

**FRANCIS BACON, THE GOD-LIKE
ROSICRUCIAN FIGURE OF DUKE VINCENTIO,
AND THE UNPUBLISHED SPEECHES OF LORD
KEEPER SIR NICHOLAS BACON, IN *MEASURE
FOR MEASURE*.**

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From the moment you learn to speak you are under the necessity of drinking in and assimilating what perhaps I may be allowed to call a hotch-potch of errors. Nor do these errors derive their strength only from popular usage. They are sanctioned by the institutions of academies, colleges, orders, and even states themselves.

[Francis Bacon, *The Refutation of Philosophies*]

My son, I do not conceal from you that we must find a way of clearing sham philosophers out of our path. Your philosophers are more fabulous than poets. They debauch our minds. They substitute a false coinage for the true. And worse still are the satellites and parasites of the great ones, the whole mob of professorial teachers. Will not someone recite the formula by which I may devote them all to oblivion? How shall truth be heard if they maintain the din of their grovelling and inconsequent ratiocinations?

[Francis Bacon, *The Masculine Birth of Time*]

It was the erection and institution of an Order or Society which we call *Salomon's House*; the noblest foundation (as we think) that ever was upon the earth; and the lanthorn of this kingdom.

And this we do also: we have consultations, which of the inventions and experiences which we have discovered shall be published, and which not: and take all an oath of secrecy, for the concealing of those which we think fit to keep secret: though some of those we do reveal sometimes to the state, and some not.

[Francis Bacon, *New Atlantis (or, The Land of the Rosicrucians)*]

CONTENTS

- | | |
|---|--------------|
| 1. The Background and Sources for <i>Measure for Measure</i> | p. 4 |
| 2. The Play <i>Measure for Measure</i> | p. 17 |
| 3. References | p. 42 |

FACSIMILES

Fig. 1 Francis Bacon age 17 years old by Nicholas Hilliard c. 1578 p. 5

Fig. 2 Lord Keeper Sir Nicholas Bacon, Artist Unknown p. 8

Fig. 3 Francis Bacon after Van Somer p. 13

**Fig. 4 John Philp Kemble as Duke Vincentio in *Measure for Measure*
1794, British School, Victoria & Albert Museum** p. 14

1.

THE BACKGROUND AND SOURCES OF *MEASURE FOR MEASURE*

While Francis Bacon was residing in France at the English Embassy in Paris under the charge of Sir Amias Paulet, Ambassador to France, working on behalf of the English Secret Service, on 17 February 1579 he had a dream or vision that his father's house at Gorhambury was plastered all over with black mortar.¹ A few days later his beloved foster father and mentor Lord Keeper and *de facto* Lord Chancellor of England Sir Nicholas Bacon died on 20 February. When news of his death eventually reached Francis in Paris he left for England on 20 March 1579 carrying a number of secret dispatches for Queen Elizabeth and her chief ministers and members of the Privy Council. By the time he reached England and made his way up to London the solemn funeral ceremony of Sir Nicholas Bacon attended by all the great and good of Elizabethan society headed by his brother-in-law Sir William Cecil and spymaster Sir Francis Walsingham had already taken place. With his brother-in-law the Principal Secretary of State Sir William Cecil, Lord Burghley (married to Lady Mildred Cooke Cecil elder sister of Lady Anne Cooke Bacon) Lord Keeper Sir Nicholas Bacon was the Grand Architect of the Elizabethan Protestant Reformation the consequences of which still reverberate around the world to the present day.

The kingdom had lost a towering statesman and a great agent for change and his son who loved and idolised him, had lost a father, a friend, and a great mentor:

His father, Sir Nicholas Bacon, had been Lord Keeper under Elizabeth for nearly twenty years. It is not too much to say that from the first the elder Bacon's precept and example, and after his death, his memory were absolutely decisive in making his son [Francis] the Bacon that we know.²

To the present day there is still very little known about how Sir Nicholas Bacon died and what he exactly died of and in precisely what circumstances. All we have is a story told by Francis later in life that while having his hair cut Sir Nicholas died after falling asleep as the result of his barber opening a window to let in some fresh air on a freezing cold February day. The account given out by Francis of Sir Nicholas's death does not add up and has very quietly attracted the passing attention of the biographers of both father and son.³ Most recently while discussing the death of their illustrious subject in *The Troubled Life of Francis Bacon*, and the various accounts of it provided by his earliest biographers Dr Rawley, Pierre Ambiose and antiquarian John Aubrey (which are also fictional) Jardine and Stewart urge us to treat them with caution:

Accounts of the circumstances surrounding a prominent death in early modern England need to be taken with more than pinch of salt. Just like the anecdote of Sir Nicholas Bacon dispensing his bon mot on the barber who thoughtfully left open a window for fresh air (that contained the 'cold' that killed him), this account of Bacon's end is carefully constructed.⁴

The story of Sir Nicholas's death by Francis had been very carefully constructed with just enough inconsistencies and hints to point to the fact that it is completely false. Thus the traditional account of the death of Sir Nicholas Bacon must be concealing a very secret explosive truth which could not then be uttered in public, one that has still never been openly revealed in public, to the present day.

In truth the great Lord Keeper Sir Nicholas Bacon died in suspicious circumstances quite likely by poisoning as there is reason to believe at the hands of his adversary the



Fig. 1 Francis Bacon age 17 years old by Nicholas Hilliard c. 1578

notorious poisoner and murderer Robert Dudley, Earl of Leicester. In *The Tragedy of Hamlet* in shadowing real life events Francis portrays the death of Hamlet's father Old Hamlet (the refracted figure of his foster father Sir Nicholas) through poisoning at the hands of King Claudius (the refracted figure of his blood father Robert Dudley, Earl of Leicester) husband to Queen Gertrude mother to Prince Hamlet modelled upon Queen Elizabeth, secret royal mother of Francis Tudor Bacon, Prince of Wales.⁵

The Tragedy of Hamlet shares many similarities with *Measure for Measure* in terms of their style, themes and content. Both incorporate religious themes and imagery. In *Measure for Measure* its central character the Duke disguises himself as a Franciscan Friar and Isabel is about to become a nun not dissimilar to Hamlet issuing his edict for Ophelia to join a nunnery. The Duke's appointed deputy Angelo's speech on prayers in *Measure for Measure* is often compared to a similar speech by King Claudius in *Hamlet*. There is an atmosphere and culture of surveillance at Elsinore in Denmark and similarly an atmosphere and culture of surveillance in Vienna. In *Hamlet* the play within a play *The Murder of Gonzago* depicts a murder done in Vienna of a Duke one Hamlet commissions in order to determine Claudius's guilt in the death of his father. There is 'something is rotten in the state of Denmark' and in *Measure for Measure*. Hamlet philosophically declares 'Denmark's a prison' and *Measure for Measure* in a more literal sense explores the twin themes of imprisonment and freedom. The play of *Hamlet* is full of law and the central theme of *Measure for Measure* is law and justice on a local and national level relating to its enactment, administration and enforcement. Parallels have been drawn between the soliloquies of Hamlet on suicide and death and the speeches of the Duke and Claudio on imminent death. Both *Hamlet* and *Measure for Measure* are all-encompassing meditations upon life and death, the same subjects explored by Bacon in his essay *Of Death*,⁶ and his two full length treatises *An Inquiry concerning the Ways of Death the Postponing of Old Age, and the Restoring of the Vital Powers*,⁷ and the more succinctly and aptly titled *The History of Life and Death*.⁸

It appears very likely that *Hamlet* and *Measure for Measure* were written around the same time as each other with nearly all Shakespeare scholars believing *Measure for Measure* was composed during the period of the publication of the first and second quartos of *Hamlet*. Yet the first version of *Hamlet* was written in the early 1580s,⁹ with the main sources for *Measure for Measure* written by a similar date, allowing for the possibility that the first version of the latter was written in the early or by the mid-1580s.

A similar theme to the tale told in *Measure for Measure* is found in the Latin tragedy *Philanira* by Claude Rouillet a literary professor at the College de Bourgogne in Paris whose *Varia Poemata* (1556) contained four plays on moral and religious themes. A French translation of *Philanira* was published at Paris in 1563, and again at Paris, by Nicholas Bonfons in 1577.¹⁰ At the time of the 1577 translation Bacon was residing with Sir Amias Paulet at the English Embassy in Paris and would have most probably purchased a copy of it from one of the bookstalls or bookshops within a few minutes walk of his official residence.

The primary source for *Measure for Measure* is the *Hecatommithi* first published in 1565 by the Italian poet and dramatist Giraldi Cinthio and translated into French by Gabriel Chappuys in 1584. There was no contemporary English version of the work and Bacon read it in both the original Italian and French translation. Some time before his death in 1573 Cinthio adapted his story into a five-act play called *Epitia* published at Venice in 1583 by his son Celso Giraldi. A number of Shakespeare scholars have pointed to the many detailed verbal parallels between Cinthio's extremely rare (then and now) drama *Epitia* written in Italian and *Measure for Measure*.

The *Hecatommithi* was drawn upon by the poet and dramatist George Whetstone for his two-part drama entitled *The Right Excellent and Famous History of Promos and Cassandra*, the most important source for *Measure for Measure*, about a virtuous lady who sacrifices her virginity to a hypocritical magistrate in order to save the life of her brother. The work issued in the middle of 1578 is dedicated to Sir William Fleetwood, Recorder of London,¹¹ who lived at Bacon House in Foster Lane built by his long time friend Lord Keeper Sir Nicholas Bacon. Modern Shakespeare editors of *Measure for Measure* (none of whom mention Sir Nicholas Bacon) have in recent times devoted considerable attention to the remarkable similarities between *The Right Excellent and Famous History of Promos and Cassandra* and *Measure for Measure* which they have set out in extensive and minute detail.¹² For several years before the publication of *Promos and Cassandra* George Whetstone was already moving in the rarefied circles of the Cooke-Bacon-Cecil family who regularly acted as his patron and assisted in the publication of his works.

His first work *The Rocke of Regarde* is divided into four parts with ‘The Orcharde of Repentance’ warmly dedicated to Sir William Cecil’s eldest son Sir Thomas Cecil.¹³ The little read work also includes verses to Bacon’s maternal aunts Lady Elizabeth Cooke Hoby Russell and Lady Mildred Cooke Cecil (the younger and elder sisters of Lady Anne Cooke Bacon) who Whetstone described as both beautiful and virtuous and paid fulsome compliment to their celebrated learning.¹⁴ The year following the publication of *Promos and Cassandra* the great Lord Keeper Sir Nicholas Bacon died in February 1579 and within weeks of his death Whetstone penned a long laudatory poem entitled *A Remembrance, Of The woorthie and well employed life, of the right honorable Sir Nicholas Bacon Knight, Lorde keeper of the greate Seale of England, and one of the Queens Maiesties most honorable Priuie Counsell*. He described his patron Sir Nicholas Bacon, a man of great virtue and integrity, as a great pillar of the state and Solomon of the Law.¹⁵

For several years after the death of his patron Whetstone moved in the same private, social and literary circles as the great scion of the family, Francis Bacon, with whom he secretly liaised on a number of literary projects including writings printed in the name of George Gascoigne, one of Bacon’s early literary masks. If he had lived long enough Whetstone would have been gratified to see how Bacon (whom he knew was a concealed poet and dramatist) made much use of *Promos and Cassandra*. The plot of *Promos and Cassandra* was retold in the prose narrative of his *Heptameron of Civil Discourses* published in 1582 and the themes of *A Mirror for Magistrates of Cities* by Whetstone published in 1584 might also have proved useful for Bacon when writing *Measure for Measure*. All these writings would doubtless have evoked remembrances of things past for Bacon regarding his beloved father Lord Keeper Sir Nicholas Bacon whom Whetstone in his elegy to the great statesman had lauded to the high heavens, and whose presence is also felt in the structure and plot of *Measure for Measure*.

In the recent groundbreaking chapter ‘The Assize Circuitry of *Measure for Measure*’ in her work *Legal Reform in English Renaissance Literature* (Edinburgh University Press, 2019) Professor Strain frames and commences it with the policy words set out by Lord Keeper Sir Nicholas Bacon in his parliamentary speeches:

In his closing oration, the Lord Keeper [Bacon] addressed the country’s provincial magistrates, admonishing them to put into practice the statutes that were especially prioritised by central policy. He warned of the dangers of bad justices who failed to enforce the law, and especially of negligent and corrupt officeholders who posed the most insidious threat to order by inviting the contempt of all authority...At the turn of the seventeenth century, the court of Assize was responsible for overseeing and reforming the execution of local justice and



Fig. 2 Lord Keeper Sir Nicholas Bacon, Artist Unknown

governance throughout the country. The court was an itinerant tribunal that convened twice a year, generating a cyclical representation of central authority in which judges from the Westminster courts brought legal expertise, the voice of the sovereign and the Privy Council, and imposing ceremonial grandeur to their sessions in the English counties. Through its operations, the national policies of the Privy Council were disseminated and corrupt or incompetent local officers were identified and reformed (corrected, fined, shamed or removed from office)...The Assizes, I argue, supply a historical analogue through which the representation and reformation of legal administration in *Measure for Measure* can be newly analysed.¹⁶

The major features of the Assize system—the stages of its cyclical structure, the aspects of legal spectacle, the alternating surveillance and exposure of local office holders, the expectation that justice and legal process transformed private into public knowledge, the tensions between central and local authorities, between Assize judges and JPs, and between the rule of law and its execution—all inform the plot and the characterisation of legal officers in *Measure for Measure*.¹⁷

...This limitation of central government inspired Bacon's most ambitious proposal for legal reform, a system of regular provincial visitations to evaluate the performance of local officers. As an advisor to James I, to his favourites and as Lord Chancellor, his son Francis would take pains to advocate and institute the investigation of local officers as a vital function of the Assize judges who were already responsible for holding court throughout the country during law-term vacations...I argue that the Assize judges' responsibility for the oversight of local justice informs the structure and ethics of *Measure for Measure*.¹⁸

In a letter of advice to the king's favourite the Duke of Buckingham [Francis] Bacon explained to him in a section 'touching the Laws (wherein I mean the Common Laws of England)', of the importance of the Assizes which if rightly administered serves as a balance between the prince and the people, and a benefit to the kingdom. He tells Buckingham that King James would be well advised to take advantage of his circuit judges, and make use of them as important sources of information and intelligence for the purposes law and order and the well-being of his kingdom and people:

...that the Judges of the Law may be always chosen of the learnedst of the profession (for an ignorant man cannot be a good judge) and of the prudentest and discreetest, because so great a part of the Civil Government lies upon their charge; and indeed little should be done in legal consultations without them, and very much may be done by their prudent advices, especially in their Circuits, if right use were made of them: Believe me Sir, much assistance would be had from them, besides the delivering of the gaols, and trying of causes between party and party, if the King by himself (which were the best) or by his Chancellor did give them the charge according to occurrences at their going forth, and receive a particular accompt from them at their return home; They would then to the best intelligencers of the true state of the Kingdom, and the surest means to prevent or remove all growing mischiefs within the body of the Realm.¹⁹

The same advice presented here by Bacon informs the *modus operandi* of the Duke of Vienna in *Measure for Measure* via the device that frames from its outset the central plot of the play, one which runs throughout its entirety to the final act, when the Duke who has been secretly surveilling his state, legal officials, and citizens, finally reveals his true identity:

The same coupling of local surveillance and legal spectacle that was orchestrated by the Assize judge is easily observed in Shakespeare's *Measure for Measure*, in which Duke Vincentio secretly surveys the operations of the Viennese justice system and then exposes its corrupt elements in trial.²⁰

Early in 1597 Bacon issued the first edition of his *Essays* printed with *Meditationes Sacrae* in Latin and in English *Of the Colours of Good and Evil*. The ten essays were written in a terse aphoristic style or short pithy maxims (his first important legal work *Maxims of the Law* was written in 1596-7) on subjects concerning public and private life.²¹ The *Meditationes Sacrae* comprising twelve essays on theological subjects and ethics address among other things hypocrisy and the exaltation of charity.²² The small fragment *Of Colours of Good and Evil* as indicated by its title is a collection of ten arguments on good and evil.²³ By the end of the sixteenth century, writes Vickers, the word ‘colour’ had acquired the meaning ‘to disguise, conceal under a fair appearance’ and in a letter to Lord Mountjoy sent with a copy of the treatise Bacon writes ‘the full understanding and use of it will be somewhat dark, and best pleasing the taste of such wits as are patient to stay the digesting and soluting unto themselves of that which is sharp and subtile.’²⁴ The edition containing the *Essays*, *Meditationes Sacrae* and *Of the Colours of Good and Evil* is dedicated by Bacon to his beloved brother Anthony Bacon, on whom he modelled the figure of Antonio in *The Merchant of Venice*, with his own personal circumstances reflected in Bassanio, and his legal persona in the invisible lawyer Dr Bellario, who from behind the scenes controlled and guided the trial through his deputy Portia. In ‘*Portia’s Laboratory: The Merchant of Venice and the New Science*’ Professor Lamb states the 1597 edition of Bacon’s *Essays* ‘comprise aphorisms collected under subject headings that resonate topically in the play’,²⁵ and more than a century earlier Morton Luce similarly observed that a full appreciation of *Measure for Measure*,

is impossible without an acquaintance with the writings of Shakespeare’s great contemporary, Bacon...it may encourage the student if I direct him to Bacon’s “Colours of Good and Evil” and his “Meditationes sacrae” and the earlier “Essays,” which I think Shakespeare must have been studying about this time.

And in dealing with this philosophy of morals as we find it in “Measure for Measure,” I must again refer to Bacon; for the doctrines of Shakespeare are based, like Bacon’s on the classics, the schools, on logic good or bad, even on verbal quibbles; but seldom on religious dogma; neither writer will permit his philosophy to encroach on the province of that “eternal blazon” which “is not for mortal ears.”...

But there is more in it; among the antitheta in the play, none so elaborate as the antitheta of life and death; and for their full exposition this treason of Claudio was essential. I have already called attention to Bacon and his philosophies and his methods; herein they find their best illustration; and as Bacon’s *Essays* on Death are in praise not of death but of fortitude, so Shakespeare’s in this play would teach us that life is best....

Of the Duke as a reflection of Shakespeare, and an earlier Prospero, I have spoken elsewhere; and this personal interest of the dramatist is the best explanation of the somewhat unusual proportion of the drama that is assigned to this character.²⁶

It might or might not come as a surprise that over the course of the previous century none of the major editions of *Measure for Measure* (RSC, Oxford, Cambridge, Arden (published and distributed in London: New York: Oxford: New Delhi: Sydney etc) all aimed at the schoolmen, university students and the interested reader, have included a discussion of Bacon in any of their long prefaces and introductions.²⁷ The principle reason Bacon is ignored and suppressed or only occasionally glanced at in the major editions of the Shakespeare plays is due to the so-called authorship question and in the case of the legal play *Measure for Measure* it is all the more conspicuous considering Bacon with Coke was the most important lawyer and legal writer of the Elizabethan

and Jacobean period. A drama we are about to see that is infused throughout with his legal, political, philosophical and scientific inquires into nature, and literary DNA.

Before we proceed to examine the play in its entirety it is important we examine the complex and enigmatic character of Duke Vincentio which has produced a great deal of debate and discussion among Shakespeare scholars and critics. The role of the controversial Duke one of the longest in the Shakespeare canon has been portrayed in print by the critics from an all-seeing all-knowing God or Christ-like figure all along the spectrum to a manipulative Machiavellian strategist and similarly in the theatre, via conflicting and contradictory portrayals, from a God-like figure to every kind of sinister and cynical manipulator of power it is possible to imagine.²⁸ It seems there are as many opinions on the Duke as there are critics, virtually all of whom misinterpret and misrepresent him, few if any truly know him, and none of whom, have unmasked and revealed his true identity.

In his essay 'Vincentio's Selves in *Measure for Measure*' Professor Hunt points out that Duke Vincentio 'probably the most complex figure in Shakespearean comedy', possesses a public and private self which are often at odds with each other. According to Hunt the 'enigmatic' and 'dissimulating' Duke has three selves that can be termed as 'Machiavellian, holy and sexual'.²⁹ The Duke appears, writes Professor Jordan, 'in multiple perspectives: as himself, as "Friar Lodowick," as a responsible prince [and] a Machiavellian strategist.'³⁰ In actual historical terms the character of Duke Vincentio has by a significant number of Shakespeare commentators been compared with King James, a mistaken suggestion now rejected and dismissed: 'And as often as this Duke has been compared to King James, he has also been compared to Shakespeare, or to a playwright, ordering his cast and bringing about his plot devices, dramatic surprises, and denouements.'³¹ Indeed, writes Professor Leggatt, 'the Duke is a surrogate for the playwright himself'.³² With the joint editors of the recent Arden edition of *Measure for Measure* correctly maintaining that its author 'sets up the correspondences between himself and the duke...extensively', and that, *Measure for Measure* 'persistently hints that the Duke is a playwright made in Shakespeare's image'.³³ Or put another way the secretive, complex and enigmatic character of Duke Vincentio, who adopts multiple masks, disguises and identities in *Measure for Measure* represents Shakespeare, that is to say, the true author of the play, who himself outside of the play itself, also adopts multiple identities and disguises behind his various literary living masks including the pseudonym of Shakespeare.

So asks Professor Jordan 'what kind of a man is the Duke?',³⁴ the same question that can be asked about the author of *Measure for Measure*. 'He may be regarded', insist Professor Jonathan Bate and Eric Rasmussen, joint editors of the recent RSC edition of *The Complete Works*, 'as a God-like figure, benignly controlling the world of the play from behind the scenes.'³⁵ He might also be regarded as the equivalent God-like figure, who behind the scenes secretly penned *Measure for Measure*, and as another masked disguised representation of himself, the character of Duke Vincentio.

In *The Wheels of Fire*, a work which has been described as the best single work of Shakespeare criticism, the incomparable Professor G. Wilson Knight ('probably the most whole-hearted and devoted Shakespearian of all time') provides us with a still unsurpassed illuminating character portrait of Duke Vincentio.³⁶ He begins by telling us that the play is a very carefully constructed work which tends towards allegory or symbolism and that the characters of the play tend to illustrate certain human qualities chosen with careful reference to the main theme:

The atmosphere, purpose, and meaning of the play are throughout ethical. The Duke, lord of this play in the exact sense that Prospero is lord of *The Tempest*, is the prophet of an enlightened ethic. He controls the action from start to finish, he allots, as it were, praise and blame, he is lit at moments with divine suggestion comparable with his almost divine power of fore-knowledge, and control, and wisdom. There is an enigmatic, other-worldly, mystery suffusing his figure and the meaning of his acts: their result, however, in each case justifies their initiation-wherein we see the allegorical nature of the play, since the plot is so arranged that each person receives his deserts in the light of the Duke's-which is really the Gospel-ethic.

His government has been inefficient, not through an inherent weakness of laxity in him, but rather because meditation and self-analysis, together with profound study of human nature, have shown him that all passions and sins of other men have reflected images in his own soul ...to such a philosopher government and justice may begin to appear a mockery, and become abhorrent...The Duke's sense of human responsibility is delightful throughout: he is like a kindly father, and all the rest are his children. Thus he now performs the experiment of handing the reins of government to a man of ascetic purity...The scheme is a plot, or trap: a scientific experiment to see if extreme ascetic righteousness can stand the test of power.

...As the play progresses and his plot on Angelo works he assumes an ever-increasing mysterious dignity, his original purpose seems to become more and more profound in human insight, the action marches with measured pace to its appointed and logical end....he holds, within the dramatic universe, the dignity and power of a Prospero, to whom he is strangely similar. With both, their plot and plan is the plot and plan of the play: they make and forge the play, and thus are automatically to be equated in a unique sense with the poet himself-since both are symbols of the poet's controlling, purposeful, combined, movement of the chessmen of the drama.³⁷

Methinks he knew of whom he spoke-and does everything but name him. The Duke is a lawyer, a philosopher, and a scientist, who seeks mastery over nature; a prophet of an enlightened ethic, concerned with what is good for individuals, society and the rest of the human race. He likens him to the scientific-philosopher-prophet Prospero (once Duke of Milan) the great central character of the Rosicrucian play *The Tempest*, who through his power controls nature and the future destiny of the world which evokes its Utopian coeval of Bacon's *New Atlantis, or Land of the Rosicrucians*, where its RC Brothers through the divine institution of Salomon's House, pursue all the arts and sciences for the advancement and benefit of mankind. Thus the Rosicrucian Duke appears to be a mirror image of his Shakespearean creator, Francis Bacon, something he continually reveals to us, throughout the whole play.

As all serious Shakespeare scholars are perfectly aware names are important and the names of characters in the plays are almost invariably carefully chosen and selected. The name Vincentio means conqueror 'the victorious one' which in this case could be taken to mean, the one destined to rule or be victorious over nature. In his long essay Professor Hunts asks 'Why does the Duke want to assume a friar's disguise, when any number of secular disguises could serve his purpose'.³⁸ In this instance the selection of the Duke's disguise as a friar was done deliberately and for a very specific reason. In his 'Measure for Measure's *Hoods and Masks: the Duke, Isabella, and Liberty*', Professor Gurr points out the simple robes and large hoods of wandering friars made use of in *Measure for Measure* was an excellent device to conceal the wearer's face or



Fig. 3 Francis Bacon after Van Somer

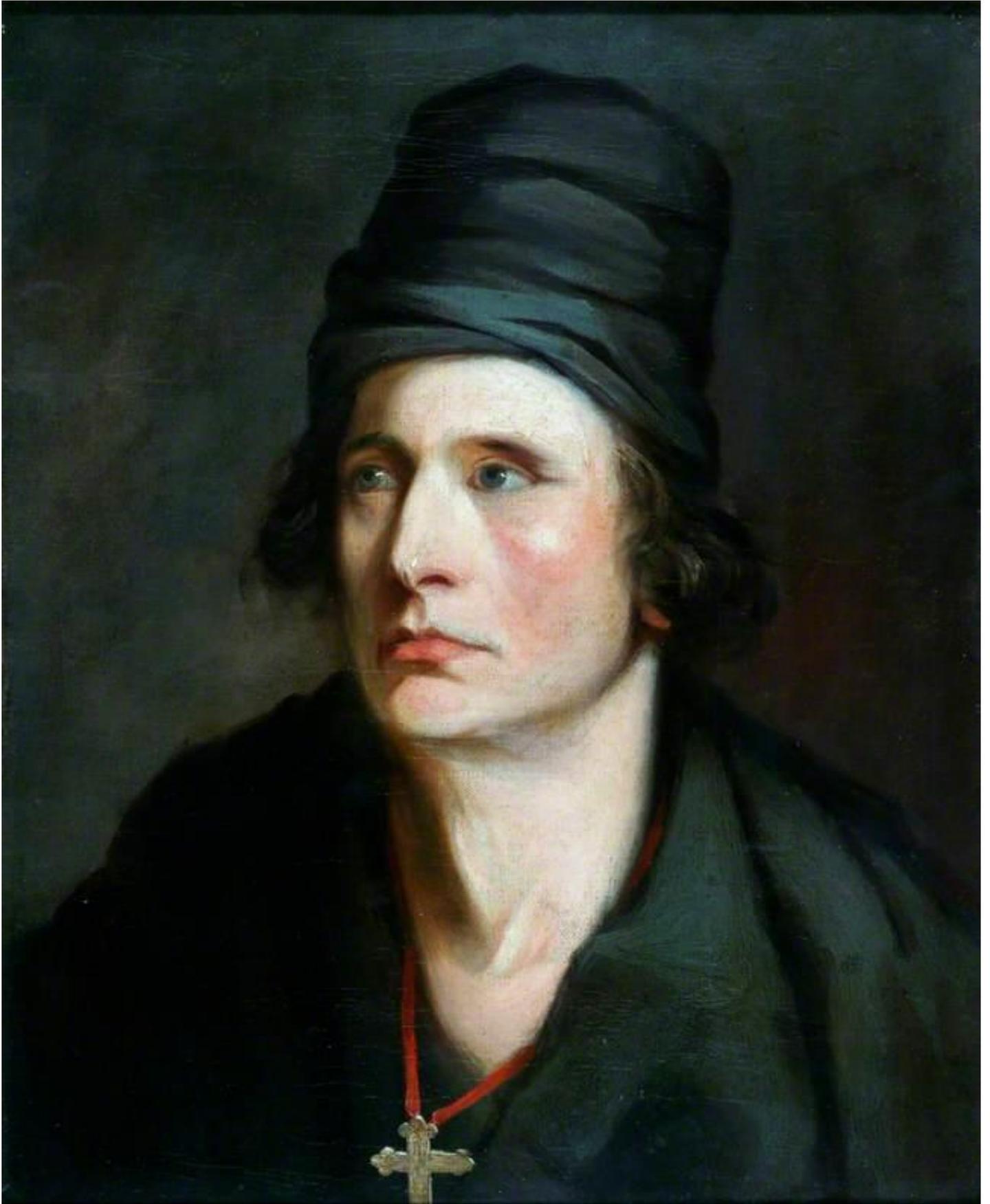


Fig. 4 John Philp Kemble as Duke Vincentio in *Measure for Measure* 1794, British School, Victoria & Albert Museum

identity ‘What is most striking about his use of the friar disguise in *Measure for Measure* is that he apparently had a disconcertingly intimate knowledge of the Franciscans, and in particular of the minor order of women Franciscans, the nuns of St Clare.’³⁹ The eponymous Order of Saint Clare was founded at Assisi, Italy in 1212 when the eighteen years old Clare received her habit from the hands of Francis of Assisi. She eventually established the Second Order of Saint Francis at San Damiano. Before the end of the thirteenth century the Order of St Clare was founded in England in an area near the Tower still known as the Minories. In England they followed the regime of her later follower Isabella of Este, sister of Louis IX, King of France, and founder of the monastery of the Humility of the Blessed Virgin Mary at Longchamp, near Paris. She Isabella was the author of the so-called Isabella Rule which governed the women Franciscans. The order thrived for more than two centuries up until the dissolution of monasteries when the nunnery of the Clares was surrendered to Henry VIII in 1539.

The Bacons greatly benefited from the dissolution of the monasteries. Following the dissolution, throughout the 1540s, Sir Nicholas Bacon began building a landed estate purchasing land and properties, many of them formerly belonging to the monasteries, in his native Suffolk, where he built his first family seat at Redgrave, as well as in Norfolk, Essex and London. In the case of the latter this included property close to the Abbey of the Order of St Clare located in Aldergate Without, on the eastern boundary of the city. The nuns chapel became a parish church and later in the sixteenth century the church was a Puritan stronghold where John Field and Thomas Wilcox preached both of whom were supported and patronised by Sir Nicholas and Lady Anne Bacon who secretly provided funds for some of their clandestine publications.⁴⁰ Thus we see the Duke adopted the disguise of a Franciscan friar an order founded by St Francis of Assisi (with its clear reference to the Christian name Francis) whose dissolved church had links with his father and mother Sir Nicholas and Lady Anne Bacon. In addition to the Isabella Rule governing the female Franciscan Order the name Isabella carried for Bacon further layers of concealed meaning. Isabel (the shortened form of Isabella) was the name of his grandmother Isabel Bacon, mother of his father Nicholas Bacon, and the name Isabel/Isabella is a version of Elizabeth, a possible glance at his natural mother Queen Elizabeth, the so-called virgin queen.

In the play Isabella arrives on stage in Act 1 Scene 4 under the stage direction ‘*Enter Isabella, and Francisca, a nun*’. Isabella is about to become a novice of the Order of St Clare, however the only qualified nun in the play is named Francisca, the feminine version of Francis the umpteenth disguised allusion to Bacon himself. The brief passage in the scene is located in the Order of St Clare:

ISABELLA

And have you nuns no farther privileges?

FRANCISCA Are not these large enough?

ISABELLA

Yes, truly. I speak not as desiring more,

But rather wishing a more strict restraint

Upon the sisterhood, the votarists of Saint Clare.

LUCIO (*within*)

Ho, peace be in this place!

ISABELLA [*to Francisca*] Who’s that which calls?

FRANCISCA

It is a man’s voice. Gentle Isabella.

Turn you the key, and know his business of him.

You may, I may not; you are yet unsworn.
When you have vowed, you must not speak with men
But in the presence of the prioress.
Then if you speak, you must not show your face;
Or if you show your face, you must not speak.

Lucio calls within

He calls again, I pray you answer him.

[she stands aside]

ISABELLA

Peace and prosperity! Who is't that calls?

She opens the door.

Enter Lucio

[Measure for Measure: 1:4:1-15]

The Duke pretends to leave Vienna for Poland and returns disguised as a friar of the Franciscan Order under the carefully chosen name or pseudonym of Friar Lodowick. From Lodowick (the Latin name Ludovicus which means victorious evolved into the old French as Louis and into English as Lowis or Lewis) derives the English name of Lewis. In Freemasonry a Lewis denotes a Freemason brought into the Brotherhood by his father and is also a Freemasonic symbol of strength. It lent its name to *The Lewis Masonic* the oldest Masonic publisher in the world which produces the ritual books of the United Grand Lodge of England and other Freemasonic publications. Thus from behind his various disguises and pseudonyms Bacon, Duke Vincentio in *Measure for Measure*, is a secret member of the Rosicrucian-Freemasonic Brotherhood working in the real world and through the allegory of the play for the advancement and benefit of all humankind.

2.

THE PLAY *MEASURE FOR MEASURE*

The provenance and progenitor of *Measure for Measure* should have been obvious to any Bacon-Shakespeare scholar from the Duke's first speech on the inner workings of the science of government. The Duke (Bacon) says, to Escalus, that when it comes to understanding the nature of the people, the city's institutions, and the standards of law and justice, he Escalus is more knowledgeable in theory and in practice, than any he remembers:

DUKE

Of government the properties to unfold
Would seem in me t' affect speech and discourse,
Since I am put to know that your own science
Exceeds in that the lists of all advice
My strength can give you. Then no more remains
But this: to your sufficiency, as your worth is able,
And let them work. The nature of our people,
Our city's institutions and the terms
For common justice, you're as pregnant in
As art and practice hath enriched any
That we remember.

He gives Escalus papers.

There is our commission,
From which we would not have you warp.

[*Measure for Measure*: 1:1:3-14]

There is a near universal consensus among Shakespeare scholars that *Measure for Measure* (none of whom consider a date for its composition in the early to mid 1580s when Shakspeare was in Stratford) was conceivably begun-or should we say revised-at some unspecified time during 1603, and completed in the Spring or Summer, or even perhaps, towards the end of 1604. This proved a fruitful period of writing for Bacon. In 1603 he composed *A Confession of Faith, A Brief Discourse Touching the Happy Union of the Kingdoms of England and Scotland* and during this period stretching from 1603 to 1605 *The Advancement of Learning*, in which he devotes a long passage on government and law, much of it an epitome of the combined interwoven central themes of government and law in *Measure for Measure*:

Concerning Government, it is a part of knowledge secret and retired, in both these respects in which things are deemed secret; for some things are secret because they are hard to know, and some because they are not fit to utter. We see all governments are obscure and invisible ...Such is the description of governments. We see the government of God over the world is hidden, insomuch as it seemeth to participate of much irregularity and confusion...

Notwithstanding, for the more public part of government, which is Laws, I think good to note only one deficiency; which is, that all those which have written of laws, have written either as philosophers or as lawyers, and none as statesmen. As for the philosophers, they make imaginary laws for imaginary commonwealths; and their discourses are as the stars, which give little light because they are so high. For the lawyers, they write according to the states where they live, what is received law, and not what ought to be law; for the wisdom of the lawmaker is one, and of a lawyer is another. For there are in nature certain fountains of

justice, whence all civil laws are derived but as streams; and like as waters do take tinctures and tastes from the soils through which they run, so do civil laws vary according to the regions and governments where they are planted, though they proceed from the same fountains. Again, the wisdom of a lawmaker consisteth not only in a platform of justice, but in the application thereof; taking into consideration by what means laws may be made certain, and what are the causes and remedies of the doubtfulness and uncertainty of law; by what means laws may be made apt and easy to be executed, and what are the impediments and remedies in the execution of laws; what influence laws touching private right of *meum* and *tuum* have into the public state, and how they may be made apt and agreeable; how laws are to be penned and delivered, whether in Texts or in Acts; brief or large; with preambles or without; how they are to be pruned and reformed from time to time; and what is the best means to keep them from being too vast in volumes or too full of multiplicity and crossness; how they are to be expounded, when upon causes emergent and judicially discussed, and when upon responses and conferences touching general points or questions; how they are to be pressed, rigorously or tenderly; how they are to be mitigated by equity and good conscience; and whether discretion and strict law are to be mingled in the same courts or kept apart in several courts; again, how the practice, profession, and erudition of law is to be censured and governed; and many other points touching the administration, and (as I may term it) animation of laws.⁴¹

In *Measure for Measure* we see the intertwining of nature (in the fullest sense of the word) and the law (in the fullest sense of the word) which at its highest level is seen in theological, philosophical and scientific terms, as the immutable law of nature wonderfully captured by Professor Hanson in her essay ‘*Measure for Measure* and the Law of Nature’:

The purpose of this essay is to suggest that in posing this question, *Measure for Measure*, with its ambiguous entwining of law and nature, engages not only with questions of civil law such as the relationship between law and equity, absolutism and common law, and civil and religious authority, but also with contemporary discourse regarding the idea of a *law of nature*, that is, of compelled regularity within the order of physical creation. By the end of the seventeenth century an invocation of a law of nature was a marker for explicitly scientific discourse, as when Newton begins his *Mathematical Principles of Natural Philosophy* by distinguishing the moderns from the ancients on the grounds that the former “have undertaken to explain the phenomena of nature by mathematical laws.” When *Measure for Measure* was first staged in 1604 the potential for such a concept to structure an autonomous domain of scientific inquiry was already evident, particularly in the writings of Francis Bacon, but the idea was still imbricated with questions both of theology and of political sovereignty.⁴²

For Bacon, writes Professor Hanson, the law of nature is inseparable from that of the legislating God and ‘the year before *Measure for Measure* was first performed’ Bacon wrote *A Confession of Faith* (first printed in 1641) ‘in which he affirms his belief that God’,⁴³

created heaven and earth, and all their armies and generations, and gave unto them constant and everlasting laws, which we call *Nature*, which is nothing but the laws of the creation; which laws nevertheless have had three changes or times, and are to have a fourth and last. The first, when the matter of heaven and earth was created without forms: the second, the *interim* of every day’s work: the third, by the curse, which notwithstanding was no new creation, but a privation of part of the virtue of the first creation: and the last, at the end of the world, the manner of whereof is not yet revealed. So as the laws of Nature, which now remain and govern inviolably till the end of the world, began to be in force when God first rested from his works and ceased to create; but received a revocation in part by the curse, since which time they change not.⁴⁴

As we have seen around the time Bacon revised *Measure for Measure* and wrote *Confession of Faith* he also penned a political-philosophical treatise *A Brief Discourse Touching the Happy Union of the Kingdoms of England and Scotland* (not printed until 1657) that he ‘*Dedicated in private to His Majesty*’. In the treatise Bacon makes explicit the affinity between the laws of nature and rules of government and policy:

For there is a great affinity and consent between the rules of nature, and the true rules of policy: the one being nothing else but an order in the government of the world, and the other an order in the government of estate. And therefore the education and erudition of the kings of Persia was in a science which was termed by a name with great reverence...for the Persian magic, which was the secret literature of their kings, was an observation of the contemplations of nature and an application thereof to a sense politic; taking the fundamental laws of nature, with the branches and passages of them, as an original and first model, whence to take and describe a copy and imitation for government.⁴⁵

‘Like King James and the Persian Kings’, says Professor Hanson ‘Duke Vincentio is a student of the “properties of government” (1:1:3), as he announces in the first lines of a play whose action will unfold what it means to acquire and wield such knowledge.’

⁴⁶ What she could have said is like Bacon (lest we forget the author of the *Union of the Kingdoms of England and Scotland*) who like his father Lord Keeper Sir Nicholas Bacon understood the secret inner workings of government and wrote several essays and papers touching upon the subject, his dramatic character incarnate the Duke was a master of the ‘properties of government’, the public part of which, as Bacon informs us, is Laws.

With Escalus given the papers of his commission one of the lords summons Angelo and the Duke speaks with Escalus about his impending plan to place Angelo in charge of government while he is away:

DUKE (*to Escalus*)

What figure of us think you he will bear?-
For you must know we have with special soul
Elected him our absence to supply,
Lent him our terror, dressed with our love,
And given his deputation all the organs
Of our own power. What think you of it?

ESCALUS

If any in Vienna be of worth
To undergo such ample grace and honour,
It is Lord Angelo.

[*Measure for Measure*: 1:1:16-24]

Concerning this passage Rivier and Santin-Guettier in their article entitled ‘If? What if? Hypothesis as a Leitmotif in *Measure for Measure*’ headed by the quotation ‘If a man will begin in certainties, he shall end in doubts; But if he will be content to begin with doubts, he shall end in certainties’ (Bacon, *Advancement of Learning*, I, 1605, p. 147)’ make the following observation:

As Francis Bacon’s acknowledgment quoted above implies, if things were all clearly settled in advance, there would be no space for self-awareness or pardon. This is particularly revealing in Shakespeare’s *Measure for Measure*, contemporary to this quotation, where,

from the beginning, nothing is obvious and considered at face value. The Duke's question to Escalus, while he is about to appoint Angelo as the deputy of Vienna in his absence, "What think you of it?"(1.1.21), sets the tone, showing that despite decisions made, doubts remain. In his answer, Escalus voices the first hypothetic clause of the play "If any in Vienna be of worth, (...) It is Angelo" (1.1.22-4).⁴⁷

The Duke informs Angelo that he is to appoint him head of government in charge of all of its laws and the welfare of the people while he is away:

DUKE Angelo,
There is a kind of character in thy life
That to th'observer doth thy history
Fully unfold. Thyself and thy belongings
Are not thine own so proper as to waste
Thyself upon thy virtues, they on thee.
Heaven doth with us as we with torches do,
Not light them for themselves, for if our virtues
Did not go forth of us 'twere all alike
As if we had them not.

In our remove be thou at full ourself.
Mortality and mercy in Vienna
Live in thy tongue and heart. Old Escalus,
Though first in question, is thy secondary.
Take thy commission.

ANGELO Now good my lord,
Let there be some more test made of my metal
Be so noble and great a figure
Be stamped upon it.

[*Measure for Measure*: 1:1: 27-35, 43-49]

In his article 'Vincentio's Selves in *Measure for Measure*' Professor Hunt explains that the Duke intends to perform a scientific experiment to test Angelo's mettle to the fullest, a Baconian scientific test, to see whether his much vaunted integrity and moral fortitude is capable of dealing in an upright and honest manner as the newly appointed head of the Vienna government:

Closely bound up with Vincentio's Machiavellian use of Angelo to protect himself from censure for his lax enforcement of Viennese law is his testing of him to see whether power will corrupt this puritanical man. Its deeply enigmatic purpose makes this latter behaviour appear Machiavellian. "There is a kind of character"-handwriting, or engraved pattern-"in thy life," Vincentio tells Angelo, "[t]hat to th'observer doth thy history/Fully unfold" (1.1.27-29). But if Vincentio believed that Angelo's life had "fully unfold[ed]" him to an observer, he would not need to "assay" it (3.1.162)-subject his "mettle" to a trial-to experimentation....

In 1605, Sir Francis Bacon published his revolutionary *The Advancement of Learning*, which prepared the way for the widespread recovery of the modern scientific method, where an experiment determined the probability of a hypothesis through conducting a number of tests on the make-up of a subject.⁴⁸

As he is about to leave the Duke re-affirms to Angelo that he has invested him with all his powers and that he can enforce or qualify the law as his soul and conscience

(1:2:66-7). If we remove from the number 3,000 the 3 nuls '000' and place it with the number 3 ('three days') it yields 33 Bacon in simple cipher and nor is this the only Baconian cryptographic signature enciphered in two other related passages.

The clownish servant Pompey arrives and tells Mistress Overdone of a new law or legal proclamation ordering all brothels in the suburbs of Vienna will be pulled down. The Provost appears and on the special orders of Angelo parades Claudio through the street to punish and humiliate him. Lucio meets Claudio on his way to prison and asks why he is under arrest 'From too much liberty, my Lucio, liberty (1:2:117). For what offence, he asks, is it 'murder?', no lechery he replies The Provost intervenes, 'Away, Sir; you must go', but Claudio, had more he wanted to say, to which the Provost assented 'Lucio, a word with you' to which Lucio replies 'A hundred' [100 Francis Bacon in simple cipher] 'if they'll do you any good'(1:2:131). Claudio explains that upon a true 'contract' he had slept with Juliet in the belief they would be soon married which had been temporarily delayed due to some complications over her dowry. Now as a result of Angelo's decision to revive an ancient law that the Duke never enforced, making sexual immorality a capital offence, he has been sentenced to death:

CLAUDIO

And the new deputy now for the Duke-
Whether it be the fault and glimpse of newness,
Or whether that the body public be
A horse whereon the governor doth ride,
Who newly in the seat, that it may know
He can command, lets it straight feel the spur.
Whether the tyranny be in his place
Or in his eminence that fills it up
I stagger in-but this new governor
Awakes me all the enrolled penalties
Which have, like unscoured armour, hung by th'wall
So long that nineteen zodiacs have gone round
And none of them been worn; and, for a name
Now puts the drowsy and neglected act
Freshly on me.

[*Measure for Measure*: [Arden] 1:2:152-66]

As Bacon succinctly put in his private paper to the king *Touching the Compiling and Amendment of the Laws of England* (written in 1616 and first printed in 1657):

There are a number of ensnaring penal laws, which lie upon the subject; and if in bad times they should be awaked and put in execution, would grind them to power.⁵²

The ensnaring statute is, Professor Strain correctly states, 'essential to the plot': 'Most obviously, the conflict of *Measure for Measure* grows out of the Duke's decision to 'awake' an 'antiquated' penal law that punishes fornicators with death'.⁵³ The subject of the reform of the law and snaring statutes had repeatedly been addressed by Bacon from the early 1590s, in parliamentary speeches, the Gray's Inn *Gesta Grayorum* and various other dramatic devices, a speech in the House of Commons in 1601 prior to the revision of *Measure for Measure* (1603-4), and afterwards again in the House of Commons in 1607, and he was about to return, to strict statutes and severe laws, in the next scene of the play.

In the meantime the Duke, who had not left Vienna, but secretly retired to a nearby Franciscan monastery, reveals to Friar Thomas the reasons for his actions. Indicating that they had had some kind of previous unexplained secret or hidden relationship the Duke says ‘My holy sir, none better knows than you/How I have ever loved the life removed’ (1:3:7-8). The Duke informs him that he has left Angelo in absolute power here in Vienna while Angelo ‘supposes’ that he had travelled to Poland ‘For so I have stewed it in the common ear,/And so it is received’ (1:3:15-6). The law has fallen into disrepute, and it is necessary to re-balance law and order in Vienna, and he is to return in secret to oversee the process:

DUKE

We have strict statutes and most biting laws,
 The needful bits and curbs to headstrong weeds,
 Which for this fourteen years we have let slip;
 Even like an o’ergrown lion in a cave
 That goes not out to prey. Now, as fond fathers,
 Having bound up the threat’ning twigs of birch
 Only to stick it in their children’s sight
 For terror, not to use, in time the rod
 More mocked becomes than feared: so our decrees,
 Dead to infliction, to themselves are dead;
 And liberty plucks Justice by the nose,
 The baby beats the nurse, and quite athwart
 Goes all decorum.

[*Measure for Measure*: 1:3:19-31]⁵⁴

The observant reader will have noticed that in the previous scene Claudio says that the strict statutes had not been enforced for 19 years but in the above passage the Duke says the strict statutes and laws have been left to ‘slip’ for the last 14 years. The word slip is an interesting choice. The phrase to let slip, is to reveal something that is secret. In this case, to let ‘slip’ for those with eyes to see, the secret identity of the concealed author of *Measure for Measure*: 19+14=33 Bacon in simple cipher.

In her work covering the law and *Measure for Measure* Professor Strain draws upon the unpublished and still relatively unfamiliar parliamentary speeches of Lord Keeper Nicholas Bacon on the imperfections of the law and how their lack of its execution or enforcement results in politically and socially destructive consequences echoed above (by his son Francis who had access to all his extant unpublished papers and speeches):

‘[T]he making of lawes without execucion doe verie much harme’, explained [Nicholas] Bacon, ‘for yt breedes and bringes forth contempt of lawes and lawe-makers and all magistrates, which is the verie foundation of all misgovernance.’ Bad justices are thus ‘the very occasioners of all injuries and injustice and of all disorders and unquietness in the common-wealth. In the third scene of *Measure for Measure*, Shakespeare’s Duke of Vienna makes the same argument in more succinct terms. Echoing Bacon’s comparison of ‘a lawe without execucion’ to ‘a bodie without life’, the Duke explains, ‘our decrees,/Dead to infliction, to themselves are dead’, with the result that, ‘Liberty plucks Justice by the nose,/The baby beats the nurse, and quite athwart/Goes all decorum.’ ‘[We bid this be done, he concludes, ‘When evil deeds have their permissive pass,/And not their punishment.’]⁵⁵

In an essay entitled ‘*Measure for Measure* and the Discourse of Husbandry’ Professor Bertram observes that our poet forges subtle connections between biological, political

The figure of executive dissimulation had a wide representation on stage but also in works on government. In itself it posed a formidable problem. To dissimulate is necessarily to withdraw oneself from the societies in which one has expected roles to perform, and *Measure for Measure* suggests that the converse is also true: simply by being absent, the Duke dissimulates: he is not where he should be, in effect he is not.⁵⁷

Like the Duke in *Measure for Measure* his creator Bacon was adept at secrecy, and where necessary, dissimulation, which he had first learned at the feet of his father Sir Nicholas Bacon, statesman and the holder of the highest legal office in the realm, and that of his mother, Lady Anne Bacon, a clandestine financial backer and supporter of Puritan clergymen, and like her husband, a keeper of high royal and state secrets. His own writings are shot through with the need for secrecy in state and government, and like his father a great Elizabethan statesman, he too was a leading Jacobean statesman and holder of the highest legal offices in the kingdom. Francis founded secret orders (Rosicrucian/Freemasonic Brotherhood) and adopted many pseudonyms and disguises and no person more than him understood the need for secrecy and dissimulation when the matter required, as expressed in his master class *Of Simulation and Dissimulation*:

These properties, of arts or policy and dissimulation or closeness, are indeed habits and faculties several, and to be distinguished. For if a man have that penetration of judgement as he can discern what things are to be laid open, and what to be secreted, and what to be shewed at half lights, and to whom and when, (which indeed are arts of state and arts of life, as Tacitus well calleth them,) to him a habit of dissimulation is a hindrance and a poorness. But if man cannot obtain to that judgement, then it is left to him generally to be close, and a dissembler.

...There be three degrees of this hiding and veiling of a man's self. The first, Closeness, Reservation, and Secrecy; when a man leaveth himself without observation, or without hold to be taken, what he is. The second, Dissimulation, in the negative; when a man lets fall signs and arguments, that he is not that he is. And the third, Simulation, in the affirmative; when a man industriously and expressly feigns and pretends to be that he is not.

For the first of these, Secrecy; it is indeed the virtue of a confessor. And assuredly the secret man heareth many confessions...In few words, mysteries are due to secrecy....Therefore set it down, *that an habit of secrecy is both politic and moral...*

For the second, which is Dissimulation; it followeth many times upon secrecy by a necessity; so that he that will be secret must be a dissembler in some degree...

But for the third degree, which is Simulation and false profession; that I hold more culpable, and less politic; except it be in great and rare matters.⁵⁸

The theme of the law and its execution carries over into the second Act when Lord Angelo remarks that we must not let the law become like a scarecrow which when not enforced instead of scaring off criminals and predators, unafraid they perch upon it:

ANGELO

We must not make a scarecrow of the law,
Setting it up to fear the birds of prey,
And let it keep one shape till custom make it
There perch, and not their terror.

[*Measure for Measure*: 2:1:1-4]

The striking use of the phrase and imagery invested in 'a scarecrow of the law' was again drawn upon by Bacon in a speech given in the House of Commons in defence of the king's right to impose impositions upon merchandises:

As posteriores leges priores abrogant [subsequent laws repeal preceding ones], so new judgements avoid the former. The records reverent things but like scarecrows.⁵⁹

In Baconian manner his wise counsellor Escalus agrees but suggests they take a more moderate line while pleading on behalf of Claudio whom he would save. Escalus asks Angelo whether at some time in his own life he had erred in a similar way for which he now censures Claudio ‘and pulled the law upon you’ (2:1:16) but precise Angelo is adamant, declaring that it is one thing to be tempted, but another to thing to succumb. He adds he does not possess such faults and if he was ever to commit the same crime as Claudio he would expect the same punishment and a model for his own death. He orders the Provost to see to it that Claudio ‘Be execute by nine tomorrow morning’ (9 is 3 times 3: 33 Bacon in simple cipher followed by the two lines beginning with the letters F B the initials of Francis Bacon):

Bring him his confessor, let him be prepared,
For that’s the utmost of his pilgrimage.
[*Measure for Measure*: 2:1:35-6]⁶⁰

With the business of the judges and justice concluded, with the order to execute Claudio, the scene moves to what Edward Castle describes as a court on the circuit in an English Assize town (a subject on which as we have seen Sir Nicholas Bacon and Bacon himself had occasion to discuss in private and parliamentary speeches, papers and letters) and into the Assize court comes the constable Elbow.⁶¹ With the change of scenery comes a change of tone which takes on a comic quality with a vastly different cast of characters. The constable Elbow brings Pompey and Froth before Angelo and Escalus ‘two notorious benefactors’, and charges them with running a brothel on behalf of Mistress Overdone, and abusing his wife. The incompetent figure of the simple constable dominates the whole scene with his malapropisms and confused habits of speech which continually gives rise to misunderstandings to the frustration of all those around him. After eventually losing patience with trying to understand Elbow’s reasons and explanations Angelo leaves Escalus to deal with it ‘Hoping you’ll find good reason to whip them all’ (2:1:132).

In his role akin to an English Judge of the Assizes Escalus dismisses the charges against Froth and then turns his attention to Pompey. With his razor-sharp wit he says to Escalus if you behead and hang everyone who has sex eventually there will be no more heads left to chop off. Escalus thanked him for his enlightening prophecy before warning him that if he appeared before him again he would have him whipped. With the prisoners discharged and freed Escalus asks Elbow how long had he served as a constable. He had, he tells him, been a constable for seven and a half years. Like in the real Elizabethan world Escalus knows that Elbow is ill-equipped for what is an important position in upholding the law in villages and towns around the kingdom. He instructs Elbow to bring him the names of other men in the ward capable of serving as constables ‘Faith, sir, few of any wit in such matters. As they are chosen, they are glad to choose me for them. I do it for some piece of money, and go through with all’ (2:1:257-9), which ran to the heart of the problem. The whole system and selection of constables (a position nobody wanted and bribed others to take their place) was in need of drastic overhaul and reform for the apprehension of offenders (such as Froth and Pompey in the play) if the government and judiciary wanted to effectively deliver law and justice through the Courts of Assizes throughout the country. No doubt more than familiar with the woefully inadequate and corrupt system Escalus directs Elbow

to bring the names of six or seven of the most capable in the parish from whom he presumably proposes to select another constable, one willing and able, to uphold and enforce the law.

In the Shakespeare plays Bacon furnishes us with several portraits of constables and seven pages is assigned to the subject in the standard *Shakespeare's Legal Language A Dictionary* (2000) by Sokol and Sokol. In their discussion of the history pertaining to the office of constable and its appearance in various forms in the Shakespeare plays they point out that the disgraced Duke of Buckingham in *Henry VIII* was once Lord High Constable of England (in history the last to hold the office) and *Henry V* has its own Lord High Constable of France. However, 'The rest of Shakespeare's constables are of a lowly sort', by way of emphasis quoting the line from *All's Well That Ends Well* 'From beyond your duke to beneath your constable' (2:2:29) and on account that 'law enforcement by constables is often derided or defied', citations from *The Merry Wives of Windsor*, *Romeo and Juliet*, *Love's Labour's Lost* and *The Tempest*. Of more interest they say are the characterisations and witless methods of constables in *Much Ado About Nothing* and *Measure for Measure*.⁶² When referring and discussing the characters and frequent references to constables in the plays virtually all Shakespeare editors and commentators make no mention that Bacon wrote a paper on the subject. However to their credit Sokol & Sokol, if only in passing, observe that 'Shakespeare and some contemporaries (e.g. Francis Bacon in his 'Office of the Constable', Bacon, 1872, vol 7, p.751) portray the Elizabethan constable as uneducated, possibly illiterate and generally of low social status.'⁶³

The brief treatise *Touching the Office of Constable A. D. 1608* was written in answer to questions put by Sir Alexander Hay, Secretary of State of Scotland, to assist in the process of assimilating the administrations of England and Scotland. It is presented in a format of ten questions and detailed answers: 'What is the original of constables?', 'Concerning the election of constables?', 'How long is their office?', 'Of what rank or order of men are they?', 'What allowance have the constables?', 'What if they refuse to do their office?', 'What is their authority or power?', 'What is their oath?', 'What difference is there betwixt the high-constables and petty-constables?' and 'Whether a constable may appoint a deputy?'.⁶⁴ To the fourth question 'Of what rank or order of men are they?' Bacon gives an answer consistent with that of Escalus in *Measure for Measure* 'They be men, as it is now used, of inferior, yea of base condition, which is a mere abuse or degenerating from the first institution; for the petty-constables in towns ought to be of the better sort of residents in the same: save that they be not aged or sickly, but of able bodies in respect of keeping watch and toil of their place; nor must they be in any man's livery.'⁶⁵ Meaning able constables must be free and independent of the nobility and local magnates and ultimately answerable to central government via the Judges and Justices of the Assize Courts previously headed by his father Lord Keeper Sir Nicholas Bacon, and afterwards by himself, as both Lord Keeper and Lord Chancellor of England.

While the Provost waits on Angelo to speak with him concerning the harsh sentence passed on Claudio he reflects that all sects and ages have indulged in fornication, yet in a complete abuse of power and of the law, Claudio is condemned to death for it. He appeals to Angelo to reconsider, but Angelo is unmoved, and tells him to do his office or give up his place. Accompanied by Lucio the virtuous sister of the condemned man Isabella arrives who the Provost informs Angelo is 'to be shortly of the sisterhood, if not already' (2:2:21), namely the female Franciscan Order of St Clare, to plead with him for mercy:

ISABELLA

I am a woeful suitor to your honour.
Please but your honour hear me.

ANGELO

Well, what's your suit?

ISABELLA

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

ANGELO

Well, the matter?

ISABELLA

I have a brother is condemned to die.
I do beseech you, let it be his fault,
And not my brother.

In his *Proclamation Touching the Marches* Bacon writes:

...such is our inclination to clemency and moderation as we are willing rather to correct the fault than to deal with the persons whom it may concern.⁶⁶

PROVOST (*aside*)

Heaven give thee moving graces!

ANGELO

Condemn the fault, and not the actor of it?
Why, every fault's condemned ere it be done.
Mine were the very cipher of a function,
To fine the faults whose fine stands in record,
And let go by the actor.

In the *Charge of Owen, Indicted for High Treason* Bacon writes:

...because the example is more than the man...⁶⁷

ISABELLA

O just but severe law!

[*Measure for Measure*: 2:2:28-42]

In his *Propositions Touching the Compiling and Amendments of Laws* Bacon writes:

There are some penal laws fit to be retained, but their penalty too great; and it is ever a rule, that any over-great penalty (besides the acerbity of it) deads the execution of the law.⁶⁸

And in *Novum Organum*:

...forced thereto by severe laws and overruling authority.⁶⁹

ISABELLA

Yes, I do think that you might pardon him,
And neither heaven nor man grieve at the mercy.

[*Measure for Measure*: 2:2:50-1]

In his essay *Of Judicature* Bacon writes:

In causes of life and death, judges ought (as far as the law permitteth) in justice to remember mercy; and to cast a severe eye upon the example, but a merciful eye upon the person.⁷⁰

Not the king's crown, nor the deputed sword,
The marshal's truncheon, nor the judge's robe,
Become them with one half so good a grace
As mercy does.

[*Measure for Measure*: 2:2:62-65]

In his chapter 'The Judge: *Measure for Measure*' in *A Thousand Times More Fair What Shakespeare's Plays Teach Us About Justice* the legal scholar and Professor of Constitutional Law Kenji Yoshino saw *Measure for Measure* as our poet's 'deepest meditation on the role of a judge',⁷¹ and so it was. In his essay *Of Judicature* (judges collectively), his deep meditation on the role of a judge, like Isabella, who is having to deal with the judge Angelo, insisting upon a hard construction and strained inference of a long sleeping snaring penal law, Bacon insists that in matters of life and death the judge ought to cast a severe eye on the act and not the person ('Condemn the fault and not the actor of it'), and in justice remember mercy ('nor the judge's robe,/Become them with one half so good a grace/As mercy does'):

Judges must beware of hard constructions and strained inferences; for there is no worse torture than the torture of laws. Specially in case of laws penal, they ought to have care that that which was meant for terror be not turned into rigour; and that they bring not upon the people that shower whereof the scripture speaketh, '*Pluet super eos laqueos*'; for penal laws pressed are a *shower of snares* upon the people. Therefore let penal laws, if they have been sleepers of long, or if they be grown unfit for the present time, be by wise judges confined in the execution: *Judicis officium est, ut res, ita tempora rerum, &c.* [A Judge must regard to the time as well as to the matter.]⁷²

Tucked away in his Notes to *Of Judicature* in *Francis Bacon: A Critical Edition of the Major Works* and edition of *The Essays or Counsels Civil and Moral* the recognised world authority on Bacon and Shakespeare, Professor Brian Vickers, with world class understatement and brevity says '(For this whole sequence cf. Shakespeare, *Measure for Measure*)/(For this whole sequence compare Shakespeare, *Measure for Measure*)'.⁷³ Regrettably the drowsy and sleepy world is not usually in the habit of reading Notes in the back of scholarly editions of Bacon's works, including apparently the numerous editors of *Measure for Measure*, as Professor Vickers, would be only all too aware.

We have seen above Bacon continually employing in his writings on law, justice and mercy the related verbs 'awake', 'awaked', 'sleeping' and 'slept' when speaking of old ensnaring statutes and acts, and similarly above, 'sleepers', in his essay *Of Judicature*, and the same thought and words are used by Angelo in response to Isabella's plea for mercy:

The law hath not been dead, though it hath slept.
Those many had not dared to do that evil
If the first that did th'edict infringe
Had answered for his deed. Now 'tis awake,
Takes note of what is done, and, like a prophet,
Looks in a glass that shows what future evils,
Either raw, or by remissness new conceived

And so in progress to be hatched and born,
Are now to have no successive degrees,
But ere they live, to end.

[*Measure for Measure*: 2:2:92-101]

The same concept and contrast of sleeping and waking laws is referred to by Bacon in *De Augmentis Scientiarum*:

..in the meantime let the Praetorian Courts have power to decree against laws and statutes which are obsolete, and have not lately passed. For though it has been well said “that no one should be wiser than the laws,” yet this must be understood of waking and not of sleeping laws. Not so however with more recent statutes, which are found to be injurious to public justice.⁷⁴

The Duke (Bacon) disguised as Friar Lodowick (Lewis: Rosicrucian-Freemasonic Brother) visits the prison to minister to the prisoners where on arrival he is met by the Provost. The Provost asks him ‘What’s your will, good friar?’ to which the disguised Duke replies ‘Bound by my charity and my blest order,/I come to visit the afflicted spirits/ Here in the prison’ (2:3:2-5). The phrase ‘blest order’ is ambivalent and on the face of it would superficially seem to refer to his Franciscan Order but the friar is the Duke in disguise (Bacon), and the ‘order’ is also a disguise for the Rosicrucian Order, or Rosicrucian-Freemasonic Brotherhood, at whose head stood Bacon. The Provost introduces Friar Lodowick to Juliet whom he informs the disguised Duke is with child an act for which her lover is condemned to die. She tells him that her unlawful sex act was mutually consensual and confesses her repentance. The disguised Duke tells her that he is going to see Claudio, who he has heard, is to die tomorrow, to offer comfort.

In the meantime in a soliloquy the hypocritical Angelo thinks on his empty words to heaven while consumed by his less than holy feelings for Isabella which have given rise in his heart to swelling evil. His place in government while on the one hand is a good thing, in the end becomes tedious, painful and restrictive, which now he wishes he could change for some kind of more agreeable private existence, without place and seeming form:

When I would pray and think, I think and pray
To several subjects: heaven hath my empty words,
Whilst my invention, hearing not my tongue,
Anchors on Isabel; God in my mouth,
As if I did but only chew his name,
And in my heart the strong and swelling evil
Of my conception. The state whereon I studied
Is like a good thing, being often read,
Grown seared and tedious. Yea, my gravity,
Wherein-let no man hear me-I take pride,
Could I with boot change for an idle plume
Which the air beats in vain. O place, O form,
How often dost thou with thy case, thy habit,
Wrench awe from fools, and tie the wiser souls
To thy false seeming! Blood, thou art blood.
Let’s write ‘good angel’ on the devil’s horn-
'Tis now the devil’s crest.

[*Measure for Measure*: 2:4:1-17]

In a textual note to the above passage for 'O place' which they elucidate as meaning 'high (judicial) office', or more generally high judicial and political office, the Arden editors of *Measure for Measure* direct their readers to 'See Francis Bacon's essay 'Of Great Place': In *place*, There is Licence to doe Good, and Evill, whereof the latter is a Curse; For in Evill, the best condition is, not to will; The Second, not to Can':⁷⁵ What follows is the passage in Bacon's essay *Of Great Place* referred to by the editors of *Measure for Measure* which serves as a commentary on the speech by Angelo given above:

Men in great place are thrice servants: servants of the sovereign or state; servants of fame; and servants of business. So as they have no freedom; neither in their persons, nor in their actions, nor in their times. It is a strange desire, to seek power and to lose liberty: or to seek power over others and to loose power over a man's self. The rising unto place is laborious; and by pains men come to greater pains; and it is sometimes base; and by indignities men come to dignities. The standing is slippery and the regress is either a downfall, or at least an eclipse, which is a melancholy thing....In place there is licence to do good and evil; whereof the latter is a curse: for in evil the best condition is not to will; the second not to can. But power to do good is the true and lawful end of aspiring. For good thoughts (though God accept them) yet towards men are little better than good dreams, except they be put in act; and that cannot be without power and place, as the vantage and commanding ground.⁷⁶

After dwelling upon place and seeming form Isabella arrives and renews her plea to Angelo to save the life of Claudio. Angelo tells Isabella that he will only show mercy to Claudio if she gives up herself to him. In the absence of the Duke, he was now 'the voice of the recorded law' and 'might not there be charity in sin/to save her brother's life (2:4:61-4), but Isabella at first appears to misunderstand him. To avoid anymore more misunderstanding he speaks more plainly. According to the law, your brother is to die, and there is no other way to save his life unless 'you his sister/Finding yourself desired of such a person/Whose credit with the judge, or own great place,/Could fetch your brother from the manacles/Of the all-binding law, and that there were/No earthly mean to save him, but that either/You must lay down the treasures of your body/To this supposed, or else let him suffer-What would you do?'(2:4:90-97). She declares that she would rather face death than give up her body to shame. Angelo tells her that he loves her, to which Isabella retorts, that Claudio did love Juliet and you demand he should die for it. She scorns him for hiding behind his so-called honour while behind it lurks his most pernicious purpose ('Seeming, seeming') and tells him that unless he signs a pardon for her brother 'I'll tell the world aloud/What man thou art'(2:4:153-4). He arrogantly replies that no one will believe her due to his unblemished reputation and 'my place i'th' state' (2:4:156) and if she does not yield to his sexual desire her brother Claudio 'must not only die the death' but his 'death' will be cruelly drawn out to 'linger'ring sufferance' by torture (2:4:165-7).He gives Isabella a day to change her mind. Alone she curses that powerful men and judges make or interpret the law to suit their own purposes and she decides to tell Claudio of Angelo's repugnant demand in the belief that his outraged honour will prepare his mind for death.

The Duke still disguised as Friar Lodowick visits Claudio in prison and asks him if he hopes for a pardon from Lord Angelo. Claudio replies hope is all that he has left:

DUKE

So then you hope of pardon from Lord Angelo?

CLAUDIO

The miserable have no other medicine
But only hope.
I've hope to live, and am prepared to die.
[*Measure for Measure*: 3:1:4]

In his *Meditationes Sacrae* (*Sacred Meditations*) under the heading 'Of Earthly Hope' Bacon writes:

But in hope there seems no use. For what avails that anticipation of good? If the good turn out less than you hoped for, good though it be, yet because it is not *so* good, it seems to you more like a loss than a gain, by reason of the overhope...If the good be beyond the hope, then no doubt there is a sense of gain: true: yet had it not been better to gain the whole by hoping not at all, than the difference by hoping too little?...And therefore it was an idle fiction of the poets to make Hope the antidote of human diseases, because it mitigates the pain of them; whereas it is in fact an inflammation and exasperation of them rather, multiplying and making them break out afresh. So it is nevertheless, that most men give themselves up entirely to imaginations of hope and these wanderings of the mind, and thankless for the past, scarce attending to the present, ever young, hang merely upon the future.⁷⁷

The Duke counsels and prepares Claudio to meet his death:

DUKE

Be absolute for death. Either death or life
Shall thereby be the sweeter. Reason thus with life.
If I do lose thee, I do lose a thing
That none but fools would keep. A breath thou art,
Servile to all the skyey influences
That dost this habitation where thou keep'st
Hourly afflict. Merely thou art death's fool,
For him thou labour'st by thy flight to shun,
And yet runn'st toward him still. Thou art not noble,
For all th'accommodations that thou bear'st
Are nursed by baseness. Thou'rt by no means more valiant,
For thou dost fear the soft and tender fork
Of a poor worm. Thy best of rest is sleep,
And that thou oft provok'st, yet grossly fear'st
Thy death, which is no more. Thou art not thyself,
For thou exist'st on many a thousand grains
That issue out of dust. Happy thou art not,
For what thou hast not, still thou striv'st to get,
And what thou hast, forget'st.

CLAUDIO

I humbly thank you.

To sue to live, I find I seek to die,
And seeking death, find life. Let it come on.
[*Measure for Measure*: 3:1:5-23, 42-3]

Isabella arrives and asks to speak to Claudio and the Duke urges the Provost to 'Bring me to hear them where I may be concealed' and the two of them conceal themselves to overhear the conversation between Isabella and Claudio (3:1:51). Isabella tells him that he must die and Claudio asks if there is no remedy. Yes she replies 'There is a

devilish mercy in the judge,/If you'll implore it, that will free your life,/But fetter you till death' (3:1:63-5). He assures her that he is not afraid of death and she explains to him that Angelo will grant his freedom in exchange for her virginity. Although at first Claudio says 'Thou shall not do't', (3:1:102), he is then overcome by the fear of his impending death and pleads with her to save him 'Death is a fearful thing' (3:1:116):

CLAUDIO

Ay, but to die, and go we know not where;
To lie in cold obstruction, and to rot;
This sensible warm motion to become
A kneaded clod, and the dilated spirit
To bathe in fiery floods, or to reside
In thrilling region of thick-ribbed ice;
To be imprisoned in the viewless winds,
And blown with restless violence round about
The pendent world; or to be worse than worst
Of those that lawless and incertain thought
Imagine howling-'tis too horrible!
The weariest and most loathed worldly life
That age, ache, penury, and imprisonment
Can lay on nature is a paradise
To what we fear of death.

[*Measure for Measure*: 3:1:118-32]

The 'death philosophy' articulated above by Bacon finds similar expression in his prose essay *Of Death*, which when writing it, must have reminded him of the death passages in *Measure for Measure*, the theme that haunts the whole of the play:

Men fear Death, as children fear to go in the dark; and as that natural fear in children is increased with tales, so is the other. Certainly, the contemplation of death, as the wages of sin and passage to another world, is holy and religious; but the fear of it, as a tribute due unto nature, is weak. Yet in religious meditations there is sometimes mixture of vanity and of superstition. You shall read in some of the friars' books of mortification, that a man should think with himself what the pain is if he have but his finger's end pressed or tortured, and thereby imagine what the pains of death are, when the whole body is corrupted and dissolved; when many times death passeth with less pain than the torture of a limb: for the most vital parts are not the quickest of sense. And by him that spake only as a philosopher and natural man, it was well said, *Pompa mortis magis terret, quam mors ipsa*: [it is the accompaniments of death that are frightful rather than death itself.]...It is worthy the observing, that there is no passion in the mind of man so weak, but it mates and masters the fear of death; and therefore death is no such terrible enemy when a man hath so many attendants about him that can win the combat of him.⁷⁸

In addition to his essay *Of Death* Bacon wrote two full-length tracts on the subject of life and death. The first *De vijs Mortis, et de Senectute retardanda, atque instaurandis uiribus* or *An Inquiry concerning the Ways of Death the Postponing of Old Age, and the Restoring of the Vital Powers* that may have been originally destined for Part V of *Instauratio magna (Great Instauration)*, Bacon's planned restoration and systematic division of all sciences of human knowledge.⁷⁹ The study of death and the bringing about the prolonging of life was one of the important aims of Bacon's philosophical programme. It was to these ends Bacon wrote and published *Historia Vitae & Mortis*

(*The History of Life and Death*),⁸⁰ at the time the first printed version of *Measure for Measure* was being published in the Shakespeare First Folio in 1623.

The condemned Claudio asks Isabella's to agree to Angelo's demands saying the sin to save his life would become a virtue for which she berates him for his cowardice in the face of death to 'Die perish!', she screams and 'I'll pray a thousand prayers for thy death' (3:1:147) but no word to save you 'Tis best that thou diest quickly' (3:1:153). The Duke intervenes and asks to speak privately with Isabella. In an aside the Duke speaks to Claudio telling him he overheard what passed between them. He pretends he is Angelo's confessor and tells Claudio that Angelo was only testing Isabella's virtue and that he should prepare himself for death.

The Duke disguised as Friar Lodowick informs Isabella that he knows of Angelo's unlawful proposition and she says that she would rather let Claudio die than have an unlawfully born child with Angelo. She tells the disguised Duke, how much the good Duke is deceived in Angelo, and if he returns and I could speak with him 'I will open my lips in vain, or discover his government' (3:1:196). Yet as things stand he tells her it will be hard to prove Angelo's guilt as he only made trial of you 'Therefore fasten your ear on my advising. To the love I have in doing good, a remedy presents itself' (3:1:199-101), which would 'much please the absent Duke' (3:1:204-5). His three part plan would save Isabella's virtue, redeem her brother from the 'angry law', and help a 'poor wronged lady'. He tells Isabella about Mariana, who was betrothed to Angelo, but between 'the time of the contract and limit of the solemnity' (3:1:217) her brother Frederick died in a shipwreck, and with him her fortune and marriage dowry, as well as her husband to be 'this well-seeming Angelo' (3:1:224-5), who then abandoned her under the pretence of discovering she had been unfaithful.

The Duke tells Isabella that despite all of this Mariana is still in love with Angelo and behind the pseudonym of Friar Lodowick sets out his secret plan. He instructs her under the cloak of plausible obedience to agree to Angelo's demands on the condition that their clandestine meeting takes place in 'shadow and silence', so that Mariana can surreptitiously take her place in his bed 'If you think well to carry this, as you may, the doubleness of the benefit defends the deceit from reproof' (3:1:258-60). A justified dissembling (one consistent with Bacon's *Of Simulation and Dissimulation*) to which Isabella agrees.

The Duke, who is everywhere and invisible, concealed behind the cloth of his order and mask of Friar Lodowick, returns Escalus's greetings 'Bliss and goodness on you' with Escalus asking him where he was from 'Not of this country, though my chance is now/To use it for my time, I am a brother/Of gracious order' (3:1:475-7). The word 'order' has a double meaning: firstly referring to the Duke disguised as a friar of the Franciscan Order (named after St Francis-Christian name of Bacon), and secondly, as a brother of the Rosicrucian Brotherhood who in Bacon's *New Atlantis* (or *Land of the Rosicrucians*) although they knew all about the affairs of the outside world, remained unknown and invisible to others, and sought to build a just and perfect society. What follows is a simply remarkable and revealing cryptic speech delivered by Bacon, a Rosicrucian Brother, behind his dramatic creation, the Duke, himself disguised as the Franciscan Friar Lodowick:

ESCALUS What news abroad i'th' world?

DUKE None, but that there is so great a fever on goodness that the dissolution of it must cure it. Novelty is only in request, and it is as dangerous to be aged in any kind of course as it is to be virtuous to be inconstant in any

undertaking. There is scarce truth enough alive to make societies secure, but security enough to make fellowship accursed. Much upon this riddle runs the wisdom of the world. This news is old enough, yet it is every day's news. I pray you, sir, of what disposition was the Duke?

ESCALUS One that, above all other strifes, contended especially to know himself.

[*Measure for Measure*: 3:1:479-89]

The remarkable speech, pregnant with layers of secrecy and hidden meanings 'with its deliberate, incisive, cryptic sentences' has observes the great Shakespearean Professor Knight 'a profound quality and purpose which reaches the very heart of the play', and because of its critical importance he felt bound to provide an expanded paraphrase of it to illuminate its concealed meaning:

No news, but that goodness is suffering such a disease that a complete dissolution of it (goodness) is needed to cure it. That is, our whole system of conventional ethics should be destroyed and rebuilt. A change (novelty) never gets beyond request, that is, is never actually put in practice. And it is as dangerous to continue indefinitely a worn-out system or order of government, as it is praiseworthy to be constant in any individual undertaking. There is scarcely enough knowledge of human nature current in the world to make societies safe; but ignorant self-confidence (i.e. in matters of justice) enough to make human intercourse within society a miserable thing. This riddle holds the key to the wisdom of the world (probably, both the false wisdom of the unenlightened, and the true wisdom of great teachers. This news is old enough, and yet the need for its understanding sees daily proof.⁸¹

At the time Bacon was revising *Measure for Measure* (1603-4) he was also writing and completing his revolutionary *The Two Books of the Proficiency and Advancement of Learning, Divine and Human* (between 1603 and 1605 the year it was published) a survey of all existing knowledge with proposals for a new method of how it might be achieved to construct 'in the human understanding a true model of the world' for the future benefit of mankind:

We see there be many orders and foundations, which though they be divided under several sovereignties and territories, yet they take themselves to have a kind of contract, fraternity, and correspondence one with the other, insomuch as they have Provincials and Generals. And surely as nature createth brotherhood in families, and arts mechanical contract brotherhoods in communalities, and the anointment of God superinduceth a brotherhood in kings and bishops; so in like manner there cannot but be a fraternity in learning and illumination, relating to that paternity which is attributed to God, who is called the Father of illuminations or lights.⁸²

This remarkable passage referring to a Brotherhood in learning and illumination hints at or alludes to his Rosicrucian Brotherhood, that had not yet announced itself to the world which was to come nine years later, in a collection of writings that included the tract *The Universal and General Reformation of the Whole Wide World* along with its first manifesto, the *Fama Fraternitatis*:

Seeing the only wise and merciful God in these latter days hath poured out so richly his mercy and goodness to mankind, whereby we do attain more and more to the perfect knowledge of his Son Jesus Christ and Nature, that justly we may boast of the happy time, wherein there is

not only discovered unto us the half part of the world, which was heretofore unknown and hidden, but he hath also made manifest unto us many wonderful and never heretofore seen, works and creatures of Nature, and moreover hath raised men, imbued with great wisdom, who might partly renew and reduce all arts (in this our age spotted and imperfect) to perfection; so that finally man might thereby understand his nobleness and worth, and why he is called Microcosmus, and how far his knowledge extendeth into Nature.⁸³

The Rosicrucian Duke disguised as the Franciscan Friar visits Mariana at her home and as Isabella arrives he asks Mariana to leave them for a while. Isabella tells the Duke that Angelo has given her two keys and they have agreed to meet in his garden at midnight. In a question which bears the dual quality of the literal and metaphorical the Duke asks Isabella ‘But shall you on your knowledge find this way?’(4:1:36), but she assures him that Angelo to be on the safe side, had in a whispering voice shown her the way twice. The Duke calls Mariana and tells Isabella to explain the situation to her. All alone Bacon behind the Duke disguised as Franciscan friar Lodowick reflects upon power and greatness, and how millions of deluded eyes think they see and know you, with volumes of contemporary and historical accounts full of false reports of your thoughts and actions, none of whom see the truth, and the true you:

DUKE

O place and greatness, millions of false eyes
Are stuck upon thee; volumes of report
Run with their false and most contrarious quest
Upon thy doings; thousand escapes of wit
Make thee the father of their idle dream,
And rack thee in their fancies.

[*Measure for Measure*: 4:1:58-63]

The Duke disguised as the Franciscan friar welcomes them back and Isabella tells the Duke, whom of course she does not recognise even though he is right before her eyes, that if he advises it, Mariana is willing to participate in their secret plot. He states that Angelo is Mariana’s ‘husband on a pre-contract’ and the ‘justice of your title to him’ means it is not a sin to have sex with him (4:1:70-73), an interpretation of the law that runs contrary to the strict application of the law made by Angelo for the imprisonment of Claudio, implying a critical difference between Law and Justice.

The Provost offers to parole Pompey if he will serve as assistant to the executioner Abhorson who is tasked with executing Claudio and Barnardine the next morning. The Provost shows Claudio the warrant for his execution (‘for thy death’) earmarked for eight tomorrow. The Duke, still in disguise arrives and asks if anyone has come with a pardon for Claudio, knowing that Mariana, in place of Isabella, had slept with Angelo. Instead of a pardon, a messenger arrives with a note from Angelo, with clear instructions that Claudio be executed by four o’clock and his head sent to Angelo by five. Aware that Angelo had not kept his word the Duke suggests Barnardine’s head is substituted for Claudio’s but Barnardine is too drunk to face his execution. The Duke, who prides himself on his special ability to read the minds of men, says to the Provost ‘There is written in your brow, Provost, honesty and constancy. If I read it not truly, my ancient skill beguiles me’ (4:2:155-7) and tells him, that Claudio is no more guilty under the law than Angelo, who has sentenced him.

So that he can prove it the Duke tells the Provost he needs four days and asks him to undertake a dangerous mission. The Provost is unsure until the Duke still in the habit of a Franciscan friar shows him a letter in the hand of Duke with his seal upon it. The

letter reveals the Duke is to 'return' within two days, which is unknown to Angelo, who is himself about to receive an ambiguous letter 'perchance of the Duke's death, perchance entering into some monastery; but by chance nothing of what is writ.' (4:2:200-2). The Duke tellingly says to the Provost 'Put not yourself into amazement how these things be. All difficulties are but easy when they are known' (4:2:203-5). The words, writes Professor Wilson Knight, are meant to recall the 'mystic assurance' of Matthew.10:26:

...for there is nothing covered, that shall not be revealed; and hid, that shall not be known.⁸⁴

When the prisoner Barnardine is summoned to be executed he refuses because he has been drinking all night and is not fit for it. The Provost suggests they send the head of another prisoner, the notorious pirate Ragusine, who has died that morning of natural causes, and was of the same years and similar in appearance to Claudio. The Duke instructs the Provost to immediately send his severed head to Angelo. Alone the Duke reveals his intention to write to Angelo telling him that he plans to enter the city publicly and that from their meeting point at the consecrated fount he will proceed with Angelo 'By cold gradation and well-balanced form' (4:3:96). Isabella arrives and asks if Claudio's pardon has been sent. As part of his wider plan the Duke tells her that Claudio's head has already been cut off and sent to Angelo. The Duke, whom she thinks is the friar, tells Isabella that the Duke is due to return tomorrow and will meet with Escalus and Angelo at the city gates for them to surrender their power. He tells Isabella to give Friar Peter a letter, who will accompany her and Mariana, to accuse Angelo before the Duke. The significance of the following scene was deciphered by professors Barnaby and Schnell in their chapter "'A Comune Biholdyng Place'" The Scene of Knowledge in *Measure for Measure*, as part of a full-length work analysing the relations between drama, literature, and politics with Bacon's new experimental philosophy and science:

Bacon would warn in *Novum Organum* that the government of a state needed to be wary of allowing "certain rumours" and the "gossip of the streets" to displace those official intelligences by which that government policed its boundaries (IV, 94). But as he argued in the *Essays* and elsewhere, this policing activity could be best carried out not by avoiding contact with *vulgi opiniones* altogether but by actively producing them in its own interests. Well-placed political disinformation could facilitate this production, for, as with religious belief, knowledge supplied by ruling authority for public consumption could help "erecteth," as Bacon put it, "an absolute Monarchy, in the Mindes of Men." The proactive construction of public knowledge in important matters could prevent less reliable sources from bringing in that "new *Primum Mobile*" that would ravish "all the Spheares of Government."

At the gates of his own city, where he intends to "exhibit" the workings of authority "in the street" (IV.iv.10), the Duke in *Measure for Measure* produces a scene of knowledge that anticipates this Baconian "Habit of Secrecy" (E, 21) even as it deconstructs the humanist ideal of theatrical display. Part of what the Duke manages to construct in the end is recognition among his subjects of the necessity of his authority. And just as critically, this necessity is made to appear to originate in something other than the logic of human affairs. He accomplishes this task, in part, by evoking that aura of divinity that, as Bacon asserts in "Of Seditions and Troubles," must gird God's substitutes in "Reverence." Having shown that he knows how to strew rumors to achieve his ends, the Duke also demonstrates his capacity to satisfy the desire for certainty that his own equivocal actions have generated. The rumors, gossip, and opinions he himself has encouraged are thus transformed in the final scene into a knowledge productive of authority. Paradoxically, then, the city streets become the very site for policing those boundaries by which authority maintains its privileged distance from its

60-1). She then urges the Duke to make the truth appear where it seems hid and look beyond false things that seem true:

To make the truth appear where it seems hid,
And hide the false seems true.

[*Measure for Measure*: 5:1:66-7]

In their jointly written article entitled ‘*Authorized Versions: Measure for Measure and the Politics of Biblical Translation*’, professors Andrew Barnaby and Joan Wry, state:

Isabella shows a similar reverence towards the duke’s quasi-mystical knowledge: “O gracious Duke,/...let your reason serve/To make the truth appear, where it seems hid,/And hide the false seems true” (5.1.63-67). As if echoing the Duke’s words, Bacon would remark in the *Advancement of Learning* (1605) that “men must know, that in this theatre of man’s life it is reserved *only for God and angels to be lookers on*”.⁸⁶

Save Bacon’s God-like self, in the guise of his divine creation, the Duke in *Measure for Measure*:

DUKE

My business in this state
Made me a looker-on here in Vienna,
Where I have seen corruption boil and bubble
Till it o’errun the stew; laws for all faults,
But faults so countenanced that the strong statutes
Stand like the forfeits in a barber’s shop,
As much in mock as mark

[*Measure for Measure*: 5:1:313-19]

Continuing the narrative Isabella informs the Duke that she is the sister of Claudio condemned by Angelo for the act of fornication, and in probation for the Franciscan Order of St Clare, and that when she went to visit Angelo to plead for his life, he told her he would only agree to it on the condition she gave up her chaste body. In keeping with the agreed script Isabella tells the Duke that out of sisterly love for her brother she sacrificed her virginity to Angelo who broke his promise and issued a warrant for Claudio’s execution. The Duke pretends he does not believe her and insists someone must have put Isabella up to it and orders her arrest for slandering Angelo. Before she departs the Duke says to Isabella this must be some kind of plot and demands to know who knew of her intentions. Someone I wish were here, she tells him, Friar Lodowick (the assumed identity of the Duke). To which the Duke stealthily says out loud ‘Who knows that Lodowick’ (5:1:126) and issues an order that his own pseudonymous mask be found! The conspiratorial charade is reinforced when Friar Peter steps forward and says Isabella had wrongly accused Angelo with the Duke replying ‘We did believe no less. Know you that Friar Lodowick that she speaks of? (5:1:142) and he does ‘I know him for a man divine and holy’ (5:1:143). Friar Peter claims Friar Lodowick is sick with a fever and upon hearing of this complaint against Angelo asked him ‘To speak, as from his mouth, what he doth know/Is true and false’ (5:1:154-5).

Friar Peter brings in Mariana and she enters veiled with her face hidden. The Duke asks her to show her face but she refuses until her husband bids her. The Duke asks if she is married, a maid, or a widow, but she cryptically denies all three ‘My lord, I do confess I ne’er was married./And I confess besides, I am no maid./I have known my

husband, yet my husband/Knows not that ever he knew me' (5:1:183-6). The woman who accuses Angelo of fornication 'accuses my husband' who at that time was having sex with me' (5:1:191-5). With Angelo confused, the Duke mischievously interjects, you say your husband 'Why just, my lord, and that is Angelo,/Who thinks he knows that he ne'er knew my body,/But knows, he thinks, that he knows Isabel's' (5:1:198-200). Still deceived and confused Angelo demands to see her face 'My husband bids me;/now I will unmask' (5:1:202). Mariana tells Angelo it was her and not Isabella he had sex with: I 'did supply thee at thy garden-house/In her imagined person' (5:1:208-9). Angelo confesses he knows Mariana but in the last five years he has not as much as even spoken to her, seen her, nor heard from her, and claims Mariana and Isabella, are the mere instruments of some mysterious higher intelligence that has set them on. Angelo asks permission to 'find this practice out' and the Duke denounces his co-conspirators Friar Peter and those 'pernicious women', and tells everyone concerned 'There is another friar that set them on./Let him be sent for' (5:1:246-7). The Duke orders Escalus to fetch Friar Lodowick, in other words, writes Professor Jordan, 'the Duke summons his pseudo-self as if to charge him and proceeds to leave the scene.'⁸⁷

The Duke returns disguised as Friar Lodowick and Escalus asks him did he set these women on to slander Lord Angelo 'They have confessed you did'. The Duke as his 'pseudo-self' denies the charge 'Tis false' (5:1:286-8). He salutes Escalus 'Respect to your great place' and deceitfully asks him 'Where is the Duke? 'Tis he should hear me speak' (5:1:290-3), thus the disguised Duke, would like to speak to himself. Escalus tells the disguised Duke's 'pseudo-self' Friar Lodowick that the Duke has given him the authority to oversee the trial and he will hear his testimony. The Duke, in the persona of his 'pseudo-self', says to Isabella and Mariana, that the Duke is unjust in making them endure a trial before the person they have accused prompting Escalus to angrily threaten to have the disguised Duke ('thou unreverend and unhallowed friar') tortured on the rack, for taxing the Duke with injustice. The disguised Duke in turn responds 'Be not so hot. The Duke/Dare not stretch this finger of mine than he/Dare rack his own' (5:1:310-12), who like his creator Bacon in *Advancement of Learning*, he is a 'looker-on here in Vienna' (5:1:314). The enraged Escalus cries out 'Slander in th' state!/Away with him to prison (5:1: 320-1).

Lucio falsely states the Duke's pseudo-self Friar Lodowick, slandered the Duke, but the disguised Duke protests that he loves the Duke 'I protest I love the Duke as I love myself' (5:1:338). Escalus again orders the disguised Duke, Friar Lodowick, be taken to prison, and as the Provost tries to seize him, in the ensuing struggle Lucio pulls the Duke's hood off, revealing his true identity. The Duke has Lucio arrested and takes Angelo's seat symbolising his return to power. Realising the Duke has known all along about his crime Angelo confesses 'O my dread lord,/I should be guiltier than my guiltiness/To think I can be undiscernible,/When I perceive your grace, like power divine,/Hath looked upon my passes' (5:1:364-7):

in his inscrutable, godlike intelligence of Angelo's crimes, the Duke appears to manifest the same *character angelicus* that medieval and Renaissance political theology ascribed to the reigning monarch. This view of power is shared by the narrator of Bacon's *New Atlantis*, who remarks that it is a "condition and propriety of divine powers and beings...to be hidden and unseen to others, and yet to have others open and in light to them (III, 140).⁸⁸

He asks the Duke to let his trial be his confession and that he be sentenced to death. The Duke orders the penitent Angelo to immediately marry Mariana. The Duke then apologizes to Isabella about the death of her brother 'you may marvel why I obscured

myself' and did not use 'my hidden power' to save him, but he died sooner than he expected 'But peace be with him!/That life is better life, past fearing death,/Than that which lives to fear. Make it your comfort (5:1:393-5). After the wedding ceremony the newly married Angelo returns prompting the Duke to say to Isabella that she needs to pardon Angelo for Mariana's sake. But since he judged Claudio 'Being criminal in double violation/Of sacred chastity and of promise-breach' (5:1:401-2) and for the death of her brother 'the very mercy of the law cries out/...' 'An Angelo for Claudio, death for death'/'...Like doth quit like, and measure still for measure' (5:1:404-8). Both Mariana and Isabella plead for his life but the Duke refuses to listen to their suit and instead turns to the Provost and asks why Claudio was beheaded at an unusual hour of the day. The Provost replies that it is what he was commanded to do. 'Had you a special warrant for the deed?' (5:1:456) asks the Duke, no he replies it was by private message for which the Duke dismisses him from his office. The Provost humbly apologizes and acknowledges that he thought it was wrong, and that he had kept Barnardine alive to testify to it.

The prisoner Barnardine is brought in with Juliet and Claudio, whose face is hidden. For all his faults the Duke pardons Barnardine and advises him to take advantage of this mercy to improve his life in future. The Provost reveals that the hidden man is Claudio and he is also pardoned. The Duke proposes to Isabella and says if you will be mine Claudio is his 'brother' too. He also pardons Angelo 'yet here's one in place I cannot pardon' (5:1:498), meaning Lucio, who should be 'whipped first' and 'hanged after', before ordering him to marry the woman he had made pregnant. Recalling that Lucio had on several occasions repeatedly slandered him the Duke says 'thy slanders I forgive', as well as all his other crimes. Still ungrateful Lucio protests that marrying a whore, is worse than being pressed to death, and being whipped and hanged. In response to which the Duke tells him 'Slandering a prince deserves it' (5:1:523):

It is Lucio more than Angelo whose final predicament most forcefully reveals how in the new Vienna past transgressions may suddenly come back to haunt one. Condemned to be "whipt ...and hang'd after"-all this to follow his enforced marriage to the prostitute who has borne his child (5.1.507-21)-Lucio finds his protest about the severity of the punishment met by the duke's simple assertion, "Slandering a prince deserves it" (5.1.524). Although we have no way of knowing if Lucio's alleged slanders are actually false, the mere accusation of royal impropriety suddenly becomes a capital offence because it undermines the public "Reverence ...wherwith," as Bacon explains, "Princes are girt from God." [*Of Seditions and Troubles*]:⁸⁹

OF SEDITIONS AND TROUBLES

Shepherds of people had need know the calendars of tempests in state; which are commonly greatest when things grow to equality; as natural tempests are greatest about the *Equinoctia*. And as there are certain hollow blasts of wind and secret swelling of seas before a tempest, so are there in states:

Ille etiam caecos instare tumultus
Saepe monet, fraudesque et operta tumescere bella.
[Of troubles imminent and treason dark
Thence warning comes, and wars in secret gathering]

Libels and licentious discourses against the state, when they are frequent and open; and in like sort, false news often running up and down to the disadvantage of the state, and hastily embraced; are amongst the signs of troubles.⁹⁰

One of the less familiar dramas in the Shakespeare canon *Measure for Measure* has at its heart the God-like Rosicrucian figure of Duke Vincentio one akin to Prospero in *The Tempest* described by Dr Yates as a Rosicrucian manifesto. The role of the Duke is one of the longest roles in the Shakespeare canon. He is seen by many Shakespeare scholars as a surrogate of the dramatist himself with the joint Arden editors of *Measure for Measure* correctly maintaining its author 'sets up the correspondences between himself and the duke...extensively', and *Measure for Measure* 'persistently hints that the Duke is a playwright made in Shakespeare's image'. Or put another way the secretive, complex and enigmatic character of Duke Vincentio, who adopts multiple masks, disguises and identities in *Measure for Measure* represents Shakespeare, that is to say, the true author of the play, who himself outside of the play itself, also adopts multiple identities and disguises behind his various literary living masks including the pseudonym of Shakespeare. The Duke is a complex dramatic portrait of his creator Francis Bacon, supreme head of the Rosicrucian-Freemasonry Brotherhood, with the Duke in the play watching over Vienna just as Bacon, reflected in his Rosicrucian utopia *New Atlantis*, watches over the world and the future of mankind. In the play the Duke seeks to build a new, fair, and just society one based upon love just as Bacon with his Rosicrucian Brotherhood set in motion a plan for *A Universal Reformation of the Whole World*.

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