

“external revelation” he had used in his other poems an “internal inspiration” where Samson has to look to his “intimate impulse,” his “divine impulsion,” and “rousing motions.” Stoll, who until this chapter, has taken a quite strong biblical stance, seems to abandon it for his conclusion that in Samson, Milton is “bullying” his reader into accepting Manoa’s positive observation that his son did not die apart from God. “Samson’s physical bullying comes to stand for an intellectual bullying, a kind of theological imposition, which is at the heart of the poem’s problematic assertion of faith” (305). This is one of very few places where I do not go along with Stoll. Physical bullying, ok. But not the other. Milton may well just be asserting the verdict of Hebrews 11:32 which praises Samson as a man of faith.

In place of a conclusion, Stoll offers a short “Afterword: Monotheism, the Sublime, and Allegory,” a sweeping look ahead to the eighteenth century and also a look before Milton to Spenser. He had made a case earlier in Chapter Four that in *Paradise Lost* “Milton’s monotheistic narrative carries the potential to be read as deist” (309) and here in his afterword he returns to that idea. John Dennis and Edmund Burke both find a sublime, not a deist, Milton in the epic. Spenser crosses the “Mosaic distinction” in his introduction of polytheistic gods yet because he is writing allegory, he gets away with the ploy, whereas “in contrast, Milton struggles mightily with the Mosaic distinction” in that he moves away from allegory that Spenser uses as his defense and is thus left exposed (316).

Norma Landau, ed. *Law, Crime and English Society, 1660-1830*. Cambridge: CambridgeUniversity Press, 2002. xii + 264 pp. \$60.00.

Garthine Walker. *Crime, Gender and Social Order in Early Modern England*. Cambridge: CambridgeUniversity Press, 2003. xvi + 310 pp. \$60.00.
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The tension between postmodern philosophy and historical analysis energizes *Law, Crime and English Society, 1660-1830*, edited by Norma Landau, and *Crime, Gender and Social Order in Early Modern England* by Garthine Walker. While only the latter acknowledges its

debt to modern critical theory, both books attempt to unsettle the rigid hierarchies of historical classification that have inaccurately generalized their respective periods. As a result, their methodologies, explicitly or not, rehearse a signal move of postmodern thought: the rendering of all cultural production as “texts” and “discourses” that make equal claims to interpretive authority. In distinction to most postmodern work undertaken in literary studies, however, the two books anchor themselves in thorough empiricism and historical analysis. As such, they represent important achievements that encourage scholarly dialogue between two frequently isolated and intransigent disciplinary camps: readers of high theory and archival historians.

Significantly, Walker and Landau’s collaborators center their inquiries on the law and its transgressions—a dynamic that has long attracted postmodern dissection and early modern historical research alike. In literary theory, this exact combination is integral to the field of new historicism, which seizes on Michel Foucault’s famous notion of invisible disciplinary powers to propose an omnipresent saturation of authority made legible even, if not especially, in supposedly illicit conduct. New historicism typically reads outward from a fictional work—by Shakespeare, say—into the broader landscape to suggest discursive exchanges occurring on all levels of society. As a result, it practices a kind of hyper-democratizing: anecdote, poem, broadside ballad and statute exist side-by-side as equally legitimate sites in which patterns of power are enmeshed. Given the waning, though still powerful, hold that this approach has in the academy, it is refreshing and illuminating to see Walker’s book and Landau’s collection overlap with these concerns while incorporating new methodologies and conclusions. The two works accomplish this balancing act by implementing subtle and often surprising interpretations of extensive research. Rather than suggest the potential reductiveness of new historicism, the books maintain sincere belief in the possibility of attaining a more accurate understanding of the past.

Law, Crime and English Society is dedicated to John Beattie, the distinguished English historian of crime, and aligns itself with his critical contributions to the field. For Landau, the primary value of Beattie’s work lies in avoiding the measurement of law and crime “against modern expectations,” but rather presenting it “as contemporaries

thought it worked;" thus, "features of the law which to modern eyes, as to reformers, seem inefficacious, illogical and arbitrary appear in Beattie's analysis as integral to its system" (4). The key word here is *arbitrary*: by historicizing the context of legal and criminal activity, Beattie disabuses impressions of irregularity by placing such phenomena in conversation with the intricacies of surrounding discourse. Beattie's critical analyses combat the persistent Whiggish trends in historical scholarship to concretize past behavior into teleological patterns; at the time, Beattie reminds us, such action followed its own internal logic.

The mission of this collection is to take up Beattie's call for more situated understandings of the seemingly inexplicable; each chapter does so within different facets of late seventeenth-century, eighteenth-century, and early nineteenth-century law and crime. The book divides into three sections that duly follow the organization of the title: law, crime, and society. The first chapter of the "Law" section, by Douglas Hay, establishes the collection's methodology in its study of the relationship between lay magistrates and the King's Bench. Faced with the paucity of cases against justices of the peace in the late eighteenth century, Hay posits that "judicial control over the justices was little but pious hope and convenient fiction, because few victims of magisterial injustice were able to go to King's Bench" (24). Hay uses the term "fiction" not as disparagement but to denote palpable aspects of day-to-day reality, made through the possibility of potential threats to the justices' practice. Such threats fall between the cracks of the official historical record, yet operated as legitimate texts in their own right during the period. Randall McGowen echoes Hay's language in his chapter on forgery legislation, in the "Crime" section: efforts to control forgery "do seem to express a particular logic, to possess a certain coherence; they do not seem to be random or haphazard creations," she notes (121). McGowen concludes, with a lack of condescension, that "the century's criminal legislation contains many different tales" (137). Such "tales," again, function not as ideas to be dismissed, but rather as legitimate modes of codification, capable of affecting the world as much as perceived fact. The instability of the term "fact" is actually the focus of Barbara Shapiro's chapter, in the "Society" section, which characterizes the legal system of the late seventeenth century as "pervaded by the belief that ephemeral

'facts' of human action could be established with the high degree of certitude and that ordinary persons had sufficient ability to arrive at impartial, truthful verdicts" (195). No doubt the authors of this collection feel kinship to this sentiment: following Beattie's lead, they take up the seemingly irrelevant ephemeral components of early modern life—threats, lies, tales—and find in their pervasive influence the weight of historical fact and opportunity for new appraisals of the past. In this manner, the book silently exercises Foucauldian theory without losing itself in a world of representation; it remains focused on history's status as lived reality.

Walker takes up a similar project in her book, with a particular focus on renewing understandings of masculinity and femininity in relation to the law. Her work responds to the dominant trends in scholarship that "accept criminality in gender to be a masculine category without conceptualizing or contextualizing it in terms of gender," which leads to femininity appearing aberrant (4). Her innovation is not to seek any sort of normalcy in the construction of femininity, but to make both genders a function of layered discourses—in effect, to make both "aberrant." While the shape of this inquiry borrows from postmodernism, what is at stake is not mere deconstructive language games or truth-effects; rather, Walker's book draws on research of Cheshire legal records to complement her theoretical sophistication with rigorous historical research—or, in her elegant phrase, to stage "a dialogue between qualitative and quantitative analyses" (5). The arc of her book weaves this dialogue through lethal and non-lethal crimes, viewing different data samples according to gender construction and situation.

The result is a valuable study that, like *Law, Crime and English Society*, recovers a genuinely richer texture in early modern history. In discussing the possibilities available to women in prosecuting would-be rapists, she notes that while "exhibiting sufficient strength to escape the rapist was problematic," an effective strategy was to describe being rescued by another man, since it "was part of an established genre of the romance narrative and was coded as a positive means by which women might escape rape" (57). The power of seemingly trivial literary "genres" could affect the actual historical record: women and men were both subject to discursive networks that constantly contextual-

ized their sexual and legal identities. Thus spousal murder by wives represented a virtual checklist of negative associations; it “fulfilled almost all the theoretical requirements of ‘wrongful violence’” (140). Walker is attentive to the cultural forces that shaped masculinity as well, noting the chivalric codes that could recast potential criminality as heroism. The most crucial, and theoretically inventive, discourse that Walker introduces in relation to gender deals with internal domestic space. By establishing “the household” as a complicating historical *topos*, Walker shakes loose from restrictive binaries and approaches a more systematized concept of role-playing within a specific site of identity construction.

As with Landau’s collection, it is above all the power of fiction—or, more accurately, the porosity of the border between fiction and fact—that propels Walker’s revitalization of the past. Early modernity is, for Walker and the authors of *Lam*, *Crime and English Society*, a constellation of competing discourses that, regardless of how untrue they may seem in hindsight, provided very real narratives that individuals could connect or combine to forge a sense of self. Both books are essential to early modern scholars wishing to gain a more granulated understanding of these specific intricacies, or to general scholars interested in the ever-vexing problem of marrying theoretical and historical techniques. Given their attentiveness, however, one surprising omission in either text is perhaps the most obvious: a thoughtful consideration of traditionally defined fiction itself. For all the talk of “genre” and the “literary,” one wishes that these authors would give more than a passing look at the thriving world of popular art that pervaded the consciousness of the people as powerfully as the legal and societal “fictions” they explore with such nuance. Despite this slight criticism, these appealing works enhance the potential for the qualitative to further speak with the quantitative, as they trace a richly complicated early modern terrain no less contradictory and multifaceted than our present day.