

of the most misunderstood artifacts of early modern culture. The book successfully initiates a new sub-discipline in the field and it does so with a scholarly breadth unlikely to be equaled soon. We'll be arguing, fruitfully I am sure, with this book for a long time.

Ina Habermann. *Staging Slander and Gender in Early Modern England*. Hants: Ashgate, 2003. 202 pp. \$79.95. Review by NANCY M. BUNKER, MACON STATE COLLEGE.

Breaking new ground in the critical debate regarding slander and defamation, Ina Habermann's *Staging Slander and Gender in Early Modern England* addresses the signifying structures in which slander is embedded. She explores linguistic and rhetorical systems, social and legal practices, literary and creative conventions, as well as religious and physical/sexual/gendered intricacies while never losing sight of the aesthetics of slander (13). Habermann's chapters masterfully situate juridical texts alongside literary material and show slander's existence as a symbolic practice, a practice which in turn contributes to a historical and cultural phenomenon.

Her study traces slander's trajectory from "negative fashioning of others" (1), spoken with "malicious intent," to the "assumed or recognized" defamation that eventually "becomes a public event" (2) and lodges itself within community relations. Habermann's "slander triangle" of accuser, victim, and audience (2) creates a "theatricality" for connecting "othering with constructions of selfhood" (3). She argues that drama, a privileged site for examining slander, performs as equity in society, a force that mitigates between the general legal applications regarding human action and the particular individual discretions necessary in certain situations (5). Regardless of equity's fairness and "common denominator" properties, "dramatic bad faith" encroaches because of "language and its susceptibility to slander" (7). Habermann's "slandered heroine" (135) labors within blatant and negatively gendered discourse; however, she notes the emergence of a new type of tragic or tragicomic heroine.

In an impressive listing of early-modern treatises on slander and the law, Habermann clearly identifies embedded signifying structures within legal history. *The Orator*, a collection of exemplary legal cases that interrogate persuasive power, is examined in light of Thomas Wilson and George Puttenham's concerns regarding eloquence. "The Law of Slander," her most important addition to the legal discussion, explicates the *mitior-sensus* rule, with its requirement that no legal action should be taken if the potentially "slanderous words could be construed in a milder sense" (45). Such interpretations modified the veracity of legal judgments for centuries. Her arguments for humanist influences on the law include *The Reports of Sir John Spelman*, Rastell's dictionary, and St. Germain and John Cowell's pioneering law books. The commentary on the role of equity or fair judgment associated with Court of Chancery illuminates the core of early modern common law, and Habermann makes clear the exclusively male legal authority that "determined meaning and consequences of verbal actions" (43) as well as the "authority to judge and define slander" (58).

An important feature of Habermann's discussion about women's position in the discourse of slander is her critique of accepted texts that were acclaimed to treat slander in general terms. *The Lawes Resolutions of Women's Rights* (1632) with its education ideal and the "first legal text to treat slander at some length and to advertise in title" (59-60) and John March's *Actions for Slander* (1647) reveal misleading premises, overt political agendas, and a narrow audience base. Treatises on detraction, such as works by Richard Brathwait and Charles Gibbon, were not general but instigated by particular grievances and crystallized the discourse of slander into an evil displaced onto women; her female tongue acts as the unruly member responsible for transgressive speech (116). Habermann notes that William Vaughan, the only author who does not conspicuously displace anxiety about slander onto femininity, nonetheless infuses his personal motive to maintain his wife's reputation.

Making well-argued connections between the legal and social attention to slander and its literary representations, Habermann characterizes Shakespeare's *Much Ado About Nothing* as a "paradigmatic representation of the discourse of slander as treated in this book; the play's "rumour, gossip, hearsay, intrigue, and slander" (9) infuse negative fashioning for Beatrice and Benedick, while implicating their community. Arguing for *Romeo and Juliet*, a play not directly concerned with slander but which identifies the susceptibility of language to slander due to its metaphorical nature, Habermann deftly illustrates the "fractured and yet not quite arbitrary relationship within words which ultimately make slander possible" (13). *Othello* serves as a model for investigating both slanderer and listener. Eloquence and persuasion possess the power to do harm, that is, to injure others with verbal signs, and *Othello* illustrates the potency of such persuasion, a species of deviant speech originating in medieval religious discourse on the "sins of the tongue," within the slander triangle.

Gendered literary remedies for sexual slander can be found in Habermann's explication of John Webster's *The Devil's Law Case* and *A Cure for a Cuckold*, as *Devil* suggests a system "structurally unable to alleviate anxieties such as those caused by feminine sexuality" (70), and *Cure* recalls *mitior sensus* with an eye toward community standards. Shakespeare's *Merry Wives of Windsor* portrays women as responsible brokers of oral reputation who refuse slander among themselves because they know females are its "most conspicuous victims." Instead they act together, preserve their sexual honor, and circumvent negative eloquence while also recognizing their "precarious and contradictory position within the social fabric" (76).

Habermann addresses an early modern femininity constructed between praise and slander. She uses literary examples from Giovanni Battista Guarini's pastoral comedy *Il Pastor Fido* which stages the oscillations between praise and slander, and Ben Jonson's *The Devil is an Ass*, which develops a fantasy of positive femininity through praise of chastity and silence. These male-authored fantasy portraits contrast with Mary Wroth's *Love's Victory*, a pas-

toral tragic-comedy that does not conform to construction of femininity between praise and slander but reconfigures the genre in search of a more comprehensive or equitable negotiation of gender relations (77). However, Habermann notes Wroth's "profound skepticism" for "active self-fashioning and a social agency that escapes slander" (98).

Literary treatment of the poisoned tongue, as in *Lingua, or the Combat of the Tongue and the five senses for Superiority*, illustrates the anxiety and ambiguity regarding language; the manipulative power of rhetoric becomes displaced onto women and their tongues. Habermann skillfully includes Mary Sidney's translation of the *Psalms*, an unprecedented declaration of the female's religious and aesthetic right to use her tongue with authority, as legitimization of her speech. *Othello* resurfaces in Habermann's examination of the slandered heroine Desdemona, "the virtuous woman wrongly accused of incontinence" who is both the victim of slander and a "fantasy of femininity" (135). Desdemona's place in the slander triangle and her idealistic portrait guarantee her demise. In contrast, Elizabeth Cary's *The Tragedy of Mariam* vindicates an assertive heroine who prefers "human dignity over wifely submission," but her "*hamartia*, resignifies the position of victim, drawing on discourse of slander for strongly political vision of female agency" (135).

Staging Slander and Gender in Early Modern England situates law and theatre jointly on a common humanistic stage, one which illustrates "profound gendering" (2) in the legal and secular discourses and contributes to constructions of femininity. Useful for scholars of law, gender studies, and Renaissance literature, this text promises to be seminal in the study of early modern legal applications.