

## Challenging the Lie in a Free Society: Even in Shakespeare Authorship Studies?

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It is not the lie that passeth through the mind, but the lie that sinketh in, and settleth in it, that doth the hurt.

—Francis Bacon, “Of Truth”

Never knowingly support lies.

— Alexander Solzhenitsyn

My late friend Sam had two favorite authors, William Butler Yeats and Alexandr Solzhenitsyn. The latter wrote *One Day in the Life of Ivan Denisovich* and *The Gulag Archipelago*. I have not read the latter, but the former was memorable. Solzhenitsyn’s essay, “Live Not by Lies,” was published February 12, 1974, the day after he was exiled from Russia. In it, he urges people to “never knowingly support lies.” Edward J. Erickson, editor of *The Alexandr Solzhenitsyn Reader* in which the essay was first published, wrote:

Solzhenitsyn equates “lies” with ideology, the illusion that human nature and society can be reshaped to predetermined specifications. And his last word before leaving his homeland urges Soviet citizens as individuals to refrain from cooperating with the regime’s lies. Even the most timid can take this least demanding step toward spiritual independence. If many march together on this path of passive resistance, the whole inhuman system will totter and collapse.<sup>1</sup>

Vaclav Havel, playwright, poet, and former president of Czechoslovakia and the Czeck Republic, acknowledged that there is a cost to “living within the truth” in his essay, “The Power of the Powerless.” Havel urges us not to judge others too harshly for the compromises they make with regard to “living in the truth” under what he calls a “post-totalitarian” regime; for we may not know what it will cost them or their loved ones.<sup>2</sup> He defined “post-totalitarianism,” in the words of Paul Jackson, as “a form of totalitarianism where the powerful become subordinated to a blind, automatic instinct to preserve the system. This system had, however, become meaningless, and he explained communist totalitarianism had become ‘a world of appearances, a

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<sup>1</sup>Alexandr Solzhenitsyn, “Live Not by Lies,” translated by Yermolai Solzhenitsyn, Alexandr Solzhenitsyn Center, <https://www.solzhenitsyncenter.org/live-not-by-lies>. Previously published in *The Alexandr Solzhenitsyn Reader*, edited by Edward E. Ericson, Jr., and Daniel J. Mahoney, 2d ed. (1974) (ISI [Intercollegiate Studies Institute] Books, Regnery Publishing, 2009).

<sup>2</sup>Václav Havel, “The Power of the Powerless,” extract from *The Power of the Powerless*, by Václav Havel (London: Unwin Hyman, 1985), repr. in *Without Force or Lies: Voices from the Revolution of Central Europe in 1989-90*, edited by William M. Brinton, transl. Paul Wilson (San Francisco: Mercury House, 1990), 43-127, 48.

mere ritual, a formalized language deprived of semantic contact with reality and transformed into a system of ritual signs that replace reality with pseudo-reality.”<sup>3</sup>

I have been reading the essays in *Without Force or Lies: Voices from the Revolution of Central Europe in 1989–90*.<sup>4</sup> How precious freedom is! And yet, how quickly it can be lost when we are not vigilant! Now, you may think I am taking this far too seriously, that there is no connection between our rights as a free people and any deliberate repression of free inquiry or media control regarding Shakespeare authorship studies. All lies damage trust, however. This paper will not attempt to provide a complete case for Francis Bacon as the author of the Shakespeare works, although it will touch on some highlights.<sup>5</sup> Rather, its focus will be on the need for writers on Shakespeare authorship to care more about the truth than anything else, as I believe Francis Bacon did.

A free people does not want to become complacent about lies if it cares about its freedom. If we want to live in a sane society, we have to care about the truth enough to insist upon the integrity of the fact-finding process. Readers have a responsibility to insist that writers meet ethical standards. Writers should, inter alia, strive to be careful about factual accuracy, support their statements, avoid bias, address evidence counter to their positions, and give good evidence the weight and credit it deserves. Writers also have an ethical responsibility not to misinform their readers, whether deliberately or recklessly. It is not just the quantity of evidence but the quality that matters. For example, in deciding a legal case, a trier (or triers) of fact critically weighs and considers admissible evidence before arriving at conclusions.

These concerns are relevant to the Shakespeare Authorship debate which has just received a boost in media attention, due to the May 2023 publication of journalist Elizabeth Winkler’s recent book, *Shakespeare Was a Woman and Other Heresies: How Doubting the Bard Became the Biggest Taboo in Literature* (New York: Simon & Schuster, 2023). Her book, which has been called “witty” and “irreverent,” attempts to popularize the “Shakespeare authorship question” which explores the question of “who really wrote” the Shakespeare plays and sonnets. When her book first came out in May of this year, I thought I might have been able to support it. After reading it, however, I realized how dismissively she had treated the case for Francis Bacon and how extensively she had given the Oxfordians a platform for their views while disingenuously professing a neutral stance.

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<sup>3</sup> Paul Jackson, “Totalitarianism in the 20<sup>th</sup> Century and Beyond,” Open Democracy, August 27, 2019, <https://www.opendemocracy.net/en/countering-radical-right/totalitarianism-twentieth-century-and-beyond/> (discussing Václav Havel, “The Power of the Powerless,” 43–127, 51–54).

<sup>4</sup> William M. Brinton and Alan Rinzler, eds., *Without Force or Lies: Voices from the Revolution of Central Europe in 1989–90* (San Francisco: Mercury House, 1990).

<sup>5</sup> As to evidence, the reader is invited to explore the contents of the SirBacon.org website. For an attempt to provide an overview of the evidence, see Christina G. Waldman, “Reports of the Death of the Case for Francis Bacon’s Authorship of Shakespeare Have Been Greatly Exaggerated,” SirBacon.org, August 3, 2022 (updated August 8, 2022), <https://sirbacon.org/reports-of-the-death-of-the-case-for-francis-bacons-authorship-of-shakespeare-have-been-greatly-exaggerated/>.

On August 11, 2023, a “Special Issue” of the *Journal of Scientific Exploration* was published. It was edited by (Oxfordian) guest editor Don Rubin, current president of the purportedly neutral Shakespeare Authorship Coalition, which frames the “Shakespeare authorship controversy” largely in the context of Edward de Vere, the 17<sup>th</sup> Earl of Oxford. The journal can be read online for free. Although Bacon’s image is one of five featured on the cover of the issue, a search of the entire issue revealed just seventeen references to “Bacon.” Most were references to Bacons other than Francis. Those which were to Bacon were in passim.<sup>6</sup>

If I am not mistaken, every author who contributed to this issue except James Houran, the editor-in-chief, and Brian Robert Laythe, the managing editor, was a writer affiliated with the Shakespeare Oxford Fellowship. Also, there are a number of candidates for Shakespeare authorship who are not represented in this issue, even in the bibliographies. It is true that token references to (Baconian) Mark Twain’s *Is Shakespeare Dead?* (1909) were made. The previous “Special Issue” on Shakespeare authorship which Rubin edited (for *Critical Stages*, The IATC Journal) had presented more of a mix, with neutral articles, articles by Oxfordian authors, and an article on John Florio included.<sup>7</sup>

The “Special Issue” included a book review of Winkler’s book by Tom Woosnam who seemed unaware that the Earl of Oxford had died in 1604. He claims, without proof, that the case for Oxford is scientifically based, while the case for Bacon is not. He writes, “Francis Bacon is not a serious candidate these days except for [among?] Baconians.”<sup>8</sup> There are so many things wrong with that statement, even aside from its grammar.

First, factual truth is not determined by a popularity contest, a panel of experts, or the group with the loudest voice. Truth is not partisan; it has an existence independent of consensus. Second, what is the criteria for assessing who really wrote the works of Shakespeare? Are the most intelligent, informed people who have honestly, seriously studied the matter able to voice their opinions freely, or is there still a taboo in place? Third, how would Woosnam or, for that matter,

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<sup>6</sup> Don Rubin, ed., Special Issue, JSE 37:2 Summer 2023 (featuring Oxfordian writers Don Rubin, ed., D. L. Roper, Alexander Waugh, Katherine Chiljan, Sky Gilbert, Earl Showerman, Elizabeth Waugaman, Bonner Cutting, Ramon Jiminez, Kevin Gilvary).

See, e.g., William Leahy, ed., *My Shakespeare: The Authorship Controversy* (Brighton (UK): Edward Everett Root, 2018) (“Experts examine the arguments for Bacon, Neville, Oxford, Marlowe, Mary Sidney, Shakspeare, and Shakespeare”).

<sup>7</sup> Don Rubin, ed., “The Question That Won’t Go Away: Did the Man from Stratford Really Write the Plays?” Special Topic II, *Critical Stages*, The IATC Journal, no 18 (December 2018), <https://www.critical-stages.org/18/special-topic/> (with articles by Diana Price (a neutral writing), the late Thomas Regnier (Oxfordian), Keir Cutler (a neutral writing), Hank Whittemore (Oxfordian), Gary Goldstein (Oxfordian), Michael Vaïs (on John Florio), Derek Jacobi and Mark Rylance (a neutral writing). I had submitted a piece on Bacon for the issue, but Rubin declined to publish it because it was “not theatrical enough.”).

<sup>8</sup> Tom Woosnam, Book Review, “Shakespeare Was a Woman and Other Heresies,” in “Special Issue,” edited by guest editor, Don Rubin, *Journal of Scientific Exploration*, vol 37, no 2 (Summer 2023), 199–301, at 301.

any Oxfordian who claims that “the Oxfordians are in the lead” even know what opinions others privately hold?

Shakespeare authorship has traditionally been ascribed to William Shaxpere of Stratford—actor, theatre shareholder, and grain merchant/money lender, based primarily on the front matter in the 1623 First Folio and the statements of Shaxpere’s contemporaries, those who knew him during his lifetime (1564–1616).<sup>9</sup> But what if “William Shakespeare” were merely a pseudonym standing for one or several writers? While a number of authorship candidates have been suggested, and there is evidence that a number of hands contributed to the Shakespeare works, the two main “contenders” for the authorship “crown,” if you will, are Francis Bacon, whose identity as Shakespeare was cryptically suggested<sup>10</sup> during his own lifetime, and Edward de Vere, the seventeenth Earl of Oxford, who was first proposed to be Shakespeare in 1920 by a British schoolteacher, J. Thomas Looney.

In his 2019 book, *Francis Bacon’s Contribution to Shakespeare* Barry R. Clarke asserted that “single author” theories were outdated.<sup>11</sup> There is a legitimate, expansive meaning of the word “author” that refers to the main person in charge of a large, perhaps multi-volume literary project, treatise, or encyclopedia which may have multiple contributors and editors. For example, Abbess Herrad of Hohenbourg legitimately referred to herself as the “author” of the *Hortus deliciarum*, an encyclopedia, even though she herself had only written a few of the pieces.<sup>12</sup>

I am a Baconian. I speak in this essay only for myself, not for other individual Baconians or groups. I am defining “Baconian” here as one who studies the life and writings of Francis Bacon and explores his connection to Shakespeare authorship. My book, *Francis Bacon’s Hidden Hand in Shakespeare’s The Merchant of Venice: A Study of Law, Rhetoric, and Authorship* was published in 2018 by Algora Press. As I have continued to research Bacon, I have trusted that other researchers researching other candidates were operating in good faith, trying to be as conscientious as I was trying to be about factual accuracy. At times, I have been disappointed to find otherwise. For me, Winkler’s book highlights a problem: the Oxfordian tendency to

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<sup>9</sup> The “Oxfraudians,” a Stratfordian group whose name suggests a stance opposed to that of the “Oxfordians,” present their documentation and what they consider to be a “prima facie case” for William Shaxpere of Stratford’s authorship of Shakespeare at “The Prima Facie Case for Shakespeare,” <https://oxfraud.com/sites/PrimaFacie.html>. They claim their evidence is entitled to a legal presumption. *Contra*, see my blogpost, “The Oxfraudian Prima Facie Case for Shakespeare: Hoist with its Own Petard?,” Oct. 20, 2022, <https://christinagwaldman.com/2022/10/11/the-oxfraudian-prima-facie-case-for-shakespeare-hoist-with-its-own-petard/>, reposted at SirBacon.org, Oct. 11, 2022, <https://sirbacon.org/the-oxfraudian-prima-facie-case-for-shakespeare-hoist-with-its-own-petard/>.

<sup>10</sup> See, e.g., Elizabeth Winkler, *Shakespeare Was a Woman and Other Heresies: How Doubting the Bard Became the Biggest Taboo in Literature* (New York: Simon & Schuster, 2023), 63–72.

<sup>11</sup> Barry R. Clarke, intro., *Francis Bacon’s Contribution to Shakespeare: A New Attribution Method* (New York: Routledge, 2019), 1–9, at 1–2.

<sup>12</sup> See Fiona J. Griffiths, ch 3, “A Bee in the Garden of the Lord,” *The Garden of Delights: Reform and Renaissance for Women in the Twelfth Century* (Philadelphia: University of Pennsylvania Press, 2007), 82–107.

disregard rather than deal with Baconian evidence. One could be forgiven for thinking some Oxfordians were more concerned with promoting their own Oxfordian agenda than in getting to the truth of the matter.

Winkler, although professing to be neutral, has followed the Oxfordian lead; and indeed, Oxfordians have been actively reviewing and promoting her book. It is disturbing to find that she did not interview even one Baconian. True, she interviewed Mark Rylance, the British actor affiliated with the Shakespeare Authorship Coalition. Rylance wrote the foreword to Clarke's book, *Francis Bacon's Contribution to Shakespeare* (a fact which Winkler's book does not mention). However, in Winkler's book, Rylance did not come across as a Baconian, although—as she reported—he “still saw Bacon's philosophy reflected in the plays.”<sup>13</sup> Thus, he maintained a neutral stance, while, however, expressing an opinion he apparently shares with his wife that the authorship role of women such as Mary Sidney and Aemilia (Bassano) Lanier deserves further attention.<sup>14</sup>

Winkler's editorial decision not to interview any actively researching Baconians, although she interviewed three Oxfordians, one Marlovian, several Stratfordians, and others, may falsely mislead readers into thinking the case for Bacon is of historical interest only.<sup>15</sup> For evidence to the contrary, one need only explore the resources provided at the websites of the Francis Bacon Society, Francis Bacon Research Trust, and SirBacon.org (Francis Bacon's New Advancement of Learning). There is no factual reason why Bacon must be excluded from consideration as the author of Shakespeare, and there are very good reasons for considering him, as will be explored in this essay.

**If there was one thing Francis Bacon cared about, it was the truth.** And if there was one thing he hated, it was imposters,<sup>16</sup> although he also acknowledged that it was a “good shrewd proverb of the Spaniard” to “tell a lie and find a truth” in his essay, “Of Simulation and Dissimulation.” His program for the “advancement of learning,” for the benefit of humanity, stressed the importance of building upon a foundation of true facts. That was why he devoted so

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<sup>13</sup> Winkler, *Shakespeare Was a Woman*, 285–286.

<sup>14</sup> On Rylance and Shakespeare authorship, see Winkler, *Shakespeare Was a Woman*, 285–288 (not in the index), 16, 28, 176–77, 279–80, 319, 322, 330.

<sup>15</sup> See my review, “[Why Did Elizabeth Winkler Not Interview Any Baconians?](https://christinagwaldman.com/2023/07/05/why-did-elizabeth-winkler-not-interview-any-baconians/)” July 5, 2023, <https://christinagwaldman.com/2023/07/05/why-did-elizabeth-winkler-not-interview-any-baconians/>, reposted at SirBacon.org, July 9, 2023, <https://sirbacon.org/why-did-elizabeth-winkler-not-interview-any-baconians/>.

<sup>16</sup> Francis Bacon, *Redargutio Philosophiarum*, translated by Benjamin Farrington, in Benjamin Farrington, *The Philosophy of Francis Bacon* (Chicago: University of Chicago Press, 1966. First published by the University of Liverpool Press, 1964), 103–133, at 132–33; see also Francis Bacon, “Of Imposters,” *Meditationes Sacrae* (“Religious Meditations”) (1597), Spedding 7:243–254 (in Latin, Spedding 7:227–242), [https://en.wikisource.org/wiki/Meditationes\\_sacrae](https://en.wikisource.org/wiki/Meditationes_sacrae); Francis Bacon, “Ericthonius, or Imposture,” *Of the Wisdom of the Ancients*, Spedding 6: 736 (Latin 6:660); and Bacon's treatment of the imposters Perkin Warbeck and Lambert Simnel in *The History of the Reign of King Henry the Seventh*, edited by Brian Vickers (1622) (Cambridge: Cambridge University Press, 1998).

much attention to developing a sound fact-finding process which we know today as the “scientific method.”<sup>17</sup>

Bacon once said, “A prudent question is, as it were, one half of wisdom.”<sup>18</sup> Winkler begins her first chapter by asking “Who has the authority to determine the truth about the past?” This formulation, however, neatly sidesteps an acknowledgement that objective truth exists independently of the opinions of others. Bacon distinguished between popular opinion and “judgments of a higher order” in this passage:

Now the doctrines which find most favour with the populace are those which are either contentious and pugnacious, or specious and empty; such, I say, as either entangle assent or tickle it. And therefore no doubt the greatest wits in each successive age have been forced out of their own course; men of capacity and intellect above the vulgar having been fain, for reputation’s sake, to bow to the judgment of the time and the multitude; and thus, if any contemplations of a higher order took light anywhere, they were presently blown out by the winds of vulgar opinions. So that Time is like a river, which has brought down to us things light and puffed up, while those which are weighty and solid have sunk.<sup>19</sup>

Besides not interviewing any Baconians, Winkler also did not interview Alan H. Nelson, author of *Monstrous Adversary*, a documented biography of Edward de Vere. This is unfortunate, for Nelson could have provided a refreshing and necessary counterpoint to the Oxfordian case. In her recent “Zoom” event in which she conversed with a panel of Oxfordians, she stated—with a straight face—that her reason for not requesting an interview with Nelson was that her section on Oxford was “already so long.”<sup>20</sup> Was that the real reason she did not interview him?

While William Shaxpere of Stratford remains “the Shakespeare” recognized by the academic community which has, however, been seriously discouraged from exploring authorship for many years, the Folger Shakespeare Library, along with its contributing institutions, now states: “We

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<sup>17</sup> See Barbara Shapiro, *A Culture of Fact: England, 1550–1720* (Ithaca: Cornell University Press), 2000, online, Cambridge University Press, 2011), 4, 107–111, abstract, <https://www.cornellpress.cornell.edu/book/9780801436864/a-culture-of-fact/#bookTabs=1>.

<sup>18</sup> Francis Bacon, “*De Augmentis*,” in *The Works of Francis Bacon, Baron of Verulam, Viscount St. Alban, and Lord High Chancellor of England* 1:635, in Latin (London: Longmans 1857–1874), HathiTrust. <https://catalog.hathitrust.org/Record/006685889>. For more “Quotations of Francis Bacon,” see <https://sirbacon.org/links/baconquotes.html>.

<sup>19</sup> Francis Bacon’s preface to *The Great Instauration*, Spedding 13–22, 15.

<sup>20</sup> “A Drink with Elizabeth Winkler: Literary Taboos and Doubting the Bard in a Bar,” Shakespeare Oxford Fellowship, event August 16, 2023, posted on YouTube Sept. 11, 2023, [https://www.youtube.com/watch?v=0hLCk9kcKao&ab\\_channel=ShakespeareOxfordFellowship](https://www.youtube.com/watch?v=0hLCk9kcKao&ab_channel=ShakespeareOxfordFellowship). For Winkler’s treatment of Nelson, see Winkler, *Shakespeare Was a Woman*, 220, 247–48.

don't really know what Shakespeare's handwriting looks like." The presumed "six signatures" simply do not constitute an adequate sample size for study.<sup>21</sup>

On the question of Francis Bacon's authorship of Shakespeare, the article "Francis Bacon, Renaissance and Reformation" at the Oxford Bibliographies website refers readers to Columbia University English professor James Shapiro's book, *Contested Will*, which provides a history of both the Baconian and Oxfordian movements (apparently Edward de Vere does not have an Oxford Bibliographies page). As to Bacon, Shapiro directs readers to two references: Irish humanist and teacher Brian McClinton's book, *The Shakespeare Conspiracies*, 2d ed. (Belfast: Shanway Press, 2008) and the website "Francis Bacon's New Advancement of Learning," SirBacon.org.<sup>22</sup> Winkler mentions neither McClinton nor SirBacon.org. She does, however, mention *Baconiana*, the journal of the Francis Bacon Society.<sup>23</sup> Her book contains no bibliography.

A professed Stratfordian, Shapiro in *Contested Will* provided approximately equal coverage of the cases for "Shakespeare," Bacon, and Oxford.<sup>24</sup> However, I do question his statement that Sir George Greenwood, author of *Shakespeare's Law* (London: C. Palmer, 1920), "leaned toward Oxford."<sup>25</sup> Greenwood was a member of the Baconian Society. He was "not a Baconian." While he considered the Baconian theory entirely plausible, he did not consider the matter sufficiently proven, as he made clear in the three essays (two "Baconian essays" and his concluding chapter) which he contributed to E. W. Smithson's book, *Baconian Essays*, which Greenwood edited.<sup>26</sup> Thus, Winkler's statement that Greenwood "never threw his support behind any alternative candidate" or M. W. Douglas's statement that Greenwood preferred to "remain a critic, and to retain an open mind as to the author" do not quite state the case accurately.<sup>27</sup> For Greenwood, author of *Shakespeare's Law*, the legal background of the author would have been a significant factor. In this regard, Bacon's qualifications far surpass Oxford's.

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<sup>21</sup> Cf. "Shakespeare's Handwriting: Hand D in the Booke of Sir Thomas More," Shakespeare Documented, the Folger Library, last updated July 13, 2020, <https://shakespearedocumented.folger.edu/resource/document/shakespeares-handwriting-hand-d-booke-sir-thomas-more>.

<sup>22</sup> Sarah Covington, "Francis Bacon, Renaissance and Reformation," Oxford Bibliographies, last revised Oct. 27, 2021, <https://www.oxfordbibliographies.com/display/document/obo-9780195399301/obo-9780195399301-0138.xml>; James Shapiro, *Contested Will* (Simon & Schuster, 2010), 282.

<sup>23</sup> Winkler, *Shakespeare Was a Woman*, 165.

<sup>24</sup> Shapiro, *Contested Will*: 15–79 ("Shakespeare"), 81–149 (Bacon), and 151–219 (Oxford).

<sup>25</sup> Shapiro, *Contested Will*, 164.

<sup>26</sup> E. W. Smithson, *Baconian Essays*, edited by Sir George Greenwood (London: Cecil Palmer, 1922), 33, 164, 205, 230, [Gutenberg link](#).

<sup>27</sup> Winkler, *Shakespeare Was a Woman*, 167; Lt. Col. M. W. Douglas, *Praeterita*, in Mark Andre Alexander, ed., *The George Greenwood Collection*, ebook, Dec. 29, 2013, 4–5, 5.

What is disturbing in Oxfordian treatments is a frequent failure to acknowledge evidence pointing to Bacon's authorship, even when it is stronger than the evidence for Oxford.<sup>28</sup> Perhaps the most significant omission is a failure to acknowledge the significance of the Ward-Gandy report. In her 1992 report, the (late) UK forensic expert Maureen Ward-Gandy determined, to a high degree of probability, that a Shakespeare play fragment found in binder's waste in a 1586 edition of Homer's *Odyssey* was written in Francis Bacon's own handwriting (to be discussed).<sup>29</sup>

Now, this is not to say that Bacon was the only writer involved in the Shakespeare literary project. If Oxford contributed poetry or plays to the Shakespeare literary project before his death in 1604, his contributions should be rightly acknowledged. However, one might reasonably ask where it is logical to rule out "one of the two greatest literary geniuses of the age" (Bacon and "Shakespeare") when the existence of collaborative contribution to the Shakespeare works by lesser authors has been conceded? Even if there were once good reasons for concealing Bacon's authorship, do they still have the same force now? Why is good evidence of his authorship of Shakespeare being systematically ignored?

### Plausibility versus proof

In her recent interview with Chris Hedges, Winkler opined that Bacon could not have been Shakespeare because the "two" authors had different writing styles.<sup>30</sup> This is one of two

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<sup>28</sup> See "Why not Bacon, Marlowe, or Derby?" Shakespeare Oxford Fellowship (SOF), August 24, 2007, <https://shakespeareoxfordfellowship.org/why-not-bacon-marlowe-or-derby/>; search the SOF website for "Bacon."

<sup>29</sup> Maureen Ward-Gandy, "Elizabethan Era Writing Comparison for Identification of Common Authorship," 24 July 1992, reviewed for Lawrence Gerald, 2 July, 1994, first published in Christina G. Waldman, app 4, "Handwriting on the Wall," *Francis Bacon's Hidden Hand*, 235–274; PDF, with updated credentials for Ward-Gandy, posted at SirBacon.org, Oct. 11, 2022, <https://sirbacon.org/elizabeth-era-writing-comparison-for-identification-of-common-authorship/>. See also my blogpost, "Shakespeare Play Fragment Found—Said to be in Francis Bacon's Handwriting," first posted May 14, 2020, revised Sept. 25, 2020, <https://christinagwaldman.com/2020/05/14/fragment-of-i-henry-iv-found-in-binders-waste/>. <https://sirbacon.org/links/baconwrite.htm?>; Sotheby's ad, 21 July 1992, <https://sirbacon.org/links/baconwrite.htm>; Heather Purchase, "Writing's on the Wall for Shakespeare," *London Evening Standard*, July 30, 1992, <https://sirbacon.org/links/handwriting1.html>; "Play of Thieves and a Gullible Tapster," Lost Plays Database, maintained by David McInnis, author of *Shakespeare's Lost Plays* (Cambridge: University of Cambridge, 2021). [https://lostplays.folger.edu/Play\\_of\\_Thieves\\_and\\_a\\_Gullible\\_Tapster](https://lostplays.folger.edu/Play_of_Thieves_and_a_Gullible_Tapster), last updated December 23, 2022. Arguably, there is no way of knowing whether the fragment is an early or later draft of the scene, since only a range of dates can be suggested for its provenance.

<sup>30</sup>Chris Hedges, "Everything You've Been Told About Shakespeare Could be a Lie," The Real News Network, Aug. 25, 2023, <https://therealnews.com/everything-youve-been-told-about-shakespeare-could-be-a-lie>.



objections most often raised, the other being that Bacon would have been “too busy.” These are opinions; however, the facts do not rule out Bacon’s authorship (to be further discussed).

First, a bit of history: Greenwood was the first president of the Shakespeare Fellowship which professed to be open on the question of who wrote Shakespeare. Greenwood declined to state outright that he believed Bacon wrote Shakespeare. This was, as he stated in 1922, because he thought the matter had not yet been sufficiently proven. He also stated, however, that he thought the Baconian theory was entirely *plausible*, if it were considered separately from claims that codes, ciphers, and cryptograms proving authorship had been found in the plays.<sup>31</sup> Among the chief proponents of such theories were United States Congressman Ignatius Donnelly, Dr. Orville Owen, Elizabeth Wells Gallup, and William Stone Booth.<sup>32</sup>

It was after Greenwood’s death (October 27, 1928), that the “Shakespeare Fellowship” shifted from neutral into high-gear promotion of Edward de Vere, the 17<sup>th</sup> Earl of Oxford, as Shakespeare.<sup>33</sup> 1928 was also the year in which Henry Folger declared in a letter that he was renouncing his “Baconianism,” according to Winkler.<sup>34</sup> Folger was apparently influenced by J. Thomas Looney’s book, *Shakespeare Identified*, in which Looney first proposed Oxford as Shakespeare.<sup>35</sup>

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<sup>31</sup> See E. W. Smithson, *Baconian Essays*, edited by Sir George Greenwood (London: Cecil Palmer, 1922), 33, 164, 205, 230, [Gutenberg link](#)). Mark Andre Alexander whose work is published in Oxfordian publications does provide a link to the Smithson book at his Shakespeare Authorship Sourcebook, SourceText.com website, <https://sourcetext.com/sourcebook/>. Although not labeled as a Baconian essay, Greenwood’s concluding chapter also contains evidence supporting the Baconian theory.

<sup>32</sup> See the Online Books Pages, ed. John Mark Ockerbloom, UPenn.edu, for: Dr. Orville Owen (1854–1924), [https://onlinebooks.library.upenn.edu/webbin/book/search?author=orville+owen&amode=words&title=&tmode=words&c=x](https://onlinebooks.library.upenn.edu/webbin/book/search?author=orville+owen&amode=words&title=&tmode=words&c=x;); Elizabeth Wells Gallup (1846–1933 according to the Library of Congress), <https://onlinebooks.library.upenn.edu/webbin/book/lookupname?key=Gallup%2c%20Elizabeth%20Wells%2c%201846%2d&c=x>; Ignatius Donnelly (1831–1901), <https://onlinebooks.library.upenn.edu/webbin/book/search?author=Ignatius+Donnelly&amode=words>; and William Stone Booth (1864–1926), <https://onlinebooks.library.upenn.edu/webbin/book/search?author=William+Stone+Booth&amode=words>.

<sup>33</sup> See the Wikipedia article, “Shakespeare Fellowship,” last edited Nov. 15, 2022.

<sup>34</sup> Winkler, *Shakespeare Was a Woman*, 81.

<sup>35</sup> J. Thomas Looney, *Shakespeare Identified*, ed. James Warren (Cary NC: Veritas Publishing, 2019; first pub., London: C. Palmer, 1920). See also Dorothy and Charlton Ogburn, *This Star of England* (New York: Coward-McCann), 1952; Charlton Ogburn, Jr., *The Mysterious William Shakespeare: The Man Behind the Mask*. (New York: Dodd, Mead, 1984); James A. Warren, *Shakespeare Revolutionized: The First Hundred Years of J. Thomas Looney’s Shakespeare Identified* (Veritas Publications, July 2021). Note: In the opinion of Alan Nelson, the Ogburn books contributed no new research. Nelson considered Bernard M. Ward, author of *The*

Nearly thirty years later, William and Elizebeth Friedman's book, *The Shakespearean Ciphers Examined* claimed that no codes and ciphers within the Shakespeare plays had been scientifically proven to the exacting standards they themselves had set.<sup>36</sup> They acknowledged that Bacon's biliteral cipher was a good cipher, the most promising of the theories they had analyzed.<sup>37</sup> The Friedmans apparently hoped to discourage amateurs from searching for codes and ciphers in the Shakespeare works without following professional cryptographic standards. However, in my opinion, their bias was evident. Acrostics such as those found by William Stone Booth are a traditional way in which writers have left their mark on their works. As for the method of Elizabeth Wells Gallup, I wrote in *Francis Bacon's Hidden Hand*:

*The Tragedy of Anne Boleyn* [a play Gallup purportedly discovered by decipherment], though, was not about looking for "secret messages" in the plays as much as it was a treasure hunt among a number of literary works—not just the plays of Shakespeare, and not just the works of Bacon and Shakespeare .... In the end, a lovely work of art was produced by a very unusual method.<sup>38</sup>

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*Seventeenth Earl of Oxford, 1550–1604* (London: John Murray, 1928), to be a competent historian, albeit partisan. See Nelson, *Monstrous Adversary*, 3–5.

<sup>36</sup> William and Elizebeth Friedman, *The Shakespearean Ciphers Examined* (Cambridge: University of Cambridge Press, 1957). But see Christina G. Waldman, app 2, "The Tragedy of Anne Boleyn," *Francis Bacon's Hidden Hand in Shakespeare's The Merchant of Venice: A Study of Law, Rhetoric, and Authorship* (New York: Algora Publishing, 2018), 227–232, at 231–232; Kenneth Patton, bk 1, *The Vindication of William Stone Booth, of Setting the Record Straight: An Expose of Stratfordian Anti-Baconian Tactics*, ebook (San Diego, 2000), SirBacon.org, <https://sirbacon.org/pattonstrs.htm>; Penn Leary, ch 7, "Friedman," *The Second Cryptographic Shakespeare* (Omaha: Westchester House, 1990), PDF at SirBacon.org, [https://sirbacon.org/archives/epdf.Penn Leary pub\\_the-second-cryptographic-shakespeare.pdf](https://sirbacon.org/archives/epdf.Penn%20Leary%20pub_the-second-cryptographic-shakespeare.pdf); A. Phoenix, *The Fraudulent Friedmans: The Bacon Ciphers in the Shakespeare Works*, ebook, 2022, Academia.edu, PDF at

[https://www.academia.edu/81465877/The Fraudulent Friedmans The Bacon Ciphers in the Shakespeare Works](https://www.academia.edu/81465877/The_Fraudulent_Friedmans_The_Bacon_Ciphers_in_the_Shakespeare_Works). For more on William and Elizebeth Friedman, see "Research Library" and "Collections," The George C. Marshall Foundation, <https://www.marshallfoundation.org/>. Curious is "A Cipher Based on Musical Notes" showing a photograph of the "Northumberland Manuscript," a major piece of Baconian documentary evidence (under "Collections, Elizabeth Smith Friedman Collection, William F. Friedman Papers"), <https://library.marshallfoundation.org/Portal/Default/en-US/RecordView/Index/1834>. See also the links at "Elizebeth Smith Friedman," Military History Fandom.com, accessed Sept. 17, 2023, [https://military-history.fandom.com/wiki/Elizebeth\\_Smith\\_Friedman](https://military-history.fandom.com/wiki/Elizebeth_Smith_Friedman).

<sup>37</sup> The Friedmans, ch 6, "Conclusion," *The Shakespearean Ciphers Examined*, 279–288, 287; see also ch 2, "Cryptology as a Science," 15–26, especially at 19–25. In 2015, the National Security Administration declassified seven thousand documents in its "Friedman Collection." The Friedman Lectures on Cryptology can be downloaded from the NSA, <https://www.nsa.gov/Portals/75/documents/news-features/decclassified-documents/friedman-documents/publications/A>.

<sup>38</sup> Waldman, app 2, "The Tragedy of Anne Boleyn," *Francis Bacon's Hidden Hand*, 232.

In her November 11, 1976 interview with National Security Administration (“NSA”) linguist Virginia Valaki, 84-year-old Elizebeth Friedman talked about her and her husband William Friedman’s introduction to cryptology from Elizabeth Wells Gallup at Colonel George Fabyan’s Riverbank Labs in Geneva, Illinois.<sup>39</sup> The Friedmans said in *The Shakespearean Ciphers Examined* that they were working at Riverbank from 1915–18;<sup>40</sup> however, according to his “Curriculum Vitae,” he was the director of Riverbank Labs in 1919-20.<sup>41</sup>

A sound case for Bacon exists independently of code-and-cipher evidence.

Indeed, prior to the influx of code-and-cipher evidence, a case for Bacon that did not rely upon such evidence had been well-established to the satisfaction of many thoughtful and intelligent people who had made their own investigations into the facts. Their ranks include churchmen like Walter Begley,<sup>42</sup> lawyers, and judges who were familiar with the weighing and considering of evidence, such as British judge Lord Penzance,<sup>43</sup> St. Louis (Missouri) judge Nathaniel Holmes,<sup>44</sup> and Irish (Dublin) judge Thomas Webb,<sup>45</sup> as well as Shakespeare scholar Horace Howard Furness, editor of *The New Variorum Shakespeare* (from 1871). Mark Twain<sup>46</sup> and Helen

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<sup>39</sup> Jasone Fagone, *The Woman Who Smashed Codes: A True Story of Love, Spies, and the Unlikely Heroine Who Outwitted America’s Enemies* (New York: Harper Collins, 2017).

<sup>40</sup> The Friedmans, *The Shakespearean Ciphers Examined*, 208–211.

<sup>41</sup> Lambros D. Callamahos, *The Legendary William F. Friedman*, Repr. from *Cryptologic Spectrum*, vol 4, no 1 (Winter 1974), 17 (Curriculum Vitae of William F. Friedman), [https://www.nsa.gov/portals/75/documents/news-features/declassified-documents/cryptologic-spectrum/legendary\\_william\\_friedman.pdf](https://www.nsa.gov/portals/75/documents/news-features/declassified-documents/cryptologic-spectrum/legendary_william_friedman.pdf).

<sup>42</sup> Walter Begley, *Is it Shakespeare? The Great Question of Elizabethan Literature* (New York: E. P. Dutton 1903); *Bacon’s Nova Resuscitatio or The Unveiling of His Concealed Works and Travels*, 3 vols (London: Gay & Bird, 1905). See the [Online Books Page for Walter Begley](#). Winkler only mentions the prolific Baconian author Walter Begley by name once, in passing, and another time we may infer she is speaking of him. Both times were in reference to a suggestion that Shakespeare might have been a homosexual (Winkler, *Shakespeare Was a Woman*, 163).

<sup>43</sup> Lord Penzance (James Plaisted Wilde), *Lord Penzance on the Bacon Shakespeare Controversy: A Judicial Summing Up*, edited by M. H. Kinnear (London: Sampson, Low, Marston, 1902).

<sup>44</sup> Nathaniel Holmes, *The Authorship of Shakespeare*, 2d ed., 2 vols (Boston: Houghton Mifflin 1897).

<sup>45</sup> Thomas E. Webb, *The Mystery of William Shakespeare: A Summary of the Evidence* (London: Longmans, Green, 1902).

<sup>46</sup> In 1909, the same year Mark Twain’s book on Shakespeare authorship was published (*Is Shakespeare Dead?*), eight Shakespeare quartos were discovered in Verulam House at Gorhambury? They had been transferred from Bacon’s old house at Gorhambury he had lived until 1626 to the new house where they had been forgotten for 155 years! The logical inference is that they belonged to Bacon. See Lawrence Gerald, “Gorhambury, the Bacon Family, and the Eight Shakespeare Quartos,” SirBacon.org, June 1997, <https://sirbacon.org/links/gorhambury.html>.

Keller<sup>47</sup> were several of the famous Baconians. The evidence includes, but is by no means limited to: 1) Bacon's literary notebook which contains numerous parallels with the Shakespeare works which he called his *Promus* and other parallels which can be drawn between the writing of Bacon and "Shakespeare"<sup>48</sup>; 2) the Northumberland Manuscript<sup>49</sup>; 3) the way in which the playwright effortlessly wove legal knowledge into the plays and sonnets; 4) the aforementioned Shakespeare play fragment found to be written in Bacon's handwriting; and 5) the ways in which the plays complement/are integral to Bacon's masterful plan for the improvement of humanity.

**In other words, the perceived failure of code and cipher evidence did nothing to disturb the strength of the case previously compiled.** Having not "gotten the memo" about the demise of their movement, the Francis Bacon Society has continued without pause to publish its members' research in its journal *Baconiana* from the time of its founding in 1886 by Constance Pott (Mrs. Henry Pott).<sup>50</sup>

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<sup>47</sup> See "Essay by Helen Keller about William Shakespeare and Francis Bacon," Helen Keller Archive. AFB: American Foundation for the Blind (link at bottom of home page), series 2, box 223 ("Writing about/by Helen Keller"), folder 10 ("B-general, 1910–1957"), AFB: the American Foundation for the Blind, <https://www.afb.org/HelenKellerArchive?a=d&d=A-HK02-B223-F10-001.1.6&srpos=1&e=-----en-20--1--txt--Shakespeare+authorship-----0-1> (Note: "prior written permission is needed to use any image from this website.").

<sup>48</sup> For references, see *infra*, 16. Winkler touches upon Bacon-Shakespeare parallels in one paragraph—albeit without mentioning the word *Promus*—in *Shakespeare Was a Woman*, 163.

<sup>49</sup> See "Northumberland Manuscripts, Collotype Facsimile & Transcript of an Elizabethan Manuscript Preserved at Alnwick Castle, Northumberland," trans. and ed. Frank J. Burgoyne (London: Longmans, Green, 1904), <http://sirbacon.org/ResearchMaterial/NM-PRT1.pdf>; "The Northumberland Manuscript: Bacon & Shakespeare manuscripts in one Portfolio!" <http://www.sirbacon.org/links/northumberland.html>; Williard Parker, President, Bacon Society of America, to Editor of Philadelphia *Public Ledger*, May 10, 1925, <http://www.sirbacon.org/parkernm.htm>; Walter Saunders, "The Northumberland Manuscript and a Remarkable Discovery by Simon Miles," 2007, <http://www.sirbacon.org/nmsaunders.htm>. Peter Beal—unfairly in my opinion—discounted the importance of the Northumberland Manuscript; see his intro., "Francis Bacon, Baron Verulam, Viscount St. Albans," *Catalogue of English Literary Manuscripts 1450–1700* (under "Notebooks" and "Dramatic Works"), <https://celm-ms.org.uk/introductions/BaconFrancis.html>. In *Shakespeare Was a Woman*, Winkler inaccurately referred to the Northumberland Manuscript as a "mass of chaotic scribblings" (163).

<sup>50</sup> For the index to *Baconiana*, see either the Francis Bacon Society website, <https://francisbaconsociety.co.uk/baconiana-journals/baconiana-journals-1886-1999/> or [http://sirbacon.org/archives/baconiana/1\\_Baconiana\\_Index\\_1886-1999.pdf](http://sirbacon.org/archives/baconiana/1_Baconiana_Index_1886-1999.pdf) and an additional subject index, <https://sirbacon.org/baconianaindexsubject.htm>.

In recent years, there has been a revival of the Baconian movement with books by authors including American lawyer Penn Leary,<sup>51</sup> British barrister N. B. Cockburn,<sup>52</sup> Peter Dawkins, founder and principal of the Francis Bacon Research Trust,<sup>53</sup> Irish humanist and teacher Brian McClinton,<sup>54</sup> Dr. Barry R. Clarke,<sup>55</sup> [A. Phoenix](#),<sup>56</sup> author Richard Allan Wagner,<sup>57</sup> and myself.<sup>58</sup> In addition, educational websites such as the Francis Bacon Society,<sup>59</sup> Francis Bacon Research Trust,<sup>60</sup> and SirBacon.org provide an online library of resources and learning opportunities.<sup>61</sup> As usual, Bacon said it most eloquently: “It is hard to remember all, ungrateful to pass by any.”

Edward de Vere, the 17<sup>th</sup> Earl of Oxford, was not a lawyer.

The Oxfordians seem to have taken a wrong turn after the death of Sir George Greenwood in preferring Edward de Vere, the 17<sup>th</sup> Earl of Oxford over Bacon. For Greenwood had amassed evidence that, whoever Shakespeare was, he had to have possessed significant legal knowledge,

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<sup>51</sup> Penn Leary, *The Second Cryptographic Shakespeare* (Omaha NB: Westchester House, 1990). U. S. lawyer Penn Leary also published articles in *Baconiana* under the name “T. P. Leary”; see the *Baconiana* index.

<sup>52</sup> N. B. Cockburn, *The Bacon Shakespeare Question: The Baconian Theory Made Sane* (1998). For the table of contents, see <https://sirbacon.org/cockburn.htm>. Reviewed by Mather Walker, <https://sirbacon.org/mcockburnreview.htm>, n.d., and by me, May 15, 2023, <https://sirbacon.org/review-of-n-b-cockburn-the-bacon-shakespeare-question-the-baconian-theory-made-sane-1998-a-classic-worth-reprinting/>.

<sup>53</sup> Peter Dawkins, *The Shakespeare Enigma* (London: Polair Publishing, 2004), *Second Seeing Shakespeare*, [ebook](#), 4/6/2020, et al; see Resources, Francis Bacon Research Trust, <https://www.fbrt.org.uk/books/>.

<sup>54</sup> Brian McClinton, *The Shakespeare Conspiracies: A 400-Year Web of Myth and Deceit*. 2d ed. (Belfast: Shanway Press, 2008).

<sup>55</sup> Barry R. Clarke, *Francis Bacon’s Contribution to Shakespeare: A New Attribution Method* (New York: Routledge, 2019). Clarke, whose name Winkler did not mention in connection with his book, earned a Ph.D. in Shakespeare Studies from Brunel University (Winkler, *Shakespeare Was a Woman*, 286).

<sup>56</sup> A. Phoenix, “The A. Phoenix PDF Library of Works,” SirBacon.org, <https://sirbacon.org/the-a-phoenix-pdf-library-of-works/>; A Phoenix, <https://aphoenix1.academia.edu/>.

<sup>57</sup> Richard Allan Wagner, *The Lost Secret of William Shakespeare*, [ebook](http://thelostsecretofwilliamshakespeare.com/), <http://thelostsecretofwilliamshakespeare.com/>.

<sup>58</sup> Christina G. Waldman, *Francis Bacon’s Hidden Hand in Shakespeare’s The Merchant of Venice: A Study of Law, Rhetoric, and Authorship* (New York: Algora Publishing, 2018)

<sup>59</sup> The Francis Bacon Society, <https://francisbaconsociety.co.uk/>. As currently stated on its website, its goals are: “To encourage, for the benefit of the public, the study of the works of Francis Bacon as philosopher, statesman and poet; also his character, genius and life, his influence on his own and succeeding times, and the tendencies and results of his writing” and “To encourage for the benefit of the public, the general study of the evidence in favour of Francis Bacon’s authorship of the plays commonly ascribed to Shakespeare, and to investigate his connection with other works of the Elizabethan period.”

<sup>60</sup> Gateways to Wisdom: Francis Bacon Research Trust, <https://www.fbrt.org.uk/>.

<sup>61</sup> Francis Bacon’s New Advancement of Learning, SirBacon.org, <https://sirbacon.org/>.

and the evidence shows that Oxford's legal background was limited (No evidence has been found supporting a claim that William Shaxpere had legal training or experience). As between Oxford and Bacon, the latter was by far the more legally qualified, as the late Oxfordian lawyer Tom Regnier has conceded, stating (albeit without citation):

We know that de Vere studied law from an early age with his tutor, Sir Thomas Smith. De Vere also enrolled at the Inns of Court—Gray's Inn, to be precise—where the common law of England was taught. Of course, evidence of legal knowledge in Shakespeare's plays does not prove that Oxford wrote the plays. **Many noblemen of his day studied at the Inns of Court; and others, such as Francis Bacon, were greater legal minds than Oxford was likely to have been** [boldface added].<sup>62</sup>

De Vere was, however, young when he lived with Sir Thomas Smith (1513–1577), only nine years of age; at twelve, he became a ward of Lord Burghley's.<sup>63</sup> A study of law usually followed a liberal arts education. John Strype, in his book, *The Life of the Learned Sir Thomas Smith*, tells us that Smith, who had studied the civil law at the University of Padua and was learned in the law as well as in Latin and Greek, tutored de Vere. I would like to see an explicit primary source reference stating that Smith tutored de Vere in law.<sup>64</sup> Even if he did, however, de Vere did not make a career for himself in the legal profession, as Bacon eventually did. In another article, Regnier cites a secondary authority, Richard Bentley, for the proposition that “both Bacon and Oxford were trained at Gray's Inn.”<sup>65</sup> However, as will be discussed, the record shows little more than that Oxford was *admitted* to Gray's Inn.

In an Oxfordian video promoting *Shakespeare and the Law*, its editor, (non-lawyer), Roger Stritmatter, stated, as I recall, that Oxford served on “judicial commissions.”<sup>66</sup> However, in *Shakespeare and the Law*, I did not find any mention of “judicial commissions.” What I found was a mention—without citation—of Oxford's being a member of the “two leading law

<sup>62</sup> Thomas Regnier, “The Law in Hamlet: Death, Property, and the Pursuit of Justice (2011),” reprinted in *Shakespeare and the Law*, 231–253, at 231.

<sup>63</sup> See Alan H. Nelson, *Monstrous Adversary*, 25, 34, 115.

<sup>64</sup> Strype, *The Life of the Learned Sir Thomas Smith ...* (London, 1698), 12–18, 24, 26 (as tutor to Earl of Oxford), 30.

<sup>65</sup> Thomas Regnier, “Could Shakespeare Think Like a Lawyer?” (first pub. in U. MIA L. REV. 57.2 (2003), 187–230, 212, reprinted in Stritmatter, ed., *Shakespeare and the Law*, citing Richard Bentley, “Elizabethan Whodunnit: Who Was ‘William Shake-Speare?’” in *Shakespeare Cross-Examination: A compilation of articles first appearing in the American Bar Association Journal*, edited by Tappan Gregory (Chicago: Cuneo Press, 1961), citing n29 at 7; 13. Regnier fails to mention articles in *Shakespeare Cross-Examination* which were previously published in the *American Bar Association Journal* by Martin Pares, “Francis Bacon and the Knights of the Helmet,” *American Bar Association Journal*, vol 46, no 4 (April 1960), 402–409, JSTOR, <https://www.jstor.org/stable/25721148>, and, in the same issue, and Arthur E. Briggs, “Did Shaxper Write Shakespeare?” 410–412, JSTOR, <https://www.jstor.org/stable/25721149>.

<sup>66</sup> Interview of Roger Stritmatter by Bob Meyers, Nov. 23, 2022, available at <https://shakespeareoxfordfellowship.org/roger-stritmatter-talks-shakespeare-and-the-law/>.

committees of the House of Lords and chairman of one of these throughout his mature life.”<sup>67</sup> However, there does not seem to be a record for Edward de Vere, the 17<sup>th</sup> Earl of Oxford (1550–1604), at the “History of Parliament” website. The only record for a “Vere” at that website was for Edward de Vere’s illegitimate son, Sir Edward Vere.<sup>68</sup> I find, in John Strype’s book, *The Life of the Learned Sir Thomas Smith ...* (London, 1698), a reference to Smith’s execution of “a commission of an Order taken at Chelmsford, June 16, 1559, by the Earl of Oxford, the Lord Lieutenant, and the rest of the Justices there met every justice of the peace to take an Oath [regarding the enforcement of orders of Parliament regarding the “Reformation of Religion”].”<sup>69</sup> As I read this, it was Thomas Smith’s commission. The Earl of Oxford as Lord Lieutenant just “took” the Order for it. What is the authority for stating that the Earl of Oxford served on judicial commissions?

In his biography of de Vere, *Monstrous Adversary*, University of Berkeley professor Alan Nelson reports that the Earl of Oxford was admitted to Gray’s Inn on February 1, 1567, a few months before his seventeenth birthday on April 12, 1567. However, Nelson goes on, there was no record that he paid rent for chambers at Gray’s Inn. However, of four wards of Burghley’s matriculated at Gray’s Inn (Edward de Vere, Edward Manners (Earl of Rutland), William Carr, and Edward Zouche), Nelson only found a record of paid rent for one, William Carr. Of the four of Burghley’s wards who attended Gray’s Inn, there were records of purchases of law books by Manners, Carr, and Zouche, but not by Oxford.<sup>70</sup> There are, however, records of Oxford’s purchases of other books (Chaucer, Plutarch in French, a Geneva Bible, two books in Italian, and folios of Cicero and Plato).<sup>71</sup> Nelson reports that, in Gabriel Harvey’s dedication of the fourth part of his *Gratulationum Valdensis* (1578) to Oxford, Hatton, and Sidney, he praised Oxford, saying, in pertinent part,

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<sup>67</sup> Stritmatter, ed., “Shakespeare’s Law in Focus,” in *Shakespeare and the Law*, 11–17, at 13.

<sup>68</sup> “Vere, Sir Edward (1581–1629), of The Hague, United Provinces” (illegitimate son of the 17<sup>th</sup> Earl of Oxford), <https://www.historyofparliamentonline.org/volume/1604-1629/member/vere-sir-edward-1581-1629>. Cf. Bacon’s three entries: (1) “Bacon, Sir Francis (1561–1626), of Gray’s Inn, London, and Gorhambury ...,” (vol 1604–1629), *The History of Parliament: the House of Commons*, ed. Andrew Thrusch and John P. Ferris, (Cambridge: Cambridge University Press, 2010), <https://www.historyofparliamentonline.org/volume/1604-1629/member/bacon-sir-francis-1561-1626>; (2) Bacon, Francis (1600–63), of Gray’s Inn and Ipswich, Suffolk,” *The History of Parliament: the House of Commons 1660–1690*, ed. B. D. Henning, (Boydell and Brewer, 1983), <https://www.historyofparliamentonline.org/volume/1660-1690/member/bacon-francis-1600-63>; and (3) Bacon, Francis (1561–1626), of Gray’s Inn, Gorhambury, Herts., *The History of Parliament: the House of Commons 1558–1603*, ed. P. W. Hasler (Boydell and Brewer, 1981), <https://www.historyofparliamentonline.org/volume/1558-1603/member/bacon-francis-1561-1626>.

<sup>69</sup> John Strype, *The Life of the Learned Sir Thomas Smith ...* (London, 1698), 75.

<sup>70</sup> Nelson, *Monstrous Adversary*, 46 (on Burghley’s wards, see 35). De Vere’s admission at Gray’s Inn is registered in the “Register of Admissions to Gray’s Inn, 1521–1889, together with the register of marriages in Gray’s Inn chapel, 1695–1754,” edited by Joseph Foster (London, 1889), p. 36, folio 563, Internet Archive, <https://archive.org/details/registerofadmiss00gray>.

<sup>71</sup> Nelson, *Monstrous Adversary*, 53.

I have seen your many Latin things, and more English are extant; of French and Italian muses, the manners of many peoples, their arts and laws you have drunk deeply! ... But, O, celebrated one, put away your feeble pen, your bloodless books, your impractical writing! Now is need of swords!<sup>72</sup>

Unlike Bacon who served as treasurer at Gray's Inn for several years beginning in 1608, Oxford never served Gray's Inn in a leadership capacity.<sup>73</sup> Nelson writes, "Though Oxford was never listed among the governors of Gray's Inn, in 1570 the Inn purchased—and no doubt displayed—his coat of arms."<sup>74</sup> Nelson observes that his admission to Gray's Inn may have been a courtesy admission, as was common among noblemen, just as his Oxford and Cambridge M. A. degrees were likely honorary degrees bestowed upon noble guests.<sup>75</sup> At any rate, Oxford's mere admission to Gray's Inn does not mean he attended and studied law there. Consider that Bacon was admitted to Gray's Inn in 1576 but did not begin his legal studies there until 1579. He had spent the years from 1576–79 in France as part of the diplomatic embassy of Sir Amias Paulet. If there were any record of Oxford's admission to the bar or of his having practiced law professionally, it seems that the Oxfordians would have publicized it.

In 1594–95, when he was a student at Gray's Inn, Bacon wrote speeches for characters in a masque which was performed as entertainment during the Gray's Inn Christmas revels. As Clarke wrote in his introduction to his chapter on *The Comedy of Errors*, "The first known performance of *The Comedy of Errors* (CE) took place at the 1594–5 Gray's Inn Christmas revels, an account of which appears in the *Gesta Grayorum* (GG) published in 1688. Several correspondences between the GG and two Shakespeare plays, CE and *Love's Labour's Lost* (LLL) have already been noted in the academic literature, but new parallels are exhibited here, reinforcing the notion that the revels were designed with these plays in mind." Contrary to E. K. Chambers's assertion, Clarke provides evidence that "the Lord Chamberlain's Men did not perform the play at that time"; but that "the Inns of Court used their own players, and that Shakspeare received no remuneration."<sup>76</sup>

<sup>72</sup> Nelson, *Monstrous Adversary*, 181.

<sup>73</sup> Nelson, *Monstrous Adversary*, 52. For Bacon's record at Gray's Inn, see his biography page at the Gray's Inn website, "Sir Francis Bacon 1561–1626," <https://www.graysinn.org.uk/the-inn/history/members/biographies/francis-bacon/>, and search his name for additional information. A statue was erected at Gray's Inn to honor Bacon, and the gardens he planted there still remain. For Winkler's treatment of Nelson, whom she chose not to interview, see Winkler, *Shakespeare Was a Woman*, 220 (regarding annotations in Oxford's Geneva Bible); 247–248.

<sup>74</sup> Nelson, *Monstrous Adversary*, 450, n24.

<sup>75</sup> Nelson, *Monstrous Adversary*, 45, 46.

<sup>76</sup> See Clarke, ch 8, "The Comedy of Errors," *Francis Bacon's Contribution to Shakespeare*, 111–129, 111; Cockburn, ch 8, "The Comedy of Errors and the Gray's Inn Revels of Christmas 1594-5," *The Bacon Shakespeare Question*, 105–128. See also Daniel R. Coquillette, *Francis Bacon, Jurists: Profiles in Legal Theory* (Stanford: Stanford University Press, 1992), 32–34, 259, 313, 324 (as to *Gesta Grayorum*); 10 (masques), 14 (Gray's Inn); "Knights of the Helmet and Comedy of Errors," under Resources, Essays, Francis Bacon Research Trust, <https://www.fbrt.org.uk/essays-2/>.



Bacon's legal background was far more extensive than Oxford's. During his illustrious career, he was a legal scholar as well as a legal reformer. He served in several high legal offices, rising to the highest judicial office in the land as Lord Chancellor, second only to King James. Bacon's jurisprudence and legal career are discussed in detail by law professor Daniel R. Coquillette in his book, *Francis Bacon* and in his several articles on Bacon and "civilian" influences (those based on the Roman "civil" law, derived from the sixth century legal Code and Pandects of Justinian, which was practiced on "the Continent").<sup>77</sup>

Perhaps not everyone is aware of Greenwood's three Baconian essays (two labelled as such plus the Conclusion) in the Smithson book which Greenwood edited.<sup>78</sup> I myself was unaware of them until fellow Baconian Eric Roberts recently brought them to my attention in a "SirBacon" forum conversation. I did not find any mention of these essays in the recent Oxfordian publication, *Shakespeare and the Law*,<sup>79</sup> edited by Roger Stritmatter, even though it included Greenwood's essay, *Shakespeare's Law*<sup>80</sup> as well as two other essays discussing Greenwood's writing on Shakespeare.<sup>81</sup> As previously stated, Mark Andre Alexander provides a link to the Smithson book in his *Shakespeare Authorship Sourcebook*.<sup>82</sup> How would the Oxfordians respond to the Baconian evidence coming from Greenwood?

Oxfordians frequently point to the fact that Oxford was the ward of William Cecil (Lord Burghley) without mentioning that Francis Bacon was not only Burghley's *ward*; he was his *nephew*, through Cecil's marriage to Bacon's mother (Anne Cooke)'s sister, Mildred Cooke. Bacon became a ward of Burghley after his father died in 1579. If Polonius is a caricature of

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<sup>77</sup> See Coquillette, *Francis Bacon*; Daniel R. Coquillette, "Past the Pillars of Hercules: Francis Bacon and the Science of Rule-making," *UNIV. MICH. J. LAW REFORM* 46, no 2 (Jan. 27, 2005); "'The Purer Fountains': Bacon and Legal Education," repr. in *Francis Bacon and the Refiguring of Early Modern Thought: Essays to Commemorate The Advancement of Learning (1605–2005)*, edited by Julie Solomon and Catherine Gilmetti Martin. (2005) (New York: Routledge, 2016); and "Legal Ideology and Incorporation I: The English Civilian Writers, 1523–1607," (1 of 4 parts), *Boston University Law Review* (1989), 1–81, available from Daniel Robert Coquillette, Selected Publications, Boston College Law Library, <https://www.bc.edu/content/bc-web/schools/law/sites/students/library/using/faculty-services/selected-publications.html#coquillette>.

<sup>78</sup> E. W. Smithson, *Baconian Essays*, edited by Sir George Greenwood (London: Cecil Palmer, 1922), [Gutenberg link](#).

<sup>79</sup> Roger A. Stritmatter, ed. *Shakespeare and the Law: How the Bard's Legal Knowledge Affects the Authorship Question* (Shakespeare Oxford Fellowship, June 2022).

<sup>80</sup> Sir George Greenwood, *Shakespeare's Law* (London: C. Palmer, 1920) reprinted in Stritmatter, ed., *Shakespeare and the Law*, 41-63.

<sup>81</sup> Mark Andre Alexander, "Shakespeare's Knowledge of Law: A Journey through the History of the Argument (2001)," 12, 115-116, 118, 120, 130-137, 139-155, 160-161, 167, 168; the late Tom Regnier (lawyer), "Could Shakespeare Think Like a Lawyer?" (2003), 193, 196, 197, 211-215, 226, in Stritmatter, ed., *Shakespeare and the Law* (Shakespeare Oxford Fellowship, 2022).

<sup>82</sup> Mark Andre Alexander, *Shakespeare Authorship Sourcebook*, SourceText.com website, <https://sourcetext.com/sourcebook/>.

Lord Burghley, Bacon was quite well-placed to draw it. Some see the name “Hamlet” (“little ham”) as a pun on “Bacon.”

Winkler discusses how, after Looney’s book was published, Eva Turner Clark found an anagram spelling de Vere’s name in the Latin inscription, *Mente Videbori*, on the title illustration to Henry Peacham’s 1612 book, *Minerva Britannia*, with its image of a writing hand emerging from behind a curtain. Perhaps Winkler was unaware of Baconian treatments of the same illustration, for she makes no mention of them.<sup>83</sup> She writes of George Puttenham, the title-page author of *The Art of English Poesie*, without mentioning (again, perhaps being unaware of) the fact that evidence points to the fact that the real author of *The Art of English Poesie* was Francis Bacon.<sup>84</sup>

Indeed, for every “fact” the Oxfordians raise, one might ask whether there is not a better “fit” with the evidence on the Baconian side. Actually, one should not have to ask; the Oxfordians should be voluntarily disclosing all relevant information, even that which is contrary to their position, so that readers may critically weigh and assess it in context. One would expect a journalist to present both sides of a still-undecided controversial issue. The Baconian movement had at least a sixty-year head start on the Oxfordian movement. It appears that Winkler allowed herself to be prematurely swayed by the Oxfordian evidence without ever having seriously considered the Baconian evidence.<sup>85</sup>

Francis Cornford, author of *The Origins of Attic Comedy*, suggests the following test of a hypothesis in historical matters:

Many literary critics seem to think that an hypothesis about obscure and remote questions of history can be refuted by a simple demand for the production of more evidence than in fact exists. But the true test of an hypothesis, if it cannot be shewn to conflict with known truths, is the number of facts that it correlates, and explains.<sup>86</sup>

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<sup>83</sup> Winkler, *Shakespeare Was a Woman*, 212; see also 324–328 (Shapiro’s correspondence with Oxfordian United States Supreme Court Justice John Paul Stevens); for a Baconian perspective, see, e.g., Martin Pares, *Knights of the Helmet* (London: The Francis Bacon Society, 1964), entered electronically and edited by Juan Schoch for educational research purposes, <https://sirbacon.org/knightmp.htm>; “Francis Bacon’s Hat on the Crown of England: From Henry Peacham’s *Minerva Britannia*, 1612,” <https://sirbacon.org/gallery/baconhat.html>.

<sup>84</sup> Winkler, *Shakespeare Was a Woman*, 57, 199; see Begley, *Bacon’s Nova Resuscitatio: Or, The Unveiling of His Concealed Works and Travels*, vol 1, ch 1, 1–14; 67.

<sup>85</sup> See, e.g., Winkler, *Shakespeare Was a Woman*, much of chs 7 and 8 (188–257) and much of ch 10 (318–328).

<sup>86</sup> Francis MacDonalld Cornford, *The Origins of Attic Comedy* (London: E. Arnold, 1914), 220, quoted in Christina G. Waldman, “If Francis Bacon is Shakespeare, What Questions Does That Answer?” Nov. 27, 2020, PDF at SirBacon.org, <https://sirbacon.org/christina-waldman/>.

### Is history just a game?

Winkler opens her book by quoting British historian Beverly Southgate: “I have come to think of history as a game—a game that we play with the past.” One might ask: why did Southgate mean, and why did she choose this quotation? In her chapter 8, “Purple Robes Disdained,” one of her several Oxfordian chapters, she blithely describes her interview with Alexander Waugh:

There was coffee that afternoon to pick us up, then more wine to keep us going . . . . The Popes [two portraits of Alexander Pope] watch over Waugh’s desk from which he produces his YouTube videos, disseminating the Oxfordian truth to the far corners of the globe.”<sup>87</sup>

But what if “the Oxfordian truth” isn’t true at all? Innocent error is one thing, but people who hold themselves out as experts have a responsibility to become fully informed of the facts. This is true in journalism as well as in the arts and sciences; certainly, it is true in law. Bacon, a keen observer of human nature, spoke of the “four idols” which distort our ability to see things clearly—in his *Novum Organon* and the *De Dignitate et Augmentis Scientiarum* (the latter being his expanded, Latin version of his 1605 *Advancement of Learning*).<sup>88</sup> Knowing how easy it is for humans to err, even when we try our best to be careful, ought to keep us humble. History ought not to be played like a game, especially not one where facts can be discarded like abandoned toys.

### Rebuttal of the arguments against Bacon’s authorship

The “two arguments” I have heard as to why Bacon could not have written the works of Shakespeare are: 1) that he would have been too busy and 2) that his writing style was too different. An additional argument is Alan Stewart’s one-minute argument at the Shakespeare Birthplace Trust’s podcast series, “Sixty Minutes of Shakespeare,” that the masques Bacon wrote “lacked drama.” These arguments will be addressed in turn.

#### 1. Was Bacon too busy?

The facts suggest that there were periods in Bacon’s life where he was definitely not “too busy.” Although he was admitted to the bar as an utter barrister in 1582, he did not obtain his first legal brief until 1594 when he was thirty-three years old (if born in 1561).<sup>89</sup> He did not obtain his first

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<sup>87</sup> Winkler, *Shakespeare Was a Woman*, 223–256, 249.

<sup>88</sup> Bk 1, *Novum Organum*, 47–119, 51–69; *De Augmentis*, bk 5, ch Spedding 4: 428–434.

<sup>89</sup> Chudleigh’s Case, 1 Co. Rep. 113b, 76 Eng. Rep. 261 (K.B. 1594), *reported sub nom.* Dillon v. Frain, 1 Anderson’s Rep. 309, *and reported sub nom.* Dillon v. Fraine, Popham’s Rep. 70, as cited by Allen D. Boyer, “Light, Shadow, Science, and Law,” *MICH L. REV* 1622 (1994), 1624; Francis Bacon, “Arguments of the Law,” *The Works of Francis Bacon, Baron of Verulam, Viscount St. Alban, and Lord High Chancellor of England*, vol 7, ed. James Spedding, Robert Leslie Ellis, and Douglas Denon Heath (London: Longmans, 1857–74, new ed., 1879) 613–637 (hereafter to be cited as “Spedding 7:613–637”); *Oxford Francis Bacon*, [vol 1](#) (“Early Writings,” 1584-1596), ed. Alan Stewart, online, Sept. 2013,

appointment to public office, that of Solicitor General, until 1607, followed by an appointment to Attorney-General in 1613, after the death of Robert Cecil in 1612. He was Lord Chancellor from 1618–21. Queen Elizabeth made him her Counsel Extraordinary, her special advisor—the first Queen’s Counsel—in 1595, an unpaid position. Similarly, King James made him King’s Counsel in 1604, a paid position.<sup>90</sup> His accomplishments, including his plan for the betterment of humanity, are all the more impressive when one considers how he battled constant debt and ill health for so much of his adult life. See his essay, “Of Adversity.”

Even today, no professional author would be expected to do all of his own writing without secretarial assistance. Bacon ran a scrivenery of his “good pens” who assisted him in his various writing projects. James Shapiro observed in *Contested Will* that just about the only kind of writing Bacon did not try his hand at was playwriting<sup>91</sup>—at least, not under his own name. In the five years between 1621–1626, Bacon devoted himself to the writing, editing and overseeing of the publication of his works.<sup>92</sup> Many Baconians believe it was during the period from 1621–26 that Bacon revised the Shakespeare plays for the First Folio.

## 2. Was Bacon’s writing style so different from “Shakespeare’s”?

The problem with the “case for Bacon” is not the dearth of evidence but the abundance of it. It is simply impossible to treat all of it adequately in one writing. Frequently context must be provided to explain it properly. However, let us start with common sense. It stands to reason that a person’s style in writing poetry is going to be different from his style in writing prose. Even so, Bacon’s prose style is full of figurative language.<sup>93</sup> In the poet Shelley’s knowledgeable opinion,

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<https://www.oxfordscholarlyeditions.com/display/10.1093/actrade/9780198183136.book.1/actrade-9780198183136-book-1>.

<sup>90</sup> Coquillette, app 1, “Chronology of Bacon’s Career,” (from the *Dictionary of National Biography*), *Francis Bacon*, 311–22.

<sup>91</sup> James Shapiro, *Contested Will*, p. 90.

<sup>92</sup> See Coquillette, app 2, *Francis Bacon*, 329–331.

<sup>93</sup> See (professed Stratfordian) Brian Vickers, ch 5, “Image and Argument,” *Francis Bacon and Renaissance Prose* (Cambridge: Cambridge University Press, 1968), 141–173 (“To describe some qualities of Bacon’s prose as ‘poetic’ may seem the excessive enthusiasm of the enlightened, but it could be defended both as a fair comment on the deliberate imaginative artistry with which he wrote and as a historically correct observation on the closeness of the two media” (141)); (“Miss Tuve’s [Rosamund Tuve, *Elizabethan and Metaphysical Imagery* (Chicago, 1947)] argument that Renaissance writers progress not from image to image but from one prior stage of thought to another, which is then illustrated and extended by imagery, sound though it is, would have to be revised to include at least this passage by Bacon, as it obviously would for much of Shakespeare.” (164)); Vickers, ch 6, “Philosophy and Image—Patterns,” *Francis Bacon and Renaissance Prose*, 174–201.

Bacon was a poet.<sup>94</sup> Bacon referred to himself in a letter to John Davies as a “concealed poet.”<sup>95</sup> Winkler mentions, although not by name, the *Manes Verulamiani*, thirty-two elegies written by Bacon’s former secretaries, his “good pens,” commemorating him as a poet, in her summary of Baconian evidence.<sup>96</sup>

Some quotations from Bacon on dramatic poesy to consider:

Dramatic Poesy is as History made visible; for it represents actions as if they were present, whereas History represents them as past.<sup>97</sup>

Dramatic Poesy, which has the theatre for its world, would be of excellent use if well directed. For the stage is capable of no small influence both of discipline and of corruption. Now of corruptions in this kind we have enough; but the discipline has in our times been plainly neglected. And though in modern states play-acting is esteemed but as a toy, except when it is too satirical and biting; yet among the ancients it was used as a means of educating men’s minds to virtue. Nay, it has been regarded by learned men and great philosophers as a kind of musician’s bow by which men’s minds may be played upon. And certainly it is most true, and one of the great secrets of nature, that the minds of men are more open to impressions and affections when many are gathered together than when they are alone.<sup>98</sup>

So generally men taste well knowledges that are drenched in flesh and blood, Civil History, Morality, Policy, about the which men’s affections, praises, fortunes do turn and are conversant.<sup>99</sup>

Parallels

Parallels between Bacon's writing and Shakespeare’s abound.<sup>100</sup> An exhaustive list can never be made, for new ones will likely be found. A great number of them can be found in the *Promus*,

<sup>94</sup> See Percy Bysshe Shelley, *A Defense of Poetry* (1819) (p. 10), Internet Modern History Sourcebook, <https://sourcebooks.fordham.edu/mod/shelley-poetry.asp>; Yasmin Solomonescu, “Percy Shelley’s Revolutionary Periods,” *ELH* 83, no 4 (2016), 1105-1133, 1105-06, 1108, *JSTOR*, 26173906 (quoting Shelley’s letter to John and Maria Gisbourne, 10 July 1818, in *The Letters of Percy Bysshe Shelley*, 2 vol., ed. Frederick L. Jones, Oxford: Clarendon Press (1964), 12:20).

<sup>95</sup> Spedding 10:65, as discussed in Cockburn, *The Bacon Shakespeare Question*, 14–15.

<sup>96</sup> Winkler, *Shakespeare Was a Woman*, 155. See also Peter Dawkins, “Tributes to Sir Francis Bacon,” Francis Bacon Research Trust (under Resources, Essays, Bacon), <https://www.fbrt.org.uk/essays-2/>.

<sup>97</sup> Bacon, *De Augmentis*, bk 2, ch 13, Spedding 4:315

<sup>98</sup> Bacon, *De Augmentis*, bk 2, ch 13, Spedding 4:316.

<sup>99</sup> Francis Bacon, *The Advancement of Learning* (1605), bk 2, Spedding 3:383.

<sup>100</sup> See, e.g., F. E. C. H. and W.S. M. (W. S. Melsome), “Professor Spurgeon and her Images,” *Baconiana*, Sept. 1969, <https://sirbacon.org/spurgeon.htm>; Edwin Reed, *Coincidences: Bacon and Shakespeare* (Boston: Coburn, 1906); Edwin Reed, ch 1, “Coincidences,” *Francis Bacon:*

Bacon's literary notebook in which he jotted down material for later use in his writing.<sup>101</sup> How to account for them? Did Shaxpere somehow gain access to Bacon's private literary notebook? That does not seem likely.

Stratfordians have tried to downplay the force of the *Promus* evidence by saying some of the proverbs found in both the Shakespeare works and the *Promus* are mere expressions of common parlance. However, Bacon excelled at transforming simple witticisms into elegant expressions. Even Bacon's use of the Latin word *promus* is poetic. A *promus* was a butler or steward in ancient Rome, someone responsible for keeping the storehouse; it was not the storehouse or larder itself, as is often stated. Bacon's calling his notebook a *promus* is an example of poetic personification.

Even James Spedding downplayed the importance of the *Promus*. Spedding spent thirty-seven years editing the standard fourteen-volume edition of Bacon's works (London: Longmans ed., 1857-1874). He did not print the *Promus* in full. I believe he was conscientious about not revealing Bacon's secrets. He wrote of Bacon's distinction between esoteric and exoteric knowledge.<sup>102</sup> Bacon used the fable of Cassandra to demonstrate that not everything could be freely spoken at all times, as Laurence Lampert discussed in his book, *Nietzsche and Modern Times*.<sup>103</sup> Cassandra was, of course, the Greek woman to whom Apollo gave the gift of prophecy, but whom he later punished with a curse that no one would ever believe her prophecies.

Both Constance Pott and Sir Edward Durning-Lawrence published editions of Bacon's *Promus*.<sup>104</sup> As editor of the Oxford Francis Bacon (vol 1), Alan Stewart made only a passing,

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*Our Shakespeare* (Boston: Charles Goodspeed, 1902), 15–62; Cockburn, ch 33, “Parallelisms,” *The Bacon Shakespeare Question*, 425–564, Theron Soliman Eugene Dixon, chs 1 and 2, *Francis Bacon and His Shakespeare*, 1-100 (Chicago: Sargent, 1895); Edward D. Johnson (lawyer), *Bacon–Shakespeare Coincidences* (London: The Bacon Society, 1950).

<sup>101</sup> See, e.g., A. Phoenix, “Francis Bacon's Private Notebook with Hundreds of Parallels in his Shakespeare Works—the *Promus*,” Jan. 22, 2023, SirBacon.org, <https://sirbacon.org/francis-bacons-private-notebook-with-hundreds-of-parallels-in-his-shakespeare-works-the-promus/>..

<sup>102</sup> See Laurence Lampert's discussion of Bacon's esoteric and exoteric knowledge in ch 2, “Why Study Francis Bacon?” *Nietzsche and Modern Times: A Study of Bacon, Descartes, and Nietzsche* (New Haven: Yale University Press, 1993), 22. For example, Bacon said, “The pretense whereof is to remove the vulgar capacities from being admitted to the secrets of knowledges, and to reserve them to selected auditors, or wits of such sharpness as can pierce the veil.” Spedding 3:405.

<sup>103</sup> Francis Bacon, “*Cassandra sive Parrhesia*,” *De Sapientia Veterum*, Spedding 6:629–630 (translated, 6:701–702); Laurence Lampert, ch 5, “Bacon, Plato, Nietzsche,” *Nietzsche and Modern Times: A Study of Bacon, Descartes, and Nietzsche* (New Haven: Yale University Press, 1993), 21–26 (“Bacon's Enigmatical Style”), 116–145, especially at 116–117.

<sup>104</sup> Mrs. Henry [Constance] Pott, *Francis Bacon and Shakespeare, the promus of formularies and elegancies, being private notes, ca. 1594, being hitherto unpublished ... illustrated and elucidated by passages from Shakespeare*, ed. with preface by E. A. Abbott (London, 1883), access e-book at <http://www.sirbacon.org/links/notebook.html>; or, e-book of Boston: Houghton Mifflin, 1883 edition, <https://archive.org/details/promusofformular00pott/page/n10/mode/2up>;

dismissive reference to Pott and Durning-Lawrence's editions, implying that their commentary could be disregarded simply because they were Baconians.<sup>105</sup> Does that strike readers as fair or reasonable?

“Elizabethan Era Writing Comparison for Identification of ‘Common Authorship’” (1992)

Sceptics have at times unfairly compared Shakespeare's *poetry* to Bacon's *prose* in order to demonstrate a difference in their styles. That is not necessary, however, for better evidence exists: the Shakespeare play fragment found in 1986 which was determined to be written in Francis Bacon's own handwriting. That is correct. A manuscript consisting of a play fragment analogous to the Shakespeare play *The First Part of Henry the Fourth* was found in binder's waste (end leaves serving as extra padding to protect the pages of the text) in a Latin-Greek copy of Homer's *Odyssey* (Geneva, 1588). In 1992, the highly respected UK forensic analyst Maureen Ward-Gandy analyzed this play fragment manuscript and determined to a high degree of probability that it was written in Francis Bacon's own handwriting. The play fragment is considered to be an “analog” to the “tapster” scene in *The First Part of Henry the Fourth*. Ward-Gandy's report was published for the first time in my book, *Francis Bacon's Hidden Hand*.<sup>106</sup> Francis Carr, a British historian, commissioned the 1992 report from Ward-Gandy. In 1994, after Carr's death, she reviewed it again for Carr's friend Lawrence Gerald.

The Yale University Library Catalog entry for this play fragment, which attributes it to “William Shakespeare and gives it a date range of approximately 1590–1600, states it is written in an “unidentified hand.”<sup>107</sup> It was, however, identified by Ward-Gandy in 1992 as being in Francis Bacon's own handwriting. As British legal historian J. H. Baker observed, “The implication of a material fact is tantamount to a conclusion of law.”<sup>108</sup> A Shakespeare manuscript written in Bacon's own handwriting ought to be “gold-standard proof” that Bacon was involved in the drafting of *The First Part of Henry the Fourth*.

Antitheta

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Sir Edward Durning-Lawrence, *Bacon is Shakespeare. Together with a reprint of Bacon's promus of formularies and elegancies* (New York: J. McBride, 1910).

<sup>105</sup> Francis Bacon, “The Promus,” *Oxford Francis Bacon* (“OFB”), vol 1: Early Writings, 1584–1596. Edited by Alan Stewart. Oxford: Oxford University Press. 2012. For additional information, see my February 22, 2022 entry at “Errata, Updates, and Feedback,” at my website, <https://christinagwaldman.com/errata-updates-and-feedback/>.

<sup>106</sup> Maureen Ward-Gandy, “Elizabethan Era Writing Comparison for Identification of Common Authorship,” 24 July 1992, reviewed for Lawrence Gerald, 2 July, 1994, first published in Christina G. Waldman, app 4, “Handwriting on the Wall,” *Francis Bacon's Hidden Hand*, 235–274, PDF, with updated credentials for the late Ward-Gandy, posted at SirBacon.org, Oct. 11, 2022, <https://sirbacon.org/elizabeth-era-writing-comparison-for-identification-of-common-authorship/>.

<sup>107</sup> Yale University Library Catalog, s.v., “William Shakespeare,” *Henry IV*, Part 1, act 2, scenes 1 and 3,” <https://hdl.handle.net/10079/bibid/15585397>.

<sup>108</sup> J. H. Baker, *An Introduction to English Legal History*, 4<sup>th</sup> ed. (London: Butterworth's, 1990), 202.

In terms of writing style, W. F. C. Wigston discusses the fact that “both” Bacon and Shakespeare frequently present “antitheta,” pairs of opposites. Juxtaposing opposites is a logical way to reinforce the strength of a contrast. “They” were not the only ones to do it; it was also a hallmark of Machiavelli’s writing.<sup>109</sup> Here are three of Wigston’s examples:

In poison there is physic.  
—2 *King Henry IV*, I, 1, 195.

These sentences to sugar, or to gall.  
Being strong on both sides are equivocal.  
—*Othello*, I, 3, 565.

And do but see his vice,  
'Tis to his vertue a just equinox.  
The one's as long as t'other.  
—*Othello*, II, 3, 1251–53.<sup>110</sup>

Wigston explains:

Now these repeated “*Antitheta*” cannot be explained upon any ordinary grounds as casual indulgences of thought, and if they were even so, they would remain unexplained. They are so frequent, and play such a profound part in the style of the text, we must conclude not only are they introduced with reference to some philosophical principles underlying the construction and rationalism of these plays, as yet unrevealed to us, but that the author had arrived at some definite and accepted explanation of life as the result of Opposites or Contraries, in some such sense as expounded in the philosophy of Heraclitus . . . . We desire to point out the parallel that Bacon is universal, impersonal, all-sided, impartial, and we find exactly the same myriad-minded impassiveness and philosophical treatment in the plays.<sup>111</sup>

One might even wonder whether Edward de Vere provides an antithesis to Francis Bacon in terms of Shakespearean qualifications, for the two men were strikingly different in terms of their personalities, aspirations, and accomplishments, despite some similarities in their backgrounds.

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<sup>109</sup> See, e.g., Barbara Spackman, “Machiavelli and Maxims,” *Yale French Studies*, no 77 (1990), 137–155, 142–43; Niccolo Machiavelli to R. Bechi, March 9, 1497–98 in *The Prince and Other Works*, ed. Allan H. Gilbert (Chicago: Packard and Co., 1941), 220.

<sup>110</sup> Wigston, ch 7, “‘Antitheta’ in Bacon’s Writings,” *Francis Bacon, Poet, Prophet, Philosopher*, 139–153, SirBacon.org, <https://sirbacon.org/antitheta.htm>. See OpenSourceShakespeare.org (1864 Globe Shakespeare edition), <https://www.opensourceshakespeare.org/about/>.

<sup>111</sup> Wigston, *Francis Bacon, Poet*, 142–143.



### Bacon's Masques and "Sixty Minutes with Shakespeare"

The Shakespeare Birthplace Trust presents a podcast series, "Sixty Minutes with Shakespeare," in which sixty acknowledged "Shakespeare experts" are given one minute each to respond to a question about Shakespeare. Alan Stewart presents the one-minute "case against Bacon."<sup>112</sup> Stewart contents himself with making only one point: he expresses his opinion that the masques which Bacon wrote "lacked drama." However, could not all masques, by definition, be said to "lack drama"? They are, after all, pageants, not plays. The *Cambridge Dictionary* tells us that masques are a "type of theatre entertainment including poetry, singing, and dancing, performed in England in the 16th and 17th centuries, especially at a royal court." Stewart, co-author of a biography on Bacon and editor of the first volume of the *Oxford Francis Bacon*, had studied Francis Bacon.<sup>113</sup> And yet, that was the sum of his one-minute presentation for "Sixty Minutes with Shakespeare." Are the Stratordians conceding the case?

In 1594, Bacon wrote speeches for a masque performed at the 1594 "Christmas Revels" held at Gray's Inn. Those were the revels for which Shakespeare's *Comedy of Errors* was first performed.<sup>114</sup> Bacon knew about the writing, direction, and producing of masques; witness his essay, "Of Masques and Triumphs."<sup>115</sup> Peter Dawkins, founder-principal of the Francis Bacon Research Trust, discusses Bacon's work with masques, comparing it to Shakespeare's.<sup>116</sup> He points out that "Five speeches of the *Philautia Device*, written to be presented on November 17, 1595 by the Earl of Essex before Queen Elizabeth, are preserved among the "Northumberland papers." These "papers" are noteworthy in themselves, in that they present the names of Bacon and Shakespeare next to one another, several times, on the outside of the folder still containing some manuscripts. The outside of the folder lists an inventory of the manuscripts it once

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<sup>112</sup> "Sir Francis Bacon and Shakespeare Authorship with Alan Stewart," no. 45, Shakespeare Birthplace Trust, "[Sixty Minutes with Shakespeare](https://www.shakespeare.org.uk/explore-shakespeare/podcasts/60-minutes-shakespeare/sir-francis-bacon-and-shakespeares-authorship/)," <https://www.shakespeare.org.uk/explore-shakespeare/podcasts/60-minutes-shakespeare/sir-francis-bacon-and-shakespeares-authorship/>. See also #44 on Delia Bacon presented by Graham Holderness, "Sixty Minutes with Shakespeare." On the tragic story of Delia Bacon, see James Shapiro, *Contested Will*, 83–110.

<sup>113</sup> Lisa Jardine and Alan Stewart, *Hostage to Fortune: The Troubled Life of Francis Bacon, 1561–1626* (Hill & Wang, 1998) (a book which Brian Vickers (*Times Higher Education*, June 18, 1998), Nieves Matthews (*Times Higher Education*, June 26, 1998, <https://www.timeshighereducation.com/features/the-character-and-aims-of-francis-bacon/108006.article>), and Mather Walker ("Hostage to Fortune ... Reviewed by Mather Walker," SirBacon.org, <https://sirbacon.org/jardine.htm>) have criticized.

<sup>114</sup> See Barry R. Clarke, ch 8, "The Comedy of Errors," *Francis Bacon's Contribution to Shakespeare* (New York: Routledge, 2019), 111–129.

<sup>115</sup> Francis Bacon, essay, "Of Masques and Triumphs," Spedding 6:467–468.

<sup>116</sup> Peter Dawkins, *The Shakespeare Enigma* (London: Polair Publishing, 2004), 243–247.

contained. These contents include the Shakespeare plays *Richard II* and *Richard III*.<sup>117</sup> Christine Adams, too, wrote about Bacon's involvement with *The Masque of Flowers*.<sup>118</sup>

At "Sixty Minutes with Shakespeare," the UK's King Charles made a presentation, stating his opinion that Shakespeare must have known King James personally.<sup>119</sup> However, Clair Asquith reported that she had searched, to no avail, for a record of any personal interaction between King James and Shakespeare.<sup>120</sup> In contrast, there is ample evidence that Bacon met with the king as a matter of course, for he was the king's trusted advisor.

May I encourage anyone unfamiliar with the "case for Bacon" to investigate the online library of resources collected at SirBacon.org, including the recent body of work by independent researcher A. Phoenix.<sup>121</sup> The Francis Bacon Society's journal, *Baconiana*, can be read online at the [Francis Bacon Society](http://FrancisBaconSociety.org) as well as at SirBacon.org.

### The (implausible) case for the Earl of Oxford

Although I have studied the case for Bacon in more depth than I have studied the case for Oxford (for there is no way to study Bacon without going into depth), certain key factors dissuade me from thinking that Edward de Vere was Shakespeare. Briefly: 1) Oxford died in 1604, well before major revisions to some of the plays contained in the First Folio were made; 2) The law in Shakespeare goes far beyond the mere use of legal terms that any untrained playwright or even one with rudimentary legal training could or would have done. It is, rather, law written by a person whose brain is steeped in the law, the law of a deep jurisprudential thinker; and 3) incidents in Oxford's biography show that he lacked the unselfish compassion and desire to improve the lot of humankind which one sees in the Shakespeare works, a reflection of their author's own self. In contrast, Nelson, in *Monstrous Adversary* (2003), wrote that, although Oxford (1550–1604) was one of "England's premier nobleman,"

He held no office of consequence, nor performed a notable deed. He served, it is true, as Lord Great (or High) Chamberlain, but that office was purely ceremonial, and quite distinct from that of Lord Chamberlain. Oxford neglected to serve others for the simple reason that his first aim in life was to serve himself .... It has

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<sup>117</sup> Dawkins, *The Shakespeare Enigma*, 245. See also Clarke, ch 5, "Bacon's Dramatic Entrance," *Francis Bacon's Contribution to Shakespeare*, 51–75, 57–61.

<sup>118</sup> Christine Adams, "Francis Bacon's Wedding Gift of 'A Garden of a Glorious and Strange Beauty' for the Earl and Countess of Somerset," *Garden History* 36, no. 1 (Spring, 2008), 36–58, JSTOR, <https://www.jstor.org/stable/25472393>; see also Clarke, *Francis Bacon's Contribution to Shakespeare*, 65, 67.

<sup>119</sup> "Shakespeare's Royal Links with HM the King," Sixty Minutes with Shakespeare, Shakespeare Birthplace Trust, <https://www.shakespeare.org.uk/explore-shakespeare/podcasts/60-minutes-shakespeare/shakespeares-royal-links/>.

<sup>120</sup> Claire Asquith, *Shadowplay: The Hidden Beliefs and Coded Politics of William Shakespeare* (New York: Public Affairs, 2006), p. 189.

<sup>121</sup> "The A. Phoenix PDF Library of Works," <https://sirbacon.org/the-a-phoenix-pdf-library-of-works/>.

become a matter of urgency to measure the real Oxford against the myth created by partisan apologists and all too often embraced without critical rigour by the popular press—even by justices of the United States Supreme Court ....<sup>122</sup>

If Nelson's goal of setting the record straight on the Earl of Oxford's claim to Shakespeare authorship was urgently needed in 2003, it is even more urgent in 2023. When Looney's book was first published in 1920, a Baconian reviewer, "R. L. E." concluded that:

The best part of Mr. Looney's book is his statement of the main anti-Stratfordian arguments. In this department he acknowledges his indebtedness to Sir George Greenwood's work. His studies of the Baconian case do not, however, appear to have been carried beyond the writings of the earlier investigators, such as Donnelly, Judge Webb, and Lord Penzance. **Had he extended his knowledge of the subject to the results of newly unearthed data, there would have been no mention of Edward de Vere in connection with the Shakespeare Problem.** [my boldface added].<sup>123</sup>

And yet, here we are still today. Oxford killed a man in a duel, whereas Bacon wrote *The Charge of Sir Francis Bacon ... Touching Duells*, attacking the practice of dueling. Oxford denied paternity and abandoned his pregnant wife, Lord Burghley's daughter, whereas Shakespeare wrote a play sympathetic to the plight of a woman wrongly accused of bearing a child out of wedlock (Hermione in *The Winter's Tale*). How can the Oxford claim be taken seriously? In a lively essay, Jerome Harner wondered whether the case for Oxford might have even started out

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<sup>122</sup> Nelson, *Monstrous Adversary*, 1. For an academic review, e.g., see *Renaissance Quarterly*, vol 51, no 4 (Winter 2004), 1529–1530, <https://doi.org/10.2307/4143810>. For reviews specifically by Oxfordians, see "Nelson, *Monstrous Adversary*: Five Reviews," Sept. 21, 2004, <https://shakespeareoxfordfellowship.org/4-reviews-of-monstrous-adversary-by-alan-nelson/>; see also Alan Nelson, "[Sixty Minutes with Shakespeare](#)" podcast. For Winkler's treatment of Nelson's book, see Winkler, *Shakespeare Was a Woman*, 220, 247–48.

<sup>123</sup> R. L. E. [Rodericke L. Eagle], "Looney's (J. Thos.) Theory of Identity of Shakespeare with Earl of Oxford Examined," *Baconiana* 63 (Mar. 1921), 82–85. Search the *Baconiana* index for "Oxford" and "Looney." E.g.: "Commentary by the Editors of *Baconiana* [142, Jan.] 1952, on Edward de Vere, the Earl of Oxford," <https://sirbacon.org/oxfordcommentary.htm>; H. B. [Haskell Bond?], "A Debate on the Oxfordian Claim v. the Baconian," *Baconiana* vol 30, no 120 (July 1946), 75–78 (debate, City Literary Institute, London, Dec. 15, 1946, between Percy Allen for Oxford and Roderick L. Eagle for Bacon. At 77–88, it addresses the 160 lines added to the 1622 *Othello* Quarto in the 1623 First Folio); Haskell Bond, "An Oxfordian on the Bacon Cyphers," *Baconiana*, vol 31, no 124 (July 1947), 152–158.

as a joke,<sup>124</sup> and Australian actor Jono Freeman stars in an entertaining video, “The D’Vere D’version: Oxford vs Bacon.”<sup>125</sup>

Bacon's essays "Of Truth" and "Of Simulation and Dissimulation" (3d ed., 1625)

In his essay, “Of Truth,” Bacon makes the astute observation that men will prefer an appealing lie to the truth, for they have “a natural though corrupt love of the lie itself.” He goes on to write, “But I cannot tell; this same truth is a naked and open daylight, that doth not show the masks, and mummeries, and triumphs of the world, half so stately and daintily as candle-lights .... A mixture of a lie doth ever add pleasure.” He compares real life to stage life, daylight to candlelight, and includes artistic fictions in his broad category of “lies.”<sup>126</sup>

It might seem odd to those unfamiliar with Bacon that he would devote so much of his essay on truth to talking about poesy (imaginative literature, fiction and poetry). In it, he quotes the Roman poet Lucretius:

It is a pleasure to stand upon the shore, and to see ships tossed upon the sea; a pleasure to stand in the window of a castle, and to see a battle and the adventures thereof below: but no pleasure is comparable to the standing upon the vantage ground of Truth, (a hill not to be commanded, and where the air is always clear and serene,) and to see the errors, and wanderings, and mists, and **tempests**, in the vale below; so always that this prospect be with pity, and not with swelling or pride. Certainly, it is heaven upon earth, to have a man’s mind move in charity, rest in providence, and turn upon the poles of truth [boldface added].<sup>127</sup>

He continues:

One of the fathers [church fathers, Augustine], in great severity, called poesy *vinum daemonum*, because it filleth the imagination, and yet it is but with the shadow of a lie. But it is not the lie that passeth through the mind, but the lie that sinketh in, and settleth in it, that doth the hurt, such as we spake of before. But howsoever these things are thus in men's depraved judgments and affections, yet truth ... is the sovereign good of human nature. Certainly it is heaven upon earth,

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<sup>124</sup> Jerome Harner, “Why I am not an Oxfordian: Bacon vs DeVere, a Review of the Evidence,” SirBacon.org, April 2001, <https://sirbacon.org/harneroxford.htm>.

<sup>125</sup> Jono Freeman, video, “The D’vere D’version: Oxford vs Bacon.” The Francis Bacon Society. YouTube, March 5, 2021, [https://www.youtube.com/watch?v=ssynWWMITbM&ab\\_channel=TheFrancisBaconSociety](https://www.youtube.com/watch?v=ssynWWMITbM&ab_channel=TheFrancisBaconSociety).

<sup>126</sup> Francis Bacon, essay, “Of Truth,” *Essays or Counsels, Civil and Moral*, 3d ed., London, 1625; Spedding 6:377–379. “Castalian Spring” writes about Bacon’s essays “Blogging Bacon” on Medium. See ["To Lie or Not to Lie? Francis Bacon's Essay on Secrecy, Lying, and What Is In Between"](#) May 17, 2023, and ["Staying for an Answer: On Francis Bacon's Essay 'Of truth,'"](#) June 2, 2023.

<sup>127</sup> Bacon, “Of Truth,” Spedding 6:378; Bacon quotes this same passage from Lucretius again, in slightly different wording, in his *Advancement of Learning*, bk 1. See Spedding 3:317.

to have a man's mind move in charity, rest in providence, and turn upon the poles of truth.<sup>128</sup>

However, Bacon acknowledged that deception is sometimes necessary “in great and rare matters.” In his sixth essay, “Of Simulation and Dissimulation,” he talks about the need for a man to “have that penetration of judgment as he can discern what things are to be laid open, and what to be secreted, and what to be showed at half-lights, and to whom and when (which indeed are arts of state, and arts of life).<sup>129</sup> A little further on, he writes, “The best composition and temperature is, to have openness in fame and opinion, secrecy in habit, dissimulation in seasonable use, and a power to feign if there be no other remedy.”<sup>130</sup>

Assuming, for the sake of argument, that Bacon was Shakespeare, what “great and rare matter” would have justified his foisting on the world a false authorship ruse? I can think of no “matter” more “great and rare” than the matter of his true identity as a Tudor prince, born to Queen Elizabeth his mother (*mater* in Latin) through her secret marriage to Robert Dudley, the Earl of Leicester.<sup>131</sup> O rare Ben Jonson!

### Small Latin and less Greek

It has puzzled readers why Ben Jonson would say that Shakespeare had “small Latin and less Greek” when the plays reveal an author well-versed in those classical languages if it were not to raise eyebrows and encourage people to inquire further. I believe I have found the answer. I think it is a reference to Bacon’s two fathers, Sir Nicholas Bacon, the father who raised him and Robert Dudley, the father who presumably bore him.

As to “small Latin,” I believe it refer to the Latin words on Bacon’s baptismal registration record that appear to have been added later by another hand. At the end of the first line for January 25, after *Baptizatus Franciscus*, one finds the word *filius* (Latin for “son”). At the end of the second line, after “Dm: Nicho: Bacon,” are the Latin words *Magni Anglic Sigilli Custodis* (genitive (possessive), so, “son of the Keeper of the Great English Seal.” *Sigilla* is *small* figures cut upon a signet ring, hence, a *seal*). Note that Bacon is the only child whose father is also listed on the page. Also note also that someone has lightly written in “Mr.” before “Franciscus.” *Custodis*

<sup>128</sup> Bacon, “Of Truth,” Spedding 6:377–379.

<sup>129</sup> Francis Bacon, essay, “Of Simulation and Dissimulation,” Spedding 6:387–390.

<sup>130</sup> Bacon, essay, “Of Simulation and Dissimulation,” Spedding 6:389.

<sup>131</sup> See, inter alia, Peter Dawkins, essay, “Francis Bacon Born in the Purple,” under Resources, Francis Bacon Research Trust; Amelie Deventer von Kunow, *Francis Bacon: Last of the Tudors*, repr., electronically typed and edited by Juan Schoch, SirBacon.org, <https://sirbacon.org/vonkunow.html>, (New York: Bacon Society of America, 1924 [1921 in German]. Did fear of a German military threat play into the suppression of Baconian authorship studies ca 1928? Von Kunow, who was from Weimar, also wrote *Kryptographie oder Geheimschriftkunde* (Leipzig, Vogel, 1928.). As to Bacon’s royal birth, see also Christina G. Waldman, “Bacon’s Maiden Speech to Parliament and his Royal Birth,” July 1, 2020, SirBacon.org; for other resources, search “royal birth” at SirBacon.org.

(“guardian” in Latin) could also signify Nicholas’s status towards Francis, a secret kept “under seal.”<sup>132</sup>

As to “less Greek,” I believe it refers to the “Lesser George,” a sash that is worn as insignia of the chivalric Order of the Garter. Peter Dawkins, founder/principal of the Francis Bacon Research Trust, has explained that Bacon wears the “Lesser George” in certain portraits. Admission to the Order is at the invitation of the sovereign. Those of royal birth are not required to undergo a formal induction ceremony. The Order of the Garter is affiliated with St. George, the patron saint of England who is famously depicted on horseback, slaying a dragon with his spear.<sup>133</sup> There were several “Nestors” to consider. The surname of the fourth century martyr now known as “St. George” was “Nestor.”<sup>134</sup> In the stories of Homer, “Nestor” was the Greek King of Pylos. Robert Dudley (ca 1533–88) was Queen Elizabeth I’s “Master of the Horse.” “Nestor” rhymes with “Leicester.” He was made a “Knight of the Garter” on April 23, 1559.<sup>135</sup> He does wear the “Lesser George” in portraits.<sup>136</sup>

Of course, Oxfordians have their own “Prince Tudor” theories, although Diana Price (who has claimed to be neutral on Shakespeare authorship) has explained why they are not tenable.<sup>137</sup> Perhaps Bacon’s advice is relevant: “For better it is to make a beginning of that which may lead to something, than to engage in a perpetual struggle and pursuit in courses which have no exit.”<sup>138</sup>

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<sup>132</sup> See the photograph of Bacon’s baptismal registration at SirBacon.org, <https://sirbacon.org/baptismalregistration.htm>; Peter Dawkins, “The Garter Knight Portrait of Francis Bacon,” (under Resources, Essays), Francis Bacon Research Trust, 2021, <https://www.fbrt.org.uk/essays-2/>; *Cassell’s Latin Dictionary*, ed. D. P. Simpson (New York: Wiley, 1968), s.v., *sigilla, custodis, signum*. *Sigilla* is the diminutive of *signum* (“sign, token,” or “standard, banner, ensign, figure, image, statue, especially a seal, signet”) A “figure cut” (Ben Jonson: “This figure that thou here seest put, it was for gentle Shakespeare cut.”).

<sup>133</sup> See “The History and Iconography of St. George and the Dragon,” Art & object, June 30, 2021, <https://www.artandobject.com/news/history-and-iconography-st-george-and-dragon>.

<sup>134</sup> See Christina Hole, ch 2, “Saint George of England,” *Saints in Folklore* (New York: William Morrow, 1965), 17–32, at 21–22.

<sup>135</sup> “Robert Dudley, Earl of Leicester,” The British Museum, <https://www.britishmuseum.org/collection/term/BIOG35356>.

<sup>136</sup> See, e.g., Dr. Juliet Carey, “Paulet’s pendant: dragon slayer or maenad?” Waddesdon, Sept. 12, 2017, <https://waddesdon.org.uk/blog/paulets-pendant-dragon-slayer-or-maenad/>; Tracey Leigh Wedge, Ph.D. dissertation, December 2013, University of Southampton, Department of History, “Constructing Splendor: The Wardrobe of Robert Dudley, Earl of Leicester (1532/33–1588), Consumption and Networks of Production,” two vols, vol 2: Appendices, app. 1.3, fig. 10, University of Southampton Research Depository eprints Soton.

<sup>137</sup> See, e.g., Diana Price, “Rough Winds Do Shake: A Fresh Look at the Tudor Rose Theory,” Shakespeare Oxford Fellowship, April 24, 2019, originally published in *The Elizabethan Review*, vol. 4, no. 2, p. 4 (August 1996), <https://shakespeareoxfordfellowship.org/rough-winds-do-shake-a-fresh-look-at-the-tudor-rose-theory/>.

<sup>138</sup> Francis Bacon, *Proemium, The Great Instauration*, Spedding 4: 7–8, at 8.

Laurence Lampert on Bacon's strategic use of fragments and fables

Philosophy professor Laurence Lampert observes in his book, *Nietzsche and Modern Times*, that Bacon made strategic use of fragments:

Bacon knew as well as Nietzsche the uses of fragments or aphorisms in selecting readers and setting them to work: aphorisms are “knowledge broken” and “invite men to inquire further” (*Advancement, Works* III.405). Bacon and Nietzsche share the Socratic conclusion regarding the most important matters: what needs to be learned cannot be taught—but it can be learned if inducements are fittingly arranged. Artfully constructed fragments do not say everything but say enough to initiate inquiry, giving it impetus and direction. Transforming the fragment into a whole depends upon the reader.<sup>139</sup>

Lampert defines “advertisement” as used here as “a public notice or announcement made by the town crier.”<sup>140</sup> Elsewhere, Bacon has referred to himself as “the bellringer who calls all the wits together.”<sup>141</sup>

As to Bacon's strategic use of fables, Lampert writes:

Lord Bacon was a realist, as Nietzsche said, but he was also a fabulist. He told tales on behalf of his realism, and perhaps by paying closer attention to those tales we can get somewhat closer to knowing enough about Bacon .... [new par.] Appreciating Bacon as a philosopher in Nietzsche's sense would recover his now almost evaporated reputation. Rousseau said that perhaps the greatest of philosophers was Lord Chancellor of England. French Enlightenment thinkers saw him as their essential forebear. Kant and Darwin honored him .... But high repute has now given way to the judgment that Bacon was at best an energetic publicist and a mediocre thinker whose contributions to the history of philosophy is so marginal that it can be omitted without skewing that history. A different view of Bacon and his place in the history of philosophy becomes available through his fables, for they reveal a Bacon at once more fabulous and more sober, more ambitious in his ends and more calculating in his means, an indispensable figure in the history of modern times.<sup>142</sup>

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<sup>139</sup> Laurence Lampert, *Nietzsche and Modern Times: A Study of Bacon, Descartes, and Nietzsche* (New Haven: Yale University Press, 1993), 19–20.

<sup>140</sup> Lampert, ch 4, “Why Incite a Holy War?” *Nietzsche and Modern Times*, 69.

<sup>141</sup> Letter of Francis Bacon to “Dr. Playfer” (undated), *Spedding* 10:301, HathiTrust, <https://hdl.handle.net/2027/uc1.b3618245>; Bacon to Lord Salisbury, Chancellor of the University of Cambridge (1605), *Spedding* 10:254 (“But I shall content myself to awake better spirits, like a bell-ringer, which is first up to call others to church.”).

<sup>142</sup> Lampert, ch 2, “Why Read Francis Bacon?” *Nietzsche and Modern Times*, 17–26, 17.

He explains that “Bacon’s reputation has fallen victim to his own success” due to “what Nietzsche called ‘the unseemly and harmful shift in the respective ranks of science and philosophy.’”<sup>143</sup>

*An Advertisement Touching a Holy War* is one of two fables which Laurence Lampert discusses in *Nietzsche and Modern Times*, the other being Bacon’s *New Atlantis*. Lampert believed that a proper understanding of Bacon’s use of fables would help restore his reputation as a philosopher. As he writes:

The philosopher Bacon can be recovered, it seems to me, through a careful study of *New Atlantis* and *An Advertisement Touching a Holy War* .... *New Atlantis* is overtly a fable .... *Holy War* is a dialogue on the present state of Christendom and its ripeness for holy war, but it too is a kind of ‘feigned history’ or fable because the holy war for which it enigmatically argues is the war on behalf of Baconian science.<sup>144</sup>

In Bacon’s preface to his collection of fables retold in *Wisdom of the Ancients*, he wrote, “Some fables are so absurd and stupid upon the face of the narrative taken by itself that they may be said to give notice from afar and cry out that there is a parable below.”<sup>145</sup>

Bacon defines “feigned history” as “poesy.”<sup>146</sup> Lampert presents a separate chapter on each of these two fables, *New Atlantis* and *Holy War*.<sup>147</sup> Fragmentary fables can only go so far, however, as Lampert observes, noting that, in his letter to Lancelot Andrews, Bacon makes prominent reference to his two major works, *The Advancement of Learning* and *The Great Instauration*.<sup>148</sup> For the full discussion, see Lampert, *Nietzsche and Modern Times*, chapter 2.

*An Advertisement Touching a Holy War*, its dedicatory epistle to Lancelot Andrews, and *Othello*

<sup>143</sup> Lampert, *Nietzsche and Modern Times*, 17.

<sup>144</sup> Lampert, *Nietzsche and Modern Times*, 18.

<sup>145</sup> Spedding 6:695–699, at 697 (translated).

<sup>146</sup> Francis Bacon, de Augmentis, bk 2, ch 1, 292 (transl.: “And by poesy here I mean nothing else other than feigned history or fables; for verse of but a character of style, and belongs to the arts of speech, whereof I will treat in its proper place.”).

<sup>147</sup> Lampert, chapter 3, “Who Rules in Bensalem?”; chapter 4, “Why Incite a Holy War?” *Nietzsche and Modern Times*, 27–67, 67–116.

<sup>148</sup> Lampert, *Nietzsche and Modern Times*, 18, citing Spedding 7:13–14. An in-depth inquiry into why Bacon chose the word *instauratio* for the title of his great work is found in Charles Whitney, “Francis Bacon’s Instauration: Dominion of and over Humanity.”<sup>148</sup> Taking the Latin words *insto* and *aurata* together, one might also find a meaning of eagerly pursuing a golden age for humanity. Spedding once noted that when Bacon used words that derived from Latin, he tended to stay close to their original Latin meanings. I regret that I do not have the Spedding reference handy for this observation, but will leave my interpretation for the reader’s consideration, nevertheless.



With Francis Bacon studies, one often finds oneself drawn into tantalizing tangents. This was one of them. According to Spedding, the epistle in which Bacon dedicated *An Advertisement Touching a Holy War* to his friend, the Anglo-Catholic minister Lancelot Andrews, “**contains the fullest account of Bacon’s own personal feelings and designs as a writer which we have from his own pen**” (boldface added).<sup>149</sup> The letter, written in 1622, was first published with *An Advertisement Touching a Holy War*, in English, in 1629.<sup>150</sup> Spedding put this letter at the very beginning of his volume 7. On Bacon’s instruction, William Rawley included a Latin translation of *An Advertisement Touching a Holy War* in the *Opera Moralia et Civilia*” (London, 1638).<sup>151</sup>

1. The epistle dedicating *An Advertisement Touching a Holy War* to Lancelot Andrews (1555–1626)

After surveying the examples of Cicero, Demosthenes, and Seneca in dealing with political adversity, Bacon declares that, like Seneca, he intends to spend his time “wholly in writing, and to put forth that poor talent, or half talent, or what it is, that God hath given me.”<sup>152</sup>

Because he thought his Instauration might fly “too high over men’s heads,” he proposed (“though I break the order of time”) to “draw it down to the sense, by some patterns of a Natural Story and Inquisition . . . . Great matters (especially if they be religious) have (many times) small beginnings: and the platform may draw on the building.”<sup>153</sup> What did Bacon mean when he referred to “break[ing] the order of time”? Was he alluding to Aristotle’s dramatic unities of time, action, and place?

He confided to Launcelot Andrews that he was deeply engaged in writing endeavors, including those in which he intended to “draw” his Instauration “down to the sense, *by some patterns of a Natural Story and Inquisition* [italics added].”<sup>154</sup> Elsewhere, in a letter to his good friend Toby Matthew, Bacon referred to Andrews “as my “Inquisitor.”<sup>155</sup> What exactly he meant by “inquisitor” is not spelled out, but he may have meant someone who read his manuscripts

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<sup>149</sup> Spedding 7:6.

<sup>150</sup> Francis Bacon, *An Advertisement Touching a Holy War*, in *Certain Miscellany Works of the Right Honorable Francis Lo. Verulam, Viscount St. Alban* (London, 1629), Spedding 7:14.

<sup>151</sup> Spedding’s preface to *An Advertisement Touching a Holy War*, Spedding 7:1–7, at 7.

<sup>152</sup> Spedding 7:11–15, 13. Spedding also prints a later copy of the same letter “with trifling variations” at Spedding 14:371–374 preceded by commentary, 367–371. As to Bacon and Seneca (Roman statesman, philosopher, playwright), see W. F. C. Wigston, ch 6, “Bacon and Seneca,” *Francis Bacon, Poet, Prophet, Philosopher Versus Phantom Captain Shakespeare the Rosicrucian Mask* (London: Kegan, Paul, Trench, Trubner, 1891), 113–139, SirBacon.org, [https://sirbacon.org/bacon\\_and\\_seneca.htm](https://sirbacon.org/bacon_and_seneca.htm). Bacon grew up in a home in which the wise observations of Seneca and other worthies adorned the walls. See Elizabeth McCutcheon, *Sir Nicholas Bacon's Great House Sententiae* (Amherst Mass. And [Honolulu] University of Hawaii, 1977), Internet Archive, <https://archive.org/details/sirnicholasbacon0000baco/page/n1/mode/2up>.

<sup>153</sup> Spedding 7:13.

<sup>154</sup> Spedding 7:13.

<sup>155</sup> Francis Bacon to Tobie Matthew, Nov. 1605, Spedding 10:255–56, at 256.

editorially for him, with a critical eye. Bacon once wrote to his friend Toby Matthew, with whom he also shared his manuscripts,<sup>156</sup> that he would have used Matthew as his inquisitor, had he been available.<sup>157</sup>

This dedicatory epistle is one of several occasions in which Bacon reveals that he wrote works for his own recreation (re-creation, as a play recreates past events or recreates nature, the original creation?).

As for my Essays, and some other particulars of that nature, I count them but as the recreations of my other studies, and in that sort purpose to continue them; though I am not ignorant that those kind of writings would with less pains and embracement (perhaps) yield more lustre and reputation to my name than those other which I have in hand. But I account the use that a man should seek of the publishing of his own writings before his death, to be but an untimely anticipation of that which is proper to follow a man and not to go along with him [omitting Spedding's footnotes on translation].<sup>158</sup>

And, in Bacon's preface to his collection of fables retold in *Wisdom of the Ancients*, he wrote:

Now I suppose most people will think I am but entertaining myself with a toy, and using much the same kind of licence [sic] in expounding the poets' fables which the poets themselves did in inventing them; and it is true that if I had a mind to vary and relieve my severer studies with some such exercise of pleasure for my own or my reader's recreation, I might very fairly indulge in it. But that is not my meaning."<sup>159</sup>

## 2. An Advertisement Touching a Holy War

*An Advertisement Touching a Holy War* ("Holy War") is a dialogue among six characters: Eusebius ("Moderate Divine"), Gamaliel ("Protestant Zealant"), Zebedeus ("Roman Catholic Zelant"), Martius ("Militar [sic] Man"), Eupolis ("Politique"), and Pollio ("Courtier").<sup>160</sup> The Apostle James was known in the Gospels as "James the son of Zebedee." Gamaliel was the name

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<sup>156</sup> Spedding 11:9, 11:134, 11:137, as provided by Cockburn, *The Bacon Shakespeare Question*, 45–46.

<sup>157</sup> Spedding 11:144, as provided by Cockburn, *The Bacon Shakespeare Question*, 274 n2.

<sup>158</sup> Francis Bacon, "Dedicatory epistle to *An Advertisement Touching a Holy War*," Spedding 7:14–15.

<sup>159</sup> Spedding 6:695.

<sup>160</sup> See Elizabeth Denny Pierce (Blegen), *Gaius Asinius Pollius, a Roman Man of Letters*, (New York: Columbia University, 1922), Internet Archive, <https://archive.org/details/romanmanofletter00bleg>. Lampert points out that Pollio, like Bacon, was a consul in 40 B. C. E. who "retired from public life to devote himself to the advancement of learning. He established the first public library in Rome, wrote tragedies and a history of the civil war, none of which survive, and became the patron of Horace and Virgil." Lampert, ch 4, *Nietzsche and Modern Times*, 74–75 (boldface added).

of the rabbi at whose feet the Apostle Paul sat, before his conversion to Christianity, when he was still known as “Saul.” See Acts 22:3. Regrettably, a more complete discussion of this work must be left for another time, lest this project never conclude.

### 3. *Othello*

Brian McClinton, in comparing Bacon’s changing attitude on war to Shakespeare’s, notes connections between the views expressed in *Othello* and in *Holy War*. He notes that *Othello*, although “likely written” and first performed in 1604,<sup>161</sup> was not printed until 1622 (quarto), the same year that *Holy War* was written.

It is important to note that the Folio edition of *Othello* contains 160 additional lines and differs in a significant number of ways from the 1622 quarto edition.<sup>162</sup> **Since the “Stratford man” died in 1616, and Edward de Vere, Earl of Oxford in 1604, neither of them could possibly have revised the *Othello* quarto for its revised publication in the First Folio in 1623.**<sup>163</sup> Bacon, however, was alive in 1622.

*Holy War*<sup>164</sup> refers to the knightly order of “St. Jago.” “Jago” or “Iago” is the Spanish form of “James,” as in “Santiago,” in Spanish. “Iago” is, of course, the name of the villain in *Othello*. Where did Shakespeare find the name “Desdemona” for his female lead character in *Othello*? “Disidemonades” is the name of a hypocritical bishop in the play, *Incendia seu Pyrgopolinices (The Conflagration or the Fire-raiser)* (1541), by the German Lutheran pastor and playwright Thomas Kirchmeyer (“Neogeorgus”).<sup>165</sup> The similarity of the names suggests that the true author of *Othello* was familiar with Kirchmeyer’s play. Bacon’s was brought up by staunch Protestant leaders Sir Nicholas Bacon and his wife Anne (Cooke) Bacon.

Richard Allan Wagner, in “The Real Othello—Murder by Proxy—A New Perspective,” suggests that the revisions reflect Bacon-Shakespeare’s emotional response to his wife Alice’s

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<sup>161</sup> “Dates and Sources (Othello),” Royal Shakespeare Company, <https://www.rsc.org.uk/othello/past-productions/dates-and-sources>.

<sup>162</sup> Barbara Mowat and Paul Werstine, “An Introduction to This Text: Othello,” <https://www.folger.edu/explore/shakespeares-works/othello/an-introduction-to-this-text/>.

<sup>163</sup> Brian McClinton, ch 14, “Heaven and Earth,” *The Shakespeare Conspiracies: A 400-Year Web of Myth and Deceit* (Belfast: Shanway Press, 2008), 281–287, 283. See also M. P. [Martin Pares], “Othello,” *Baconiana* 56, no 173 (Dec. 1973, repr., *Baconiana* 164), 17–30. At 17: “A rigid examination of the text will show clearly that the additions and improvements to the play of *Othello* in the First Folio of 1623—as compared with the First Quarto of 1622—were composed and interpolated by the author himself.”

<sup>164</sup> Spedding 7:17–36.

<sup>165</sup> Helen Watanabe-O’Kelly, ch 15, “The Renaissance Meets the Reformation: The Dramatist Naogeorg (1508–1563),” in *The Reinvention of Theatre in Sixteenth-Century Europe: Traditions, Texts, and Performance*, edited by T. F. Earle and Catarina Fouto (Abington: Modern Humanities Research Association and Routledge, 2015), 325–332, 317.

infidelity.<sup>166</sup> The connection of the name “Desdemona” with the name of the hypocritical bishop in Kirchmeyer’s play supports this supposition. What we know is: 1) that Bacon, who was actually alive in 1622–23 (unlike Shaxpere or Oxford, could have made the changes to the 1622 Othello quarto that we find in the First Folio); 2), that he would have had personal reasons for revising a work based on infidelity after suffering from his wife’s infidelity; and, 3), that his letter to Andrews records his revelation that he was writing a work of “natural story” that was intended to complement his great work, the Instauration, that he thought might “fly too high over men’s heads” (using “men” to include all human beings, as was then the custom). The word “demon” in the middle of the word “Desdemona” might be related to Bacon’s reference to ‘one of the church fathers’ (St. Augustine) calling poesy *vinum daemonum* in his essay, “Of Truth.”<sup>167</sup>

Two studies on Shakespeare and the law: Clarkson and Warren (1942) and Helmholz (2023)

1. Clarkson and Warren, *The Law of Property in Shakespeare and the Elizabethan Drama* (1942)

In 1942, two United States lawyers, Paul S. Clarkson and Clyde T. Warren, after making an eleven-year study of eighteen dramatists who worked during the time of Shakespeare, concluded that Shakespeare’s use of the law was not remarkable. They looked at his use of legal terminology or allusions (“legalisms”). In their book, *The Law of Property in Shakespeare and the Elizabethan Drama*, they “refused to concede that Shakespeare was a lawyer, simply because his plays contained many legalisms.” In their conclusion, they wrote:

[A]bout half of Shakespeare’s fellows employed on the average more legalisms than he did—some of them a great many more .... Not only ... [that], but most of them also exceed him in the detail and complexity of their legal problems and allusions, and with few exceptions display a degree of accuracy at least no lower than his.” Accordingly, they concluded that “what law there is in Shakespeare can, indeed must, be explained upon some grounds other than that he was a lawyer, or an apprentice, or a student of the law .... We do not say, dogmatically, that William Shakespeare was not a lawyer, or that he had no legal education. As to that we are agnostic: as a matter of biographical fact, we simply do not know. But on the basis of our comparative studies, we do state categorically that the internal evidence from Shakespeare’s plays is wholly insufficient to prove such a claim.”<sup>168</sup>

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<sup>166</sup> Richard Allan Wagner, “The Real Othello—Murder by Proxy—A New Perspective,” PDF at <https://sirbacon.org/richard-wagner-has-a-pdf-essay-to-share-with-the-readers-of-sirbacon-the-real-othello/>. First published in *Baconiana*, vol 1, no 5 (March 2014), <https://francisbaconsociety.co.uk/baconiana-journals/baconiana-journals-2007-present/baconiana-vol1-no5/#the-real-othello>.

<sup>167</sup> See Waldman, app 4, “Handwriting on the Wall,” *Francis Bacon’s Hidden Hand*, 239–241.

<sup>168</sup> Paul S. Clarkson and Clyde T. Warren, *The Law of Property in Shakespeare and the Elizabethan Drama* (Baltimore: The Johns Hopkins Press, 1942), xxii, 285–286.

While their study is impressive as far as it goes, it should be remembered that it was limited to a study of legal allusions and terminology and to the field of property law exclusively. As I understand it, the 8,000 index cards they created for all the legal terms and allusions they detected within the Shakespeare plays and poems covered the entire spectrum of law, not just property law. They stated that they intended to write further books based on their research (on “Equity, Marriage and Divorce, Criminal Law, etc.”) but those books never materialized.<sup>169</sup> I do not believe they disclosed how many of those 8,000 index cards concerned property law. As Cockburn argued, in discussing Clarkson and Warren’s study, the quality of a legal allusion should matter more than the quantity.<sup>170</sup>

Clarkson and Warren admitted that their education fitted them “for the practice of law in our present-day business world,” and that their “knowledge of law or literature of the Elizabethan period” was “purely incidental thereto.” They list as their “only real qualifications for undertaking this work” their belief that they were being open-minded, had a “willingness to study,” and had the self-confidence to believe “that they could do the job better than it had been done heretofore.”<sup>171</sup> However, their stated disdain of the “Baconian heresy” would seem to belie their open-mindedness.<sup>172</sup>

Lawyers know that the way a case is framed can go a long way towards winning it. Studies in Shakespeare and the law have progressed beyond Clarkson and Warren, but, for most, Bacon is still not the primary focus of inquiry. Clarkson and Warren do not seem to have looked deeply into Bacon’s legal works, for they did not list them separately under their heading for “legal texts, treatises, etc.” they consulted. They do not report that they included in their study these legal writings of Bacon: his *Maxims of the Law*, *Reading on the Statue of Uses*, *Discourse Upon the Commission of Bridewell*, *Ordinances in Chancery*, or his *Example of a Treatise on Universal Justice or the Fountains of Equity*, by *Aphorisms*. They would not have known of his *Aphorismi de Jure gentium maiore, sive de fontibus Justitiae et Juris* which was only discovered in 1980 by Peter Beal.<sup>173</sup> They list “Spedding’s Works,” in the fifteen-volume Boston edition, under their heading for “General References”; however, there is no listing in their book’s index for “Spedding” or “Bacon.” With so little reference to “Bacon,” it is difficult to imagine that they found much use for Spedding.

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<sup>169</sup> Clarkson and Warren, *The Law of Property*, xxvi.

<sup>170</sup> Cockburn, ch 30, “Was Shake-Speare a Lawyer?” *The Bacon Shakespeare Question*, 338–366, 339–341.

<sup>171</sup> Clarkson and Warren, *The Law of Property*, xxvi.

<sup>172</sup> Clarkson and Warren, *The Law of Property*, xxi (“There is only one man who is more unreasonable than the Baconian, and that is the man who attempts to argue the question with him.”), xxii.

<sup>173</sup> For the list of Bacon’s “Arguments of the Law, see the table of contents to Spedding, vol 7; Coquillette, *Francis Bacon*, 236–237 and app 2, “Chronology of Bacon’s Most Important Philosophical and Juristic Writing,” 323–331, from R. W. Gibson, *Francis Bacon: A Bibliography of His Works and of Baconiana to the year 1750* (Oxford, 1950).

Other than *Chudleigh's Case*,<sup>174</sup> their list of “Cases Cited” does not seem to include those for which Bacon—innovatively—provided written “Arguments of the Law” for the use of the Gray’s Inn students (as, he says, was done on the Continent). Granted, Clarkson & Warren’s study was limited to property law. I do not see the following cases listed: *Slade's Case* (so important in the development of contract law), *Case of Impeachment of Waste*, *Lowe's Case of Tenures*, *Case of Revocation of Uses*, *Jurisdiction of the Counsel of the Marches*, *Case of the Post Nati of Scotland (Calvin's Case)*, or *Case De Non Procedendo Rege Inconsulto* which are all listed in the table of contents for Spedding’s volume 7 (“Literary and Professional Works,” vol 2). Nor did I see *Hales v Petit* listed; it has been thought relevant to the gravediggers’ discussion of the law of suicide in *Hamlet*. I intend to write more on this case at another time.

There was no listing for “Bacon” in Clarkson and Warren’s index, only a listing for the “Baconian theory” for which they expressed their disdain.<sup>175</sup> They state that, like Mark Twain, they, too, would be “more than willing to have the ‘Baconian heresy’ so simply, readily, and definitively settled” on the question of whether or not Shakespeare was a lawyer.<sup>176</sup> In my opinion, their study was too limited, and their bias against “the Baconian heresy” too evident, to support a definitive conclusion that “Shakespeare was not a lawyer.”

Clarkson and Warren focused on common law sources (“legal texts and treatises”). Indeed, judging from their book’s index, they made relatively little reference to canon law, civil law, or ecclesiastical law. One recent source on Shakespeare’s use of Roman law sources (the *ius commune*) is legal historian R. H. Helmholz’s lecture, “Shakespeare and the European *ius commune*,” which he gave on July 5, 2017, and which The Selden Society printed (London, 2023).

## 2. R. H. Helmholz, *Shakespeare and the European ius commune* (2023)

In his lecture before the Selden Society, *Shakespeare and the European ius commune*, University of Chicago Professor Emeritus R. H. Helmholz did not challenge the traditional attribution of Shakespeare authorship to William Shaxpere of Stratford, despite the lack of evidence in Shaxpere’s biographical record that he ever had legal training or experience. Helmholz defined (without citation) the *ius commune* as “the term used to describe the amalgam of Roman and canon law that was taught in Europe’s universities, including England’s, and also employed as the basic source of law in European legal tribunals from the twelfth century to the era of Codification in the eighteenth. It was the law applied in the courts of the English universities,

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<sup>174</sup> Clarkson and Warren, *The Law of Property in Shakespeare*, 132 n151, dismissing (instead of inviting further inquiry into) Dunbar Plunket Barton’s suggestion (in his book, *Links Between Shakespeare and the Law* (Boston, 1929), 75–77) that the phrase “perpetual succession” in *The Comedy of Errors* might be a reference to Chudleigh’s Case as “interesting” but “beyond certain proof.”

<sup>175</sup> Clarkson and Warren, *The Law of Property in Shakespeare*, xxi.

<sup>176</sup> Clarkson and Warren, *The Law of Property in Shakespeare*, xxxii.

and also in those of the church, the Admiralty, and some of the courts of equity that had come to life in the sixteenth century.”<sup>177</sup>

I did not see any reference to Bacon in Helmholz’s lecture. However, he did mention a study by Marie Therese O’Connor on *Cymbeline* which refers to the case of the Post-Nati (Calvin’s Case). Helmholz finds other references to the *ius commune* in *Cymbeline*, as well.<sup>178</sup> Some of the other sources he cited in his printed lecture did include references to Bacon in their indices.<sup>179</sup>

O’Connor’s study mentions Bacon as well as two of his writings.<sup>180</sup> In the Case of the Post-Nati, Francis Bacon, as King James’s Solicitor-General, was the lawyer opposing Sir Edward Coke who represented the interests of Parliament.<sup>181</sup> Bacon, as speaker for the Commons, had introduced the subject on February 25, 1606–07. Bacon gave his speech “before Easter Term, 1608, in the Exchequer Chamber, whither an Assize by Calvin and a Chancery suit for discovery of evidence had been adjourned from the King’s Bench and the Chancery respectively.”<sup>182</sup>

As O’Connor writes, “Calvin’s Case, which was decided in 1608 by England’s highest judicial authority, the Exchequer Chamber, and reported by England’s famous common-law jurist Sir

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<sup>177</sup> R. H. Helmholz, *Shakespeare and the ius commune*, Selden Society Lecture delivered at the British Legal History Conference, University College London, July 5, 2017 (London: The Selden Society, 2023), 263. See Manlio Bellomo, *The Common Legal Past of Europe 1000–1800*, transl. Lydia G. Cochrane (Washington D.C.: The Catholic University of America Press, 1995, orig. pub. as *L’Europe del diritto commune* (Rome: Il Cigno Galileo Galilei, 1988, 1989), foreword by Kenneth Pennington, ix–x; preface to the American edition, xi–xiv; 18 (defining the *ius commune* (“common law” of Europe) as “the law of ancient Rome and that same law as it had been revised and reinterpreted in the Middle Ages”). Orazio Condorelli and Rafael Domingo, eds., in their *Law and the Christian Tradition in Italy: The Legacy of the Great Jurists* (Abingdon: Routledge, 2021), define it, briefly, as “civil and canon law: *utrumque ius*.”

<sup>178</sup> Helmholz, *Shakespeare and the ius commune*, 266–67 (“filial ingratitude,” use of the word “appeal”), 274 (suicide), 276 (slander).

<sup>179</sup> E.g., Bradin Cormack, *Shakespeare and the Law: A Conversation among Disciplines and Professions* (Chicago: University of Chicago Press, 2013), 111, 119n47, 219n36, 234, 236–38, 253n22, 254n39 (from the index); Constance Jordan and Karen Cunningham, *The Law in Shakespeare* (Basingstoke: Palgrave MacMillan, 2007), 257–58, 234, 246n5, 257, 54n10, 52, 19n32, 39, 54n3, 256n22, 39, 30, 37n49, 52, 15, 39–43, 19n32 (from the index).

<sup>180</sup> Marie Theresa O’Connor, “A British People: Cymbeline and the Anglo-Scottish Union Issue,” in Bradin Cormack, Martha C. Nussbaum, and Richard Strier, eds., *Shakespeare and the Law: A Conversation Among Disciplines and Professions* (Chicago: University of Chicago Press, 2013), 231–255, at 234, 236, 253 (Francis Bacon, *A Briefe Discourse, touching the Happie Union of the Kingdomes of England and Scotland* (London, 1603), sigs. B4v–B6v, Spedding 10:90–98); and 254 (Francis Bacon, “The Argument of Sir Francis Bacon, Knight, His Majesty’s Solicitor-General, in the Case of the Post-Nati of Scotland, in the Exchequer Chamber” (1608, printed 1641), Spedding 7:641–679).

<sup>181</sup> O’Connor, “A British People,” cited in Helmholz, *Shakespeare and the ius commune*, 262–284, at 283.

<sup>182</sup> Spedding’s preface to “Case of the Post-Nati,” Spedding 7:639.

Edward Coke, affirmed that the Scottish *post-nati* were naturalized in England.”<sup>183</sup> The *post-nati* (“after born”) referred to “all Scots and Englishmen born after James’s English accession.”<sup>184</sup> While at first the result appears to be a “win” for King James and Union, O’Connor writes, “Far from being a victory for James’s Union, Coke’s report advanced the anti-Union vision of Britain. Instead of affirming a mutual and equal relationship with the English, the report rendered the Scottish *post nati*—and the Union itself—subject to definition by English jurists and by English law.”<sup>185</sup>

The name of the character “**Posthumus**” in *Cymbeline* has been seen as a kind of political pun on *post-nati*.<sup>186</sup> The Royal Shakespeare Society says *Cymbeline* was probably written in 1610 which was two years after the Case of the Post-Nati had been decided.<sup>187</sup>

Laurence Lampert, in discussing the fragmentary character of *New Atlantis* (1624) and *An Advertisement Touching an Holy War* (1622–23), suggests that Bacon may have left these works as fragments because they concerned “the art of government” which, Bacon said more than once, required the “art of silence.” “Silence” indicates to me that something is not being said. Bacon states, “**But if my leisure time** [i.e., recreational activities?] shall hereafter produce anything concerning civil knowledge, the work will perchance be either **abortive or posthumous** [boldface added].” Lampert considers each of these two works to be “abortive” and “posthumous.”<sup>188</sup> What is, however, Bacon’s reference to “posthumous” was a hint pointing readers toward *Cymbeline* as well? For that play did concern the art of government. Is there a more “abortive” Shakespeare play we should look for? “Abortive” does suggest birth imagery, and “post-nati” means “after-born.”

What did Clarkson and Warren have to say about a possible connection between *Cymbeline* and the Case of the Post-Nati. Nothing. Their treatment of the play consisted of their citing *Cymbeline* twice (II, 2, 29–30 for use of the word “inventory” and II, 2, 39–40 for use of the word “voucher”).<sup>189</sup>

Before the publication of my book, *Francis Bacon’s Hidden Hand*, I provided Prof. Helmholz with a working draft (which had been posted online at SirBacon.org as well), and I sent him a copy of the book after it was published in July 2018. He did not comment upon the substance of my materials, but he did state, in an email to me at the time, that he did not consider himself qualified to evaluate Shakespeare authorship. He did not mention my book in his printed lecture, but he does mention the similarity of the name Gratian, or Gratiano in Italian, the twelfth century

<sup>183</sup> O’Connor, “A British People,” 231.

<sup>184</sup> O’Connor, “A British People,” 231.

<sup>185</sup> O’Connor, “A British People,” 236; see also 232.

<sup>186</sup> O’Connor, “A British People,” 231, 238–252 (discussion of *Cymbeline*).

<sup>187</sup> Dates and Sources ... *Cymbeline*, Royal Shakespeare Society,

<https://www.rsc.org.uk/cymbeline/about-the-play/dates-and-sources>.

<sup>188</sup> Lampert, 19, citing Bacon, *De Augmentis Scientiarum*, Spedding 5:31 and 5:78–79.

<sup>189</sup> Clarkson and Warren, “Index to Dramatic Citations,” *The Law of Property in Shakespeare*, 303.



jurist who is known as the founder of canon law, to the name of the character Gratiano in *The Merchant of Venice*. Why would Shakespeare have chosen this name for his character?

In my book, I pointed out that the names of most of the main characters in *The Merchant of Venice* had counterparts with the names of outstanding twelfth century jurists, such as Portia with Azolinus Portius, Nerissa with Irnerius, Bassanio with Bassianus, and Gratiano with Gratian.<sup>190</sup> I also pointed out in my book that in the twelfth century in Italy, women were allowed to study law in the university at Bologna and that some even lectured in the law. In the twelfth century, Portia could have been a student of the old Italian jurist Bellario's (who might have been Placentinus) and a teacher of the law herself; in fact, she refers to herself as a teacher. If the play were set in the twelfth century Venice, in my opinion, it would be wrong to assume that Portia was an unlearned women, a fraud and a cheat.<sup>191</sup> In my book, I also talk about the *Processus Belial* as a precedent for *The Merchant of Venice* and Bacon's familiarity with the "Trial of God" in which Mary the Mother of God intercedes for humanity because her son Jesus Christ paid the price for humanity's sin.<sup>192</sup> I continue my studies of this play, but that will also have to remain a subject for discussion at another time.

Professor Helmholz referred to Shakespeare's understanding of the importance of medieval glosses within the *ius commune*, mentioning the reference to the Salic Law in *Henry V* and to references in *Love's Labour's Lost* and *Troilus and Cressida*.<sup>193</sup> I made a study of the use of the word "gloss" or "gloze" in Shakespeare in chapter 11 of my book, "Glosses, Glanvill, and Pre-Gratian Marriage Law." I found that Shakespeare used "gloss" as a noun fifteen times and "gloss" or "gloze" as a noun or verb six times in total, including the references which Prof. Helmholz cited. In that section of my book, I also included "Two Francis Bacon Aphorisms on the Salic Law."<sup>194</sup>

Professor Helmholz's study should prove useful to scholars interested in this topic. It is well-documented with footnotes both to Shakespeare's plays and to a good number of scholarly resources on Shakespeare and the law.

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<sup>190</sup> Waldman, ch 9, "Characters, Counterparts, and Others—Part II," *Francis Bacon's Hidden Hand*, 159–182.

<sup>191</sup> *The Merchant of Venice*, Act I, Scene 2, 208–215 ("It is a good divine that follows his own instructions: I can easier teach twenty what were good to be done, than be one of the twenty to follow mine own teaching. The brain may devise laws for the blood, but a hot temper leaps o'er a cold decree: such a hare is madness the youth, to skip o'er the meshes of good counsel the cripple."). OpenSourceShakespeare.org (1864 Globe ed.); Waldman, *Francis Bacon's Hidden Hand*, 147.

<sup>192</sup> Waldman, ch 3, "Trifles and Devils: Literary Precedents," *Francis Bacon's Hidden Hand*, 57–66, 61.

<sup>193</sup> Helmholz, *Shakespeare and the ius commune*, 265, n17, 266.

<sup>194</sup> Waldman, *Francis Bacon's Hidden Hand*, 193–198, 195.

## Conclusion

Any author who intentionally hid clues to keep people engaged in reading his writings over four centuries would be a very clever (or should we say, strategic) author indeed. However, not everyone thinks Bacon intended for his authorship of Shakespeare to be discovered. Cockburn and McClinton thought he intended the secret to be kept.<sup>195</sup> I think he intended the secret to be discovered, but not by everyone; for he did provide clues. His stated *modus operandi* was to conceal and reveal, to protect precious truths from those who would not value them. Not all truths are for all ears. Not everyone can be trusted to know what can and cannot be said outright. Many people will be skeptical. Today, people are used to reading for literal meaning. They may not be as good as people of past generations were at reading interpretatively, between the lines, as a translator does when translating from a foreign language, perhaps. Also, many readers today are less knowledgeable about Latin, Greek, classical and historical references, and about Bacon and his works, than past readers were. Today's readers may be more apt to miss literary allusions that authors intended. There is no time like the present for solving this literary mystery.

One who might have suspected the truth but possessed the discretion not to say so outright at an inopportune time was the late United States Supreme Court Justice Ruth Bader Ginsberg. Winkler reports that, in Justice Ginsberg's eulogy at the funeral of her fellow United States Supreme Court Justice John Paul Stevens in 2019, she included an apt quotation from *Hamlet*:

Justice Stevens much appreciated the writings of the literary genius known by the name William Shakespeare, so I will end with a line from the Bard fitting the prince of a man Justice Stevens was: 'Take him for all in all, we shall not look upon his like again.'<sup>196</sup>

Hamlet was speaking in praise of his dead father (*Hamlet*, Act I, Scene 2). "All in all," in Latin, is *omnia in omnia*. Bacon called his biliteral cipher *omnia in omnia*.<sup>197</sup> Was Justice Ginsberg cryptically conveying that she did not share Justice Stevens's Oxfordian leanings? As a legal scholar with an interest in Shakespeare,<sup>198</sup> she would have understood better than most that Shakespeare's legal learning did not appear by osmosis but was the result of study.

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<sup>195</sup> Cockburn, *The Bacon Shakespeare Question*, 280; McClinton, preface, *The Shakespeare Conspiracies*, 9–12.

<sup>196</sup> Winkler, *Shakespeare Was a Woman*, 324.

<sup>197</sup> In Spedding, see 1:841 (Spedding's "appendix on the art of writing in cipher"), <https://babel.hathitrust.org/cgi/pt?id=uc1.b3618238&seq=7>; Spedding 4:444–448 (*de Augmentis*, translated, substantially set forth in the Friedmans' book, *The Shakespearean Ciphers Examined*, 28–33 (Spedding 4:444–447)), HathiTrust, <https://babel.hathitrust.org/cgi/pt?id=hvd.hn6e7y&seq=7>; Spedding 3:402 ("The kind of Ciphers ... are many .... The highest degree whereof is to write *omnia per omnia* ...." *The Advancement of Learning*).

<sup>198</sup> See A. J. Goldmann, "In the Case of Shylock v. Antonio, Judge Ginsberg Presides," *Forward*, July 30, 2016, <https://forward.com/culture/346465/in-the-case-of-shylock-v-antonio-judge-ginsburg-presides/>; Robert Viagas, "Supreme Court Justice Rules on Shakespeare's *The*

It is good to keep an open mind, to be honest about evidence contrary to one's position, and to avoid Bacon's "four idols" that skew men's perceptions and judgment in attempting to ascertain objective truth. As Judge Learned Hand, in his famous speech, "The Spirit of Liberty," wrote, "The spirit of liberty is that which is not too sure it is right."<sup>199</sup> Bacon said, "If we begin with doubts, we will end with certainty. If we begin with certainty, we will end with doubts."<sup>200</sup> In the same vein, he wrote,

And certainly the two ways of contemplation are much like those two ways of action, so much celebrated, in this—that the one, arduous and difficult in the beginning, leads out at last into the open country; while the other, seeming at first sight easy and free from obstruction, leads to pathless and precipitous places.<sup>201</sup>

Bacon's inductive method teaches us to gather sufficient data before drawing conclusions, rather than trying to make our evidence fit into a preconceived mold and discarding what does not fit.<sup>202</sup> As we learn, we correct our errors and try to do better, adjusting our course as we go, like one who is steering the helm of a ship. Humility goes hand-in-hand with objectivity, as Erich Fromm the psychoanalyst observed:

The faculty to think objectively is reason; the emotional attitude behind reason is that of humility ... love being dependent on the relative absence of narcissism, it requires the development of humility, objectivity and reason ... humility and objectivity are indivisible, just as love is.<sup>203</sup>

Bacon's humility was part-and-parcel with his religious faith. In his preface to his *The History of Winds* (1623), he wrote:

Wherefore, if there be any humility towards the Creator, if there be any praise and reverence towards his works: if there be any charity towards men, and zeal to lessen human wants and sufferings; if there be any love of truth in natural things, any hatred of darkness, any desire to purify the understanding; men are to be entreated again and again that they should dismiss for a while, or at least put aside, those inconstant and preposterous philosophies, which prefer theses to hypotheses, have led experience captive, and triumphed over the works of God; that they should humbly and with a certain reverence draw near to the book of

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*Merchant of Venice*," Playbill, July 28, 2016, <https://www.playbill.com/article/supreme-court-justice-rules-on-shakespeares-merchant-of-venice>.

<sup>199</sup> Judge Learned Hand, "The Spirit of Liberty" (1944) Learned Hand, for Civil and Religious Liberty, posted Jan. 16, 2013, <http://www.learnedhand.org/?p=4>.

<sup>200</sup> Francis Bacon, *The Advancement of Learning* (1605), Spedding 3:293.

<sup>201</sup> Francis Bacon, *Proemium to The Great Instauration*, Spedding 4:7–8, 8.

<sup>202</sup> See Francis Bacon, *Novum Organum*, transl., Spedding 4:39–248. Explained by Jürgen Klein and Guido Giglioni in "Francis Bacon," sec. 5, *Stanford Encyclopedia of Philosophy*, first pub. 2003, last subst. rev. 2012, <https://plato.stanford.edu/entries/francis-bacon/> (citing to the *Oxford Francis Bacon*).

<sup>203</sup> Erich Fromm, *Art of Loving* (New York: Harper and Row, 1956), 101.

Creation; that they should there make a stay, that on it they should meditate, and that then washed and clean they should in chastity and integrity turn them from opinion. This is that speech and language which has gone out to all the ends of the earth, and has not suffered the confusion of Babel; this men must learn, and, resuming their youth, they must become again as little children and design to take its alphabet into their hands.<sup>204</sup>

If we only look where the light is shining, we will miss what is obscured by the dark. Why not look *for* Bacon? Matters are not always what they seem at first glance. Often, the truth requires digging, but the digging has its own rewards, as Edwin Reed relates; Bacon tells it in his *Redargutio Philosophiarum* (“Refutation of Philosophies”):

A father dying called his children to his bedside and told them he had buried a treasure in his vineyard for them. In due time they found it; not in gold or silver, but in the bountiful crops that reward the spade and pick.<sup>205</sup>

There is always a deeper level to explore in Baconian studies. Perhaps this essay will inspire other scholars to make further inquiry into the case for Bacon.

In his “Last Will and Testament,” Bacon entrusted his good name to later generations. In his eloquent *Redargutio Philosophiarum* (“The Refutation of Philosophies”) (1608), **Bacon predicted that he would be remembered as one who hated shams.** The piece is structured as a narrator’s introduction followed by a report by a person who had heard an address given in Paris by “a man of peaceful and serene air, save that his face had become habituated to an expression of pity” to a gathering of about fifty “men of mature years . . . all bearing the stamp of dignity and probity.” The speaker who is Bacon’s persona did not address his audience from a pulpit or podium but took a seat at their level. In the conclusion to that address, Bacon put these words in the mouth of his persona (with paragraph breaks added):

Witness also the art of printing, unknown to the ancients. By it the discoveries of one man can pass like a flash of lightning and be promptly shared, thus stimulating zeal and effecting an interchange of ideas [even more true in the computer age!]. We should avail ourselves of the advantages of our times and see to it that in the midst of so many favourable circumstances we ourselves do not fail.

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<sup>204</sup> Francis Bacon, *The History of Winds* (1623), in Farrington, *The Philosophy of Francis Bacon*, 54–55.

<sup>205</sup> See Edwin Reed, intro., *Francis Bacon: Our Shakespeare*, n.p.; Francis Bacon, *Redargutio Philosophiarum*, in Farrington, *The Philosophy of Francis Bacon*, 122. Note: the reader may wish to compare the translations of the last part (point 19) of Bacon’s *Cogitata et Visa de Interpretatione Naturae* (“Thoughts and Conclusions on the Interpretation of Nature”) by Reed in *Francis Bacon: Our Shakespeare*, 126–129 (English), 231–232 (Latin), Farrington in *The Philosophy of Francis Bacon*, 73–103, at 100–102, and in Spedding 3:587–620.

As for me, sons, having taken the first step by way of preparation of your minds, I shall not fail you in what must follow. Well I know that the tablets of the mind are not like ordinary writing-tablets. On them you can write nothing till you have expunged the old; in the mind you cannot expunge the old except by writing in the new. Accordingly I shall make no long delay. I only give you this advice, that you do not promise yourself such great things from my discoveries as not to expect better from your own.

I foresee for myself a destiny like that of Alexander, ... now pray, do not accuse me of vanity till you have heard me out. While his memory was fresh his exploits were regarded as portents. Of the orators who vied with one another to praise him one said: "We no longer live like mortal men, but have been born to this destiny that men should speak portents of us." But when admiration had cooled and men looked more closely into the matter, note the sober judgment passed upon him by the Roman historian: '**All Alexander did was dare to despise shams.**'<sup>206</sup>  
**Something like this later generations will say of me** [boldface added].

Emanipated, masters of themselves, having learned by experience their own powers, they will forge far ahead of my free steps. In the verdict they pass on me they will be right to deny that anything I have done is great. But they will be wrong if they ascribe to daring what is due to humility, to humility, I say, and to the absence of that human pride which has ruined all by conferring the title sacred upon certain fleeting meditations instead of reserving it for the divine signature on things. Here only do I felicitate myself, only on this account do I hold myself happy and well-deserving of the human race, that I have shown the power inherent in a true and proper humbling of the human spirit. But it is for others to decide what they owe to me. I owe myself and all I have to you.<sup>207</sup>

It seems to me that a fascinating study could be made solely of Bacon's references to Alexander the Great and to Caesar. There are several such references in his various collections of Apothegms, for example (see the table of contents in Spedding 7). In his first book of *The Advancement of Learning* (1605), in his long discussion of Alexander and Julius Caesar, Bacon quotes Alexander:

To proceed now from imperial and military virtue to moral and private virtue .... [a true proficiency in liberal learning softens and humanizes the manners] .... Neither can any man marvel at the play of puppets, that goeth behind the curtain and adviseth well of the motion. And for magnitude, as Alexander the Great after that he was used to great armies and the great conquests of the spacious provinces in Asia when he received letters out of Greece of some fights and services there, which were commonly for a passage or a fort or some walled town at the most, he said, *It seemed to him that he was advertised of the battles of the frogs and the*

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<sup>206</sup> Livy IX, 17, quoted by Bacon in *Redargutio Philosophiarum*, translated by Farrington, in Farrington, *The Philosophy of Francis Bacon*, 103-33, at 132.

<sup>207</sup> Francis Bacon, *Redargutio Philosophiarum*, 132-33.

*mice, that the old tales went of: so certainly if a man meditate much upon the universal frame of nature, the earth with men upon it (the divineness of souls except) will not seem much other than an ant-hill, whereas some ants carry corn, and some carry their young, and some go empty, and all to and fro a little heap of dust. [brackets and italics are Bacon's].*<sup>208</sup>

It is interesting that the *Batrachomyomachia* or “Battles of the frogs and the mice,”<sup>209</sup> translated by Conrad Gessner, is included in the volume of Homer’s *Odyssey* (Geneva, 1586, but bound in an Oxford binding) in which the **Shakespeare play fragment written in Bacon’s own handwriting** was found, hidden in binder’s waste, as Maureen Ward-Gandy, UK forensic handwriting expert, concluded in her 1992 report. Lampert, writing in 1993, says Bacon made a practice of strategically using fragments to inspire further inquiry.<sup>210</sup>

It must be one of the great ironic tragedies of history that Francis Bacon who loved the truth, as only a revolutionary, visionary philosopher, jurist, and poet can, has been so maligned by lies.<sup>211</sup> Yes, he was also a statesman, a man careful in his revelations of private matters, a man with a great and rare secret, it would seem. A lover of truth, he paradoxically created a pseudonym, a fable so unbelievable that at least some people would see through it: the “Shaxpere myth.”

“But it is not the lie that passeth through the mind, but the lie that sinketh in, and settleteth in it, that does the hurt.”<sup>212</sup>

Francis Bacon bequeathed us with great legacies. And yet, if he had to choose today between the preservation of the integrity of the methods for discerning truth and the credit and honor he is due, my guess is he would choose the former. That is because he cared more for the future of humanity than he did for fame or glory. He knew that truth, not shifting sands, was the foundation upon which the future of humanity, modernity, must be built. A sane, civilized world requires trust, and trust depends upon telling the truth. Let us honor Bacon’s legacy by upholding the truth with ethical methodology, and let us dare to confront shams. The right methods should ultimately get us to the right results. Solzhenitsyn had good reason for exhorting us to “never knowingly support lies.” There are good reasons why we should not let the memory of Francis Bacon and his works be distorted or eradicated.

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<sup>208</sup> Spedding 3: 307–318, 314.

<sup>209</sup> There is a new translation by A. E. Stallings, *The Battle Between the Frogs and the Mice* (Philadelphia: Paul Dry Books, 2019).

<sup>210</sup> Lampert, *Nietzsche and Modern Times*, 19–20.

<sup>211</sup> See Nieves Matthews, *Francis Bacon: The History of a Character Assassination* (New Haven: Yale University Press, 1996).

<sup>212</sup> Francis Bacon, “Of Truth,” Spedding 6:378.

### Selected Bibliography

- A. Phoenix. "Francis Bacon's Private Notebook with Hundreds of Parallels in his Shakespeare Works—the Promus." SirBacon.org. January 22, 2023, <https://sirbacon.org/francis-bacons-private-notebook-with-hundreds-of-parallels-in-his-shakespeare-works-the-promus/>.
- "A. Phoenix." "Research," Academia.edu, <https://aphoenix1.academia.edu/research>.
- "A. Phoenix PDF Library of Works, The," SirBacon.org, <https://sirbacon.org/the-a-phoenix-pdf-library-of-works/>.
- Adams, Christine. "Francis Bacon's Wedding Gift of 'A Garden of a Glorious and Strange Beauty' for the Earl and Countess of Somerset." *Garden History* 36, no. 1 (Spring, 2008): 36–58. JSTOR, <https://www.jstor.org/stable/25472393>.
- Asquith, Claire. *Shadowplay: The Hidden Beliefs and Coded Politics of William Shakespeare*. New York: Public Affairs, reprinted 2006.
- Bacon, Francis. "Chudleigh's Case," Arguments of Law, *The Works of Francis Bacon, Baron Verulam, Viscount St. Alban, and Lord High Chancellor of England*, vol 7 (of 14). Edited by Spedding, James, Robert Leslie Ellis, and Douglas Denon Heath. London: Longmans, 1857-1874. 613-637.
- Bacon, Francis. "Essays of Sir Francis Bacon or Counsels, Civil and Moral." The Literature Page. <http://www.literaturepage.com/read/francis-bacon-essays.html>.
- Begley, Walter. *Is it Shakespeare? The Great Question of Elizabethan Literature*. New York: E. P. Dutton, 1903.
- Begley, Walter. *Bacon's Nova Resuscitatio or The Unveiling of His Concealed Works and Travels*. 3 vols. London: Gay & Bird, 1905.
- Castalian Spring, "[To Lie or Not to Lie? Francis Bacon's Essay on Secrecy, Lying, and What Is In Between](#)" May 17, 2023, and "[Staying for an Answer: On Francis Bacon's Essay "Of truth."](#)" June 2, 2023, " Blogging Bacon" on Medium.
- Clarke, Barry R. *Francis Bacon's Contribution to Shakespeare: A New Attribution Method*. New York: Routledge, 2019.
- Clarkson, Paul S., and Clyde T. Warren, *The Law of Property in Shakespeare and the Elizabethan Drama*. Baltimore: Johns Hopkins Press, 1942.
- Cockburn, N. B. (Nigel). *The Bacon Shakespeare Question: The Baconian Theory Made Sane*. Guildford and King's Lynn: printed for the author by Biddles, 1998.

“Commentary by the Editors of *Baconiana*, 1952, on Edward de Vere, the Earl of Oxford.” n.d. SirBacon.org, <https://sirbacon.org/oxfordcommentary.htm>.

Cormack, Bradin, Martha C. Nussbaum, and Richard Strier, eds. *Shakespeare and the Law: A Conversation Among Disciplines and Professions*. Chicago: The University of Chicago Press, 2013.

Dawkins, Peter. *Second Seeing Shakespeare*, ebook, Book Baby, 4/6/2020.

Dawkins, Peter. *Shakespeare Enigma, The*. London: Polair Publishing, 2004.

Donnelly, Ignatius. “The Shakespeare Myth.” *The North American Review*, vol 144, no 367 (June 1887). 572–582. JSTOR, <https://www.jstor.org/stable/25101239>. For additional publications, see “Donnelly, Ignatius (1831–1901), Extended Bibliography,” <https://corpora.tika.apache.org/base/docs/govdocs1/283/283910.html>.

Durning-Lawrence, Sir Edward. *Bacon is Shakespeare. Together with a reprint of Bacon’s promus of formularies and elegancies*. New York: J. McBride, 1910. HathiTrust, <https://catalog.hathitrust.org/Record/001373754>. See the Online Books Page, <https://onlinebooks.library.upenn.edu/webbin/book/lookupname?key=durning-lawrence,+edwin,+sir,+1837-1914>.

Farrington, Benjamin. *The Philosophy of Francis Bacon*. Chicago: University of Chicago Press, 1966. First published, University of Liverpool Press, 1964.

F. E. C. H. and W.S. M. [William S. Melsome]. “Professor Spurgeon and her Images.” *Baconiana*, Sept. 1969. Reprinted at SirBacon.org. <https://sirbacon.org/spurgeon.htm>.

Francis Bacon Research Trust (Peter Dawkins, founder/principal). <https://www.fbrt.org.uk/>.

Francis Bacon Society. <https://francisbaconsociety.co.uk/>.

Francis Bacon’s New Advancement of Learning, SirBacon.org. <https://sirbacon.org/>.

Freeman, Jono. Video, “The D’veve D’ve version: Oxford vs Bacon.” The Francis Bacon Society. YouTube, March 5, 2021, [https://www.youtube.com/watch?v=ssynWWMITbM&ab\\_channel=TheFrancisBaconSociety](https://www.youtube.com/watch?v=ssynWWMITbM&ab_channel=TheFrancisBaconSociety).

Greenwood, George. *Shakespeare Problem Restated, The*. London: John Lane, 1908.

Greenwood, George. *Shakespeare’s Law*. London: C. Palmer, 1920.

Greenwood, George. *Shakespeare’s Law and Latin: How I Was ‘Exposed’ by Mr. J. M. Robertson*. London: Watts, 1916.



- Hand, Learned. "The Spirit of Liberty" (1944) Learned Hand, for Civil and Religious Liberty, posted Jan. 16, 2013, <http://www.learnedhand.org/?p=4>.
- Harner, Jerome. "Why I am not an Oxfordian: Bacon vs DeVere, a Review of the Evidence." SirBacon.org, April 2001. <https://sirbacon.org/harneroxford.htm>.
- Havel, Václav. "The Power of the Powerless," extract taken from *The Power of the Powerless*, by Václav Havel. London: Unwin Hyman, 1985. Reproduced in *Without Force or Lies: Voices from the Revolution of Central Europe in 1989-90*, edited by William M. Brinton and Alan Rinzler, translated by Paul Wilson. San Francisco: Mercury House, 1990. 43-127.
- Helmholz, R. H. *Shakespeare and the European ius commune*. Selden Society Lecture delivered at the British Legal History Conference, University College London, July 5, 2017. London: The Selden Society, 2023.
- Holmes, Nathaniel. *The Authorship of Shakespeare*, 2d ed., 2 vols. Boston: Houghton Mifflin, 1897.
- Jordan, Constance, and Karen Cunningham, eds. *The Law in Shakespeare*. Basingstoke: Palgrave Macmillan, 2007.
- Lampert, Laurence. *Nietzsche and Modern Times: A Study of Bacon, Descartes, and Nietzsche*. New Haven: Yale University Press, 1993.
- Leary, Penn, ch 7, "Friedman," *The Second Cryptographic Shakespeare*. Omaha: Westchester House, 1990. PDF, SirBacon.org, [https://sirbacon.org/archives/epdf.Penn Leary pub the-second-cryptographic-shakespeare.pdf](https://sirbacon.org/archives/epdf/Penn%20Leary%20pub%20the-second-cryptographic-shakespeare.pdf).
- Looney, J. Thomas. *Shakespeare Identified*. London: Cecil Palmer, 1920.
- McClinton, Brian. *The Shakespeare Conspiracies: A 400-Year Web of Myth and Deceit*. Belfast: Shanway Press, 2d ed., 2008.
- Nelson, Alan. H. *Monstrous Adversary*. Liverpool: Liverpool University Press, 2003.
- Oxford Francis Bacon*, vol 1: Early Writings, 1584-1596. Edited by Alan Stewart. Oxford: Oxford University Press, 2012.
- Patton, Kenneth. bk 1, *The Vindication of William Stone Booth. Setting the Record Straight: An Expose of Stratfordian Anti-Baconian Tactics*, ebook exclusive to SirBacon.org, n.d., <https://sirbacon.org/pattonstrs.htm>.
- Penzance, Lord (James Plaisted Wilde). *Lord Penzance on the Bacon Shakespeare Controversy: A Judicial Summing Up*, edited by M. H. Kinnear. London: Sampson, Low, Marston, 1902.

Pott, Mrs. Henry (Constance). *Did Bacon Write Shakespeare? Thirty-two Reasons for Believing That He Did*. Parts I and II. London [1884–189-?].

Pott, Mrs. Henry (Constance). *Francis Bacon and his Secret Society*. Chicago: F. J. Schulte, 1891.

Pott, Mrs. Henry (Constance). *Francis Bacon and Shakespeare: the promus of formularies and elegancies, being private notes, ca. 1594, being hitherto unpublished ... illustrated and elucidated by passages from Shakespeare*, edited with preface by E. A. Abbott. London, 1883.

“Professor Spurgeon and her Images.” *Baconiana*, Sept. 1969. <https://sirbacon.org/spurgeon.htm>.

Shapiro, James. *Contested Will*. New York: Simon and Schuster, 2010.

“Sixty Minutes with Shakespeare.” Shakespeare Birthplace Trust. n.d. <https://www.shakespeare.org.uk/explore-shakespeare/podcasts/60-minutes-shakespeare/sir-francis-bacon-and-shakespeares-authorship/>.

Smithson, E. W. Smithson. *Baconian Essays*, edited by Sir George Greenwood. London: Cecil Palmer, 1922. [Gutenberg link](#).

Solzhenitsyn, Alexandr. “Live Not by Lies,” translated by Yermolai Solzhenitsyn. Alexandr Solzhenitsyn Center. <https://www.solzhenitsyncenter.org/live-not-by-lies>. First published February 12, 1974. Previously published in *The Alexandr Solzhenitsyn Reader*, 2d ed., edited by Edward E. Ericson, Jr. and Daniel J. Mahoney. ISI [Intercollegiate Studies Institute] Books, 2009.

Stritmatter, Roger A., ed. *Shakespeare and the Law: How the Bard’s Legal Knowledge Affects the Authorship Question*. Shakespeare Oxford Fellowship, June 2022.

Vickers, Brian. “Image and Argument.” *Francis Bacon and Renaissance Prose*. Cambridge: Cambridge University Press, 1968.

Wagner, Richard Allan. *The Lost Secret of William Shakespeare*. ebook, <http://thelostsecretofwilliamshakespeare.com/>.

Waldman, Christina G. *Francis Bacon’s Hidden Hand in Shakespeare’s The Merchant of Venice: A Study of Law, Rhetoric, and Authorship*. New York: Algora Publishing, 2018.

Waldman, Christina G. “Reports of the Death of the Case for Francis Bacon’s Authorship of Shakespeare Have Been Greatly Exaggerated,” SirBacon.org, August 3, 2022 (updated August 8, 2022), <https://sirbacon.org/reports-of-the-death-of-the-case-for-francis-bacons-authorship-of-shakespeare-have-been-greatly-exaggerated/>.

Webb, Thomas E. *The Mystery of William Shakespeare: A Summary of the Evidence*. London: Longmans, Green, 1902.

Wigston, W. F. C. Wigston. *Francis Bacon, Poet, Prophet, Philosopher Versus Phantom Captain Shakespeare the Rosicrucian Mask*. London: Kegan, Paul, Trench, Trubner, 1891.

Winkler, Elizabeth. *Shakespeare Was a Woman and Other Heresies: How Doubting the Bard Became the Biggest Taboo in Literature*. New York: Simon & Schuster, 2023.

*Works of Francis Bacon, Baron of Verulam, Viscount St. Alban, and Lord High Chancellor of England, The*. Edited by James Spedding, Robert Leslie Ellis, and Douglas Denon Heath. 14 vols. London: Longmans, 1857–74.

Selected Reviews and Interviews of Elizabeth Winkler's *Shakespeare Was a Woman*

"An Interview with Mark Rylance." Shakespeare Oxford Fellowship, July 28, 2023.

Bate, Jonathan. "Was Shakespeare Really a Woman? And Does Taylor Swift Know Him Best?" *The Telegraph*. May 28, 2023. <https://www.telegraph.co.uk/books/what-to-read/review-winkler-duncan-shakespeare-woman-juliet-bate/>.

Bate, Jonathan. "Who really was Shakespeare? Our expert separates the fact from the fiction." *The Times*. July 28, 2023.

Hedges, Chris, video and transcript, "Everything You've Been Told About Shakespeare Could be a Lie," The Real News Network, Aug. 25, 2023, <https://therealnews.com/everything-youve-been-told-about-shakespeare-could-be-a-lie>; video also at "Was Shakespeare a Woman?" The Chris Hedges Report, YouTube, ca. Sept. 5, 2023, [https://www.youtube.com/watch?v=TmcpGENoRzs&ab\\_channel=TheRealNewsNetwork](https://www.youtube.com/watch?v=TmcpGENoRzs&ab_channel=TheRealNewsNetwork).

Kamm, Oliver. "We must denounce insidious theories about Shakespeare." *The Times*. July 3, 2023. <https://www.thetimes.co.uk/article/we-must-denounce-insidious-theories-about-shakespeare-qcbs9spc9>.

Londré, Felicia. "The Lady Doth Protest Too Much for Traditionalists." *The Village Voice*. June 13, 2023. <https://www.villagevoice.com/the-lady-doth-protest-too-much-for-traditionalists/>.

Loughlin, Rosemary. "Reviewing the Reviewers." The De Vere Society. Accessed Sept. 6, 2023. <https://deveresociety.co.uk/reviewing-the-reviewers-by-rosemary-loughlin/>.

Merritt, Stephanie. "Shakespeare Was a Woman and Other Heresies review—in search of the bard." *The Guardian*. June 18, 2023.

“Reviewing Shakespeare Was a Woman.” n.d.

<https://shakespeareoxfordfellowship.org/reviewing-shakespeare-was-a-woman-and-other-heresies-by-elizabeth-winkler/>.

Singh, Anita. "[Mark Rylance reignites Shakespeare row after scholar brushed aside his authorship views.](#)" June 8, 2023.

Smith, David. "[It was shocking: the author under attack for doubting Shakespeare.](#)" *The Guardian*. June 27, 2023.

Smith, Emma. "[Shakespeare sceptics are the new literary heroes.](#)" *The Spectator*, no 17, June 3, 2023.

Spiegelman, Willard. “Who Was the Real William Shakespeare?” *Wall Street Journal*, Sept. 8, 2023, <https://www.wsj.com/arts-culture/books/will-the-real-shakespeare-please-stand-up-8b17988f>.

Waldman, Christina G. Review, "[Why Did Elizabeth Winkler Not Interview Any Baconians?](#)" July 5, 2023. <https://christinagwaldman.com> and [SirBacon.org](http://SirBacon.org), July 9, 2023.

Waldman, Christina G. Review, "[Shakespeare Was a Woman](#)," Goodreads, July 14, 2023.

Waldman, Christina G. Review, "[Short Shrift for the Case for Bacon?](#)" Amazon, July 9, 2023.

Wildenthal, Bryan H. Blogpost, “The Strange Response to Winkler’s Book on Shakespeare.” The Skeptical Professor. <https://profbhw.org/2023/07/20/the-strange-response-to-winklers-book-on-shakespeare/>.

Winkler, Elizabeth. Letter to editor in response to Emma Smith's review, “Shakespeare sceptics are the new literary heroes,” *The Spectator*, no 17, June 3, 2023. <https://www.spectator.co.uk/article/letters-rod-is-wrong-about-j-k-rowling/>.

Woosnam, Tom. Book Review, “Shakespeare Was a Woman and Other Heresies.” In “Special Issue,” edited by guest editor Don Rubin, *Journal of Scientific Exploration*, vol 37, no 2 (Summer, 2023), 299–301.