

# THE UN-MERRY LAWS: MARRIAGE, WIDOWS AND ADULTERY IN TWO 1656 TRACTS<sup>1</sup>

ANDREW MONNICKENDAM  
*Autònoma University of Barcelona*

This paper continues research into mid-seventeenth century attitudes to marriage, as it evolves into the central institution of modern life. I will analyse two tracts published in 1656: the first is entitled “pray be not angry: or the Women’s New Law” and the second, “Now or Never: or a New Parliament.” The first is supposedly written by a Mr. G. Thorowgood and addressed to men of all ages in order to help them distinguish between “a honest woman” and “an enticing whore,” a necessary skill for a successful marriage. The advice given is not original, but what make this text interesting is its style, overloaded as it is by classical references and heaps of metaphors and similes. It suggests that the fate of Holofernes is a warning to the imprudent. The second text is prefaced by Lucretia Rodomant, who urges women to take on their Egyptian taskmasters and to follow the example of Judith. Speeches are given by an old and young maid. The former laments her lack of lovers, and, surprisingly, so does the “lusty” young maid, who complains bitterly that men are more interested in money than marriage. This materialist note is perhaps the only unexpected twist in two texts whose ideological message is rarely subverted, despite Lucretia and Judith.

Last year, I analysed an anonymous 1646 tract, “The Parliament of Women. With the merrie lawes by them newly enacted. To live in more ease, pomp, pride, and wantonnesse: but especially that they might have superiority and domineere over their husbands: with a new way found out by them to cure an old or new.”<sup>2</sup> My major conclusion was that this witty, erudite parody of parliamentary procedure transferred to public politics the traditional tropes of the war of the sexes. I argued that it contained sufficient subversive elements, in particular its leitmotif of the Amazons, to make classification in terms of binary oppositions not as satisfactory or as convincing as the few commentators who had analysed these texts had suggested. I will now turn my attention to two

1. The research for this paper has been funded by the Spanish Ministry of Education, as part of the research project PB-96-1159 “Modelos de proyección de la autoridad femenina en la literatura escrita en inglés y en español: las tensiones entre género (gender) y género literario (genre)”.

2. *SEDERI 10* (1999): 111-19.

tracts, published a decade later, which have very clear ideological outlines. After analysing them, I will then argue that an exact location of their historical context enables us to unravel evidence of a major ideological shift which is obscured by their burlesque of women.

The first tract is “Pray be not Angry: or THE WOMENS NEW LAW WITH their Several, Votes, Orders, Rules, and Precepts, to the London-Prentices, both in Cheap-Side, Lumbard-Street, Gracious-Street, Broad-Street, Fleetstreet, Newgate-Market, the Strand, Covent-garden; and all the places whatsoever, in and about the City of LONDON, or Parts adjacent. LIKEWISE Their Rare Presidents and Instructions both to young-men and old, for the choosing of a good Wife, or virtuous Mistress; and how they shall know and distinguish an honest Woman from an enticing and dissembling whore,” dated August 11<sup>th</sup>, 1656, printed in London for George Horton.<sup>3</sup> The second is entitled “NOW Or NEVER, A New Parliament of Women ASSEMBLED and met together neer the Popes-Head in Moor-Fields, on the Back-side of All-Such; adjoining upon Shoreditch, WITH Their Declaration, Articles, Rules, Laws, Orders, and Proposals to all London-Prentices, Young-men, Batchelours, and others...” Then follows a list of twenty-four professions, and we are informed that the tract ends with a “Love-Sonnet.”<sup>4</sup> This second text was printed in London, likewise for George Horton, a week later on August 18<sup>th</sup>.

“Pray be not angry...” is prefaced with a note by G. Thorowgood; prefaces might traditionally be perfunctory devices, but this is not the case here. The appeal to antiquity, and therefore to authority, cites Plato and “Semiramis of Babylon, that both and after her husbands death, she wax so unsatiable in carnal lust, that two men at one time not satisfie her desire;” the emphasis on “at one time” is obsessive, leaving plenty of imaginative possibilities for the cuckolded and/or deceased. Such open misogyny is compounded in an extremely clichéd image, “for there is no so good, but may amend knowing that the cleerest River that is hath some dirt in the bottome.” In other words, the whole sex is condemned, for either as an individual or as a whole there is always “some dirt in the bottome.” Even the purest of women are not pure, making the initial proposition of the tract, to give instructions to men as how to “distinguish an honest Woman from an enticing and dissembling whore” an impossible task, as “honest”, according to G. Thorowgood, when attached to women must mean “dissembling.”

The tract is little more than a tirade against women, and its major interest lies simply in a certain skill in the manipulation of images and classical allusions. Its taxonomy of women begins with its description of the likening of a “lewd and froward [sic] woman..to a Pumice-stone; for which way soever you turn it, it is full of holes.” It would be difficult to make up a more repugnant image than a grey piece of volcanic stone used for cleaning one’s skin. “Full of holes” is so crude a phrasing that it requires no comment. Other comparisons do demonstrate certain literary skill, “Is there not an old saying, *That when a Dog wags his tayl, he loveth*

3. British Library shelfmark E.885.(7.)

4. British Library shelfmark E.885.(9.)

*his Master?* So many think, that if a woman smile on them, she is presently over head and ears in love..." The implication is that whereas a dog is honest, a woman's smile is necessarily false. The suggestion that if this is the case, it says as much about the master's ingeniousness as it does about the dog's strategy is a remote possibility, but we should not lose sight of the fact that both "*wags his tayl*" and "head over ears" point to a sexual tumble of some sort. In addition, the text's insistence that women's sweetness is a pretext for the obtention of money for, unexpectedly, clothing, not only places the women in the role of prostitute, as she exchanges her body for cash, but the possibility of withdrawing her favours if money is not forthcoming, additionally casts her as blackmailer and her husband as victim.

The vitriolic tract reserves its particular venom for widows, as this humorous extract shows:

Beware also how thou matchest unto a *Jezabel* widow, for she will be cause of a thousand woes; if rich, then she will govern; if poor, then thou art plagued both with beggary and bondage: If thou shew sparing, she will say, thou shalt not pinch her of that which is her own; and if thou do any thing contrary to her mind, she will say, her other husband was more kind: If thou chance to dine from home, she will bid thee go up with thy harlots abroad; if thou go abroad and spendest any thing before thou comest home, she say, *a beggar I found thee, and a beggar thou intendest to leave me*. If thou stay at home she will say, *Thou art happy thou hast gotten a wife that is able to maintain thee idle*. If thou carve her the best morsel on the Table, though she take it, yet she will take it scornfully, and say, *She once had a husband that would let her cut where she like her self*. And if thou come in well disposed, thinking to be merry, and intreating her with fair words, she will call thee dissembling hypocrite, saying, *Thou speakest me fair with thy tongue, but thy heart is on thy Minions abroad*. Besides this...

The emphasis on food and therefore on sexual appetite gives the phrase "*that let her cut where she like*" additional innuendo. However it is unclear whether writer and reader are immediately aware of the irony in the final instance of purgatory, when the husband is called a "dissembling hypocrite," exactly the terms used by Thorowgood to describe women in general. Whatever we think of the account of life with a widow, the text goes on to tell three grotesquely politically incorrect and rather silly jokes: On a trip across the channel, a sudden storm arose; the captain ordered the sailors to "throw over-board all the heaviest goods..." It takes no great power of imagination to work out what the man married to Jezabel jettisoned. If that is bad, consider the following:

For note, that one having married with a Widow, being one day at a Sermon, heard the Preacher say, *whoever will be saved, let him take up his Cross and follow me*. This mad fellow after the Sermon was ended; took his wife upon his *back*, and came to the Minister, saying, *Here is my Cross, I am ready to follow thee whither thou wilt*.

Although the narrator is prudent enough to insist that the man was mad, no precaution is taken with the third joke, which I find too offensive to cite.

As I suggested before, the most outstanding formal feature of the tract is its extensive use of allusion, which becomes a long roll-call of victims in the tract's final paragraphs. The expected cast is present. A wry joke is made about St.

John Baptist losing his head; Dalilah is also there; Eve was tempted and fell not because the apple was sweet but because the serpent “shewed himself like a fair young-man;” Judith and Holofernes are cited, too, but in this case it is “the great Captain Holofernes” who “was slain by a woman” rather than Judith as heroine slaying a tyrant. Mythological interpretation is given a new reading when the text admits that Jupiter, Neptune and Mercury turned themselves into a bull, a horse and a goat respectively not primarily in order to overcome resistance from their victims, but as a safety-measure to avoid suffering the ignominious fate of the strongest of mortals, Samson and Hercules. In other words, the gods, by taking greater precautions in their affairs with women, show much greater intelligence than men. In addition, the tract, both at its beginning, with its reference to Plato, and at its end, with its reference to Socrates, emphasises that the great philosophers, as representatives of Western epistemology, were very wary of marriage. Perhaps the most peculiar instance of playing with cultural markers is its allusion to Venus and Vulcan: “Sure I am, men may live without women, but women cannot live without men: for *Venus*, whose beauty was excellent fair, when she heed a mans help, she took Vulcan, a club-footed Smith.” One would hardly expect Vulcan to consider himself a mere “club-footed Smith,” yet the ideological message is clear enough: women consume men, and so insatiable is their appetite that the most divine beauty will settle for a “club-footed smith” only to leave him with Vulcan’s mark, that of the cuckold.

The second tract, like the first, is prefaced, Thorowgood giving way to Lucretia Rodomant, “Signed by Special Order and Command.” Her style is straightforward and forthright, and allusions function correspondingly, leaving no room for doubt:

It is unknown to all the World, how We have been, and still are deprived of our Liberties, living in the bonds of servitude, and in Apprenticeship of slavery, (not for term of years, but during life) there we held it no amiss, to assemble ourselves together in counsels whereby we may find out a way to rid ourselves, and our posterity after us, from those *Aegyptian* Task-masters (men)... We do and shall disclaim that Tyrannical Government, which men have over us...

The immediate impression is that the complementary tract reverses arguments of the first by demanding that women have “such privileges, as are fit for free-born women.” The last phrase and certain others from the longer quotation, “assemble ourselves together in counsels” or “Tyrannical Government” approximate us to the language of parliament and pulpit and distance us from the attempt at sophistication of the 1646 first tract. Other words and phrases worth noting are law and lawful, subject and subordinate, and so on.

The preface is followed by three speeches, the first by “a Grave Matrone of the Assembly,” very much follows the argument and style of Lucretia Rodomant. She addresses her “Dear and Well-Beloved Sisters” to persuade them of the real reason for their subjection. In a reversal of Calvinist doctrine, the assembly is told that “Of all Creatures in the Creation, it is most fit, that women should have the sovereignty” because they are perfect creatures: “I am wrapt up into an extasie of admiration of their perfections, they being made of the purest mould.” Women

should no longer be subject to “the frowns, threats, and blows of every drunken Rascal, and have no redress.” The Grave Matrone is at pains to emphasise both verbal violence, threats, and physical violence, blows. The practise of courtship and marriage reveal the absurdity of the situation. It is curious, she implies, that during courtship, suitors are obsequious, “O how pliable were they with their hats in hand at every turn, with, your Servant: Lady”. The little detail of “with their hats in hand” is not only evocative but itself suggests physical movement, bowing, itself an example of physical bending, pliability. But as soon as marriage takes place, the address, “your Servant: Lady” is overturned, and the Lady actually becomes the servant. The “Grave Matrone” then introduces her one scriptural allusion:

Let us look back into former times, and we shall find women to have performed great achievements. I must [?] mention one, the which was Judeth; what a great deliverance did she bring to her countrey, by cutting off Holofernes head. Truly we have many Holofernes's to deal with...

“The Grave Matrone” neatly reverses the arguments of the first tract by vilifying Holofernes and glorifying Judith, and, in a most telling fashion, turns Holofernes into a representative tyrant in both the domestic and political sphere. “The Grave Matrone” has no qualms in demanding direct action.

The tract then radically changes direction and reverts to burlesque. The next speech is delivered “by an ancient Maid.” She takes advantage of the fact there is “a free toleration for all to speak” and sets forth her grievance. She takes the former speaker to task for concentrating on couples and ignoring maids. This is unjust, as marriage serves a peculiar function for male desire, “what care they [young men] for marrying as, so long as they can satsifie their appetites with other mens wives.” Instead of simply supplying a curious reason for the importance of marriage, it also has a backhanded effect in lowering the value of single women for young men. “Other mens wives” are the most desirable commodity in the marketplace of desire to the detriment of maids. The ancient maid then breaks out into an exclamation and description of her plight:

Oh if I could but live to enjoy that happinese, I should think my self in a Paradise!  
O the weary nights, the longing and the many sighs, that we (poor Souls) fetch!  
Is it not a vexation to lie underneath our Master and Mistress in a Trundle-bed,  
and think what is in agitation over us: for a Cat to pen'd up in a Cage, and all the  
Mice about her ears, and cannot come at them; who can endure it...?

The image of the creaking “Trundle-bed ” is certainly graphic, but difficult to judge for its explicitness and unpleasantness. The cat and mouse image might make no sense at first reading, but at second reading illustrates that we are returning to the misogynist rhetoric of the first tract; here the old maid reveals her voracious appetite by imagining herself as a cat and men as mice, and hence her victims. She concludes her intervention by suggesting a more equitable situation would be achieved by “inflicting a severe punishment on all Whores... and limiting a time how long they [suitors] shall continue Batchelours.” These are hardly original ideas, but they are nonsensical in the light of her theory

of the desirability of wives; in other words her measures would not solve the problem she outlines.

The final speaker is a young maid who expresses solidarity with her “Dear and Well-Beloved Sisters,” though her outlook on the situation is much bleaker:

One forsooth is this, and another is that; one is a bad husband, another is an idle fellow, another he is no workman of his Trade, one is too old, another is too young: Thus do they toss us from post to pillar, until such times as the flower of our youth be past, and them may we sit till our breeches grows to the stool.

The alliterative post to pillar is a very expressive term, and “breeches to the stool,” evidently scatological. The young maid illustrates the injustice of the situation when she describes the plight of wealthy maids. Initially, one would expect that wealth would give them a certain advantage, putting them in the situation of consumers able to choose. However, money turns to be a hindrance, as social pressure on the young maid persuades her that every suitor is really only a gold-digger. Thus she suggests that “we may like the man with whom we marry more then [sic] our friends; and we may not be constrained to match with any against our wills, and that that we may have our choice, be he rich or poor, whether our friends will or not.”

Her speech concludes with renewed emphasis on freedom of choice. The “Laws and Orders made by the New Assembly of Women” begin with the major legislative innovation, “That women bear rule, and have power over their husbands.” Others follow, requiring men to behave courteously, to refrain from verbal and physical violence, to feed their wives properly, “Capons, Rabbits, Cawdles, Sack-possets”; bachelorhood will end at twenty-four, and a fine of £3 a year imposed on infractors; the punishment for infidelity harks back to an earlier period and language: “That if any woman cornute her husband, and tells him of it, that she shall be stoned to death by Hospital Girls, with peny hot Pudding-pyes.” If we recall that one of the Republic’s major long-term reforms was the codification of law into English, reading the “Laws and Orders made by the New Assembly of Women” makes it hard to reconcile an admirable objective, making the law accessible to a greater section of the population, with the absurdity of the proposals.

The tract finishes with a poem, though not a sonnet as previously advertised, but a longer poem, in the more flexible meaning of a sonnet, a short poem, entitled “Cupid’s Revenge. Or, Bad News for Poor Maids.” Cupid is all in a rage and “hath tipt his Dart with Gold.” Both title and first line are very conventional stuff, as are the references to wounds, illness, cures, doctors etc., but there is a twist to this poem: “Poor Maids” means they are poor, to be pitied, because they are poor, they have no money. In this materialist age, the language of love is materialised, brought down from the metaphorical to the financial. The poem laments that once, but not now, “Virtue” was admired, nowadays, “men cannot love without a bag or two” of gold: “The Wound without, it proves a Gangerine,/ No Cure performed, but by this Golden Mine.” The message is clear; the rhyme extremely feeble. The traditional language of chastity, it is a treasure to be highly

valued, is now literalised, as the only treasure that is highly valued is treasure.

Wert thou like Hellen, Rosamon, or Shore,  
 Chaste as Penelope, with virtues man:  
 Yet now a days, these to men are eye-sores,  
 Hast thou not wealth, to have the will not any:  
 Virtue away, Beauty I thee defie,  
 These are no graces mixt with Poverty.

The clash of contemporary values is evidenced by the way in which the graces have become eyesores, and the object of adoration is money. The inability of the maids, both young and old, to acknowledge the situation has led them to erroneous conclusions about the nature of male desire. The poem closes in a highly moralistic way, urging men and women to overcome materialism, but the advice to men, “Ballance her virtues, and not her estate” is moderate and moral but completely out of line with the rest of the poem, and hence the final verse looks more like an afterthought tacked on the end of the poem than its convincing conclusion.

In my analysis of the 1646 tract, I argued against contemporary critics’ view that the document was simply a royalist lampoon equating women and parliamentarians as subversive elements threatening the rule of royalists in the public and men in the domestic sphere. In reviewing the two 1656 tracts, we are offered the same possibility, and, it has to be added, their overt misogyny adds fuel to such argumentation. However, great care has to be taken here, as although the 1656 tracts are simpler than the 1646 one, the political situation, the context, is radically different. One example will make this abundantly clear. Both 1656 tracts allude to Judith and Holofernes, and other couples in which one partner has lost his head. In the light of the execution of Charles I in 1649, first, we are immediately aware that these references have a strong political connotation, but, second, the fact that Judith and Holofernes are cast in different roles in each text makes the identification of the allusions a more difficult task. Take another example, that of John the Baptist; what is he supposed to add to the battle of the sexes? What has most radically altered the picture in the decade separating the tracts is precisely the question of authority. If women and parliamentarians are conceivably subversive to monarchical authority in 1646, this is inconceivable in 1656. Authority is now firmly in the hands of Cromwell, who, in this decade, has dissolved the Rump and the Barebones Parliaments, been Lord Protector since 1653, experimented with a form of non-parliamentary government, the major-generals, and is one step away, and one year away, from the very real possibility of becoming King Oliver. In a sentence, the authority that is the subject to satire is the Republic. It might be tempting to suggest that this still leaves open the possibility that these are again, Royalist lampoons, but this can only be maintained as long as one is willing to argue that Royalists would identify themselves with the kind of women present in these tracts. In the light of gender and class, this is extremely unlikely.

How can one unravel this puzzle? I will use two strategies: first, pinpoint

the exact moment of publication, and then make some pertinent considerations about the Protectorate (1653-1658) and mid-century attitudes towards sexuality. As I stated at the beginning, these two tracts were printed in August 1656. During that summer, the escalating costs of the expensive and initially unsuccessful colonial expedition to the West Indies had made it obvious that extra funding was urgently required. The *Instrument of Government* did not necessarily allow for another Parliament until the autumn of 1657," but this was too far off. So, "writs were issued on 20 August for a Parliament to meet on 17 September" (Fraser 1981: 582). This, then, is the moment of publication. But the question of finance was not the only the problem facing Cromwell: the other was succession. Three options presented themselves: hereditary succession, the major-generals and Parliamentary government. The former looked unlikely, both for its unequivocal similarity to monarchy as for the individual talents of his two sons; Richard, in particular suffering from that traditional bugbear, his alleged homosexuality, hence the nickname "Queen Dick." The major-generals had been an unmitigated failure: not only was the scheme unpopular at local government level but also failed to raise sufficient funds. It has to be said that Barry Coward reckons the failure owes more to myth than fact. So what about parliament? The elections returned a Parliament full of crypto-royalists, and over a hundred MPs were barred. Though the elections themselves and the exclusion orders are events that took place after the publication of the tracts, this in no sense lessens the fact that the series of events gives us a remarkable sense of *déjà vu*: here is Cromwell acting out the part of the monarch he opposed. Here is the Lord Protector, as if he were a Stuart, recalling parliament after a long period of autocratic rule because of urgent financial needs. Here is the Lord Protector, as if he were a Stuart, unsure of what Parliament might say, resorting to physical means to exclude those who might vote against his programme. To cap it all, his highness would be the object of an assassination plot on day of the opening of Parliament. Such analysis adds ironic and pertinent commentary to Marvell's on the "First Anniversary of the government under the Lord Protector" (1655). Therefore, when we read the several references to people losing their heads, it is difficult to know what is going on.

However, there is one lead I would like to follow. Barry Coward's *The Stuart Age* is a very balanced account. He states that the principal effect on Cromwell of the failure of the Western Design was thus to reinforce his view that 'the liberty and prosperity of the nation depend upon [moral] reformation,' which accounts for his determination to use the major-generals as agents for promoting it. Even the first draft of the instructions to the major-generals on 22 August 1655 reflected the need 'to encourage and promote godliness and virtue and discourage all profaneness and ungodliness'. During the next few weeks, coinciding with Cromwell's crisis of conscience triggered by the news from the Caribbean, the council reinforced the major-generals' 'moral order' functions. Their final instructions, issued in October 1655, including an order to put into effect 'the Laws against Drunkenness', Blasphemy, and taking of the name of God in vain, by swearing and cursing, Plays and interludes, and prophaning of

the Lord's day, and such like wickedness and abominations'. They were also instructed to control the number of alehouses and London brothels. 'The sole end' of the major-generals' experiment, Cromwell said later, 'was the security of the nation and the suppression of vice and encouragement of virtue, the every end of magistracy' (Coward 1994 :271-272).

It is not difficult to see why the major-generals came in for so much stick, as they are, in a replay of *Measure of Measure*, the agents of morality doing the unpleasant work while the shadowy duke, Cromwell, manipulates events from the centre of power. The tracts, in true carnivalesque fashion, break all the rules of moral reform, and their own rules and regulations are a clear burlesque of the whole process, reinforcing the popular image of sour-faced Puritanism. But I think we can go even further.

Barry Coward mentions an earlier piece of legislation enacted with the same aim of curbing excesses.

To add to the radicals' fury the Rump passed severe measures in the summer of 1650 against religious nonconformity, and revealed its obsessive fear and hatred of the excesses of the Ranters by enforcing observance of the sabbath, suppressing "the detestable sin of prophane swearing and cursing", and prescribing the death penalty for those guilty of adultery, fornication and incest. (Coward 1994: 227)

Rather than general disorder, if Barry Coward's assumption is correct, certain beliefs or myths about the Ranters were the principal motive for the 1650 act. Such a Draconian measure could be forced through, he argues, due to the leverage the army wielded at that time. This is not simply a general comment on the politics of the time, but the consequence of the monumental defeat inflicted upon the Scottish army at the battle of Dunbar. The Ranters were the object of popular suspicion and Cromwell's distrust of radicalism. The Ranters were often accused of extreme licentiousness, due to their ideological cocktail of pantheism and antinomianism. Thus, as a result of the former, God is in all things, and therefore there can be no sin, as this would mean the refutation of God's existence, and as a result of the latter, that salvation is open to all, it is not difficult to imagine how they became depicted as drunks, blasphemers and fornicators. This convincing evidence indicates that both tracts satirise the Protector's autocratic rule, a republican, who, occupying Whitehall as if he were an absolute monarch, views all those who do not share his views as lunatics.

In order to reach such a convincing conclusion, one further obstacle has to be overcome: how can we account for the gap of six years? How can we argue that a satire of 1656 actually refers continually to an ineffective piece of legislation passed years earlier? Surely the fact that the major-generals were given direct orders by Cromwell himself to enforce similar regulations proved how little the bill of 1650 had affected everyday life. Other historians disagree with Barry Coward's account of the events of 1650, most notably Keith Thomas, who argues:

If any single measure epitomizes the triumph of Puritanism in England, it must surely be the Commonwealth's act of 10 May 1650 'for suppressing the detestable sins of incest, adultery and fornication'. This was an attempt, unique in English history, to put the full machinery of state behind the enforcement of sexual

morality. (Thomas 1982: 257)

Severe punishments were to be meted out. The scourge of the law would fall on incest and adultery. Few convictions on incest are recorded, as the question of who denounces the felony, as it had become, is always going to be problematical. Perhaps the main point of the law, and a fact which is often glossed over in the damning of Puritan morality, is that it was a deliberate attempt by a centralised state to regulate sexual conduct by removing jurisdiction from the church courts. Keith Thomas argues that not only was the bill controversial, but he also highlights 1655 and 1656 as moments when amendment and reform of the law were debated, hence Cromwell's directive to the major-generals.

Of all the stipulations of the bill, the one that is most surprising is the death penalty for adultery. It has to be said that conviction was made virtually impossible, as spouses could not testify against each other. Bearing in mind that the cuckold had been the figure of ridicule for centuries, and that both tracts freely talk about the seduction of other men's wives, the debarring of the afflicted party finds an echo in the tracts' nonchalance towards adultery. Thomas argues that "[a]s in New England, where death sentences for adultery, though legally mandatory, were exceedingly infrequent, the importance of the 1650 act was primarily symbolic" (Thomas 1982: 280). At the same time, as Keith Thomas points out, the death penalty as punishment for adultery has a long pedigree. In *Utopia*, the first offence was punishable by slavery, but for a second offence, Thomas More resorts to the traditional penalty of death. Keith Thomas also points out that Margaret Cavendish suggested it would be fitting that unfaithful wives should be executed by their husbands. Unsurprisingly for the times, the main authority for the death penalty is the Mosaic laws of Leviticus and Deuteronomy. We have, unfortunately, to remind ourselves, that adultery is still punished by stoning in some parts of the world. It is with all this evidence at hand, that we turn to one of the laws of the second tract: "That if any woman cornute her husband, and tells him of it, that she shall be stoned to death by Hospital Girls, with peny hot Pudding-pyes." The phrase "and tells him of it" refers to the complexity of the legislation, the stoning, to the biblical origins, and the "Hospital Girls" and "hot Pudding pyes" to the general absurdity of the legislation. Thus I think Keith Thomas's widening of scope, that the bill was not directly aimed at the Ranters but to regulation by the state of sexual behaviour in general, a more convincing argument.

Keith Thomas's article also helps us to understand another peculiarity of the second tract, its conventional poem. After, such cruel and bitter satire, why do we return to Cupid and the tediously flat final line "Ballance her virtues, and not her estate"? I believe this is because it is, after all, arguably the tracts' most important regulation. Keith Thomas argues that from 1543 onwards, many attempts at passing legislation with severe punishments against adultery had been made. This was not necessarily just vindictive punishment but a subtler, more Foucauldian form of regulation, that of promoting marriage. In other words, the celebration of connubial bliss, and the emphasis on physical and social partnership which

we are so familiar with in the fourth book of *Paradise Lost* is just that: the example we are most familiar with. With this view in mind, it is interesting to note how both tracts combine Mosaic law with the promotion of modern marriage. The search, as the tracts make clear, is for a marriageable person willing to direct his sexual energy toward his spouse rather than towards the traditional object of desire, pleasure in adultery.

As a brief conclusion, I have argued that these tracts enable us to see how the language of desire is being transformed from the old to the modern model. At the same time, the tracts cannot hide their suspicion that the Lord Protector is possibly a wolf in sheep's clothing; an absolutist, who, like all absolutists, becomes intractable when his mad ideas cannot be enacted; he becomes, if not a Ranter, a ranter. In addition, with the aid of Keith Thomas, I hope to have demonstrated how these tracts provide some of the clearest evidence that modern marriage was one of the major concerns of the world turned upside-down, and hopefully ongoing research into the Thomason Collection will provide further illustrations.

## REFERENCES

- Anonymous 1656a: *Pray Be Not Angry: or, the Women's New Law...*  
 Anonymous 1656b: *Now or Never: or, a New Parliament of Women...*  
 Coward, B. 1994 (1980): *The Stuart Age*. London, Longman.  
 Fraser, A. 1981 (1975): *Cromwell Our Chief of Men*. London, Granada.  
 Thomas, K. 1982 (1978): The Puritans and Adultery: the Act of 1650 Reconsidered. >Pennington, Donald and Thomas Keith, eds. *Puritans and Revolutionaries: Essays in Seventeenth-Century History presented to Christopher Hill*. Oxford, Oxford UP.