is alive to the issues, however, Johnson barely scratches the surface of a topic that is complicated beyond the dreams of scholarship, and dramaturgically vital—not just in *Troylus*, as I'll demonstrate most immediately, but right across the plays of Shakespeare.

Cassandra's position is orthodox. The homily 'Against Swearyng and Periury', read in churches during Shakespeare's lifetime, insists, against radical Protestants, on the legitimacy of oaths and vows.[3] Through marriage, oaths of office, and sworn testimony in court, they knit together the commonwealth. 'Thou shalte dreade thy Lorde God', the homily quotes from Deuteronomy, 'and shalt sweare by hys name.' Abraham, David, and other Godly men swore, as did Christ himself, though mildly, saying 'verely, verely'. Oaths, however, are sacred and should not be sworn either casually or 'rasshely and vnaduisedly'. This is where Cassandra comes in. Shakespeare's audience would know from the homily, and from the widely acknowledged points of difficulty that were sifted in the casuistical literature, that to keep 'a rash oath, adds sin unto sin'.[4] Just how peevish Hector is being when he swears by all the gods is ultimately up to the actor, but he is resisting a troublesome wife, not exercising deliberation. Does the element of rashness discharge him, though, from an obligation to keep his word? Not straightforwardly, it seems. Once uttered, his oath is not disabled by the conditions set out in the homily, because what he swears to do is neither 'against the lawe of almightie God' nor beyond 'his power to performe'. He will not, like Jephthah sacrificing his daughter,

[2] *Troilus and Cressida*, ed. David Bevington (London, 1998), p. 328, quoting here uncut from *The Plays of William Shakespeare*, ed. Samuel Johnson, 8 vols. (London, 1765), VII. 532.
[3] *Certayne Sermons, Or Homilies Appoynted by the Kynges Maiestie* (London, 1547), L3v–M3v.
[4] Christopher White, *Of Oathes: Their Obiect, Forme, and Bond* (London, 1627), p. 23.

'double' his 'offence' if he keeps his word and goes out to fight, though he does risk weakening Troy.

All, however, is not lost for Cassandra and Andromache. Most members of Shakespeare's audience would agree with Robert Sanderson, whose treatise *De Juramento* is a *summa* of mainstream casuistry on oaths, that binding words need only be kept if they are not overruled by a higher power—such as a father overruling a son, or a king a subject—and 'if things remain in the same state'.[5] I shall get to the latter condition, often crucial in Shakespeare, in a moment. But it should already be clear why, once Cassandra has been rebuffed, she leaves Hector to be harassed by Troilus (who wants his brother to go out and kill Greeks) and re-enters with his king and father. As the Trojan royal family gather and group against him on stage, it becomes even harder for Hector to draw back from his oath. In deference to Priam's authority, however, he does justify his inflexibility by telling him, what the audience already knows, that he 'stand[s] engag'd to many Greekes, | Euen in the faith of valour, to appeare | This morning to them' (3276–8).

Were the faiths exchanged on Hector's visit to the Greek camp, when he fought with Ajax, anything more than pleasantries? Oaths and vows can be dramatically productive because they are uttered in one context but still make claims on fidelity when the setting changes. Once fired off, like rockets, they cannot be recalled. They can, of course, be 'unsworn' (that is, 'denied'), which everyone agreed to be contemptible, or they can be more boldly 'forsworn', but the contradictoriness of that word, which could mean 'sworn against' as well as 'broken', and sometimes, as in *Loues Labour's Lost*,[6] both at once, is telling. The readiest way to adapt an oath or vow is to counter it with another, which is one reason why, once admitted, they become so plentiful, and layered, in Shakespeare. Behind his oath to Andromache, Hector chose not to tell Cassandra, was his light-sounding engagement to many Greeks. What is layered in, behind what he now tells Priam? Audiences will not forget an earlier scene with his greatest rival-in-arms Achilles when they plighted their troth like lovers:

> [ACHILLES] Dost thou intreat me *Hector*?
> To morrow do I meete thee, fell as death,
> To night, all Friends.
> HECTOR Thy hand vpon that match. (IV.v; 2842–4)

[5] Robert Sanderson, *De Juramento: Seven Lectures Concerning the Obligation of Promissory Oathes* (London, 1655), II.x–xi.
[6] e.g. IV.iii; 1670.

This is the tryst that matters. Hector's subsequent faiths and oaths start to look like a pretext for ensuring that this fight will happen.

Because scholars have not explored the binding language in this play they have had no reason to explicate what is arguably the biggest change made by Shakespeare to the story of Troy as he found it. In Caxton and Lydgate, Achilles does not see and fall in love with Polyxena until the anniversary of Hector's death. To win her, he then takes a vow that he will not fight alongside the Greeks. In Shakespeare, by contrast—although Ulysses chooses to conceal this, for resentful reasons of his own—he is lurking in his tent from the outset because of that vow. Conceivably he forgets it in the intensity of his tryst with Hector. Even before he goes into his tent to drink with his enemy, however, he announces to Patroclus:

> Heere is a Letter from Queene *Hecuba*,
> A token from her daughter, my fair Loue,
> Both taxing me, and gaging me to keepe
> An Oath that I haue sworn. I will not breake it,
> Fall Greekes, faile Fame, Honor or go, or stay,
> My maior vow lyes heere; this Ile obay: . . . (V.i; 2906–11)

Here is the language of casuistry filtered through chivalric romance. And it casts an ironic light on Hector's exchange with Cassandra, because he insists on keeping a faith which Achilles has already dismissed as bendable and expendable.

This is not the full chain of Achilles' oaths and vows. The prologue says of the Greek generals, '*their vow is made* | *To ransacke Troy*'. Again, this is not in Caxton and it marks a promise made before the expedition that Achilles breaks when he lolls in his tent. The play begins as it goes on, shot through with verbal bonds, formal, slackly profane, immediate or peculiarly displaced.[7] It is a drama of high-flown vows, but also of what Thersites calls 'craftie swearing rascals' (V.iv; 3341). Is Achilles above such shifts? Having resolved to keep his major vow, he later abandons it to revenge the death of Patroclus. Does he finally step aside, though, and leave the Myrmidons to kill the unarmed Hector because he is cowardly, or unfit for combat, as critics usually argue, or vindictively determined to degrade his enemy? Or is he casuistically keeping that major vow?

Somewhere near the heart of the play is the uncertain scene of troth-plighting between Troilus and Cressida. Here, as blocking can bring out, is a parallel with the sequence in which Hector and Achilles eye each

[7] As when Pandarus says to Troilus, the tongue-tied wooer of Cressida, 'sweare the oathes now to her, that you haue sworne to me' (III.ii; 1674–5).

other up and clasp hands to seal their faith. But it is also, by virtue of Shakespeare's bold treatment of his sources, counterpointed by the attenuated love-plot which ties Achilles to Polyxena. Three word-bound relationships cut across by war. Perhaps we should say four. Because when Cressida submits to Diomedes, she is caught up with a man who is, according to Thersites, a notorious vow-breaker (V.i; 2962–71). Is Cressida just as bad? Troilus assumes so, but her oaths and vows are inextricable from her predicament. We should remember at this point the principle of defeasibility. Cressida has been forced into an unprotected position by Troilus' choice or inability to look after her. Once she goes to the Greek camp, things do not (in Sanderson's words) 'remain in the same state'.

We should also notice that, like Achilles, she now has conflicting vows. 'In faith I cannot', she tells Diomedes, with Troilus and Ulysses looking on, and Thersites throwing in his barbs; but this is just a tactical piece of mild swearing, with a stronger oath in the background:

> DIOMEDES What did you sweare you would bestow on me?
> CRESSIDA I prethee do not hold me to mine oath,
> Bid me doe any thing but that sweete Greeke.[8]

To the eyes and ears of Troilus, that she has sworn this oath, given this promise of sexual access, proves her false already. But the oath may have been thrown, like the flirty-defensive 'In faith', to hold Diomed off with a promise when she could frankly have been forced. And it was of course a rich point of dispute among early modern philosophers and casuists whether coerced promises should be kept.

One of the dramatic attractions of formally constructed oaths and vows is that they can be used to challenge the audience to make a judgement about motives and intentions. They put us close to the onstage witnesses or promisees. Yet Cressida's words to Diomedes we cannot finally judge. Her related use of letters and tokens also appears the more ambiguous because of their contrast with those in the love-plot between Achilles and Polyxena. At this point, most dramatists would succumb to audience-pleasing clarification. In his adaption of the play, Dryden has Cressida kill herself to prove to Troilus, and to us, the depth of her fidelity. Shakespeare, as rather often, uses binding language to create uncertainty, between shifting motives shown and withheld.

Meanwhile, and climactically, Troilus's desire to hang on to a Cressida who is faithful both to him and to her word scours him into declaring

[8] V.ii; 2999–3003. F reads (with a Freudian touch) 'Bid me doe not any thing . . .'.

'This is, and is not *Cressid*' (V.ii; 3143). Early modern commentators on promissory oaths and vows, from the homilist to Sanderson, wrote of their 'double' nature. They must be true in the moment of swearing, but also (yet defeasibly) true at the point of redemption.[9] The doubleness of Cressida in Troilus' intense, almost philosophical account is compounded of many factors, including, I do not doubt, the polarising tendency of male projections of good/bad femininity, but it springs from the splitting effect of the then/now doubleness of sworn vows. This is why, for Troilus, who is at least as inflexible as his heroic–foolish brother, Hector, her apparent infidelity takes truth down with her troth. When he says that 'The bonds of heauen are slipt, dissolu'd and loos'd' (3153), he does not just mean, eloquently but flatly, that Cressida has broken her word, but that the breaking of her word has torn apart the structures of reality. It is an effect that, as we shall see, would come to matter greatly in Shakespeare.

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Clearly, it would be possible to lecture just on oaths and vows in *Troylus*. You could do the same, however, for quite a few of the plays, without recycling existing scholarship. There is a large gap in Shakespeare studies which it seems right to do something about. Certainly, the issues that I started with go back to the earliest plays. 'Vn-heedfull vowes may heedfully be broken' says Proteus, in *The Two Gentlemen of Verona*. Whether it is Salisbury declaring 'It is great sinne, to swear vnto a sinne: | But greater sinne to keepe a sinfull oath', or Clarence citing Jephthah, when he returns to the Yorkist faction, the flexibility of the orthodoxy set out in the homily is exploited in the first tetralogy. From *Errors* to *A Midsommer Nights Dreame*, oaths and vows are used, sometimes rather externally, to mark changes in motive and attachment, as when Hortensio and Tranio in the *Shrew* resolve to give up Bianca. Oaths can be offensive weapons—Petruccio uses them to browbeat Kate—or trip-wire indicators of confidence, as when Gremio offers, then refuses, to swear that Vincentio is the right Vincentio.[10]

[9] Homily 'Against Swearyng', M3r (the 'double offence' of Jephthah); *De Juramento*, VII.i ('in the promissory a double truth is required, . . . having sworn, it may come many wayes to passe, that he may *not be bound for the future*, to fulfill that afterwards which he formerly promised').
[10] *Two Gentlemen*, II.vi; 940, *2 Henry the Sixt*, V.i; 3182–3, V.i; 2772–4, *Shrew*, IV.ii; 1870–91, IV.iii; 1988 and V.i; 1710, V.i; 2476–84.

The story that I want to tell is not a simple one, of authorial development. Nonetheless, by the mid-1590s Shakespeare was even more involved with the ethical weight and airiness of oaths. *Loues Labour's Lost* is about little else, starting, as it does, from Navarre and his lords' oath to study for three years, a promise which, with typical unstraightforwardness, is shedding its terms and conditions even before Berowne subscribes, and going on to vows comically sworn to the wrong ladies. Pandulph in *King John* is the sort of equivocating papist whose slippery handling of sacred vows gives casuistry a bad name.[11] And Bolingbroke's oath at Doncaster not to unthrone Richard II is repeatedly invoked by the rebels in *1 and 2 Henry the Fourth*. They are finally, ironically, defeated when Prince John sticks so precisely to the terms of the oath that he shares with them that he can send them to execution.[12] This is just one of many points in the plays where oaths and vows prove to be not the opposite of lying but a means of deception.

It is an issue in the Sonnets also. Although I want to focus on oaths and vows in performance, it is important to notice their valency in the non-dramatic poetry, if only as a way of signalling that what went on in the theatre was connected with practices that informed a broad range of texts. Venus prettily swears, 'by her faire immortall hand'—the very hand that is doing the grasping—that she will not detach herself from Adonis' bosom until she is given a kiss.[13] Oppressed by her attentions, he tells her to 'Dismisse your vows', those marks of deceiving love (D1v). In the Dedication to *Venus and Adonis*, Shakespeare himself makes a 'vow' to honour the Earl of Southampton 'with some grauer labour'.[14] In *Lucrece*, the fruit of that promise, the heroine is tormented by the fear that she has broken her marriage vows by being raped.[15] The poem climaxes in Brutus' deep, shared vow to act against the Tarquins. The sonnets to the so-called dark lady are full of false oaths and bed-vows. Where empty deception is by mutual consent, as in 138,[16] swearing and forswearing become perverted, obsessive activities, bonding where no trust exists. When I edited

[11] See esp. *King John*, III.i; 1155–1228. On confessional differences, similarities, and controversy see e.g. Johann Sommerville, 'The "New Art of Lying": equivocation, mental reservation, and casuistry', in Edmund Leites (ed.), *Conscience and Casuistry in Early Modern Europe* (Cambridge, 1988), pp. 159–86.

[12] *2 Henry the Fourth*, IV.ii; 2100–2234.

[13] *Venus and Adonis* (London, 1593), B2v.

[14] A2r.

[15] *Lucrece* (London, 1594), H2r.

[16] 'When my loue sweares that she is made of truth, | I do beleeue her though I know she lyes . . .', in *Shakespeares Sonnets* (London, 1609).

the Sonnets myself, and sought to link them with *A Louers Complaint*,[17] I failed to notice how such texts as 152,[18] which concludes the dark-lady group, share the longer poem's preoccupation with vows, consecrations, and strong-bonded oaths, all unhinged by desire.

Most oaths in Shakespeare are not self-consciously framed. They are casual, everyday profanities, circulating in conversation, more interpersonal than individual. Robert Boyle, in the mid-seventeenth century, compared swearing to yawning.[19] We pick up and echo oaths without noticing what we are doing. In such late-1590s plays as *Much Adoe*, fashionable, light profanity sets a social tone; yet these oaths can suddenly escalate, convincing the Prince and Claudio that Hero is unfaithful and binding Benedick to kill his friend. *Othello*, *All's Well*, and other plays about sexual betrayal from the same middle period as *Troylus* similarly show oaths and vows shifting from casual interjection to intensity. This is one of the ways in which female characters are disadvantaged. Desdemona would bewhore herself if she swore her truth with Othello's vehemence. Hotspur mocks Lady Percy for swearing 'in good sooth' because, he says, as a noblewoman, she is entitled to 'A good mouth-filling Oath.' But all the women in Shakespeare, except allegedly the whores in *Timon*, are constrained. Even when disguised as a boy, Rosalind playfully swears 'by all pretty oathes that are not dangerous'.[20]

This system shifted after 1606, when Godly opposition to profanity, already evident in the homily, issued in an Act of Parliament which made it a fineable offence 'in any Stage play . . . Maygame, or Pageant jestingly or prophanely [to] speake or use the holy name of God or of Christ Jesus, or of the Holy Ghoste or of the Trinitie'.[21] Scholars have long recognised that the Act to Restrain Abuses created textual problems. The expurgation of prompt-books led to the excision or softening of oaths in a number of the earlier plays published in the 1623 Folio, damage which cannot (in F-only texts) be put right with any confidence.[22] It may be that the Act

[17] *Shakespeare's Sonnets and A Lover's Complaint* (Harmondsworth, 1986).

[18] 'In louing thee thou know'st I am forsworne, | But thou art twice forsworne to me loue swearing . . .'.

[19] Robert Boyle, *A Free Discourse against Customary Swearing* (London, 1695), pp. 110–11. The publisher's preface dates this posthumously printed work to the late 1640s or early 1650s.

[20] *2 Henry the Fourth*, III.i; 1792–1800, *Timon*, IV.iii; 1750–4, *As You Like It*, IV.i; 2095–6.

[21] 'To Restraine Abuses of Players', quoted in Andrew Gurr, *The Shakespearean Stage 1574–1642*, 3rd edn. (Cambridge, 1992), p. 76.

[22] See, most ambitiously, Gary Taylor, ''Swounds revisited: theatrical, editorial, and literary expurgation', in Gary Taylor and John Jowett, *Shakespeare Reshaped 1606–1623* (Oxford, 1993), pp. 51–106.

played a part in edging Shakespeare away from contemporary subject matter into classical plays and romances where characters could swear 'by Castor'. One point that I want to stress, however, is that oaths and vows remained a potent resource. At the end of this lecture, I'll show, through a discussion of *The Winters Tale*, how the Act encouraged Shakespeare to reflect creatively on the outlawed practices, and how he displayed his usual ability to turn difficulties into opportunities.

Before going any further, I should explain how oaths and vows were constituted, and justify my title. The word *oath*, which has Germanic roots, has been part of the English language since the Anglo-Saxon period. During Shakespeare's lifetime, assertory and promissory oaths were sworn *by* God or one of his creatures. Because they invoke the Divine, oaths have an affinity with prayer, and they can imply the sort of conditional self-curse that is often explicit in the Old Testament. In the early modern period, *oath* could also be used to describe everyday effing and blinding. What you casually swear can rebound on you, and solemn oaths are caught up in a blasphemous counter-life, the surging, phatic noise of the collectively profane. As when the priest asks Petruccio 'if *Katherine* should be his wife, | I, by goggs woones quoth he, and swore so loud, | That all amaz'd the Priest let fall the booke'.[23]

In response to this question, a tractable groom would have taken his marriage vows. *Vow* comes into English, out of French, in the late thirteenth century. We vow not *by* but *to* God, or, during Shakespeare's lifetime (and the *Oxford English Dictionary* credits him, suggestively though questionably, with initiating this change), we vow fidelity to another person.[24] Classically, vowing is involved with presenting votive gifts and doing a deal with the Divine. Hence Cassandra's comparison of 'hot and peeuish vowes', in the exchange that I began with, to 'polluted offrings, more abhord | Then spotted Liuers in the sacrifice' (V.iii; 3215–17). These religious associations persisted: think of the vows taken by the nuns in *Measure for Measure*, and of the Duke's deceptive oath 'By the vow of mine Order.'[25] *Vow* was attractive to Shakespeare because, unlike *oath*, it was lexically well connected (*devotion*, *devout*, and so on) and quick to

[23] *Shrew*, III.ii; 1543–5.

[24] *OED* 3, citing '*Mids. N.*, I. i. 175 By all the vowes that euer men haue broke, (In number more then euer women spoke).' For an earlier instance see e.g. the Elizabethan marriage service, where there is formally no vow *to* God, and the plighting of troth between bride and groom is called 'the vow and couenaunte betwixt them made' (*The Booke of Common Praier* [London, 1559], O6r–v).

[25] I.v; 349–63, IV.ii; 2034.

coin new forms—terms like *votary* and *votaress*.[26] It was close, moreover, to 'avow' (which could be 'vow', in its aphetic form), and thus to 'avouch' and 'vouch', words that must have encouraged Shakespeare's use—again, according to the *OED*, for the first time—of *vow* to mean 'A solemn . . . asseveration.'[27] *Vow* in this sense is almost an assertory oath, rather as a promissory oath can do the work of a vow.

More should be said about that overlap. When Hector swears by all the gods, that is an oath, yet Cassandra calls it a 'vowe'. Within a couple of lines Achilles calls his 'maior vow' an 'Oath'. Shakespeare often uses these terms almost interchangeably, and they are only the commonest, decisive practices in an array of binding language that includes *protesting*, *abjuration*, *plighting*, *engagement*, or just giving your *word*. A full account would have to make distinctions. This, though, can be said at once, that, whereas such terms as *perjury* and *expurgation* are associated with a specific domain—in their case legal—*oath* and *vow* are viable in so many contexts that they allow the dramatist to mark parallels and ironic contrasts between situations and plot-lines.

It would, then, have been incoherent, though superficially tidier, to have called this lecture 'Shakespeare's Oaths' or 'Shakespeare's Vows'. Nor, come to that, would 'Shakespeare's Oaths and Vows' have done, because almost all the oaths and vows in Shakespeare are not *his* but have a life and history beyond the plays. They are highly developed instances of the iterability of language. When Hector swears 'by all the euerlasting gods' it is the received nature of the formula that gives his promise weight. The 'vntraded Oath' that he swears to Menelaus, taunting him 'by *Mars* his gauntlet', is, by contrast, a mockery (IV.v; 2745–6). When an oath or vow is fresh it is as likely to seem suspect as it is to be sincere. That Romeo swears to Juliet, 'by yonder blessed Moone . . . | That tips with siluer all these Fruite tree tops' is inventive and exquisite.[28] In performance it is charged with his yearning up to her balcony, his stretching finger-tips. But she is also right to doubt him.[29] His tongue is tipped with silver, and unconstant to Rosaline.

[26] For their late-sixteenth-century emergence, see Literature Online <http://lion.chadwyck.co.uk/>.

[27] *OED* 5, citing '*2 Hen. VI*, III.ii.159 A dreadfull Oath, sworne with a solemn tongue: What instance giues Lord Warwicke for his vow.'

[28] *Romeo and Juliet*, II.ii; 905–9, inserting 'blessed' from the quarto of 1597.

[29] Cf. David Schalkwyk, *Speech and Performance in Shakespeare's Sonnets and Plays* (Cambridge, 2002), pp. 70–1.

You will not be surprised to learn that *oath*, *vow*, their cognates, and, it would seem, the associated practices, are more densely represented in Shakespeare than in the work of such contemporaries as Jonson and Middleton. The responsiveness of early audiences to this can be inferred not just circularly from the plays themselves but from the fullest set of annotations that we have in an early edition. The seventeenth-century reader of the First Folio now held at Meisei University picked out vows, oaths, and accounts of swearing with special assiduity. He notes and underlines morals ('mens vowes are womens traitors'), flags up points of advice ('oathes confirmers of false recknings'), and marks the verbal bonds that articulate plot, especially in the histories.[30] He is attracted to the sorts of dilemma that preoccupy early modern casuists, such as whether we should trust the word of someone who swears by a god that he knows we do not believe in (Aaron trusting Lucius at the end of *Titus*). Of the Hector, Cassandra and Andromache exchange, he diligently notes: 'In what sort vowes are laufull and bind honor more deere to man then life.'

All this makes the indifference of scholars the more regrettable. Frances A. Shirley's *Swearing and Perjury in Shakespeare's Plays* (1979) gives a useful account of early modern attitudes. Critically, however, as her title reveals, she has a true-or-false mindset that best fits the early plays. After about 1597, *perjury* fades out of Shakespeare's vocabulary, as he becomes more interested in riddling, paradoxical, and pliable asseverations and promises. Shirley's true/false approach can lead her badly astray, as when she says of the Cressida–Diomed scene, 'There is no doubt about the reaction we are supposed to have as Cressida's lust overcomes any prior commitments.'[31] That we now know more about Cressida's 'prior commitments' is in large part due to the excellent work done over the last couple of decades on marriage contracts and early modern drama.[32] The troth–plight scene between the lovers, with Pandarus acting as a witness, never mentions marriage, but it deliberately, confusingly resembles an Elizabethan hand-fasting. The research into spousals, however, has underinvestigated binding language.

[30] *The First Folio of Shakespeare: a Transcript of Contemporary Marginalia*, ed. Akihiro Yamada (Tokyo, 1998), p. 290 (*Cymbeline*), p. 64 (*As You Like It*).

[31] Frances A. Shirley, *Swearing and Perjury in Shakespeare's Plays* (London, 1979), p. 90.

[32] See e.g. Ann Jennalie Cook, *Making a Match: Courtship in Shakespeare and his Society* (Princeton, NJ, 1991), chs. 7–8; B. J. Sokol and Mary Sokol, *Shakespeare, Law, and Marriage* (Cambridge, 2003), chs. 1, 5–6; Subha Mukherji, *Law and Representation in Early Modern Drama* (Cambridge, 2006), ch. 1.

The early plays are also the natural stamping-ground for Tom McAlindon, who believes that, for Shakespeare, 'the oath or vow—the word as bond—is language in its most urgent and solemn form, a symbol almost of human connectedness and interdependence'.[33] Such a view is even more conservative, and more to the point less worldly, than that of the Tudor homily. It gives McAlindon selective access to the *Henry the Fourth* plays (which are his mainstay), but it reduces the King and Prince John to reprehensible eroders of trust. We can learn more about the second tetralogy from the work of Lorna Hutson and others on late-Elizabethan hostility to expurgation (swearing your innocence) in the ecclesiastical courts, and the common-law belief that promises were secured not by oaths or vows but by consideration, by goods or services handed over.[34] Questions can be asked about the extent to which legal culture impacted on early modern drama. But it is clearly worth knowing about these contexts when we try to gauge the reaction of what was most likely an Inns of Court audience[35] to Hector's vow to fight the Greek leaders. For Elizabethan common lawyers, as for Hobbes a few decades later, and the legal philosopher P. S. Atiyah today, Hector's obligation would slip towards the minimal, given that the Greeks' only loss if he unarmed would be a disappointed expectation.[36]

The other book-length study I must cite is by my namesake, William Kerrigan. *Shakespeare's Promises* (1999) gives a bold, under-historicised account of vows in *Othello* and bonds in *The Merchant of Venice*. Its readings are distorted, however, by the unsustainable thesis that the plays are drawn back to the Christian belief that those who break their word will be punished.[37] Such plays as *All's Well* do show, at what can be for modern audiences excessive and obvious length, the social price paid by

[33] Tom McAlindon, *Shakespeare's Tudor History: a Study of Henry IV, Parts 1 and 2* (Aldershot, 2001), p. 93. Cf. variously his *Shakespeare and Decorum* (London, 1973) and 'Swearing and forswearing in Shakespeare's histories: the playwright as contra-Machiavel', *Review of English Studies*, 5 (2000), 208–29.

[34] Luke Wilson, *Theaters of Intention: Drama and the Law in Early Modern England* (Stanford, CA, 2000); Lorna Hutson, 'Not the King's two bodies: reading the "Body Politic" in Shakespeare's *Henry IV*, Parts I and II'; David Harris Sacks, 'The promise and the contract in Early Modern England: Slade's case in perspective', in Lorna Hutson and Victoria Kahn (eds.), *Rhetoric and Law in Early Modern Europe* (New Haven, CT, 2001), pp. 166–98, 28–53.

[35] The majority view, that *Troylus* was written for performance at the Inns of Court, was first set out by Peter Alexander, '*Troilus and Cressida*, 1609', *The Library*, 4th ser. 9 (1928–9), 267–86. For doubts, see *Troilus and Cressida*, ed. Bevington, pp. 88–9.

[36] Hobbes, *Leviathan* (London, 1651), ch. 14; P. S. Atiyah, *Promises, Morals, and Law* (Oxford, 1981).

[37] *Shakespeare's Promises* (Baltimore, MD, 1999), pp. 90–1, 198–206.

characters like Parolles who abuse the oaths and vows that were so important in binding together early modern society. But to look for metaphysical payback is to find Falstaff sighing, in *The Merry Wiues*, 'I neuer prosper'd, since I forswore myself at *Primero*' (IV.v; 2316–17). Hector keeps his oath and is slaughtered; Achilles breaks one vow to keep another, then does the opposite, and triumphs. This is not to say that the religious aspect of oaths that we encountered in the homily had no effect. As Brian Cummings has shown, in a fine essay on More and Shakespeare, connections can be made between the trial and burning of heretics in the early sixteenth century and the heated, improperly conducted processes of inquisition in *Othello*, where boundaries between private conscience and public oath-taking are violated.[38]

The neglect of a big topic is a sufficient justification for addressing it. There are reasons, however, for thinking that this is a good time to take up my theme. First, new work by historians has probed swearing as a social practice. Previously, too much reliance was placed on the line of treatises that runs from Becon's *Inuectyue agenst Swearing* (1543) to Edmund Calamy's *Practical Discourse Concerning Vows* (1697). Armed with this material, and limited data from social history, Christopher Hill and others argued for a declining belief in the potency of oaths due to their over-imposition by kings and parliaments, desacralisation, and a new emphasis on interest and contract.[39]

It is likely that such changes occurred. But when Defoe argued against the use of oaths on grounds of reason and politeness, he was responding to deeper shifts in conduct and morality, caught up in evolving attitudes to virtuous respectability. Appropriately, given our venue, he made his case in an *Essay Upon Projects* (1697) which advocated the creation of a national Academy—a body of learned men, who would occupy themselves, as we are occupied this evening, with making and mulling over critical observations about playscripts, and who would worry (as he does at length) about the rationality of swearing.[40] Around the time Defoe was writing, scatology and sexuality were becoming the primary locus of 'bad language'.[41] A late seventeenth-century watershed separates us from the period in which Shakespearean drama took shape, and we need to be

[38] 'Swearing in public: More and Shakespeare', *English Literary Renaissance*, 27 (1997), 197–232.
[39] Christopher Hill, *Society and Puritanism in Pre-Revolutionary England* (London, 1964), ch. 11.
[40] Defoe, *An Essay upon Projects* (London, 1697), pp. 227–51, esp. 238–50.
[41] See e.g. Melissa Mohr, 'Defining dirt: three early modern views of obscenity', *Textual Practice*, 17 (2003), 253–75; Tony McEnery, *Swearing in English: Bad Language, Purity and Power from 1586 to the Present* (London, 2006), chs. 3–4.

aware that some words which now strike us as quaint, such as Othello's and Iago's 'zounds', were shocking during Shakespeare's lifetime, while others, such as 'marry', were not. There is a fluctuating, lost hierarchy to recover.

But there are also contexts to consider, because particular oaths and vows can be frivolous in one setting yet solemn in another. And this is where, as I say, the historians are proving helpful. Thanks to David Martin Jones and Edward Vallance, we now know a great deal more about oaths of allegiance and supremacy, bonds of association and national covenants—relevant to such Reformation-based plays as *Sir Thomas Moore* and *Henry the Eight*, not to mention, as we shall see, *The Winters Tale*, but also to the schedule subscribed at the start of *Loues Labour's Lost*.[42] Oaths of office have been analysed by Conal Condren.[43] Laura Gowing has given us insights into the gendered aspects of oath-taking.[44] And John Spurr has shown, in a number of rich essays, how context-dependent swearing was. Marriage vows were one thing, dicers' oaths another.[45] Any attempt to trace a decline or desacralisation must acknowledge the energy of oaths and vows in specific contexts right through the seventeenth century.

The second reason for feeling timely is that moral philosophy has reacted against Kantian, deontological thinking when it comes to oaths and vows, and it now connects more clarifyingly with a period in which face-to-face relationships and defeasibility were key. God is far more important in the casuistical literature than in *How to Do Things with Words*. But there are still reasons for believing that shared thoughts and values connect Shakespeare's binding language with the arguments between J. L. Austin, John Searle, Jacques Derrida and Judith Butler on speech acts and social performance. When Sanderson starts *De Juramento*

[42] David Martin Jones, *Conscience and Allegiance in Seventeenth Century England: the Political Significance of Oaths and Engagements* (Rochester, NY, 1999); Edward Vallance, *Revolutionary England and the National Covenant: State Oaths, Protestantism, and the Political Nation, 1553–1682* (Woodbridge, 2005).

[43] See his *Argument and Authority in Early Modern England: the Presupposition of Oaths and Offices* (Cambridge, 2006). For a compendium see *The Book of Oaths* (London, 1649).

[44] See her *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996), esp. pp. 50–1.

[45] John Spurr, 'Perjury, profanity and politics', *The Seventeenth Century*, 8 (1993), 29–50; id., 'A profane history of early modern oaths', *Transactions of the Royal Historical Society*, 6th ser., 11 (2001), 37–63; id., '"The Strongest Bond of Conscience": oaths and the limits of tolerance in Early Modern England', in Harald E. Braun and Edward Vallance (eds.), *Contexts of Conscience in Early Modern Europe, 1500–1700* (Basingstoke, 2004), pp. 151–65.

by declaring that an oath is 'a religious act', he is explicitly modifying Cicero's 'An Oath . . . is a religious affirmation' (I.ii). Like Austin, he is wary of imputing intention[46] and believes, almost always, that the speech-act binds, regardless.[47] Both are ordinary language philosophers who give the benefit of the doubt to usage. Sanderson acutely considers whether Cressida's phrase 'in faith' is an oath, since it should formally be 'by my faith', and why 'in faith' should be customarily so taken when 'in truth' is regarded as an asseveration. In each case, he concludes, how formulae are understood in use is decisive (V.vi, viii).

A third reason for feeling timely has to do with our willingness to acknowledge the inextricability of social performatives and speech acts scripted for performance. It is a token of this that Sanderson's doubts about 'in faith' applied equally in the theatre. When Charles I overruled the Master of the Revels', Sir Henry Herbert's, expurgation of Davenant's *The Witts* (1634), Sir Henry put it on record that 'The king is pleasd to take *faith*, *death*, *slight* for asseverations, . . . but, under favour, [I] conceive them to be oaths.'[48] Theatre studies are now, with some loss as well as gain, shifting the focus away from what happens in the playhouse into performativity more largely. Oaths and vows are prime instances of performatives that are also performed. The desire to keep these phenomena separate may be understandable in speech act philosophers. It is there in Austin's insistence that performatives uttered on stage are '*parasitic* upon . . . normal use'.[49] This was a false dichotomy ripe for Derrida to deconstruct, and for Judith Butler and Eve Sedgwick to think with and against in their performative accounts of identity.[50] Relatedly, sociolinguistics has drawn out what Austin, too often, occludes, that performatives are more often acts of persuasion than they are solo, self-binding utterances. We

[46] Some, more recent philosophers would agree with Cassandra that the purpose makes strong the vow. See e.g. Michael H. Robins, *Promising, Intending, and Moral Autonomy* (Cambridge, 1984); Michael E. Bratman, *Intention, Plans, and Practical Reason* (Cambridge, MA, 1987), and his *Faces of Intention: Selected Essays on Intention and Agency* (Cambridge, 1999).

[47] e.g. *De Juramento*, I.xiii, J. L. Austin, *How to Do Things with Words*, 2nd edn., ed. J. O. Urmson and Marina Sbisà (Oxford, 1975), pp. 10–11. In both, more intentionally couched formulations can be found.

[48] Gurr, *Shakespearean Stage*, p. 76.

[49] *How to Do Things with Words*, p. 22.

[50] Jacques Derrida, *Limited Inc* (Evanston, IL, 1988), pp. 16–19, 67–72, 88–107 (cf. Stanley Cavell, *A Pitch of Philosophy: Autobiographical Exercises* (Cambridge, MA, 1994), ch. 2); Judith Butler, *Excitable Speech: a Politics of the Performative* (New York, 1997); Andrew Parker and Eve Kosofsky Sedgwick, 'Introduction', in Parker and Sedgwick (eds.), *Performativity and Performance* (New York, 1995), pp. 1–18.

should remember the tacit contribution to the speech act of the addressee of an oath ('I swear to *you*, by God') or the promisee of a vow. Oaths and vows are usually 'joint actions'.[51]

To think about origins and contexts is to return to social performatives scripted for the stage. Where did Shakespeare learn about oaths and vows? The earliest life record we have concerns his baptism, when, as required by the Book of Common Prayer, his godparents took vows on his behalf. One of the latest, in 1612, finds him giving sworn, duly cautious, evidence in a breach of promise case.[52] Shakespeare learned, then, from the church and the law courts, from the street and the tavern, but also (as *Troylus* shows) from the classics: Cicero, Seneca, Plutarch, Ovid. From Quintilian, if not from Aristotle, he would have learned about the tactical advantages of taking an oath in court.[53] The Tudor rhetoricians are, by comparison, disinclined to discuss oaths, vows and their uses. That they are on a spectrum with profanity, and more immediately a topic for moralists than those offering models of good discourse, must be one reason for this. Even so, Henry Peacham gives a full account of the make-up of oaths and vows in the 1593 *Garden of Eloquence*.[54] When reading *The Boke Named the Gouernour*, Shakespeare must have digested Sir Thomas Elyot's influential discussion of how foul-mouthed 'Children . . . do playe with the armes and bones of Christe, as they were chery stones', while witnesses and juries perjure themselves.[55] Holinshed, Machiavelli, Montaigne. All these, no doubt, informed him. But he must also have learned about oaths and vows, perhaps supremely, in the playhouse.

The anti-theatrical writers, from Gosson to Prynne, encourage us to recognise, whatever we make of their antipathy, that the playhouse was not just a place where young gentlemen, card players and drinkers went to mill about and utter profanities: on stage, swearing by the heathen gods and taking the Lord's name in vain set a bad example.[56] In his *Anatomie of Abuses* (1583), Stubbes says you should go to the theatre 'if you will

[51] See e.g. Herbert H. Clark, *Using Language* (Cambridge, 1996), pp. 136–41.

[52] The Belott–Mountjoy papers, now an appendix to Charles Nicholl's absorbing study, *The Lodger: Shakespeare on Silver Street* (2007; London, 2008), show Shakespeare telling Daniel Nicholas that Charles Mountjoy promised 'about the some of ffyftye pounde*s*' to his daughter and Stephen Belott on their marriage, but in court, under oath, he deposed 'what c*er*tayne porc*i*on he Rememb*er*ithe not./ nor when to be payed' (p. 289, cf. p. 293; 290).

[53] Aristotle, *Rhetoric*, I.xv; Quintilian, *Institutio Oratoria*, V.vi.

[54] Henry Peacham, *The Garden of Eloquence*, rev. edn. (London, 1593), pp. 67–8, 75–6.

[55] *The Boke Named the Gouernour* (London, 1531), 193r–195r.

[56] See e.g. William Prynne, *Histrio-Mastix: the Players Scourge, or, Actors Tragaedie* (London, 1633), **3v, pp. 81–8, 520 (citing Gosson), p. 930.

learn to playe the vice, to swear, teare, and blaspheme, both Heauen and Earth'.[57] Friends of the playhouse predictably reversed this libel. Plays, according to the Water Poet, show 'stabbing, drabbing, dicing, drinking' and, at the end of the line, 'swearing' in their true, instructive horror.[58] He could point to the tipsy Cassio in *Othello*, quarrelsome and 'high in oath', then bitterly rebuking himself.[59] But no one will seriously believe that Shakespeare was drawn to swearing because he wanted to be didactic. More relevant is Nashe's defence of the stage, where he celebrates a scene in *The Famous Victories*, a play well known to Shakespeare, in which the King of France and the Dauphin take an oath on Henry V's sword: 'what a glorious thing it is to haue *Henrie* the fifth represented on the Stage leading the French King prisoner, and forcing both him and the Dolphin to sweare fealty'.[60] It is a vivid reminder of the theatrical, even the histrionic power of oaths and vows, to which I now want to turn.

* * *

Shakespeare was not often drawn to the oath as primary utterance, to the moment, so important to moralists, when an isolated character gives his word under the eye of God. He was more interested in joint actions, where speech act and doubt go together. Admittedly, there is Hamlet, alone after seeing the ghost, declaring, 'now to my word; | It is; Adue, Adue, Remember me: I haue sworn't' (I.v; 795–6). It is typical of Shakespeare, however, to destabilise the situation by having Hamlet rebut while echoing the ghost, who wants to be revenged. And the prince's words are further confounded because this initiates a long, stagey sequence that parodies the sort of swearing presented by *The Famous Victories*, as Horatio and Marcellus are required to swear on Hamlet's sword that they will keep the secret of the ghost.

The connection between Hamlet's swearing and the repeated injunctions by prince and ghost which push the scene into fearful comedy are often reinforced in performance by having him swear on his own sword. This impulse to externalise and take hold of something solid goes with the performativity of oaths and vows even outside the theatre. Early modern commentators were struck by the scriptural, classical and anthropological

[57] Philip Stubbes, *Anatomie of Abuses* (London, 1583), L8v.
[58] John Taylor, 'To my Approued Good Friend M. Thomas Heywood', one of the prefatory poems in Thomas Heywood, *Apology for Actors* (London, 1612).
[59] II.iii; 1176–1459 (1356).
[60] *Pierce Penilesse his Supplication to the Diuell* (London, 1592), F3v.

evidence of swearers touching Abraham's thigh, holding up their hands, or casting away a stone.[61] In origin these gestures were mnemonic. They made the speech acts easier to recall, in primarily oral societies.[62] But they readily elided with the sacred as people swore on missals or altars. Traditionally, Hamlet swears not just on his sword but the cross of its hilt. He is giddily beside himself and needs to grip his weapon because his distrust of Claudius has been vindicated but also, more obscurely, because we are not quite ourselves when we asseverate or promise. We are trying to manifest a truth, or lean into the future self that will deliver on the vow. We utter 'by Heaven' differently from saying by and Heaven, as though making it citational. But whatever the aspiration the voice cannot be a binding block. The speech-act, so complete for Austin, is dramatically potent because insufficient.

An oath is framed by a formula which gives the language of the speech act something of the firmness of the God or the honour which is called upon to secure it. The mnemonic, ritual context is brought into the utterance. That the form of an oath or vow is given makes it already external enough to be uttered as a thing. This is why I can give you my word. At the end of *Measure* and *All's Well*, Shakespeare brings out the quasi-magical aspects of these formulae,[63] which spring not just from an affinity with incantation but because they jump the gap between doubt and truth and promise to deliver the future. Yet the quality of the performance affects the quality of the performative. I can say 'by Heaven' with a frivolous as well as a solemn air, or impetuously like Hamlet to his friends. This makes oaths and vows an acutely sensitive resource for judgements of intention by audiences, and a subtle opportunity for the actor, who can qualify the absoluteness of asseveration or promise enshrined in the speech act.

So when Hamlet calls upon Horatio and the soldier to swear, the situation oscillates unstably. They do swear, by custom at least, 'in faith', to keep what they have seen secret, but are then asked to swear on his sword. As men of honour, they are mildly insulted. Does Hamlet, like Sanderson, doubt that 'in faith' is binding? If so, it quickly gets out of hand as the prince discovers that repetition and emphasis will not secure

[61] White, *Of Oathes*, pp. 2–3, 14–15; John Bulwer, *Chirologia: Or, The Natural Language of the Hand* (London, 1644), pp. 50–4, 102–5; Sanderson, *De Juramento*, V.iii, xi.

[62] See e.g. Richard Firth Green, *A Crisis of Truth: Literature and Law in Ricardian England* (Philadelphia, PA, 1999), ch. 2.

[63] *Measure for Measure*, V.i; 2391–5, 2579–85, *All's Well*, V.iii; 2890–6, 3022–7.

an oath. As it happens, in all three early texts of the play, Horatio and Marcellus are not given 'I swear', or anything like it, to say. Every time the ghost bellows 'Sweare', there is a flurry of bewildered reaction, yet no word, it seems, is uttered. Casuists did allow that, when you could not speak to swear, you could nod or raise your hand.[64] Perhaps we might take, then, the laying of their hands on the sword as an oath. There are word and deed quibbles in Hamlet's instruction, 'Indeed, vpon my sword, Indeed' (*sword*, *word* and *sworn* were close in Elizabethan pronunciation).[65] As Pistol, in another play, declares: 'Sword is an Oath, & Oaths must haue their course.'[66] But if the actors do opt for the gesture, the rest of their body language can hardly be affirmative. Their posture is going to qualify any utterance in word or deed. Austin regards the body as effectively a cipher, included in or cohering with the speech act rather than seething away around it in an interpretatively dissonant, theatrically involving, way. Judith Butler more accurately observes that 'the body rhetorically exceeds the speech act it also performs'.[67]

The mobility of this scene, as the actors range about, makes palpable for the audience how uncontaining oaths can be. The prince is playing catch-up with a speech act while his friends run away from the ghost. It is not just the taking but the keeping. As the action spins about, Hamlet—who will soon enough break his vows to Ophelia, and probably his word to the ghost—anticipates the temptations. He starts to sound like Polonius as he spells out all the ways in which his associates should not betray their word. They must swear not even to hint at what drives his antic disposition, he says, putting on a mad little pageant,

> With Armes encombred thus, or thus, head-shake;
> Or by pronouncing of some doubtful Phrase;
> As well, we know, or we could and if we would, . . . (870–2)

The sworn word is meant to be brief and sufficient. As Sanderson puts it, '*Simplicity above all things becometh an Oath*' (II.ii). In practice—better say 'in performance'—though, it summons up a mass of supplementary

[64] e.g. Sanderson, *De Juramento*, V.i.

[65] See the evidence from rhyming and homophone lists in E. J. Dobson, *English Pronunciation 1500–1700*, 2nd edn. (Oxford, 1968), Fausto Cercignani, *Shakespeare's Works and Elizabethan Pronunciation* (Oxford, 1981).

[66] *Hamlet*, I.v; 844, *Henry the Fift*, II.i; 601. Pistol quibbles on, or garblingly misconstrues, ''s word' ('By God's word').

[67] *Excitable Speech*, p. 155. Behind Butler's thought here is Shoshana Felman, *The Literary Speech Act: Don Juan with J. L. Austin, or Seduction in Two Languages*, tr. Catherine Porter (Ithaca, NY, 1983).

glossing to cover the eventualities. We could be historical and notice how oaths of allegiance and obedience became increasingly elaborate, to guard against equivocation and mental reservation.[68] But the drive to qualification goes deeper. The binding word is a pellet of language which, because of psychological and communicative ambiguities, becomes a machine for generating verbiage.

Loues Labour's Lost is the classic case. Charged with courting Jacquenetta, in the King of Navarre's park, when 'It was proclaimed a yeeres impriso[n]ment to bee taken with a Wench', the clever yokel Costard says he was taken with a damsel (also proclaimed), virgin (ditto) and maid (who will not serve his turn). The proclamation of the oath must have been a copious document. Meanwhile, the sworn word dissolves back into the ordinary language that gives it grammar and purpose. If we did not say by and Heaven we could not swear 'by Heaven'. So when Armado tells the page boy Moth that he has sworn to study with the King for three years, the tender juvenile can reply: 'how easie it is to put yeres to the word three, and study three yeeres in two words, the dancing horse will tell you'. The lords go further down the same path, once they have fallen in love with the ladies. '*Vowes are but breath, and breath a vapour is*,' Longaville declares in his sonnet.[69]

We are getting into a nest of paradoxes congenial to a dramatist who was drawn to plurality and interpenetrating ambiguities. The word that cannot be fixed is subverted by its performance and needs massive supplements to explicate. It is a forceful commitment of the self couched in public, derivative language. Oaths and vows can reinforce the very doubt they are meant to allay—which is why Juliet urges Romeo not to swear, but to say, that he loves her (II.ii; 888–940). (After the Act to Restrain Abuses, as we shall see in a moment, the relationship between swearing and saying would be weighted in new ways.) Oaths and vows tend to be powerful when power is coming into question, as when Lear disowns Cordelia 'by the sacred radience of the Sunne' (I.i; 115). They gain you credit, but put you into debt. They are sociable, joint actions which it can be narcissistic to follow through (as with Hector). They are brittle in their decisiveness because the act of asseveration can make characters aware that we only think what we know, and, when they are promissory, because of what Andrew Lang noted, 'Shakespeare's way of placing a man of

[68] Condren, *Argument and Authority*, pp. 249–50.
[69] *Loues Labour's Lost*, I.i; 283–93, I.ii; 358–60, IV.iii; 1401.

nature more or less noble, but irresolute, in a crisis which demands decision'[70]—that is, they can be stand-ins for decision.

To rely too much on vowing is, we might say, *young*. It represents a development which, for the psychoanalytically minded, is regressive because it undoes the hard-earned distinction between word and deed. It falls back on 'magical thinking', and substitutes a binding word for the moral judgements of maturity.[71] Oaths make claims on truth which expose you to being false, or claims on a future which 'reckening Time, whose milliond accidents | Creep in twixt vows, and change decrees of Kings' is likely to prove hubristic.[72] When, as in *Troylus*, what's past and what's to come are strewn with husks and formless ruin, and faith and troth are only of the moment,[73] vows and promissory oaths have no purchase. Time does not connect. The play unfolds in what is virtually a space of interruption,[74] where oaths and vows contribute to the sense of events suspended, hung up between declaration and act.

Promissory oaths and vows are close to creativity because they conjure into language matters not yet known or done. Yet there is dead weight in there too. When we promise we put the present, as it becomes the past, onto the neck of the future. (No wonder Nietzsche was uneasy, finding an ominous link between promising and punishment.[75]) Yet what, in Shakespeare, is static? The meaning of what we vow is mutable because relative. When I promise you *x* it is not *x* but the prospect of what *x* will be. Then when I perform *x* (if I do) it will have absorbed the value of my fidelity and it will also have shifted in meaning because much else in life will have changed. This Troilus forgets. Swearing is the honourable man's privilege and mark of status. He lives a life of risk and purpose in which the stake is himself, his standing. Yet not if he vows by proxy, or fulfils his oath by proxy, as Henry V does to Williams through Fluellen. Then it gets interestingly problematic because this displays in acute form the always discernible fact that the oath or vow is independent of those involved in the joint action. As Nerissa says to Gratiano, though not for her, yet for

[70] Andrew Lang, *History of English Literature: from 'Beowulf' to Swinburne*, 3rd edn. (London, 1913), p. 229. This talk was repeated as an Andrew Lang Lecture at the University of St Andrews on 7 May 2009.
[71] Herbert J. Schlesinger, *Promises, Oaths, and Vows: on the Psychology of Promising* (New York, 2008), pp. 20–2, 50–8, 83–8.
[72] Sonnet 115.
[73] IV.v; 2732–8.
[74] On 'the promise of future action' as 'an interrupted act', see Schlesinger, *Promises, Oaths, and Vows*, pp. 41–6, 89.
[75] *On the Genealogy of Morals*, II.4–6.

his oaths, he should not have given away her ring.[76] This does not mean, of course, that there is no way out of oaths and vows; they can be ways out in themselves, ways of *avoiding* responsibility, of saying that you are bound by a promise to God or your past self to act in a certain way. The binding word simplifies life by removing deliberation. Othello's oaths to punish Desdemona are only the most conspicuous case.

Those are impassioned utterances. Oaths and vows can be outbursts, excesses of agitation, as Thomas Wright and Robert Burton notice in their lively accounts of gamesters,[77] yet they spring from our need for security, the drive to know and plan. Along with prophecies and curses, they consequently feed into Shakespeare's characteristic preference (as Coleridge put it) for expectation over surprise.[78] It would be a mistake to imagine, however, that time under a vow is the same as time without one. Promised things are more exciting than gifts because anticipation is a nervous pleasure. Then postponement stales and the arrival of the promised thing will be an anticlimax. This is very Troilus. So to think of vows as bringing something forward is only part of the story. Anticipation and delay are not neutral in their effects. Is there even an element of threat? Of time suspended to try us. Troilus warns Diomedes that, 'by the dreadfull *Pluto*', if he doesn't use Cressida well, he will cut his throat (IV.iv; 2515–23). But Cressida is under threat too, if she doesn't stay true to Troilus. She is constructed by the rhetoric of their troth-plight into a default position of dishonesty, which is not quite what the play shows us. John Searle wants to believe that a promise only has force if the promisee wants what is promised.[79] But this is not how it feels, at least for those in a society in which oaths and vows have their own potency.

* * *

That characters swear more mildly after the Act of 1606 is not in itself that interesting. Nor is it surprising that, as compared with earlier plays, they more often say they will swear and then do not, and that mere asseverations are retrospectively described as oaths. There are situations in which we expect oaths, such as Caliban kneeling to swear fealty to

[76] *The Merchant of Venice*, V.i; 2577–8.
[77] Thomas Wright, *The Passions of the Minde in Generall* (London, 1604), pp. 125–6; Robert Burton, *The Anatomy of Melancholy* (Oxford, 1621), p. 160.
[78] S. T. Coleridge, *Shakespearean Criticism*, ed. Thomas Middleton Raysor, 2nd edn., 2 vols. (London, 1960), I. 199.
[79] John R. Searle, *Speech Acts: an Essay in the Philosophy of Language* (Cambridge, 1969), p. 58.

Stephano, and glugging out of his bottle, without uttering an oath,[80] and stock types of swearing who are said to be, but who are not, profane (the boatswain in *The Tempest*, for instance).[81] Even Cloten, who makes much of his right as a gentleman to swear and give offence, and who is reportedly foul-mouthed in scenes we are not shown,[82] keeps to the letter of the Act onstage. For all that, oaths and vows remain important. Coriolanus swears to ally himself with the Volscians, then dooms yet redeems himself by 'Breaking his Oath and Resolution, like | A twist of rotten Silke'. There is Iachimo, in *Cymbeline*, convincing Posthumous that Imogen has been false with a judiciously placed 'By Iupiter'. The Surveyor, in *Henry the Eight*, testifying that Buckingham swore he would dispose of the king. There is even, in *The Two Noble Kinsmen*, a scene from Fletcher's hand, modelled on Hector's exchanges with Andromache and Cassandra, in which Theseus is urged by Hippolyta and Emilia to retract his 'oth' and 'vow' to have Pirithous and Arcite executed.[83]

What is newer is how oaths are avoided. There had been refusers before 1606, but they tend, like Richard III, to be worse than those who swear, or, like Brutus in *Julius Caesar*, to be too complacent about honour to believe that oaths can bind. Pericles and Marina not only refuse to swear but, in the shadow of the Act, draw on lines of argument that go back to the Tudor homily. 'Ile take thy word, for faith', Pericles tells Helicanus, 'not aske thine oath, | Who shuns not to breake one, will cracke both.'[84] In this play, those who swear are likely not just to be bad but to use oaths to spur their badness. Thus Thaliard, who has sworn to kill Pericles, shuffles off any blame: 'for if a king bidde a man bee a villaine, hee's bound by the indenture of his oath to bee one' (B3r).[85] Pericles does take a vow by Diana. But Marina is impeccable,[86] almost an exemplar of the reaction against profanity that was not just sweeping the stage but would lead, in 1623, the year of the Folio, to a law imposing fines on those who swore offstage as well as on. 'Faith', says Boult, mildly, 'I must rauish her, or shee'le . . . make our swearers priests' (G3v).

[80] *The Tempest*, II.ii; 1159–1232.
[81] *The Tempest*, I.i; 11–61, V.i; 2202–6.
[82] *Cymbeline*, II.i; 840–50, 864–8, IV.ii; 2396, V.v; 3571–96.
[83] *Coriolanus*, V.vi; 3763–4, *Cymbeline*, II.iv; 1295–6, *Henry the Eight*, I.ii; 472–568, *The Two Noble Kinsmen* (London, 1634), pp. 52–7.
[84] *Pericles* (London, 1609), B2v.
[85] Cf. Leonine, who, having sworn to Dionyza, pursues without mercy his vow to kill Marina.
[86] Cf. Elena Glazov-Corrigan, 'The new function of language in Shakespeare's *Pericles*: oath versus "Holy Word"', *Shakespeare Survey*, 43 (1991), pp. 131–40, esp. 133, 136–8.

Shirley, the only critic who has investigated swearing across the late plays, has little to say about them. Her basic, limiting conclusion is that, after 1606, there was 'a full-blown compliance with the regulations'.[87] But the effects of the Act went deep. I want to end with *The Winters Tale* because it shows with particular clarity both the continued structural use to which Shakespeare put oaths and vows and the impact of the Act on the ethos of asseveration. For swearing in this play is not just made to accord with the classical romance setting. There is a formative, problematic thrust to its characteristic oathlets, 'in sooth', 'in truth' and 'verely'—which has twelve out of its fourteen Shakespearean uses after 1606, seven of them in *The Winters Tale*. In the late plays, after all, verity is in strong suspicion, either because the story is like an old tale or because, in *All is True*, realism proves inscrutable.

Let me plunge into the exchange which precipitates the main action (I.ii; 50–121). Making an appeal to verity which turns out to be untrue, Polixenes has told Leontes that he will leave the Sicilian court, 'Very sooth, to morrow.' Called upon to make him stay, Hermione exploits the fact that, after 1606, only flaccid oaths can be spoken:

> POLIXENES I may not verely.
> HERMIONE Verely?
> You put me off with limber Vowes: . . .

She also, more ingeniously, takes advantage of the limitation set by the Act to gender dominance. Polixenes must now draw his sooths from the same box as Lady Percy:

> but I,
> Though you would seek t'vnsphere the Stars with Oaths,
> Should yet say, Sir, no going: Verely
> You shall not goe; a Ladyes Verely' is
> As potent as a Lords.

So will you be our guest or our prisoner, she jests: 'by your dread Verely, | One of them you shall be.' And of course he agrees to stay. 'Sooth' and 'verely', it seems, are little more than charms against the fragility of asseveration, called upon when most in doubt.

There has been much speculation about the sudden outbreak of Leontes' jealousy. It does not seem to have been noticed that it happens when this oathful exchange is correlated with his betrothal vows. As he closely observes Polixenes and his wife, like Troilus watching Cressida and

[87] *Swearing and Perjury*, p. 152.

Diomed, sparring and flirting with their oaths, he splits Hermione between the woman who once gave him her hand and her word with delaying modesty (or was it, he now wonders, reluctance) and the sexy immediacy of the onstage handfast:

> HERMIONE What? haue I twice said well? . . .
> LEONTES Why, that was when
> Three crabbed Moneths had sowr'd themselues to death,
> Ere I could make thee open thy white Hand:
> A[nd] clap thy selfe my Loue; then didst thou vtter,
> I am yours for euer.
> HERMIONE 'Tis Grace indeed.
> Why lo-you now; I have spoke to th'purpose twice:
> The one, for euer earn'd a Royall Husband;
> Th'other, for some while a Friend.
> [*She gives her hand to Polixenes*]
> LEONTES [*aside*] Too hot, too hot:
> To mingle friendship farre, is mingling bloods. . . .
> But to be padling Palmes, and pinching Fingers,
> As now they are . . . (I.ii; 160–89)

It is not just the excluding, physical contact which tips Leontes into derangement, nor the suggestive ambiguity of 'Friend',[88] but the implication that Hermione's espousal, her handfast, is being reprised, one vow overlaying another.

What does Diana mean in *All's Well* when she tells Bertram, ''Tis not the many oathes that makes the truth, | But the plaine single vow, that is vow'd true' (IV.ii; 2045–6)? However 'makes' is taken, it must include 'constructs, creates'. You do not have to be a postmodernist to believe that oaths and vows configure truth. You might instead be Shakespeare. But *The Winters Tale* brings together a sceptical, relativistic awareness that truths are sanctioned troths, which can be informed by an almost religious 'faith', with a sense that they reach for 'belief' in the particular, modern sense of 'acceptance of a proposition . . . as true, on the ground of . . . evidence' (*OED* 2) that has been used against those 'that delight in Giddinesse; And count it a Bondage to fix a Beleefe' all the way from Bacon's essay 'Of Truth'—which I have just quoted—to Bernard Williams's *On Truth and Truthfulness*. 'It is not onely,' Bacon goes on, 'the Difficultie, and Labour, which Men take in finding out of *Truth* . . . that doth bring *Lies* in fauour: But a naturall, though corrupt Loue, of the *Lie*

[88] *OED* 4, 'A lover or paramour, of either sex' (from 1490, and citing *Loues Labour's Lost*).

it selfe.'[89] The giddy, paranoid ethos of Sicily partly springs from Leontes' jealousy. But when oaths can make the truth, jealousy itself seems the product of deeper epistemological difficulty.

Such oaths may be vowed true, as when, later in the play, Antigonus swears on the king's sword that he will expose the infant Perdita. Something less manageable wells up, however, from this intense, verbal making, when Camillo tells Polixenes that the verity of Hermione's innocence hangs on Bohemia's word against Leontes', who 'thinkes, nay . . . he sweares, . . . that you haue toucht his Queene | Forbiddenly' (I.ii; 527–30). Polixenes' appalled rebuttal, 'Oh then, my best blood turne | To an infected Gelly', and so on, has more than a passing resemblance, in its post-1606, profanity-avoiding way, to the conditional self-curse that was, as we have seen, traditionally embedded in an oath. Denial is of no avail, however, because, as Camillo puts it, in a troubling passage, to swear against Leontes' oath-bound thought, to seek to overturn his thought with an oath, would be to swear over—to validate by overlaying—what is resisted:

> Sweare his thought ouer
> By each particular Starre in Heauen, and
> By all their Influences; you may as well
> Forbid the Sea for to obey the Moone,
> As (or by Oath) remoue, or (Counsaile) shake
> The Fabrick of his Folly, whose foundation
> Is pyl'd vpon his Faith, and will continue
> The standing of his Body. (I.ii; 527–46)

The fabric of Leontes' universe, the bonds of heaven (Troilus' phrase) for him, are piled upon 'his Faith'—a belief unsecured by evidence that is also his giving of an oath.

When Hermione is confronted with Leontes' sworn, distorting 'Faith', the post-1606 promotion of saying over swearing does not work in her favour. In front of her ladies and his lords, the king declares

> 'tis *Polixenes*
> Ha's made thee swell thus.
> HERMIONE But I'ld say he had not;
> And Ile be sworne you would beleeue my saying,
> How e're you leane to th'Nay-ward. (II.i; 661–5)

Taken aback, embarrassed and sensing that she should not lend credibility to the accusation by countering it too strongly (swearing it over), which

[89] Francis Bacon, *The Essayes or Counsels, Ciuill and Morall*, rev. edn. (London, 1625), pp. 1–2.

would leave the king no way back, Hermione is also too confident that her truth is self-evident. Like Desdemona, who is slow to swear her honesty, she does not yet understand how deluded her husband is. As she refuses to swear, to perform a performative, before the court, a Jacobean audience must have been conscious on some level that she is subjected to constraints that are an issue for the play as a whole. Limited by her sex, but also by the Act, she cannot vehemently invoke the Divine.

The consequences of this are dire, especially because, in her reluctance, Hermione makes play with the post-1606 limitations, and declares that she will not say, as she 'would', but 'will' swear, which she hardly can. 'But Il'd say he had not; | And Ile be sworne you would beleeue my saying.' The substitution of (not) saying for swearing makes her sound evasive, too clever for the matter in hand, while her sophisticated phrasing awkwardly manages to imply that she will not swear to her truth but only to Leontes' willingness to believe her, and so, from his point of view, to his credulity, which fans his mistrust. Not surprisingly, the king reacts by declaring her 'without-dore-Forme' the cover of 'an Adultresse' (666–80). There is no way back from this, within the resources of saying and swearing, even when, in the arraignment of III.ii, Hermione lucidly protests against the charge not only of adultery but of helping Polixenes and Camillo escape '*contrary to the Faith and Allegeance of a true Subiect*' — against the terms of those oaths of loyalty and obedience that went back to the middle ages, that had been widely imposed in Tudor England, and that, after 1606, subjects could once again be required to swear to their king (1192–3).[90]

What of the question of structure? In the scenes set in Bohemia, Autolycus is a crucial figure. For he is not just, as in Ovid, a duplicitous thief, but a rogue who, like Autolykos in *The Odyssey*, specifically deceives through oaths.[91] The ballads in his pack parody Leontes' faith in the power of oaths to verify, such as the one sung by a fish about the hardness of maidens' hearts on the fourscore of April. 'Is it true too, thinke you,' asks Dorcas. 'Fiue Iustices hands at it, and witnesses more then my packe will hold.'[92] As with testimony, so with promises. The song in Autolycus' pack that Mopsa, Dorcas and the Clown sing together while

[90] The same month (May 1606) that saw the passage of the Act to Restrain Abuses also saw king and parliament, in the wake of the Gunpowder Plot, imposing an Oath of Allegiance to identify uncompromising Roman Catholics (3 and 4 James I c. 4).
[91] *The Odyssey*, XIX.395.
[92] IV.iv; 2081–2106.

vows are being exchanged in the handfast between Florizel and Perdita[93] offers new angles on the rivalries of Leontes, Hermione and Polixenes. '*It becomes thy oath full well*', sings Mopsa, who is competing with Dorcas for the Clown, '*Thou to me thy secrets tell.*' But, replies Dorcas, '*Thou hast sworne my Loue to be*.'[94]

It would labour the point to crawl through the fifth act of this play setting out in detail what criticism has overlooked: the mosaic of oaths, vows, and reflections on swearing. Leontes formally swears never to marry without Paulina's permission; she is married to Camillo on the basis of a similar vow.[95] Can the news be true, that Perdita is a princess, asks the Second Gentleman. 'Most true', the Third replies, 'That which you heare, you'le sweare you see' (V.ii; 3040–2). The Clown promises to 'sweare to the Prince' that Autolycus is 'as honest a true Fellow as any is in *Bohemia*'. The Shepherd, as though familiar with the Act, observes 'You may say it, but not sweare it', but the Clown knows his rights: 'Not sweare it, now I am a Gentleman?' What makes the exchange so integral is the Shepherd's persistent worry 'How if it be false (Sonne?)' and the Clown's recklessness with truth (think of Leontes on the queen's adultery): 'If it be ne're so false, a true Gentleman may sweare it' (V.ii; 3164–76).

There is matter in this swearing all the way down to the language used when the statue of Hermione comes to life: 'Would you not deeme it breath'd? and that those veines did *verily* beare blood?', wonders Leontes, to which Paulina adds, 'It is requir'd | You doe awake your *Faith*.'[96] These ripples of swearing through statement would be insignificant details without the pattern to which they belong, and without their ultimate relationship with the oath which makes the breathing of the statue seem like a miracle. For the audience, like characters in the play, have been deceived by an oath—or, rather, by the promise of an oath, which, post-1606, is the more potent for not even being uttered. I mean that the redemptive energy of the scene depends on our having been misled by Paulina's declaration after the trial scene: 'I say she's dead: Ile swear't. If word, nor oath | Preuaile not, go and see' (III.ii; 1391–2).

[93] Florizel's commitment to his vow, once Polixenes forbids his marriage, sweeps him into declarations about 'my faith', his 'affection', and 'earth'-shattering claims regarding the potency of his oath, that recall those used of and by Leontes in the first half of the play (IV.iv; 2328–58).

[94] Note Mopsa's insistent response, setting oath against oath, '*Thou hast sworne it more to mee.* | *Then whether goest? Say whether?*' (IV.iv; 2110–32).

[95] V.i; 2810–26, V.iii; 3349–52.

[96] My italics (V.iii; 3261–2, 3300–1).

As those examples begin to suggest, Shakespeare's binding language is not finally, that easily, delimited. It is not just that oaths and vows overlap with such related practices as *testifying*, *covenanting*, *gaging* and, as is now apparent, indicatively, *saying*, but that they draw on performative conventions that are broadly and deeply established in language as a connective medium. A socially articulated, inward medium that was, for Shakespeare, always betrayable and potentially betraying. To pursue that train of thought, however, would require another lecture, when one might just as validly think comparatively about play-texts. Much can be learned, for instance, by noticing how oaths in *The Famous Victories* are redeployed in *Henry the Fift*, or by comparing the group swearing scene in *Hamlet* with the simpler, derivative situation in *The Reuengers Tragaedie*. Work remains to be done. But I hope that I have given you a sense of what a rich and underexplored subject this is, and of how distinctively Shakespearean are its complications in the plays.