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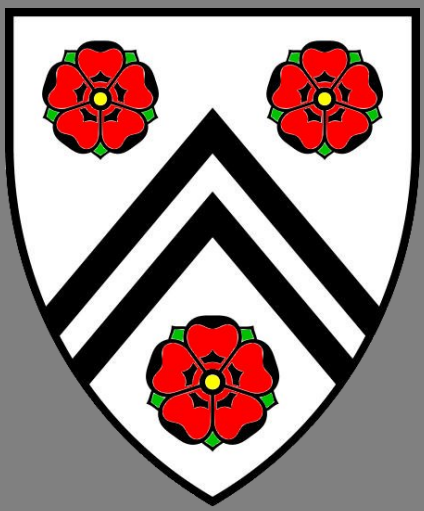
The New Collection



New College, Oxford

The New Collection

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Contents

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Editorial Welcome

Welcome to the seventh edition of the New Collection, where New College's MCR proudly exhibits the broad spectrum of academic research undertaken by its members. With articles ranging from art history to physics, our editorial team has tried to ensure there is something for everyone in this volume of the New Collection. We hope you find the articles engaging and that you learn something new.

Originally set up to offer MCR members the opportunity to showcase their research, the New Collection provides an invaluable opportunity to gain insight into the academic review process. Though each article is written by a specialist in their field, they are accessible to all. The New Collection therefore provides MCR members from different disciplines the chance to engage and learn about unfamiliar areas of academic study.

Many people were involved in bringing this volume of the New Collection to you and so we would like to thank all the team who made it possible: the authors, editors, typesetters and publishers, as well as previous editors for their advice and help.

Finally, we would like to thank the Warden for his generous assistance and the Fellows who provided the financial means necessary for production. We hope MCR members of the college and other readers enjoy the 2011/12 New Collection.

Ciara Dangerfield
Editor in Chief

Kate Reynolds & Alexandra Lucas
Assistant Editors in Chief

MCR President's Foreword

This is the 7th edition of the New Collection a fascinating compilation of research across a wide range of disciplines. Whether you have picked this up in the MCR because you would like to catch up on your fellow MCR members' work, because everyone else has already grabbed The Economist or New Scientist at Sunday brunch, or you are just procrastinating... you have come to the right place!

Articles have been submitted by some of the 335 members that make up our diverse MCR. This journal complements our graduate colloquia held twice a term, where MCR members get the opportunity to present their work, in person, to their peers and members of the SCR. Though most other Oxford colleges have such colloquia, I believe The New Collection is unique. It is a registered book with an ISSN number and as such is sent to join other august works at the Bodleian Library.

Reading through the collection, I personally find it fascinating to compare the different article styles due to the range of subject matter. It can be easy to become absorbed by your own research, not just in your subject but the niche you fill in your subject area. This journal offers a wonderful opportunity to peek into other work, and I encourage you to take advantage of it.

Finally I want to thank everyone who has contributed or and helped to produce this 7th volume.

Alexandra Lucas
MCR President 2012

The Warden's Foreword

Some may wonder: what is the point of a journal that publishes specialist articles from such a wide range of disciplines, apart from the fact that all the authors are members of the MCR? Surely physicists and, say, historians will be mutually disinterested in each others' contributions? Not a bit of it. The New Collection is proof that 'parity of esteem' is still alive and kicking at Oxford. One of the glories of the College is that relatively small numbers of the finest scholars and scientists are brought together cheek by jowl – dons, JRFs and graduate students alike – benefiting immensely from the opportunity to discuss their own research in language which those in far separated fields can understand. This is becoming an essential skill in an era when academics have to justify the broader significance of their research, indeed sometimes even the discipline itself, especially when they are dependent on government and research council funding. Of course, there will always be articles whose initial readers number in single figures and only later become truly significant. The authors of such articles may have only themselves to blame for the delay in being recognised. I trust this is not the case for the contributors to this journal. Whether writing about gene sequencing, the work of Ben Nicholson, or a Bellini opera, they have attempted to bridge the knowledge gap without compromising the sophistication of their own research. I urge you to read all the articles in this issue, an experience not unlike having dinner on High Table when the Tutor for Graduates hosts a group of research students.

As in previous issues, the contributors have benefitted greatly from the guidance, advice and general feedback of their tutors and other senior members of the College. I congratulate the editors and commend this issue to a wide though curious readership.

Curtis Price
Warden

Article Summaries

"Wherefore art thou Romeo?": The *Travesti* Role of Bellini's *I Capuleti e i Montecchi*

Rachel Becker

In this paper, I examine the characteristics of trouser roles operatic roles where male characters are played by female singers and their societal implications, as the changing relationship of the trouser role to operatic norms reflected changes in society, particularly in expressions of gender and socio-sexual characteristics. I then discuss the ways in which Romeo of Vincenzo Bellini's *I Capuleti e I Montecchi* exhibits the conventions and complications surrounding trouser roles. Looking at both voice and physicality, I investigate the interactions of Romeo and the other characters, and the presentation of Romeo as it intersects with common tropes of trouser role characters. While discussion of trouser roles seems to focus on a few key operas, I believe that *I Capuleti* occupies a critical point within the operatic tradition of these characters; in some ways a conventional opera of its time, *I Capuleti's* relatively late date and prominent trouser role allow it to serve as both as a representative and as an outlier of typical *travesti* characteristics.

Contradicting the 'Confessionalisation' thesis: the Counter Reformation in seventeenth century France

Benjamin Darnell

Recent literature on the sixteenth and seventeenth century European Reformations has demonstrated that the top-down, elite model of religious change proposed by the confessionalisation thesis bears little relation to reality. Yet, early-modern France continues to be seen as a paradigm case of confessionalisation, in which ecclesiastical and political elites imposed order and religious uniformity on society. In this essay, I argue that the seventeenth century French Reformation was a complex and gradual two-way process, the most extreme elements of which lacked the strong support of the royal government. Religious change was in fact

mediated by the local clergy and laity, and its results were moderated by the Gallican Church's diffuse structures and practical limitations.

Women on Boards: Is it Good or Bad for Business and Does it Matter?
Talia Gillis

Despite the high and increasing proportion of women participating in the workforce, the number of women serving on the board of directors of companies remains troublingly low. Over the past few decades academics and policy-makers have debated the causes of the male domination of boards and how to encourage firms to hire more female directors.

In recent years the prevailing argument for hiring more female directors has become the economic justification, known as the "business case". The business case claims that female directors can improve the profitability of companies. This article argues that the empirical evidence connecting female directors to firm performance is weak and, furthermore, that advocates of female board participation should not use the business case since it often relies on stereotyping of women in the claims made for distinctly feminine contributions to boards. This renders its support for female directors unconvincing and possibly harmful for broader claims for sex equality. It is suggested that the failings of the business case should lead advocates of the representation of women on boards to rearticulate the moral and social justifications for female participation that were neglected because of the popularity of the business case.

Are there persuasive reasons for having mandatory minimum sentences for crime(s) other than murder?
Yvonne Kramo

Mandatory sentencing laws that result in significantly enhanced prison terms are among the most severe sanctions which can be imposed on an individual convicted of a criminal offence. They are now commonplace in different penal systems and have been progressively expanded to deal with the perceived prevalence of certain offences. The curtailment of judicial discretion, which is inherent to these sentencing frameworks, often results in overly harsh and inconsistent sentencing. This paper argues that the increasing use of these mandatory minimum sentences is a cause for concern in view of the practical and legal problems that they create. Not only are mandatory sentences inconsistent with the principle of proportionality; the common justifications for their imposition

based on deterrence and high levels of public support are also empirically weak.

Detecting Single Molecules of DNA in Nanocapillaries: The New Gene Sequencing

Alexandra Lucas

Nanopore genetic sequencing has recently reached the public domain with Oxford Nanopore's MinION, the size of a USB memory stick. Here is an account of a possible alternative sequencer, similar in principle but different materially, used to detect single molecules of DNA using quartz nanocapillaries. λ–DNA, 48,500 base pairs long, were electrophoretically driven through pores with diameters at the nanoscale, in a potassium chloride solution. The electrical current during DNA translocation reflected the folded states of the single molecules.

The salt dependence of such pores is extended in this investigation, covering a concentration range of 0.001-2 M. Translocation of DNA through the pore was found to increase the nanopore conductance for concentrations below 390±100 mM, and increase it for concentration above 390±100 mM linearly, with a slight deviation at 2 M.

"O worlds inconstancie": translation and the ethics of reading in Edmund Spenser's *Complaints*

Mark Rodgers

This paper examines the juxtaposition of Edmund Spenser's translations of Petrarch and du Bellay with several of his own shorter poems in the anthology *Complaints Containing sundrie small poemes of the worlds vanitie* (1591). Translation is particularly thematized in Spenser's rendering of du Bellay's sonnet cycle *Antiquitez de Rome* as *Ruines of Rome*. Exploring the dynamics of translation at play in *Ruines of Rome*, I argue that Spenser's translations in *Complaints* act in coördination with the historiographic project of *The Faerie Queene* (1590); by drawing our attention to the gaps and holes of historical—and literary—knowledge, Spenser celebrates the creative and illusive elements of translation. The illusion of *Complaints* effectively constructs a literary genealogy of vernacular lyric reflected materially in the form of the printed book.

"Wherefore art thou Romeo?": The *Travesti* Role of Bellini's *I Capuleti e i Montecchi*

Rachel Becker*
Music Faculty

In this paper, I examine the characteristics of trouser roles – operatic roles where male characters are played by female singers – and their societal implications, as the changing relationship of the trouser role to operatic norms reflected changes in society, particularly in expressions of gender and socio-sexual characteristics. I then discuss the ways in which Romeo of Vincenzo Bellini's *I Capuleti e I Montecchi* exhibits the conventions and complications surrounding trouser roles. Looking at both voice and physicality, I investigate the interactions of Romeo and the other characters, and the presentation of Romeo as it intersects with common tropes of trouser role characters. While discussion of trouser roles seems to focus on a few key operas, I believe that *I Capuleti* occupies a critical point within the operatic tradition of these characters; in some ways a conventional opera of its time, *I Capuleti's* relatively late date and prominent trouser role allow it to serve as both as a representative and as an outlier of typical *travesti* characteristics.

Romeo, the leading man in Vincenzo Bellini's opera *I Capuleti e i Montecchi*, is sung by a woman. He is a *travesti* character, a "trouser role," a female singer who nonetheless is fully accepted as a man by the other characters of the opera and by the audience. Though performed by a woman, Romeo fights Tebaldo, woos Giulietta, and leads the Montecchi, presenting a character perhaps more exaggeratedly masculine than the most famous Shakespearean Romeo. The decidedly masculine nature of this Romeo highlights the contrast between the character and the performer, making *I Capuleti e i Montecchi* an ideal opera through which to explore the rise and fall of trouser roles in the nineteenth

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century. I will first examine the characteristics of trouser roles, and their societal implications, then discuss the ways in which Romeo of *I Capuleti* exhibits these characteristics.

Trouser Roles, Musicology, and Society

There are a number of somewhat confusing terms surrounding the topic of trouser roles – which can also be called breeches parts, *travesti* roles, or *musico* roles – but put simply, these are roles in which a female singer plays a male character.[1] In the opera, the *travesti* character is accepted to be a man (although this doesn't preclude him from dressing as a woman in the course of the action). These roles are distinct from female characters who must impersonate a man for plot purposes.

From its origins in late sixteenth-century Italy, opera has been centred on high voice types – what we know today as soprano, mezzo-soprano, and alto voices (listed in order of descending pitch range; naturally, these are generally women's voice types). Because of this, trouser roles, though not known as such, have been a part of opera in some form since its early days. The leading male and female roles were originally all written for high voices, and this was made possible by church-sanctioned castration of talented boy singers. A male singer whose voice never changed because of this pre-pubescent surgery was known as a *castrato*, and until the mid-eighteenth century the vast majority of leading male roles were written for castrati. Though it seems strange to modern ears, these high voices were associated with powerful and high-ranking characters, and seen as virile and masculine. Castrati were also highly trained musicians, with incredibly agile and powerful voices and above-average lung capacity.

Composers as early as Handel, such as in his opera *Rinaldo* in 1711, did occasionally write male characters specifically for female singers, but at this time the extreme popularity of *castrati* voices meant that male soprano and alto roles were generally given to men.[2] During this period, the occasional women seem to have sung these male roles due to availability issues rather than genuine preference; the comparative lack of castrati in London despite a fad for Italian opera likely accounts for Handel's choice. But, relatively early in opera's history women were sometimes playing male parts written for both men and women. The popularity of trouser roles fluctuated wildly during the eighteenth and nineteenth centuries, though. As castration became socially unacceptable over the course of

[1] Owen Jander and Ellen T. Harris, "Breeches part," in *Grove Music Online* [database on-line], available from *Oxford Music Online*, accessed June 2011.

[2] Jander and Harris, "Breeches part."

the eighteenth century, composers and audiences needed to find a replacement for castrati. Though tastes were shifting slowly from castrati to the leading tenor – leading soprano pair that is now the "norm" for opera, the high-voiced leading male role was still firmly established and women, then known as *musicos* when singing male roles, increasingly began to fill in for castrati in their heroic roles. These women sang the same roles that the castrati had been singing, and the new parts being written for them even by established composers such as Handel tended to be similar characters: women were "warriors, lovers, kings."[3]

However, this tradition soon began to decline. As the eighteenth century progressed, trouser roles became rarer, both in new operas and in revivals of older works. This trend aligns with a rising dichotomy between socio-sexual characteristics of men and women. The developments of societal opinions of gender and sexuality, and the ways that these are conceived of and presented in society, are deeply complex and fall for the main part outside the scope of my paper. However, societal opinions strongly influence the arts; Arnold Whittall describes Romantic music as reflecting "the uncertainties of that era about...the place of minorities, elites and other potential sources of disturbance within that society."[4] Speaking broadly, I aim to provide a background of this information to support my discussion of the relation between trouser roles and the changing society surrounding them.

In the nineteenth century, a reinforced sexual hierarchy arose, valuing "male" virtues over "female" ones, in part because of social upheaval throughout Europe caused by wars and revolutions. In his book *Angels and Monsters*, Richard Somerset-Ward describes the turn of the nineteenth century as "the most turbulent period of social and political change...since the end of the Dark Ages."[5] The middle class were now the moral arbiters, and they worried that "men were no longer men" and that strong women caused "emasculation"; Carl Dahlhaus, a German musicologist, terms the nineteenth century "the age of middle-class music."[6] Male virtues, such as "fortitude, justice, wisdom," as delineated by philosophers such as Edmund Burke, were worthy of admiration, and female

[3]Heather Hadlock, "The Career of Cherubino, or the Trouser Role Grows Up," in *Siren Songs: Representations of Gender and Sexuality in Opera*, edited by Mary Ann Smart (Princeton, NJ: Princeton University Press, 2000), 67.

[4]Arnold Whittall, *Romantic Music* (London: Thames and Hudson, 1987), 15.

[5]Richard Somerset-Ward, *Angels & monsters: male and female sopranos in the story of opera, 1600-1900* (London: Yale University Press, 2004), 119.

[6]Margaret Reynolds, "Ruggiero's Deceptions, Cherubinos Distractions," in *En travesti: Women, Gender Subversion, Opera*, edited by Corinne E. Blackmer and Patricia Juliana Smith (Chichester, NY: Columbia University Press, 1995), 139. ; Jon W. Finson, *Nineteenth-Century Music* (New Jersey: Prentice Hall, 2002), 2.

virtues, such as "easiness of temper, compassion, kindness," were viewed as the inverse of male traits.[7] This presents a decided contrast with earlier periods, in which "difference in sex was more a quantitative than qualitative matter, and a well-populated middle ground between the usual sexes was broadly acknowledged".[8]

It was also at this time that the terms "heterosexual" and "homosexual" came into use, and with them an increasing fear of being thought sexually deviant. This provided more incentive for individuals to align strongly with acceptable gender roles. The perceived threat of emasculation led to attempts to control women by containing and denying female sexuality, as society tried to make masculinity stronger by making femininity weaker.[9] As Margaret Reynolds so neatly puts it, in her essay "Ruggiero's Deceptions, Cherubino's Distractions," "not all ages and cultures want to play about with gender," and nineteenth-century Europe seemed to be one of these.[10] Society was becoming increasingly concerned with societal gender norms, and as a result, considerable shifts were taking place in opera, including in the nature of trouser roles. General taste moved towards stricter relations between performer and role, and between gender and voice type.

While audiences became less able or willing to accept wilting women in heroic roles, trouser roles did not completely die out. The dislike for strong, sexualized women explains the popularity of the page as a trouser role character; as audiences became more uncomfortable with women behaving as men, *travesti* characters turned from the heroes and warriors of *opera seria* to youths and inexperienced, ineffectual lovers. Pages, such as Cherubino in *Marriage of Figaro* or Urbano in Meyerbeer's *Les Huguenots*, exist almost as a third gender outside of the central love story.[11] The page is a role who aids the more central characters, and (as is the case for both Cherubino and Urbano) though he may intensely desire a sexual or romantic relationship, his own attempts at romance are portrayed as comical or as hopelessly naïve. This distances the audience from the character as a truly sexual, and thus truly male-gendered, being, emphasizing his socially female characteristics. Therefore the audience feels unthreatened by the fact that the male character they are watching is in reality a woman.[12]

While the rise and fall of trouser roles during the nineteenth century was

[7] Reynolds, "Ruggiero's Deceptions, Cherubino's Distractions," 139.

[8] Roger Frietas, "The Eroticism of Emasculation: Confronting the Baroque Body of the Castrato," in *The Journal of Musicology*, Vol. 20, No. 2 (Spring 2003) (University of California Press), 204.

[9] Reynolds, "Ruggiero's Deceptions, Cherubino's Distractions," 142.

[10] Reynolds, "Ruggiero's Deceptions, Cherubino's Distractions," 133.

[11] Hadlock, "The Career of Cherubino, or the Trouser Role Grows Up," 68.

[12] Allen J. Frantzen, *Before the Closet: Same-sex Love from Beowulf to Angels in America* (Chicago: University of Chicago Press, 1998), 40.

tied to society's conceptualizations of gender, these roles also gave composers a socially acceptable way to flout societal gender roles – whether from personal belief or the desire for fame or controversy. However socially "safe" pages and other trouser roles were made, no trouser role can completely avoid being provocative. As a musical genre, opera privileges sound over sight, and thus the female performer behind the trouser role is always apparent in a society without castrati or countertenors. Allen Frantzen, in an essay on opera and sexuality, argues that "I have never seen a trouser role who did not seem to be a woman, if only because the sound of her voice constantly undoes the illusion that her costume is supposed to create", and while he writes from a modern perspective rather than a nineteenth century one, nineteenth century audiences would have been highly conscious of women's presence on stage. Goethe, for example, states that in hearing *travesti* singers "the concept of imitation and art was invariably more strongly felt," showing that contemporary audiences were engaged by discrepancies between character and reality such as those produced by trouser roles.[13]

Discussion of trouser roles seems to focus on a few key operas, most notably Mozart's *Le Nozze di Figaro* and Strauss's *Der Rosenkavalier*. They are chosen no doubt because of the significance of these works within the operatic canon and the archetypal character of their composers, the mischievous Mozart on one hand and the rebellious Strauss on the others. The two operas also nicely book-end the tradition of trouser roles while showing striking similarities: Mozart, with his rather hapless page Cherubino, and Strauss, with his successful lover Octavian, both use further cross-dressing within their operas, for example. However, despite the uneven history of *travesti*, many composers wrote operas with trouser roles during the nineteenth century, and their characters occupy every possible gradation between Cherubino and Octavian. Prince Orlofsky in Die *Fledermaus* is a trouser role, as is Romeo in Bellini's *I Capuleti e i Montecchi*, which I will discuss further.

The Trouser Role of *I Capuleti e i Montecchi*

Bellini's opera *I Capuleti e i Montecchi* occupies what I believe to be a critical point within the operatic tradition of trouser role characters. I will briefly discuss the specifics of the opera, before investigating the interactions of Romeo and the other characters, and the presentation of Romeo as it intersects with common

[13] Johann Wolfgang von Goethe, quoted in Reynolds, "Ruggiero's Deceptions, Cherubino's Distractions," 138.

tropes of trouser role characters. I will first explore the treatment of Romeo's voice, then that of his physical presence.

Written in 1830, *I Capuleti* tells a non-Shakespearean version of the Romeo and Juliet story, with a *libretto* (the text of an opera) by Felice Romani, based on an 1818 play by Luigi Scevola.[14] There are two major distinctions I want to make between Shakespeare's and Bellini's stories. First, *I Capuleti e i Montecchi* contains no female characters save Juliet (Giulietta in Bellini's opera) herself. There is no nurse, no mother, no distant Rosalind-the-spurned. This opera is a distinctly male world. Secondly, while Shakespeare's Romeo is a self-centred young, lovesick teenager, Bellini's Romeo is much less childish. He, not his father, is the head of the Montecchi, and he leads them to fight against the Capuleti. He sneaks into a Capuleti meeting disguised as an envoy, then tries to negotiate his own marriage with Giulietta in order to produce peace between the two families. Of course, he's neither flawless nor selfless, and his love for Giulietta leads to a plot much like Shakespeare's: complicated schemes, secret potions, and in the end, death for both lovers. But Romeo is an adult in a position of power. Both of these distinctions are key when discussing Bellini's opera, because Romeo, the leading male character, is a trouser role. And while Romani wrote the libretto, it was Bellini's choice – a musical choice situated within complex societal and historical roles – to make his leading man a trouser role.

I Capuleti e i Montecchi was written at a turning point in musical and social thought. The tenor as *primo uomo*, leading man, was on the rise; operatic women were moving towards the tragic, angelic, Romantic prima donna and the *tessitura* (or average position of notes in relation to the full range of the voice) of their voices was becoming higher; happy endings were giving way to tragedies; history, rather than myth, was the subject of the day; and the focus in an opera moved from the formalized structures of *opera seria* (the prevailing operatic style of the eighteenth century whose contributors include Handel and Mozart) to scenes structured more freely around dramatic situations.[15] Bellini's opera simultaneously looks forwards to a post-1830 style, obeys the rules of a nineteenth century trouser role opera, and remains situated in a pre-1830 world.

Upon seeing *I Capuleti e i Montecchi*, Hector Berlioz wrote derisively of its "effete" "sweet sonorities" and "childish sensualism," targeting in particular the duets between "two feminine voices," and the parallel thirds (the repetition

[14]Simon Maguire et al, 'I Capuleti e i Montecchi,' in *Grove Music Online* [database on-line], available from *Oxford Music Online*, accessed June 2011.

[15]Naomi André, *Voicing Gender*, (Bloomington, IN: Indiana University Press, 2006), 36; Somerset-Ward, *Angels and Monsters*, 120-121, 145.

of a particular small interval; see footnote for further explanation)[16] which traditionally accompany these duets.[17] Similar duets occur in many trouser roles, as composers took advantage of having two similar voices; despite any differences in tessitura, two female voices are more comparable in range and timbre than one female and one male voice. Perhaps Bellini wished to emphasize the "old-fashioned" nature and "innocence" of the relationships between the characters, or the historical nature of the story.[18] In *opera seria* where castrati were used, the leading male and female roles would also have shared this close vocal range, and a similar sound in these later operas, with an audience used to the pairing of soprano and tenor, would have recalled an earlier time. The terms Berlioz uses in his critique resonate with societal gender roles. Even though the trouser role in *I Capuleti* is the romantic lead, a male character with a high voice would have evoked the immature voice of a young boy, or a page, desexualizing the *travesti* character.[19] This desexualizing both lessens the masculine power of the character, making the role less threatening to the masculinity of the audience, and recalls the ideal woman, conceived of by the nineteenth century as a sexless virgin.[20] This is in direct contrast to the vitally male character of Romeo, as I will discuss below.

As is obvious from Berlioz's comments, *I Capuleti e i Montecchi* features a trouser role characterized by parallel-third-heavy duets with another female voice. In fact, as there is only one female character in the opera, any duet involving two female voices must be between Romeo, the trouser role, and Giulietta, the leading soprano. Near the end of the first act, Romeo and Giulietta sing the duet "Si, fuggire: a noi non resta," in which Romeo attempts, and fails, to convince Giulietta to leave with him. The duet is divided into two halves. In each, Romeo sets forth solo melodic passages which Giulietta immediately and exactly repeats before the two sing together in passages consisting nearly entirely of parallel thirds. In the first half, Giulietta sings above Romeo, and in the second these positions are occasionally reversed. This duet emphasizes the similarity between the characters' voices, blurring the distinctions between the two, and as a result calls attention to Romeo's trouser-role-induced femininity. In fact, when each

[16]Parallel intervals are a repetition for many notes of the same interval between two voice parts or instrumental lines. The interval of the third is a close harmony; a minor third is 3 semitones or the distance between C and E flat, and a major third is 4 semitones or the distance between C and E. A minor third is found between the first two notes of *Greensleeves*, and a major third at the beginning of Gershwin's *Summertime*.

[17]Hector Berlioz, quoted in Hadlock, "The Career of Cherubinio, or the Trouser Role Grows Up," 73.

[18]Hadlock, "The Career of Cherubino, or the Trouser Role Grows Up," 90.

[19]Hadlock, "The Career of Cherubino, or the Trouser Role Grows Up," 70

[20]Frantzen, *Before the Closet*, 40.

character sings alone, the orchestra often fills in the third that would occur in the other voice. Aurally, Romeo is as much a woman as Giulietta, and in this sense he clearly is "effete," as Berlioz complains. However, Romeo is by no means a sexless "innocent young boy" in either words or music in this opera.[21]

Described as "crudo," "abborrito," and "fiero" – "raw" or "violent," "hated," and "proud" – Bellini's Romeo is portrayed as a warrior and a grown man by the other characters.[22] This offers an example of the ways in which trouser roles, even as they supported contemporary gender conceptions through their femininity and youthfulness, also pushed against the borders of those conceptions. Bellini is unapologetic in presenting Romeo as fully 'male', both through the libretto and through Romeo's musical interactions with the other male characters, as I will explain below. Yet the more masculine a *travesti* character is, the more dangerous he is to society's morals; a strong *travesti* character is a strong woman, and a sexually charged one is a sexual woman far from the "ethereal" "Victorian angel".[23]

Romeo first appears in the words of Tebaldo seen above. However, he soon after arrives at the Capuleti residence, disguised as a Montecchi page, in order to woo Giuletta, who is also loved by Tebaldo. Romeo first sings a gentle melody explaining that Capuleti's son was killed in battle by Romeo, but that Romeo wishes to become "un altro figlio" ("another son") by marrying Giulietta. Here Romeo actually falls into traditional trouser role territory. He appears as a page, with the aim of aiding the opera's primary love story. However, the audience is immediately jolted out of familiarity, recognizing that here the page and the love interest are one and the same. Furthermore, after this unthreatening gentleness and upon Capuleti's refusal, Romeo breaks into an aria (a distinct song within an opera), "La tremenda ultrice spade," marked "Marziale," promising blood, tears, and death in war. Ostinatos, or rhythmic repetitions, and dotted rhythms evoke drums and marching, and while initially Romeo's lines are set in opposition to that of the Capuleti and male chorus, by the end of the scene Romeo sings in unison with the other characters, strongly locking into a male identity. This is followed by a scene of Giulietta alone. She is set apart from the male spaces that the others inhabit, and Romeo is placed among the male characters rather than with Giulietta. The page has become a warrior.

In Act 2, Romeo and Tebaldo meet in a dramatic scene that nearly ends in a duel, but which functions as a counterpart to Romeo's duet with Giulietta. Just

[21] Reynolds, "Ruggiero's Deceptions, Cherubino's Distractions," 141.

[22] Vincenzo Bellini, *I Capuleti e i Montecchi*, edited by Claudio Toscani (Milan: Casa Ricordi, 2003), 98.

[23] Reynolds, "Ruggiero's Deceptions, Cherubino's Distractions," 139-141.

as Romeo became more feminine by his proximity to Giulietta, he becomes more masculine when with Tebaldo. Romeo and Tebaldo are united both lyrically and musically; the duet ends in rhythmic unison, with both men singing the same four lines of libretto and swearing that the other will meet death.[24] Before that, Romeo causes Tebaldo "ira estrema," ("extreme anger") and Romeo instructs Tebaldo to "mi guarda, e trema" ("watch me, and tremble").[25] Romeo is a "fool," but he "despises" Tebaldo.[26] The two are angry, duelling with words, and no accommodations are made for Romeo's *travesti* status. Somewhat amusingly, Romeo's duet with Tebaldo is musically quite similar to his duet with Giulietta, featuring exact repetitions and inverted parallel thirds, but here these exact repetitions reinforce Romeo's similarity to Tebaldo, and thus his masculinity. The difference in range, which leads to parallel sixths rather than thirds (a much wider interval, which separates the voices), removes any inherent sweetness from the musical writing. The accompaniment and writing style, which is military and march-like, also make this duet clearly a battle rather than a love song.

While Romeo's voice is used to feminise as well as masculinise him, making his role more socially acceptable, his presence in female spaces is more purely transgressive and even titillating. By using trouser roles as another female voice, as I explained previously, composers emphasize the femininity of these roles rather than their masculinity, their voices over their appearances. This femininity, the fact that *travesti* singers were clearly women, allows *travesti* characters such as the page Cherubino in *Marriage of Figaro*, who flits in and out of the Countess's chambers, to unobtrusively enter private female spaces; a page could enter a woman's bedroom without being scandalous as easily as a chambermaid could. However, the presence of a male character in these female spaces allows the male audience entry to the space as well; they "stand in for men spying on and peering at women".[27] This often eroticizes the space through the transgressive nature of that male entry into a "forbidden female realm".[28]

In *I Capuleti e i Montecchi*, Romeo enters Giulietta's private apartments to woo her in their parallel-third-laden duet, but here he is certainly not a comical, hapless page. He is desired by Giulietta, and his scenes with her have an erotic tension separate from the frisson of excitement created by his female body and the female spheres he enters. Indeed, Bellini seems to take refuge in audacity in his writing of Romeo, who does not so much help men sneak into female

[24] Bellini, *I Capuleti e i Montecchi*, 115.
[25] Bellini, *I Capuleti e i Montecchi*, 111
[26] Bellini, *I Capuleti e i Montecchi*, 111,113
[27] Hadlock, "The Career of Cherubino, or the Trouser Role Grows Up," 73.
[28] Hadlock, "The Career of Cherubino, or the Trouser Role Grows Up," 73.

spaces as escort them boldly in. Romeo's voice may be decidedly female while in Giulietta's female space, but his words, such as "vieni, e in me riposa...sei la mia sposa" ("come, and rest in me...you are my wife"), and character, pleading for Giulietta to elope with him and then refusing to flee her father, remain decidedly male and blatantly sexual.[29] As well as a (perhaps partially, given the tragic ending) successful lover, this Romeo is a warrior, a man rather than a boy, and his physicality is emphasized through love scenes and fight scenes. Taking full advantage of the possibilities allowed to him by the trouser role, Bellini emphasizes both Romeo's femininity and masculinity, making the androgyny of the role evident.

This opera is complicated in ways I have not been able to address here. Much of the music, including Romeo's final lament, is recycled from an earlier opera of Bellini's, *Zaira*, "the only lasting failure of Bellini's career."[30] *Zaira* also included a trouser role, but in transferring from *Zaira* to *I Capuleti* Bellini made the trouser role considerably more daring. In *Zaira*, the title character's brother Nerestano is the trouser role, not her lover, and Nerestano functions as a kind of negative page role rather than as a participant in the central love story. Unlike Cherubino, whose antics aid the main characters in a cheerful resolution of their love stories, Nerestano's actions result in his own death and that of his sister, the *prima donna*. But, though the results are tragic, Nerestano's position outside of a love story of his own is a much more traditional one for a trouser role character. In re-writing the music of *Zaira* for *I Capuleti*, Bellini ended up with a far more subversive opera. The final scene of the opera is also complicated through additional musical sources. The opera ends with a coro, aria, and final duet between Romeo and Giulietta. In 1832 Maria Malibran substituted the final scene of Niccola Vaccai's *Giulietta e Romeo* (1825), which used an earlier version of the same libretto by Romani and also cast Romeo as a trouser role. This quickly became a tradition adopted by singers who played Romeo whose voice sat at the low end of the mezzo-soprano spectrum; an example, perhaps of the trend for greater distinction in tessitura between women singing trouser roles and women singing female characters, as André discusses. Still, *I Capuleti* is a cohesive opera with a distinctive *travesti* character, and these outside sources only make Bellini's Romeo more striking.

Bellini's *I Capuleti e i Montecchi* is in some ways a conventional opera of its time, but the prominence of its trouser role and its relatively late date within the practice of writing trouser roles make an analysis of such a role important. The

[29]Bellini, *I Capuleti e i Montecchi*, 55-56.

[30]Simon Maguire and Elizabeth Forbes, "Zaira," in *Grove Music Online* [database on-line], available from *Oxford Music Online*, accessed June 2011.

emphasis on Romeo's feminine voice, the contrasting emphasis on his masculine character, his active romance plot, and more specifically his interactions with Giulietta and Tebaldo are all revealing examples of the complications surrounding trouser roles. Used as a lens into social conceptions of gender roles and into the history and development of trouser roles in opera, Bellini's Romeo is important both as a representative and as an outlier of typical *travesti* characteristics.

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Contradicting the 'Confessionalisation' thesis: the Counter Reformation in seventeenth century France

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Recent literature on the sixteenth and seventeenth century European Reformations has demonstrated that the top-down, elite model of religious change proposed by the confessionalisation thesis bears little relation to reality. Yet, early-modern France continues to be seen as a paradigm case of confessionalisation, in which ecclesiastical and political elites imposed order and religious uniformity on society. In this essay, I argue that the seventeenth century French Reformation was a complex and gradual two-way process, the most extreme elements of which lacked the strong support of the royal government. Religious change was in fact mediated by the local clergy and laity, and its results were moderated by the Gallican Church's diffuse structures and practical limitations.

Introduction

The concept of confessionalisation attempts to distil the various political, social and religious ramifications of the sixteenth century Reformation in Germany and beyond into a theory that links European state building with the consolidation of the Lutheran, Calvinist, and Catholic confessions.[1] As formulated by Heinz Schilling and Wolfgang Reinhard in the early 1980s, the confessionalisation thesis asserts that confessional identities formed as a result of top-down attempts by a

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[1] T. Brady, 'Confessionalization – The Career of a Concept' in J. Headley, H. Hillerbrand, and A. Papalas (eds.), *Confessionalisation in Europe, 1550-1700: essays in honour and memory of Bodo Nischan* (Aldershot, 2004), pp. 2-3.

uniform ecclesiastical and political elite to impose discipline, order and religious uniformity on society. Recently, however, historians have shown just how much the concept is an abstraction with little to no observable reality in sixteenth- and seventeenth century Europe.

Yet early-modern France continues to be seen as a paradigm case for confessionalisation thanks to the lasting influence of Jean Delumeau and Robert Muchembled's work on 'acculturation' and the enforcement of elite practices over popular conceptions.[2] On closer examination, however, the seventeenth-century Catholic Reformation in France challenges the confessionalisation model. Even after the French episcopate was reshaped, top-down efforts by bishops to spread the general principles agreed at the Council of Trent (1545-1563) were tempered by the vast size of France's diocesan network and the French Gallican church's diffuse structures. Clear disputes existed within the episcopate as to how Tridentine orthodoxy should be spread. In its most rigorous application, as Jansenists or Augustinians attempted it, the reformation of local society demanded a level of internalised piety that clashed with communal conceptions of religious life. Indeed, Jansenism lacked the strong support of the royal government – as the logic of confessionalisation would dictate – since it appeared as a subversive movement challenging monarchical authority. In addition, the attempt to impose reform with the uniformity envisioned by confessionalisation or the rigor attempted by Jansenist or Jansenist-leaning clergymen was mitigated by not only practical limitations, but also a local clergy that proved, more often than not, less zealous than bishop-reformers and more concerned with maintaining peaceful coexistence with parishioners. Far from being a purely top-down affair, religious change was, in fact, a gradual two-way process, mediated by the local clergy and the laity.

Confessionalisation and its critics

The confessionalisation thesis, in its broadest conception, owes its origins to two key ideas: Ernst Walter Zeeden's *Konfessionsbildung* (confession formation), which identified a more neutral process by which the major confessions were formed and consolidated into distinct churches, and Gerhard Oestreich's *Sozialdisziplinierung* (social discipline), which asserted that the early-modern state developed not as a result of an inherent centralising process, but as a consequence of the 'spiritual, moral, and psychological changes which social

[2] J. Delumeau, *Catholicism between Luther and Voltaire: a new view of the Counter-Reformation* (London, 1977); R. Muchembled, *Popular Culture and Elite Culture in France, 1400-1750*, trans. Lydia Cochrane (Baton Rouge, 1985).

discipline produced in the individual.'[3] Heinz Schilling abstracted from these ideas and applied Oestrerich's *Sozialdisziplinierung* to the religious sphere, observing a mutually reinforcing relationship between the state and the various confessional churches as they standardised religious life, produced 'a relatively unified society of subjects and inculcated modern, disciplined, and "civilized" forms of behaviour, thought, and mentality.'[4] Incorporating Zeeden's ideas, Schilling argued that all confessions were driven by a parallel agenda of religious renewal and social discipline, and theorised a broader process between 1560 and 1650 whereby the confessions '[...] developed into internally coherent and externally exclusive communities distinct in institutions, membership, and belief.'[5] This confessionalism was, in turn, tied to the development of the early-modern state as territorial rulers adopted a particular confession and enforced religious unity within their territories following the Peace of Augsburg (1555).[6] Perceiving a broader European trend in the relationship between the state and confession formation, Schilling subsequently advanced the idea of confessionalisation *(Konfessionalisierung)* to explain the emergence of the modern state and the shaping of society.[7] By the late-seventeenth century, the Catholic and Protestant churches and the state appeared to have successfully instilled religious uniformity. In emphasising the role of the state and the upper clergy in driving religious change, both Reinhard and Schilling regarded confessionalisation as a transformative and modernising development that not only shaped religious identities, but also accelerated political centralisation and state building.[8]

While the confessionalisation paradigm reinvigorated research on the late-sixteenth century Reformation, recent historians have questioned its validity by

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[3] S. Boettcher, 'Confessionalisation: Reformation, Religion, Absolutism, and Modernity' *History Compass*, no. 2 (2004), p. 2; U. Lotz-Heumann, 'Confessionalization' in D. Whitford (ed.), *Reformation and Early Modern Europe: a guide to research* (Kirksville MO., 2008), p. 137; Brady 'Confessionalization', p. 3.; R. Van Kriken, 'Social Discipline and State Formation: Weber and Oestreich on the historical sociology of subjectivity', *Amsterdams Sociologisch Tijdschrift* 17 (2009), p. 10.

[4] H Schilling, 'Confessional Europe' in T. Brady, H. Oberman, and J. Tracy (eds.), *Handbook of European History, 1400-1600: Late Middle Ages, Renaissance and Reformation, Volume II: Visions, Programs and Outcomes* (Leiden, 1995), p. 661.

[5] *Ibid*., p. 641; Brady, 'Confessionalization', p. 4.

[6] Schilling, 'Confessional Europe' in Brady, Oberman, and Tracy (eds.), *Handbook*, p. 647; Boettcher, 'Confessionalisation', pp. 1-10.

[7] Heinz Schilling check footnote 7 in Headley, J., Hillerbrand, and H., Papalas, A. (eds.), *Confessionalisation in Europe, 1550-1700: essays in honour and memory of Bodo Nischan* (Aldershot, 2004), p. 4.

[8] S. Boettcher, 'Confessionalisation', p. 1; Forster, M., *Catholic Revival in the Age of the Baroque, Religious Identity in Southwest Germany, 1550-1750* (Cambridge, 2001), p. 2.

arguing that it neglects the nature of early-modern religion and practical realities.[9] Having emerged from a 1970s historiography that emphasised a teleological view of social and political change, the confessionalisation thesis provides an easy target for historians uncomfortable with the notion that this era is the 'warm-up time of modernity.'[10] Bodo Nischan exposed these underlying weaknesses or generalizations by describing how the top-down "Second Reformation" in Brandenburg, following elector Johann Sigismund's conversion from Lutheranism to Calvinism in 1613, was met with considerable resistance from both the ruling Junker elite who faced diminished influence over the local churches and the people who felt threatened by an attempt to reform traditional Lutheran beliefs and practices.[11] For Marc Forster, Baroque Catholic identity in the confessionally-mixed and politically fragmented southwest Germany developed in the *absence* of a strong state and as a direct result of popular, lay demands for a traditional Catholicism focused on the community, the Mass, pilgrimages, and processions.[12] Shifting the agency of religious change, Forster argues that the Tridentine programme of internalized piety, frequent communion and self-discipline failed to resonate with the people; the laity only embraced the aspects of Trent that suited their communal vision of religion.[13] Even in Bavaria, which is often perceived as an ideal-type of confessionalisation, religious initiative was centred on the laity and the Jesuit, Capuchin, and Franciscan orders in the late-seventeenth century.[14] As local studies reveal how religious identity was 'not imposed from above, but created at the intersection of church reform, state policy, and popular needs and desires,'[15] the confessionalisation thesis appears as a historiographical invention rooted in little historical reality. However, historians have largely neglected to consider the extent to which the Catholic Reformation in France further challenges the validity of the confessionalisation thesis.[16]

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[9] J. O'Malley, *Trent and All That: Renaming Catholicism in the Early Modern Era* (Cambridge, Mass., 2000), pp. 137-139.

[10] Schilling, 'Confessional Europe' in T. Brady, H. Oberman, and J. Tracy (eds.), *Handbook*, p. 643.

[11] B. Nischan, *Prince, People, and Confession: The Second Reformation in Bradenburg* (Philadelphia, 1994), pp. 185-235.

[12] M. Forster, *The Counter-Reformation in the Villages: Religion and Reform in the Bishopric of Speyer, 1560-1720* (Ithaca, 1992).; M. Forster, *Catholic Revival in the Age of the Baroque, Religious Identity in Southwest Germany, 1550-1750* (Cambridge, 2001)

[13] Forster, *Catholic Revival*, pp. 233-244.

[14] Forster, 'With and Without Confessionalization: Varieties of Early Modern German Catholicism, *Journal of Early Modern History* 1 (1997), p. 328.

[15] *Ibid*., p. 343.

[16] K. Luria, *Sacred Boundaries: Religious Coexistence and Conflict in Early-Modern France* (Washington DC, 2005); G. Hanlon, *Confession and Community in Seventeenth-Century France: Catholic and Protestant Coexistence in Aquitaine* (Philadelphia, 1993).

The impulse to discipline French society

The French Wars of Religion (1562-1598) caused great damage to the fabric of the church and exposed the failures of royal legislative attempts at Orléans (1561), Moulins (1566), and Blois (1579) to spread reform to the local level. A divide existed between official doctrine and popular religious practices, and this perceived gulf animated efforts to reform society. Although for generations the clergy and the lay elite had lamented poor religious standards, the acceptance of the Tridentine decrees at the Estates General of 1614 signalled an intensifying concern by the deputies to remedy clerical abuses and the polluted state of local religion. The *cahiers de dolances* convey a sense of urgency to confront impiety: Jean-Pierre Camus, bishop of Belley, would ask in his sermon at the Estates-General, 'where is the piety, [...] where the mark of our priesthood?'[17] Beyond lamenting the poor education and conduct of parish priests, the lay deputies and clerical reformers perceived an ever-growing gulf between "official" Catholic doctrine and the popular practice of religion.[18] By 1614 the elite, even those outside *dévot* circles, were calling for a transformation of social and religious life through the disciplining of the local clergy and popular beliefs.

In a country with multiple centres of ecclesiastical power and diffuse institutional church structures, local religion inevitably exhibited forms of belief that were inconsistent with Tridentine orthodoxy.[19] Routinely condemning the Midsummer celebrations of the *fête de la Saint-Jean* and the *Carnaval* for inciting passion and disorderliness, clerical reformers were anxious about the existence of pagan rituals and superstitious beliefs alongside Catholic tradition. Practices included the sacrifice of a bull to the Virgin in Autun in order to protect cattle from the plague; 'the cult or worship of an immense wax candle [...] as the protecting genius of the town' which M. de La Colonie, a French dragoon officer, witnessed in Arras in 1698-1700; the throwing of dust in the air by Breton women as an attempt to bring about favourable winds for sailors; the 'profanation of holy baptism and holy mass' by the Parisian journeymen who initiated recruits by pouring water over their heads[20]; and the 'old pagan practice of bringing bread and wine and meat to the tomb of the departed' as the Parisian-born Gourreau de la Proustiere, curé of Villiers-Le Bel, noted in disdain.[21]

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[17] J. Hayden and M. Greenshields, 'The Clergy of Early Seventeenth-Century France: Self-Perception and Society's Perception,' *French Historical Studies* 18 (1993), p. 147.

[18] *Ibid*., p. 152-164.

[19] H. Phillips, *Church and Culture in Seventeenth-Century France* (Cambridge, 1996), p. 30.

[20] P. Burke, *Popular Culture in early modern Europe* (London, 1978), p. 210.

[21] *Ibid*., p. 31; J.M. La Colonie, *The chronicles of an old campaigner: M. de la Colonie, 1692-1717*, trans. W. Horsley (London, 1904), p. 63-64; A Sermon by Philippe Gourreau de la Proustiére, 1663

Rural society's greater exposure to the forces of nature partly explains the entrenchment of these practices. But privileging the perspective of clerical reformers creates a binary view of popular and elite culture that neglects a key source of tension during the seventeenth century Catholic Reformation: local religious life was animated by communal conceptions which clashed with reformist efforts to impose a more austere and internalised form of religion.[22] To some extent, a latent divide between official doctrine and popular religious practices had always existed in Christianity, only to be made explicit during the seventeenth century following intensifying efforts to apply the Tridentine reforms. With Catholicism arguably transitioning from a 'body of people to a body of beliefs',[23] the Council of Trent (1545-1563) cemented the move '[...] from a concern with objective social relations to a scheme of internalized discipline for the individual.'[24]

Official religion was becoming far more demanding, as it required meditative prayer, self-control and frequent examination of the conscience.[25] Confession had been defined as 'reconciliation to God rather than the community' since the Fourth Lateran Council in 1215, but popular practices continued to view the sacrament as 'an annual settlement of accounts, with the emphasis on restitution and reconciliation.'[26] Doctrine regarded the seven deadly sins as an outmoded guide to morality, however the laity continued to focus on the 'hatred and dissension' caused by transgressions and not with the problems that sinful behaviour caused for the 'moral health of the individual.'[27] The gradual and uneven adoption of Cardinal Borromeo's confessional box symbolised the attempted move away from a communal conception of religion to a more individualised and internalised faith.[28]

Religious doctrine had filtered unevenly to the local level in early-modern France partly because the church's diffuse institutional structures contributed to

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in G. Rowlands, Translated source documents (unpublished), no 3.

[22] S. Clark, 'French Historians and Early Modern Popular Culture,' *Past and Present*, no. 100 (1983), pp. 62-99.

[23] J. Bossy, *Christianity and the West 1400-1700* (Oxford, 1985), pp. 146, 144-45, 171.

[24] J. Farr, *Authority and Sexuality in early modern Burgundy, 1550-1730* (New York, 1995), pp. 40-41 and R. Briggs, *Communities of Belief* (Oxford, 1989), p. 280.

[25] *Ibid*.

[26] *Ibid*., p. 280.

[27] J. Bossy, 'Moral arithmetic: seven sins into ten commandments,' in (ed.) E. Leites, *Conscience and Casuistry in Early Modern Europe* (Cambridge, 2002); Briggs, *Communities*, p. 281; Bossy, *Christianity*, p. 45-50.

[28] Briggs, *Communities*, p. 280; J. Farr, 'The pure and disciplined body: hierarchy, morality and symbolism in France during the Catholic Reformation,' *Journal of Interdisciplinary History* 21 (1991), p. 399.

jostling between secular clergy, regulars, and bishops for primacy in pastoral care and clerical appointments.[29] Presiding over a vast network of dioceses and thirty thousand parishes, the Gallican church had never been hierarchical in its structure or operation to the point necessary for a uniform, centrally directed enforcement of orthodox practices. The church was not a unified entity, contrary to the impression given by Muchembled and Delumeau, and it depended upon the initiative and leadership of individuals such as Cardinal de la Rochefoucauld, Vincent de Paul and Etienne le Camus to implement Catholic Reform across these complex divisions.[30]

'Mon Edifice Episcopal': Bishop-reformers and the application of Tridentine orthodoxy

As the Council of Trent placed renewed emphasis on the importance of action at the diocesan and parish level, the Gallican church's strong episcopal tradition ensured that bishops were increasingly positioned as the primary drivers of religious reform. While the crown had often used the extensive patronage rights granted by the Concordat of Bologna (1516) for short term political gain, more adept use of episcopal patronage under Cardinal Richelieu and throughout Louis XIV's reign served to significantly reshape the episcopate. Through its appointments, the crown created an elite cadre by incentivising the need for theological degrees and recruiting from the middling nobility and newly ennobled administrative families at the expense of monks.[31] These efforts created a clearer career path for bishops and discouraged trends that impeded the implementation of reform, such as long term non-residency and the practice of holding multiple dioceses, but it also resulted in a more exclusive, detached episcopate by the late-seventeenth century.

Beyond the development of more complex diocesan governance to support the bishop's agenda during his leave of absence – bishops often spent nine months every few years in Paris – bishops had traditional diocesan mechanisms at their disposal to harmonise the localities with Catholic reform.[32] Assemblies and synods, namely annual meetings of the clergy holding benefices with cure of

[29] A. Forrestal, *Fathers, pastors, and kings: visions of episcopacy in seventeenth-century France* (Manchester, 2004), p. 96.

[30] J. Bergin, *Cardinal de la Rochefoucauld: Leadership and Reform in the French Church* (New Haven, 1987

[31] J. Bergin, *Church, Society and Religious Change in France, 1580-1730* (New Haven, 2009), p. 157; J. Hayden and M. Greenshields, *Six Hundred Years of Reform: bishops and the French church, 1190-1789* (Montreal, 2005), pp. 119-123; Bergin, *Religious*, pp. 155-164.

[32] Bergin, *Religious*, pp. 175-177.

souls, provided a crucial forum where bishops could promulgate synodal statutes that emphasised the proper conduct of the laity and the duties of parish priests. These duties included '[...] the nature and administration of sacraments, care of the altar and church, clerical residence and dress, along with the newer concerns such as preaching and ecclesiastical conferences.'[33] Ending his preface to the statutes with a call to help build 'mon Edifice Episcopal, ou Pastoral', Charles Salomon du Serre of the diocese of Gap underscores just how far bishops could put their weight behind reform within their jurisdiction.[34] With a dramatic increase in the average percentage of dioceses visited per province – 47.13 per-cent in 1590-1609 to 77.20 per-cent in 1670-1689 – visitations, or inspections, were rediscovered as a tool to both reinforce episcopal control and shape clerical and popular practices.[35] Indeed, the increasingly detailed and wide-ranging questionnaires sent in advance to the *curés* highlight the bishop's expanding agenda.[36] In 1693, Michel le Peletier, bishop of Angers launched lawsuits against badly behaved curés at a considerable personal expense, forced out overaged priests, devised multiple catechisms, and organised an extensive and demanding visitation in 1696.[37]

The use of episcopal mechanisms as a vehicle to translate the Tridentine decrees into action depended greatly on the individual bishop's initiative and the extent to which he was energised by model bishop-reformers, including Carlo Borromeo of Milan and François de Sales of Annecy. While bishop-reformers served to create one of the most sustained reform movements in Europe, this jurisdictional independence paradoxically enabled certain clergymen to impose orthodoxy in a way that lacked the backing of the state and the clergy. Confessionalisation relies on the notion that reform was a state-endorsed endeavour, but the most ambitious and rigorous attempt to impose religious uniformity on society drew simultaneous condemnation from the Assembly of the Clergy and the royal government.

Jansenism, which had emerged in the 1630s under Jean du Vergier, abbot of Saint-Cyran and spiritual leader of reformed Cistercian abbey of Port Royal, and later the intellectual leadership of Antoine Arnauld, was a movement of strict Augustinianism and sought to enforce 'greater rigour in the practice of religion.'[38] This form of piety was uncompromising in its demand for the interiorisation

[33] Hayden and Greenshields, *Six Hundred*, p. 128.

[34] *Ibid*., p. 126.

[35] Bergin, *Religious*, p. 175; Hayden and Greenshields, *Six Hundred*, pp. 314-315.

[36] Responses of the curé of Saint-Nauphary (diocese of Montauban) to a questionnaire from his bishop, 1658 in Rowlands, *Translated source documents* (unpublished), no 2.

[37] Bergin, *Religious*, pp. 181-182.

[38] *Ibid*., p. 395.

of religion through individualised confession and self-discipline. Jansenists attacked the "laxist" morality of the Jesuits who followed a technique of case-based reasoning in resolving moral dilemmas, known as casuistry, that allowed confessors to assess 'the morality of the penitent's actions' and assign penance in light of the severity of sin committed.[39] When religious norms conflicted with social reality, Jesuits offered a practical approach that encouraged the laity to lead a more spiritual life through quick absolution and, subsequently, more frequent communion. As one anonymous Jesuit noted, 'the essential design our Society has formed for the good of religion is not to rebuff anyone at all, so that the world shall not despair.'[40] Pastoral rigorists, on the other hand, opposed the practice of quick absolution and believed that salvation was only possible when the remorseful sinner demonstrated a genuine love of God.[41]

Demanding a degree of commitment and moral austerity hitherto unseen in religious practices outside a select elite, Jansenist-leaning Nicolas Pavillon, bishop of Alet (1597-1677) and François-Etienne de Caulet, bishop of Pamiers (1610-1680) sought to enforce tougher moral standards through 'systematic surveillance and correction of their parishes.'[42] Pavillon and Caulet deployed a twin strategy of delayed absolution of sins and public penance in order to enforce greater morality since, as Caulet noted, '[...] they [the people] always receive the sacraments and never leave their evil state ...'[43] Keeping registers detailing the state of each parishioner's soul, Pavillon and other philo-Jansenists withheld absolution, which was necessary before communion, until they judged the individual in question as contrite.[44] The consequences of applying reform in such an uncompromising fashion were dramatic as increasing numbers of people were left outside the space of the church: the number of *pascalisants*, or communicants at Easter, dramatically fell in Pamiers and Alet and at one point approximately fifty to eighty percent of parishioners were unable to take communion.[45] Since, in this view, only the elect and the most dedicated individuals were capable of leading the austere religious life envisioned by Pavillon and Caulet, most people's inability to live up to such an ideal failed to unsettle the Jansenist-sympathising bishops. While appealing to the elite including Armand Bouthillier Rancé, abbot

[39]J. O'Malley, *The First Jesuits* (Cambridge, MA, 1993), p. 144.

[40]B.Pascal, *Les Provinciales*, ed. L. Cognet (Paris, 1965), p. 103 in Briggs, *Communities*, p. 288.

[41]Bergin, *Religious*, p. 400.

[42]Farr, *Authority*, p. 53.

[43]F.E. Weaver, 'Jansenist Bishops and liturgical-social Reform,' in (ed.) R.M. Golden, *Church, state and society under the Bourbon kings of France* (Lawrence, 1982), pp. 56-57 and 60; Briggs, *Communities* p. 311.

[44]Briggs, *Communities*, p. 312.

[45]*Ibid*., p. 313.

of the Trappist Cistercians, the austere and penitential culture fostered by strict Augustinianism did not represent an effective or realistic programme of reform since it was manifestly beyond both the capabilities of the wider population and the ability of the local clergy to enforce.[46]

Most importantly, with the space for doctrinal pluralism in Catholicism narrowing after Trent, strict Augustinianism crossed the threshold of acceptable pastoral strategies to raise religious standards and Pope Innocent X condemned in the bull *Cum occasione* (1653) the five Jansenist propositions found in Cornelius Jansen's *Augustinius* (1640). Far from having the support of the state, as the logic of confessionalisation would dictate, Jansenism was deemed by Louis XIV – who inherited a dislike of religious *dévots* from Cardinal Mazarin – and his government as a subversive movement that challenged authority. During the Formulary Controversy in the 1660s, when the French Assembly of the Clergy and Louis XIV required bishops to sign a formulary unequivocally repudiating the five Jansenist propositions, some Jansenists refused to sign the document whereas others argued that the condemned propositions were not in the text of *Augustinius*. By continuing to make the distinction between *de jure* and *de facto* questions, which the formulary was sought to end, Jansenists appeared to directly flout monarchical authority. For the crown, the connection between political subversion and theological rigorism was made clear when bishops Caulet and Pavillon challenged Louis XIV's extension of the *droit de régale* across France in 1673.[47]

Negotiation and compromise: the reality on the ground

Although most bishops recognised the danger of being associated with the unauthorised rigorist pastoral strategies of Caulet and Pavillon, practical realities complicated any attempts to apply reform on a cross-diocese basis with the uniformity envisioned by the confessionalisation thesis. Unlike the smaller, southern dioceses of Pamiers and Alet where Caulet and Pavillon operated, central and northern France's large dioceses presented logistical obstacles and required more adept navigation of complex diocesan structures, including recalcitrant religious chapters and cathedral chapters. Only undertaken between Easter and All Saints in November, visitations were exceedingly difficult to carry out in large dioceses: the moderately-sized diocese of La Rochelle with its 325 parishes would have taken over 200 days to visit and, in another case, Archbishop Colbert of

[46] A.J. Krailsheimer, *The Letters of Armand-Jean de Rancé* (Oxford, 1984), p.xiii.
[47] Bergin, *Religious*, pp. 394-422.

Rouen took eight years to visit his diocese between 1680 and 1687.[48]

Faced with such constraints of space and time, most bishops recognised that the direct and constant supervision needed to enforce doctrine was impossible to achieve. Indeed, Cardinal Etienne Le Camus of Grenoble recognised the need to temper any rigorous application of reform: 'a director who has only three penitents to conduct may, if he considers it appropriate, follow such rules; but in a diocese they are impracticable.'[49] Even Antoine Arnauld, whose work *De la fréquente Communion* (1643) and *Apologies pour M. Jansénius* (1644) framed the issues surrounding the Formulary Controversy, believed that 'in practice all these maxims must be softened in many ways: that in the best-ruled centuries they were much tempered'![50] Whereas bishops Caulet and Pavillon had fewer local clergy to deal with, other bishops in larger diocese had to rely upon and collaborate with a wider variety of parish priests.[51]

Local priests interacted with parishioners on a daily basis and were keenly aware of the insurmountable divide between the demands of theological rigorism and the reality on the ground. As a result, they often responded with ad hoc compromises on religious change. Even those recently trained in seminaries were '[...] far more amenable to negotiating changes in local practices', as evidenced by the local clergy's willingness to confirm miraculous signs of life from stillborn children in Provence.[52] Efforts to bridge the divide between official doctrine and local practices were further frustrated by an insufficiently prepared parish clergy who continued to be, in some cases, deeply integrated into lay social life. Beyond extreme cases where parish priests were forced to '[...] undertake manual work in order to survive financially' in Tournai,[53] the curé could be simply unprepared to enact reform: one curé of St-Nauphary responded to a questionnaire in 1658 that he had 'no baptismal fonts [...] no schoolmaster [...] no revenue for the fabric or churchwardenship in my church...'[54] Until eighteenth-century efforts to raise the educational and moral standards showed decisive results, parish priests remained more susceptible to lay pressures and could ill-afford to rigorously enforce reforms when conflict with parishioners, particularly local notables, might force him to resign his benefice.[55]

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[48] *Ibid*., p. 176.
[49] Briggs, *Communities*, p. 310.
[50] *Ibid.*
[51] *Ibid*., p. 378.
[52] Bergin, *Religious*, p. 256 and p. 429.
[53] Phillips, *Church*, p. 11.
[54] G. Rowlands, translated source documents (unpublished), no.2
[55] Briggs, *Communities*, p. 334; Bergin, *Religious Change*, p. 183-207; Tackett, T. *Priest and Parish in Eighteenth-Century France: a social and political study of the curés in a diocese of Dauphiné*,

As the limitations noted above significantly hinder the view that France was a paradigm case of confessionalisation, the gradual changes in seventeenth-century local religious life developed out of the dynamics between the clergy and the laity – a two-way process characterised by pressure from below and compromise.[56] Local religion showed such independent vitality that the clergy, including Etienne Le Camus bishop of Grenoble (1671-1689), were in effect forced to negotiate over religious beliefs and practices. Religious life was deeply rooted in the 'experiences of the people', especially local confraternities and shrines, and had developed outside of the inadequate and neglected church institutions following the destruction wrought upon the Dauphiné during the Wars of Religion.[57] The spread of new saints' devotions, confraternities, and chapels across the diocese appears to mark the triumph of the Counter-Reformation, but where Le Camus and his predecessors associated abstract spirituality with the Rosary confraternity or new saints like Joseph, villagers saw new ways to emphasise the communal construction of local religion.[58]

As seen in the Grenoble village of Entraigues, the impetus for religious change often laid with village elites eager to import new practices to demonstrate familial piety and heighten their prestige in the community.[59] Celebrating 'religious communality in monthly processions' as well as offering Counter Reformation spirituality through private prayers, the Rosary confraternity had been imported by a variety of local notables in 1642, but the Bernard family soon organised local religious life through their extensive patronage.[60] Marginalized by the elevation of the Bernards as village religious leaders and needing to prove their social equality, the Buission family established and endowed a new chapel in 1657, directly opposite the Rosary chapel, dedicated to the Transfiguration – a Christ-centric devotion that was witnessing a local upsurge.[61] Indeed, Entraigues highlights just how far village religious life could be constructed through local rivalries and not top-down reformist pressures.

Although space precludes further discussion, similar "bottom-up" pressures for reform existed in urban lay society where the dévots in the Lyon chapter of the Company of the Holy Sacrament contributed substantially to the reform

1750-1791 (Princeton, 1977).

[56] K. Luria, *Territories of Grace: Culture Change in the Seventeenth-Century Diocese of Grenoble* (Berkeley, 1991); P.T. Hoffman, *Church and Community in the Diocese of Lyon, 1500-1789* (New Haven, 1984).

[57] Luria, *Territories*, p. 31.

[58] *Ibid*., pp. 203-204.

[59] *Ibid*., p. 184-202.

[60] *Ibid*., p. 204.

[61] *Ibid*., p. 198-199.

of the clergy by establishing and supporting financially the seminaries of Saint-Irénée in 1663 and Saint-Charles in 1672.[62] Given the vitality and adaptability of local religious life, episcopal visitations were more complicated affairs than mere top-down promulgations of reform since both bishops and parishioners alike attempted to manipulate each other and achieve their respective goals.[63] A general attempt to channel doctrinally dubious practices in a more acceptable direction was palpable when Le Camus initially shut down a procession to an abandoned church in Brandes, a ritual that the village regarded as instrumental in prevent droughts, but ultimately relented on the condition that the community restore the chapel, as it did by 1683 at a considerable expense.[64] Similarly, the Jesuit missionary Julien Manoir between 1640 and 1683 incorporated Brittany's extensive network of shrines in his missions, provided 'greater emphasis was put upon prayer and healing rather than divination.'[65] Thus, in combining new and old methods of religion the local clergy were able to achieve external adherence or, at the very least, greater exposure to Catholic orthodoxy by the late seventeenth-century.

Conclusion

As reformers continued to denounce popular practices and repeat prohibitions on profane activities well into the eighteenth century, the Catholic Reformation in the seventeenth century appears to have had a deeply uneven impact in the disciplining of society and the grafting of religious *idées* onto popular *mentalités*.[66] Whereas the confessionalisation thesis sees the uniform imposition of religious orthodoxy by a unified ecclesiastical elite backed by the state, in practice the Gallican church was far from being hierarchical in structure or operation, and the royal government viewed spiritual rigorists with considerable unease. In fact, the systematic condemnation of Jansenism sought by Louis XIV in the papal bull *Unigenitus* in 1713 would later inadvertently stoke Gallican fears over papal interference, turning a theological dispute into a series of political crises for the monarchy between the 1730s and 1750s. In any case, efforts to impose religious reform were limited by France's vast diocesan network

[62] Hoffman, *Church*, p. 72-77.

[63] Luria, *Territories*, p. 77.

[64] *Ibid*.

[65] E. Tingle, 'The Sacred Space of Julien Maunoir. The Rechristianising of the Landscape in Seventeenth-Century Brittany' in W. Coster and A. Spicer (eds.), *Sacred Space in Early Modern Europe* (Cambridge, 2005), p. 254.

[66] J. McManners, *Church and society in eighteenth-century France*, 2 vols. (Oxford, 1999); terms borrowed from Briggs, *Communities*, pp. 366-367.

and when placed in the hands of a parish priest who proved both less zealous than bishop-reformers and more concerned with a peaceful coexistence with his parishioners. For seventeenth-century France, the confessionalisation thesis therefore underestimates local commitment to established religious practices and overestimates both the government's support for rigorist pastoral strategies and the institutional strength of the French Baroque Church to discipline society.

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Women on Boards: Is it Good or Bad for Business and Does it Matter?

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Despite the high and increasing proportion of women participating in the workforce, the number of women serving on the board of directors of companies remains troublingly low. Over the past few decades academics and policy-makers have debated the causes of the male domination of boards and how to encourage firms to hire more female directors.
In recent years the prevailing argument for hiring more female directors has become the economic justification, known as the "business case". The business case claims that female directors can improve the profitability of companies. This article argues that the empirical evidence connecting female directors to firm performance is weak and, furthermore, that advocates of female board participation should not use the business case since it often relies on stereotyping of women in the claims made for distinctly feminine contributions to boards. This renders its support for female directors unconvincing and possibly harmful for broader claims for sex equality. It is suggested that the failings of the business case should lead advocates of the representation of women on boards to rearticulate the moral and social justifications for female participation that were neglected because of the popularity of the business case.

Introduction

In recent years there has been considerable scholarly and regulatory debate on the gender diversity within the board of directors of corporations. One reason for

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the attention given to this issue is the low percentage of female directors and its minimal increase over the past decade. For example, in 2008 women held only 12% of S&P 1500 companies,[1] a percentage that had not changed since 2005. With respect to Fortune 500 companies[2] women held 15.2% of board seats in 2008, an increase of 2% since 2005[3]. In Europe, the average number of women in boardrooms has increased from 5.0% in 2001 to 8.4% in 2007.[4] In the UK 12.5% of directors of FTSE 100[5] companies were female in 2010. At the current rate of change it will take 70 years to achieve gender-balanced boardrooms in the UK[6].

The issue of board diversity has also been raised as part of a general worldwide review of corporate governance regarding the functionality of boards in monitoring senior management and providing advising services to the Chief Executive Officer (CEO). In several reviews of corporate governance following the financial crisis, such as European Commissions Green Paper on the EU Corporate Governance Framework,[7] emphasis has been given to the significance of increasing the proportion of women on boards.

Much attention has been given to explaining the causes for the low presence of women on corporate boards, despite the high participation of women in the workforce. One view is that women are discriminated against, overtly and unconsciously,[8] based on the stereotype that women do not have the necessary skills required for a director. Since women are viewed as less competent, lacking in self-confidence and deficient in business skills they are assumed to be less appropriate for the position of corporate director than men. Another explanation focuses on social conditions of women. Since candidates with corporate backgrounds and experience in public companies are recruited to boards, women, who are less likely to be promoted to senior management positions, are put at a disadvantage. According to this reasoning, even companies

[1]The S&P 1500 is an index of the prices of 1500 companies actively traded in the US.

[2]The Fortune 500 is a list of companies published by Fortune magazine ranking the top 500 companies in the US.

[3]Lisa Fairfax, *Board Diversity Revisited: New Rationale, Same Old Story?*, 89 North Carolina Law Review 855, 867 (2011) [hereinafter: Fairfax 2011].

[4]Kevin Campbell and Antonio Minguez-Vera, *Gender Diversity in the Boardroom and Firm Financial Performance*, 83 Journal of Business Ethics 435, 438 (2008) [hereinafter: Campbell 2008].

[5]The FTSE 100 is an index of the 100 most highly capitalised UK companies listed on the London Stock Exchange.

[6]The Davies Report on Women on Boards, February 2011 http://www.bis.gov.uk/assets/biscore/businesslaw/docs/w/11745womenonboards.pdf. [hereinafter: Davies Report]

[7]European Commissions Green Paper on the EU Corporate Governance Framework http://ec.europa.eu/internal_market/company/docs/modern/com2011164_en.pdf.

[8]Howard Ross, *Proven Strategies for Addressing Unconscious Bias in the Workplace, CDO Insights*, (2008) http://www.cookross.com/docs/UnconsciousBias.pdf.

that do not prefer men have difficulties in recruiting qualified women. The way in which directors are recruited, which is rarely transparent, has also been suggested as a possible reason for the lack of women on corporate boards. Much of the recruitment takes place by word of mouth and contacts. Therefore, women who are not currently "in the loop" will lack the contacts to be recruited.

The above causes and concerns led to the development of various moral and social justifications for board gender diversity. One type of moral justification looked to address the results of discrimination and marginalisation. Similar to claims made in favour of redressing discrimination of people of colour in the US, actively increasing gender diversity was viewed as a way of combating past and on-going discrimination.[9] Moreover, if the historic marginalisation of women created a barrier to the current participation of women on boards, the breaking of this glass ceiling is even more justified.[10] It was contended that without female role models, the stereotype that women are not fit for business would continue to prevail. Proponents of the moral justification for gender diversity also argued that female participation in the corporate world had further importance given how central the business realm is to social mobility and access to wealth. It general it was argued that it is only fair that the highest levels of corporate echelons should represent the existing gender diversity in society at large.

This article examines what is now the prevalent argument for appointing women to boards known as the "business case". The central idea of the business case is that female board members improve firm financial performance, and so this argument departs from the popular moral and social reasoning previously used to justify increasing the number of women on the boards. However, despite the popularity of this justification, this article will argue that it fails to create a solid case for female appointments to boards for two key reasons. Firstly, the empirical evidence is far from conclusive. Second, the theoretical and conceptual basis of the theory is problematic and may only perpetuate stereotypes.

The Business Case and its Empirical Support

The Business Case for Board Gender Diversity

An emerging field of scholarship provides a justification for female under-representation on boards based on market or economic rationales. According to this theory, increased gender diversity of boards improves firm performance.

[9] Fairfax 2011, 857.

[10] Neil Brown and Andrea GiampetroMeyer, *Many Paths to Justice: The Glass Ceiling, the Looking Glass and Strategies for Getting to the Other Side*, 21 Hofstra Labour & Employment Law Journal 61, 73 (2003).

The development of this rationale marked a shift from the moral and social justifications, relied upon by advocates of board gender diversity in the past, to more business based reasoning. The appeal of the business case is clear. It no longer relies on moral convictions that may be unappealing and irrelevant to the business world. Instead it is directed to the heart of corporate activity, increasing the profitability of a firm. This kind of claim may also be favoured by female directors who wish to avoid being perceived as token directors. It is also possible that directors and executives that recognise the moral and social significance of gender diversity have been hesitant to apply recruitment criteria not related to their duties to maximise firm value. Finally, the shift to the business case may be a response to the apparent failure of moral and social justifications to bring about a significant change in board composition.

Increasingly, business leaders and politicians are embracing the business case as an argument for board gender diversity.[11] For example, in February 2012, Prime Minister David Cameron said: "The drive for more women in business is not simply about equal opportunity, it's about effectiveness... The evidence is that there is a positive link between women in leadership and business performance, so if we fail to unlock the potential of women in the labour market, we're not only failing those individuals, we're failing our whole economy." [12]

The prevalence of the business case over social justifications for advocating for gender diversity is most apparent in the recent Davies Report from 2011 which asserts that female presence on boards is "as much about improving business performance as about promoting equal opportunities for women" [13] and devotes a significant part of the report to the business case.

The business case for board gender diversity is based on the empirical notion that female board members increase financial performance. Therefore the force of the business case depends heavily on the strength of the empirical evidence.

Empirical Evidence for the Business Case

Various studies have examined the correlation between board gender diversity and financial performance based on a variety of criteria including returns on equity, returns on sales and returns on invested capital.

In one study, Catalyst, a non-profit organization for women and business,

[11] Fairfax 2011, 864; David Carter, Betty Simkins and Gary Simpson, *Corporate Governance, Board Diversity, and Firm Value*, 38 The Financial Review 33 (2003) [hereinafter: Carter 2003].

[12] The Guardian, 9 February 2012 http://www.guardian.co.uk/business/2012/feb/09/britain-boardroomswomendavidcameron.

[13] Davies Report, 7.

found a positive correlation between a higher percentage of female board directors and firm performance. The study also found that companies with at least three female directors had a stronger than average performance.[14] Another study considered the relationship between board diversity and performance (return on asset and investment) using data gathered from 112 large US companies. Similarly to the study by Catalyst a positive correlation between gender diversity and performance was found.[15] Other studies have focused on the top companies in the US and UK in order to investigate the connection between performance and representation of women on the board. In a study from 2003, which concentrated on Fortune 1000 companies,[16] a significant positive relationship between the presence of women on boards and firm value was shown.[17] Similarly another study that looked at FTSE 100 companies also showed a connection between a firms market capitalisation (the total value of the tradable shares) and having multiple female directors.[18] The link between increased representation of women on the board and improved firm performance has also been shown in countries other than the US and UK. For example, a study focusing on female representation on boards in Spain, found that while there was an insignificant effect of one or more female directors on firm value, there was a significant effect between the proportion of women on the board and firm value.[19]

Weaknesses of the Business Case

There are several difficulties with the business case and its empirical evidence. Firstly, the studies which show a connection between female directors and firm performance do not show causality. Second, additional studies have conflictingly shown that there is no connection between female directors and firm performance or that the correlation is negative, suggesting that the empirical evidence for the business case is weak. Lastly, the conceptual basis of the business case is problematic.

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[14]Lois Joy, Nancy Carter, Harvey Wagner and Sriram Naranayan, *The Bottom Line: Corporate Performance and Women's Representation on Boards*, Catalyst (2007)http://www.catalyst.org/file/139/bottom%20line%202.pdf

[15]Niclas Erhardt, James Werbel and Charles Shrader, *Board of Director Diversity and Firm Financial Performance*, 11 Corporate Governance 102 (2003) [hereinafter: Erhadt 2003].

[16]The Fortune 1000 is a list of companies published by *Fortune* magazine ranking the top 1000 companies in the US ranked on revenues.

[17]Carter 2003.

[18]Val Singh, Susan Vinnicombe and Phyl Johnson, *Women Directors on Top UK Boards*, 9 Corporate Governance: An International Review 206 (2001); Val Singh and Susan Vinnicombe, *The 2002 Female FTSE Index and Women Directors*, 18 Women in Management Review 349 (2003).

[19]Campbell 2008.

No Proof of Causality

While the studies presented in the previous section may establish a connection between the presence of women on boards and firm performance they do not establish causality. There are many explanations as to why better performing firms have more female directors. For instance, better performing firms can afford to take into account considerations like diversity. Moreover, if women who have the necessary qualifications to serve on boards are a rarity, they are able to select to be directors at better performing firms.[20] The only study that examined causality was the study on Spanish firms mentioned above. Since the study concluded that firm value has no influence on womens presence and gender diversity, the direction of causality must be gender diversity on the performance of the firms.[21]

Contradicting Empirical Findings

There are conflicting results between different studies as to the effect of increased numbers of women on corporate boards. While, as described in the previous Section, a number of studies have found a positive correlation between female board representation and firm performance, there are other studies that show no correlation, or indeed even a negative correlation between women on the board and a firms performance.

In 2008 a study of Swedish and Danish firms failed to find a connection between presence of women on the board and performance.[22] Similarly a more recent study by Carter *et al.* from 2010, of a sample of major US corporations, found no significant relationship between the gender or ethnic diversity of the board and financial performance.[23]

Other studies have found a negative correlation between board gender diversity and firm performance. In a study by Shrader *et al.* approximately 200 Fortune 500 companies were analysed. The authors of the study found there was a significant negative correlation between the proportion of female board members

[20] Kathleen Farrell and Philip Hersch, *Additions to Corporate Boards: The Effect of Gender*, 11 Journal of Corporate Finance 85 (2005).

[21] Campbell 2008, 446.

[22] Anita Du Rietz and Magnus Henrekson, *Testing the Female Underperformance Hypothesis*, 14 Small Business Economics 1 (2000). Nina Smith, Valdemar Smith and Mette Verner, *Do Women in Top Management Affect Firm Performance? A Panel Study of 2,500 Danish Firms*, 55 International Journal of Productivity and Performance Management 569 (2006) [hereinafter: Smith 2006].

[23] David Carter, Frank DSouza, Betty Simkins and Gary Simpson, *The Gender and Ethnic Diversity of US Boards and Board Committees and Firm Financial Performance*, 18 Corporate Governance 396 (2010).

and firm performance.[24]

Explanations as to why board gender diversity may have a negative impact on performance are primarily based on theories that group decisionmaking suffers from diversity which reduces group cohesion and increases member dissatisfaction.[25] Moreover, it has been suggested that women may have a negative impact on firm performance if the decision to appoint female board members is motivated by societal pressure for greater equality of the sexes.

Several explanations have been given to the conflicting results. First, different studies relate to different countries at different times, and the effect of board gender diversity may be dependent on the timing and on the legal and institutional context. Carter *et al.* emphasised that their finding that firm performance is not influenced by board gender diversity may mean that gender diversity affects boards in different ways under different circumstances. Since gender diversity can produce conflicting results such as increased innovation alongside increased group conflict, the overall effect of gender diversity will be influenced by factors like a countrys law and cultural environment.

Second, the conflicting results may reflect different research methods. For example, Shrader *et al.* have suggested that the reason they did not find a positive correlation between female board members and performance was that a critical number of female board members are required before there is a positive influence, and only very few of the companies they examined had more than one female director. Such an effect may be because a single female in a board consisting of men may not be considered an equal and will therefore not be listened to. This effect is reduced the more women there are on the board, as women are less likely to be considered a mere typecast.[27]

The proposition that the impact of female directors is related to the percentage of female directors, rather than a single female director, has some support. One study showed that the best financial results were achieved when a board had a critical mass of 30% women. Another study from 2011 showed that share price performance was higher for FTSE 100 boards with 20% female boards.[28] However, even if the evidence connecting firm performance to a higher percentage of female directors is more convincing, it is doubtful that it can provide the

[24]Charles B. Shrader, Virginia Blackburn and Paul Iles,*Women in Management and Firm Financial Performance: An Exploratory Study*, 9 Journal Managerial Issues 355 (1997). Also see: Renee Adams & Daniel Ferreira, *Women in the Boardroom and Their Impact on Governance and Performance*, 94 Journal of Financial Economics 291 (2009) [hereinafter: Adams 2009].

[25]Christopher Earley and Elaine Mosakowski, [26], 43 Academy of Management Journal 26 (2000).

[27]Siri Terjesen, Ruth Sealy and Val Singh, *Women Directors on Corporate Boards: A Review and Research Agenda*, 17 Corporate Governance: An International Review 326, 329 (2009).

[28]Davies Report, 8.

required basis for the business case. If the justification for appointing women is based on the business case that claims only that the ratio of female directors may have an impact, there is little motivation for a firm to appoint its first female director.

In general, it is possible that the weakness of the empirical evidence is characteristic of all research regarding board structure and composition, which tends to deal with relatively small pools and may include many factors.[29] Furthermore, given the current low level of board gender diversity it may be difficult to conduct significant empirical research.[30] While there are possible explanations for the conflicting findings, it is clear that the empirical evidence is far from conclusive. Thus, current research is not robust enough to provide a strong empirical evidence to support the business case for board gender diversity.[31]

Problems with the Conceptual Basis of the Business Case

Beyond the inconclusiveness of the empirical evidence there are difficulties with the explanations as to why board gender diversity improves financial performance. Most studies fail to explain the conceptual basis of the business case. I will first discuss why advocates of the business case cannot avoid providing a clear account of how female directors impact firm performance. I will then discuss possible explanations for the connection between female directors and firm performance that are often implicitly, and rarely explicitly, endorsed by advocates of the business case.

Any claim that increasing gender diversity of boards enhances firm performance has to be supported by a detailed account of how this influence works. Advocates of the business case often claim that diversity increases creativity and innovation while producing effective problem solving. Moreover, diversity widens the scope of topics considered and generates alternative strategies. Diversity is thought to counter groupthink, a social phenomenon whereby a group generally only considers a limited number of options, seldom considering the goals to be met by the decision, and rarely going beyond the obvious disadvantages of the choice initially favoured by the majority of the group.[32] Most

[29] James Fanto, Lawrence Solan and John Darley, *Board Diversity and Corporate Performance: Filling the Gaps*, 89 North Carolina Law Review 901, 918 (2011) [hereinafter: Fanto 2011]

[30] Thomas Hazen, *Diversity on Corporate Boards: Limits of the Business Case and the Connection Between Supporting Rationales and the Appropriate Response of the Law*, 89 North Carolina Law Review 887, 888 (2011).

[31] Adams 2009.

[32] Daniel Forbes and Frances Milliken, *Cognition and Corporate Governance: Understanding*

of the literature avoids providing an explicit account of how women influence boards and rather focuses on abstract reports of the benefits of diversity that are arguably more appropriate to social or ethnic diversity than gender diversity.

The position that diversity improves firm performance, together with avoiding a direct account of how women differ from men, appears not only in scholarly writings but is also prevalent amongst senior corporate officers. A study by Broome *et al.* used qualitative rather than quantitative techniques to understand how board gender diversity works. In that study thirty-eight directors were interviewed about whether board diversity, including gender diversity, matters. The respondents were fairly uniform in their statements that board gender diversity was important. Yet when asked to provide examples or anecdotes of the effect of gender diversity, many respondents had difficulty in describing how gender diversity works in practice and "tended to back away from their initial assertions that demographic differences have functional correlates".[33] The authors of the research suggested that the reason for this was that "[t]he argument for diversity requires the assumption that people of diverse demographic backgrounds really are different in some meaningful way but difference is a concept that must be handled with great delicacy". This seems to be why the business case is a doubleedged sword since a detailed account of diversity may verge on sexism. Despite this difficulty, providing a detailed account of how board gender diversity affects firm performance is unavoidable for those who support the business case.

Attempts to provide explanations as to how gender diversity increases performance can broadly be divided into three categories: perceived profitability, social factors and gender specific factors.

Perceived Profitability

Some scholars have focused on the perceived effect of female directors rather than their actual effect. According to this explanation the profitability (in terms of share price) increases when a company has a gender diverse board because women are *perceived* as increasing firm performance, so that the effect is indirect. A study in 2003 showed that firms that appeared on Fortunes list of top diversity

Boards of Directors as Strategic Decision-Making Groups, 24 Academy of Management Review 489 (1999).

[33] Lissa Broome, John Conley and Kimberly Krawiec, *Dangerous Categories: Narratives of Corporate Board Diversity*, 89 North Carolina Law Review 759 (2011) [hereinafter: Broome 2011].

promoting firms experienced significant returns on the announcement date.[34] Similarly studies of Singapore firms found an increase in share value over the two days following appointments of female director, as well as a positive response by investors to the appointment of female directors.[35]

However, other studies have shown that in fact there is a negative wealth impact around the announcement of the appointment of female executive directors. In one study the effect of such an announcement on share price was examined in UK markets. The study concluded that the market stock price went down around the date of the announcement meaning that the performance was expected to decrease as a result of appointing a woman.[36] This may reflect that despite the business case being the most prevalent justification for women being on boards, the public does not perceive female directors as good for business.[37]

So according to this explanation, the connection between firm performance and female directors is created by investors that believe that such a connection exists. However, even if there is evidence showing that female directors are *perceived* as increasing firm performance, it is questionable how long a perceived effect that is not supported by actual evidence that women increase firm performance, will continue to impact share prices.

Social Factors

One explanation for the connection between gender board diversity and firm performance is that appointment of female directors means that a larger talent pool was considered for the position. Accessing untapped talent pools could lead to better directors being chosen.[38] While this may explain an increase in the overall quality of directors, it is not clear how much of an affect it would have for the top UK and US companies, which are generally the subject of most studies about the correlation between board gender diversity and performance. These few best performing firms are currently able to select the top directors and it is doubtful whether adding female directors can significantly change the quality of

[34]Ellis and Keys, *Stock Returns and the Promotion of Workforce Diversity*, Working Paper, University of Delaware (2003).

[35]Eugene Kang and David Ding and Charlie Charoenwong, *Investor Reaction to Women Directors*, 63 Journal of Business Research 888 (2010).

[36]Brian Lucey and Brenda Carron, *The Effect of Gender on Stock Price Reaction to the Appointment of Directors: The Case of the FTSE 100*, 18 Applied Economics Letters 1225 (2011). Also see: Frank Dobbin and Jiwook Jung, *Corporate Board Gender Diversity and Stock Performance: The Competence Gap or Institutional Investor Bias*, 89 North Carolina Law Review 809 (2011).

[37]Smith 2006.

[38]Erhadt 2003.

its boards.

Another conceptual support for the suggestion that female directors improve firm performance is that female directors reduce agency costs (costs stemming from the separation of corporate ownership from control). According to the agency costs theory, directors must monitor senior management in order to preserve the interests of shareholders and ultimately increase firm performance. Hence, the more independent directors are from senior management the better they are able to monitor. Women are generally outsiders not from the "old boy networks" that male directors and senior management often come from and are not generally appointed by contacts with current directors. Women therefore have a similar effect as external directors and they do a better job of developing independent opinions leading to improved monitoring of senior management and corruption exposure.[39]

According to this argument the basis of womens contribution to boards is their marginalisation in the business world. Women, so it follows from this theory, have little contribution if they are no longer outsiders and if they were more prevalent on boards and held senior management positions. It is difficult to support an argument for appointing women on boards that only applies so long as women are marginalised. Furthermore, since women directors may already face the risk of being marginalised and considered outsiders, it seems unlikely, that they will take upon themselves confrontational and oppositional roles.[40]

Finally, it has been argued that female directors improve employee relations by signalling internally that a company is committed to inclusion, impacting the companys ability to hire and retain qualified female employees.[41] Although this may be the case it is questionable that such a signal could have the impact that the business case claims female directors have on companies.

Gender Specific Factors

One of the more detailed accounts of how female directors may improve firm performance relates to female characteristics that affect the boards conduct and boardroom culture. In the study mentioned above by Broome *et al.* several examples of female qualities that contributed to the functioning of the board were provided by the directors interviewed, including women having different

[39] Adams 2009, 308; Erhadt 2003.

[40] Fanto 2011, 928.

[41] Lois Joy, *Advancing Women Leaders: The Connection Between Women Board Directors and Women Corporate Officers* 89 (2008), available at http:// www.catalyst.org/file/229/wco_wbd_web.pdf; Broome 2011, 759.

sensibilities, reasoning processes and interpersonal skills. One respondent claimed that "[W]omen are a lot better dealing with egos of other people than men are and they're a lot more patient and they're a lot more team oriented and they're a lot about let's do this together".[42] Other studies have pointed to the presence of women leading to more civilised behaviour and the lightening of boardroom atmosphere.[43]

According to another more general account, female conduct may lead to better monitoring, a key role of the board. Women have better attendance records than male directors and are more likely to join board monitoring committees.[44] It has also been argued that women take their director roles more seriously, preparing more conscientiously for meetings.[45] Moreover, CEO compensation is more equity based when there are more female directors, suggesting that there is more alignment with shareholders interests.[46] Another example for the contribution of female directors to corporate monitoring is a study that found that female directors pay more attention to auditing and risk oversight.

Another category of alleged female characteristics that are related to financial performance is female interpersonal skills that can improve employee and customer relationships. A number of respondents in the Broome *et al.* study related to women possessing "motherly skills" and being more empathetic to workers, therefore improving employee relations.[47] Women are also said to be more active in promoting customer satisfaction.[48] This may find some support in the fact that in UK corporate boards the highest rate of female directors can be found in industries with close proximity to final consumers such as retailing and media, while industries characterised by isolation from final customers, are male dominated.[49] The impact of feminine communication skills is highly debated in the context of leadership styles. The recent writing on "Authentic Leadership", an increasingly popular leadership style that focuses on the integrity of the leader and the development of honest relationships,[50] argues that this is a feminine style

[42] Broome 2011, 780.

[43] Siri Terjesen, Ruth Sealy and Val Singh, *Women Directors on Corporate Boards: A Review and Research Agenda*, 17 Corporate Governance: An International Review 320, 329 (2009) [hereinafter: Terjesen 2009]

[44] Adams 2009.

[45] Morten Huse and Anne Grethe Solberg, *Gender-related Boardroom Dynamics*, 21 Women in Management Review 113, 119 (2006)

[46] *Id.*

[47] Broome 2011, 793.

[48] Terjesen 2009, 329.

[49] Stephen Brammer, Andrew Millington and Stephen Pavelin, *Gender and Ethnic Diversity Among UK Corporate Boards*, 15 Corporate Governance: An International Review 393 (2007).

[50] Bruce Avolio, William L. Gardner, Fred O. Walumbwa, Fred Luthans, and Douglas R. May,

of leadership as its components align with female gender roles.

There are a number of problems with the above description of female characteristics. Firstly, they seem to overtly echo classic stereotypes of women. Although this does not necessarily mean that these classifications are wrong, it raises the question as to whether advocates of board gender diversity that base their argument on the business case are doing more harm than good. If ultimately womens effect on financial performance relies on classic stereotypes it does very little to promote equality. Moreover, the selection of directors is a highly personal practice and it does not seem appropriate to rely on crude generalisations. This would also leave little room for capable women who do not fit the mould of what female directors "ought" to be.

Outlining female qualities that improve boards also faces the risk of holding women to higher standards than men. The fact that women better prepare for board meetings may indicate that women must prove themselves more than men, who can come unprepared to meetings. Womens superior performance based on sexist expectations hardly seems as an appropriate justification for appointing female directors. Moreover, expecting women to be responsible for improving employee and customer relations and creating a good board atmosphere, in addition to the many other requirements of board members, seems an unfair burden. Especially since female directors are often the only female board member. This would lead to yet another barrier to womens appointments to boards that does not exist for men. If there are indeed personal skills that are beneficial for boards and companies, the recruitment of directors with those qualities should be gender neutral.

Lastly, the business case for female directors, and particularly the claim that female directors improve customer and employee relations, is often supported by those with an additional agenda. These advocates believe that company boards should not narrowly consider only the interests of the shareholders when they make decisions. Instead boards should consider the interests of other corporate stakeholders such as employees, customers and creditors. Women, according to this theory, are more likely to take a broader view at the relevant considerations of the board and include the interests of employees and stakeholders. Again, it is unfair to expect the role of women as directors to challenge the current paradigm of corporate functioning. Furthermore, there seems to be little evidence that women in fact view their position as directors differently than men. For example, a study of Canadian female directors showed that they view their role with the

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Unlocking the Mask: A Look at the Process by Which Authentic Leaders Impact Follower Attitudes and Behaviors, 15 Leadership Quarterly 801 (2004).

same priorities as male directors, namely protecting shareholder value.[51]

Conclusion

Historically, advocates of board gender diversity used moral and social justifications. In recent years the discussion regarding increasing the proportion of women on boards has been dominated by the business case, arguing that female board members increase firm financial performance. I have argued that, firstly, this claim is lacking sufficient empirical evidence and has in fact been contradicted by a number of studies. Secondly, the business case has several conceptual flaws: it either provides only a very vague account of how female directors increase profitability or it relies on generalisations and stereotyping of women.

The business case may have made an important contribution in that today it is generally accepted that boards need to be more gender diverse. However, the business case is an unstable basis for change. It is now time for scholars and regulators to focus their efforts in rearticulating board gender diversity based on moral and social justifications. This would require developing arguments that regard female board participation not as a means to an end but as a desirable end in of itself.

[51] Terjesen 2009, 328.

Are there persuasive reasons for having mandatory minimum sentences for crime(s) other than murder?

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Mandatory sentencing laws that result in significantly enhanced prison terms are among the most severe sanctions which can be imposed on an individual convicted of a criminal offence. They are now commonplace in different penal systems and have been progressively expanded to deal with the perceived prevalence of certain offences. The curtailment of judicial discretion, which is inherent to these sentencing frameworks, often results in overly harsh and inconsistent sentencing. This paper argues that the increasing use of these mandatory minimum sentences is a cause for concern in view of the practical and legal problems that they create. Not only are mandatory sentences inconsistent with the principle of proportionality; the common justifications for their imposition based on deterrence and high levels of public support are also empirically weak.

Introduction

Mandatory minimum sentences are among the most severe sanctions which can be imposed on an individual convicted of a criminal offence. In 1965, the mandatory life sentence for murder was introduced in England and Wales as it was deemed to be the only appropriate replacement for the death penalty, namely that it was sufficiently punitive to maintain public confidence in the criminal justice system (Mitchell and Roberts: 2012). Mandatory minimum sentences are now commonplace in different penal systems and they have progressively been expanded due to the perceived prevalence of certain offences.

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This paper will argue that the increasing use of mandatory minimum sentencing is a worrying trend in view of its inherent flaws and inability to achieve its aims. Under such sentencing frameworks, judicial discretion is significantly curtailed and as a result, decisions can lead to overly harsh sentences. Mandatory minimum sentences are inconsistent with the principle of proportionality and the common justifications for their imposition, based on deterrence and perceived public support, are empirically weak. It has also acknowledged that these objections apply equally to mandatory minimum sentences for murder - indeed this is the view of the Homicide Review Advisory Group which concluded in a December 2011 report that the mandatory life sentence for murder in England and Wales and the system for setting minimum terms are 'unjust and outdated'. The fact that academics and practitioners have expressed serious doubts over the capacity of mandatory legislation for murder to advance sentencing goals further weakens the case for the imposition of mandatory minimum sentences for other crimes.

Background context

Mandatory legislation may impose a minimum sentencing threshold for certain offences upon conviction. Traditionally associated with the harsh penal climate of the United States, mandatory sentencing regimes have proliferated across Western jurisdictions. Since gaining prominence in the latter part of the twentieth century, they have remained popular with legislatures who have used them to target specified criminal activity perceived as contributing to wider social problems. In addition, mandatory minimum sentencing has been used as a political tool to respond to perceived public demands and to bolster criminal justice policy in areas where the government considers itself to be vulnerable. This point has been noted by Bjerk, who characterises mandatory minimum sentences as *'... a simple and politically viable means of increasing the expected sentence for individuals who commit certain crimes through limiting the sentencing discretion available to actors within the judicial system'* (2005: 591).

The most frequently cited mandatory minimum sentences are the 'three strikes' laws applied to drugs or firearms offences in some US states. Cumulative sentencing laws of this type are primarily aimed at recidivists and may be implemented upon conviction of a third felony, though notably, mandatory sentences are also given in some instances for a first offence (other than murder). For example, in Canada, a minimum sentence of imprisonment is laid down in statute for a first conviction of a firearm offence (see discussion in Roberts *et al* 2007). The amount of judicial discretion to impose the prescribed minimum term

also varies across jurisdictions. In some US states, notably California, sentencers are rarely able to circumvent the minimum sentences passed by statute (Jones and Newburn 2007). Canadian judges are similarly obliged to impose the stipulated minimum custodial terms of imprisonment even where they consider it unjust to do so (Fish 2008). Excluding the mandatory sentence for murder, for which a life sentence must be passed, the sentencing regime of England and Wales bears striking resemblance to the US 'three strikes laws' in their use of cumulative sentencing. Under section 111 of the Powers of Criminal Courts (Sentencing) Act 2000, a repeat burglar will be liable to a mandatory minimum sentence for a third domestic burglary. A similar provision exists in the case of a third Class A drug trafficking offence. However, a degree of judicial discretion is permitted under the English minimum fixed term custodial sentences, which require judges to apply the prescribed sentence unless it would be 'unjust to do so in all the circumstances', or if the facts of the case amount to 'exceptional circumstances'.

Proponents of mandatory minimum sentences usually offer three main justifications: they ensure evenhandedness as each offence is treated by the law in the same way; they are transparent and will assure the public that similar offences are treated equally; they prevent crime because the certainty of a fixed punishment would deter offenders (Tonry 2009). While the perceived benefits of deterrence and equality will be critically assessed later, of immediate concern is the manner in which mandatory minimum sentences deprive judges of their traditional discretion and interfere with their ability to impose just sentences that reflect both the severity of the offence and the culpability of the offender. Although mandatory sentencing regimes differ, this inherent inflexibility is common to all of the regimes, even the English 'presumptive' minimum sentences and as such the criticisms against the minimum mandatory frameworks can be made more generally.

Since the justifications for targeted mandatory minimum sentences usually rest on the aims of sentencing policy, consideration of the main rationales for sentencing, is essential when evaluating their effectiveness. Von Hirsch has argued against applying selective mandatory minimum sentencing on the basis that a principled approach to sentencing should preclude *'the ad hoc adoption of differing sentencing goals for various different kinds of cases'* (2001:405). Reviewing sentencing in Western countries, Frase has observed that *'principles of uniformity and retributive proportionality are now recognized to some extent in almost all systems, but sentences in these systems are also designed to prevent crime by means of deterrence, incapacitation, and rehabilitation.....the main differences between these systems involve questions of emphasis'* (2001: 261262). In some jurisdictions, a primary rationale for sentencing is enshrined in statute as

both a practical and principled measure. Sweden's amended 1989 Penal Code is an example of this approach. The provisions identify desert, or proportionality, as the primary rationale for sentencing, though it allows for deterrent penalties for certain crimes. In other jurisdictions, such as England and Wales, the courts are required to consider a variety of different sentencing aims. While the inclusion of different purposes suggests there should not be an emphasis on a single sentencing aim, in practice, judges will be required to give primacy to one. When the aims of sentencing are unclear or inconsistent, particularly in respect of proportionality and deterrence, the enactment of mandatory minimum legislation creates further complications. This will be discussed in the following sections.

Objections to mandatory minimum sentences

Proportionality

Sentencing aims which emphasize proportionality are faithful to the classical retributivist theories of punishment dating from Kant and embodied in modern penal theory by the notion of 'just deserts'. This concept has been adopted by modern retributive theorists who claim that *'the quantum of punishment for crimes should, on the grounds of justice, be proportionate to their relative seriousness'* (Von Hirsch 2010: 102). Two aspects of the general concept of proportionality are relevant to this belief. The first is ordinal proportionality which concerns the formulation of a scale of offences in terms of seriousness, with a corresponding scale of punishments. The second, cardinal proportionality, requires crimes to be ranked according to their relative seriousness, and that a sanction should not be too lax or too severe. Ranking crimes in this way is not a straightforward exercise given the lack of universal agreement on the determination of culpability and quantification of harm. The anchoring of a penalty scale requires an initial starting point by selecting a particular crime and setting an appropriate sanction. Indeed the present question suggests that murder is to be considered a 'benchmark' crime which should attract the harshest penal sanction. If this is accepted, as indeed the statutory response to murder across jurisdictions suggests, then a mandatory minimum sentence of imprisonment for an offence other than murder would not be justified since it would amount to a disproportionate punishment. In addition, many other serious crimes, such as rape and robbery, rarely attract mandatory minimum sentences in practice. Highlighting this inconsistency is not an attempt to advocate the application of mandatory minimum terms to only 'traditionally serious' crimes, it only serves to illustrate that in the present context this sentencing regime interferes with both ordinal and cardinal proportionality

in that the sanctions for some offences are artificially increased, while those for other serious conduct are not targeted in the same way.

While it is true that mandatory sentences imposed for murder are typically longer than those given for other offences, objections to their broader application can still be made when one considers the wider implications of this sanction, and not just the amount of deprivation of individual liberty. It is the inherent inflexibility of mandatory minimum sentences, irrespective of the prison term for the different offences, and the extent to which the provisions impede a judge's ability to take mitigating circumstances into account which is pertinent to this argument. Rather than achieving greater consistency and fairness, mandatory minimum sentences can actually punish materially different levels of culpability with the same sanction. Even in jurisdictions where judges do have the discretion to pass a lower sentence in certain circumstances, as will be discussed below, this can often be difficult in practice given the rationale behind mandatory minimum sentences. Cumulative sentencing for the purpose of individual prevention also violates the principle of proportionality in that it amounts to a disproportionate punishment for the current offence. Favouring preventive laws for certain offences is also inconsistent with a sentencing rationale which emphasizes proportionality since this expands the concept of seriousness to include policy concerns, rather than a reflection of the gravity of the actual transgression. Duff (2009) has argued that insofar as punishment communicates censure, the severity of the punishment imposed will determine the seriousness of the censure that is communicated. In this regard, the potential for mandatory minimum sentences conflict to distort the hierarchy of sanctions is a troubling development.

Another aspect of proportionality relates to the broader societal costs of mandatory minimum sentencing. In practice, mandatory minimum sentences like other forms of punishment, often disproportionately impact upon certain groups. For example, the fact that mandatory drug laws in the US have fallen unequally on African-Americans (Roberts: 2003, p.485) provides empirical support for the argument that mandatory minimum sentences are inconsistent with the principle of proportionality. The disproportionate social cost of mandatory sentencing to minority groups has also been evidenced in Australia (Hoel and Gelb 2008) and Canada (ACLC 2012). Although mandatory legislation is often passed with a view to creating greater consistency in sentencing, the empirical evidence suggests that this aim is not being met, particularly the manner in which they add to the existing disproportionate impact of the criminal justice system on minority groups.

Deterrent effect?

As noted previously, mandatory legislation is often introduced with the consequentialist aims of reducing crime through deterrence and ensuring public protection through incapacitation. This approach is influenced by utilitarian theories of punishment dating from Bentham, namely that punishment may be justified if the benefit would outweigh the pain inflicted on the offender. Early twentieth century penal discourse was heavily influenced by utilitarian philosophy and contemporaneous reforms *'considered the implications for human suffering and the broader social aims of deterrence, rehabilitation and social prevention'* (Easton and Piper 2008: 115). Deterrence is rarely employed as a general rationale for modern sentencing, yet the principle underpins the types of mandatory legislation under consideration.

Deterrence as a rationale for sentencing produces unequal outcomes, despite the aim of mandatory minimum sentences to produce greater fairness. This point is keenly illustrated by two examples of strict liability offences in England and Wales: the required minimum sentences for firearm possession introduced by s. 287 of the Criminal Justice Act 2003 and for the offence of using someone to mind a weapon, contrary to ss. 28-29 of the Violent Crime Reduction Act 2006. The minimum sentence of five years must be imposed unless there are 'exceptional circumstances', and the fact that these are the only provisions in English law which are not subject to to a reduction for a guilty plea reflects their relative severity. Furthermore, it can be difficult to identify what kind of situation amounts to an 'exceptional circumstance'. In the English case of *Rehman and Wood* (2006), deterrence was used by the Court of Appeal to distinguish between two appellants who had been convicted under these provisions. The Court held that ignorance of the law by the first defendant was an exceptional circumstance, but imposed the minimum sentence for the second on the basis of what he *should have known* given his status as a long-time gun collector. While the circumstances of each offence were not identical (for discussion see Ashworth 2010: 27), given that both appellants were of previous good character and were patently unaware they possessed a prohibited firearm, the Court's finding that deterrence could only be expected to operate in respect of only one appellant appears manifestly unfair. Concerns over proportionality of sentencing under these provisions were raised at the time, notably in submissions before the Joint Committee on Human Rights which highlighted that the sentencing judge and the Court of Appeal had expressed regret or reluctance in reaching their conclusion (JCHR Fifth Report 2005: Appendix 3C at 57).

Leaving the normative objections to deterrence to one side, it is fair to say

that crime control is a legitimate concern, and if prevention could be achieved through deterrent sentences the argument in support of mandatory minimum legislation becomes more persuasive. Yet, the consequences of a policy are significant and in relation to the present question, the empirical objections to deterrence are worth noting. Reviewing the research conducted on the effect of mandatory legislation in the US, Tonry found that *'there is little basis for believing that mandatory penalties have any significant effects on rates of serious crime'* (2009: 100). The consequences have instead been an increased prison population and circumvention of the restrictive provisions by judges and prosecutors. (Spohn 2009). In addition, the low detection rate of crime weakens the consequentialist aims of mandatory legislation and further weakens the case for minimum sentences acting as a deterrent. With regard to drug offences in the US, mandatory sentences have had the undesirable effect of swelling prison populations, increasing state budgets and exacerbating racial imbalance in imprisoned populations (Roberts 2003).

Mandatory legislation conflict with the utilitarian principle of parsimony, which may be regarded as *'a broader version of the principle of restraint in the use of custody'* (Ashworth 2010: 98). The expanding penal estate, particularly in England and Wales, cannot be sustained, and at a time when alternatives to custody should be at the forefront of the criminal justice policy, mandatory minimum sentences are clearly at odds with progressive reform. There is insufficient evidence to support the view that offences targeted by mandatory sentences are amenable to deterrence and the 'unintended consequences' referred to above, namely the ever-increasing prison population and the disproportionate targeting of certain groups, suggest there is little justification for their imposition.

Legislators defend the use of mandatory minimum sentences on the basis that it has wide public support. While public opinion on sentencing may have a place within a utilitarian framework insofar as it confers legitimacy (Ryberg: 2010), a review of international findings on this very issue revealed the lack of public knowledge about mandatory sentencing and that *'there is only limited public support for the sentencing goals of denunciation and deterrence that underlie mandatory sentencing'* (Roberts 2003: 504). In addition to the above findings, this apparent ambivalence makes the case for mandatory minimum sentences less persuasive.

Conclusion

The normative and empirical objections to the application of mandatory minimum sentences to crimes other than murder are more persuasive than the justifications

for their use. In this respect, government's announcement in late 2011 of its intention to introduce a mandatory minimum four-month prison sentence for 16- and 17-year-olds who are found guilty of 'aggravated' knife offences, as well as a 'two strikes' mandatory life sentence for anyone convicted of a second very serious sexual or violent offence (extending the life sentence beyond murder for the first time) is a cause for concern. In short, mandatory minimum sentences do not deliver on their promise and the lingering doubts over their effectiveness clearly undermine their imposition for murder and other categories of offences.

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Detecting Single Molecules of DNA in Nanocapillaries: The New Gene Sequencing

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Nanopore genetic sequencing has recently reached the public domain with Oxford Nanopore's MinION, the size of a USB memory stick.[1] Here is an account of a possible alternative sequencer, similar in principle but different materially, used to detect single molecules of DNA using quartz nanocapillaries. λ–DNA, 48,500 base pairs long, were electrophoretically driven through pores with diameters at the nanoscale, in a potassium chloride solution. The electrical current during DNA translocation reflected the folded states of the single molecules.

The salt dependence of such pores is extended in this investigation, covering a concentration range of 0.001-2M. Translocation of DNA through the pore was found to increase the nanopore conductance for concentrations below 390±100mM, and increase it for concentration above 390±100mM linearly, with a slight deviation at 2M.

Introduction

DNA sequencing is the determination of the order of nucleic bases in a string of DNA – this is essential for current basic biological research. Since the Human Genome Project was completed in 2003, there has been huge process in the methodology of DNA sequencing to reduce both the cost and time required, one such approach using nanopores is discussed here.

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Nanopores are small holes that can be used to not only detect single molecules but also details of size and shape with the resistive pulse technique.[2] This allows label-free detection of single molecules by observing the change in ionic current between two reservoirs as a particle or molecule translocates through (i.e. travels across) a nanopore between them (see schematic in Figure 1). Details of the particle or molecule – such as its size, folded state or reaction with other molecules – are reflected in the translocation signature and hence can be determined from it.

This article looks at data using quartz nanocapillaries (glass tubes stretched down to 65 nanometre inner diameters,where a nanometer is $1/1000,000,000$ of a metre), as they have the advantage of being inexpensive and easy-to-make.[3,4]

Detection of λ–DNA (48,500 base pairs) was studied as it is a very long piece of DNA: 48,000bp $\simeq 16\mu$m[5] (expected to give a better signal-to-noise ratio than smaller pieces of DNA). The typical diameter of double-stranded DNA is roughly 2nm.[6] Translocations were observed for potassium chloride (KCl) salt concentrations ranging from 0.001–2M. This is an extension of the range of 0–1M that was focused upon in previous nanopore studies.[4,7]

Progress is being made to use these techniques as an ultrafast, cheap procedure for genetic sequencing by being so sensitive that we can detect translocations of each nucleic acid in a strand of DNA.[8] In February 2012, this culminated in the press release of *Oxford Nanopore*'s 'MinION' sequencer, which uses protein nanopores and is the size of a USB memory stick, costing \$900 ($\simeq$ £570).[1] A review in 2008 suggested that such nanopores could reduce the price of sequencing a diploid mammalian genome in 24 hours to $\simeq$ \$1000 (£630).[9]

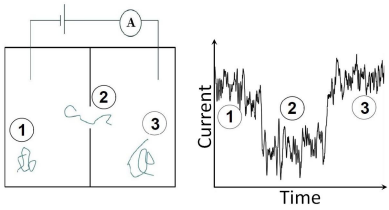

Figure 1: Schematic for DNA translocation through a nanopore with corresponding current trace.

Theory

DNA has a negatively charged backbone, which means it is attracted to and moves towards any positive electrodes in solution. A nanocapillary was placed between two reservoirs filled with a KCl salt solution containing molecules of the λ–DNA. By applying a voltage across the capillary, not only are the negative salt ions drawn through it towards the positive electrode, but so is the DNA; likewise the positive salt ions are drawn to the negative electrode giving a current. As the DNA passes through the pore it affects the flow of ions, causing a change in the conductance (the inverse of resistance). This is observed as a change in the measured current.

Equation 1[7] was proposed by *Smeets et al* 2006 to describe the change in conductance (ΔG) (see Appendix). Note the first term is dependent on n_{bulk}, the salt concentration. At high salt concentrations a reduction in conduction is seen ($\Delta G < 0$) due to the ion flow blocked by the DNA as it passes through the capillary tip. However, at sufficiently low salt concentrations there is an increase in conductance ($\Delta G > 0$). This is due to the counterions shielding the DNA's negatively-charged backbone increasing the number of ions available for flow through the pore.

A transition point where $\Delta G = 0$ is predicted by *Smeets et al* at 370 ± 40 mM KCl.

$$\Delta G = \frac{1}{L_{\text{pore}}}\left(-\frac{\pi}{4} d_{\text{DNA}}^2 (\mu_{\text{K}} + \mu_{\text{Cl}}) n_{\text{bulk}} e + \mu_{\text{K}} q_{\text{eff,DNA}} \right) \tag{1}$$

Results

The majority of DNA translocations were seen for positive potentials across the capillary, consistent with the idea that the negatively charged DNA is being drawn to the positive electrode. Some DNA translocation were also observed for negative potentials, when DNA that had transferred to the enclosed part of the capillary tip could be seen translocating back through (only observed after positive potentials had been applied).

A DNA translocation event is seen as a current trace, such as the examples in Figure 2a). The duration and change in current (ΔI) give an indication of the folded state of the DNA as it passes through the capillary tip. Figure 2b) shows four peaks in a histogram of ionic current which represent such folded state levels. These have been fitted with Gaussian functions ("bell curves"). Note that the "peak" at I=0 is due to the baseline current having been zeroed.

Straight (unfolded) pieces of DNA would pass through with a constant ΔI signature. Highly folded pieces of DNA (imagine a ball of DNA) would pass through with a lower duration and a higher ΔI due to blocking more of the pore.

DNA translocation event durations ranged from 0.2–4.9ms, and had a ΔI_{mean} range of – 0.75–0.23nA, where ΔI_{mean} is the average recorded change in current during a translocation event.

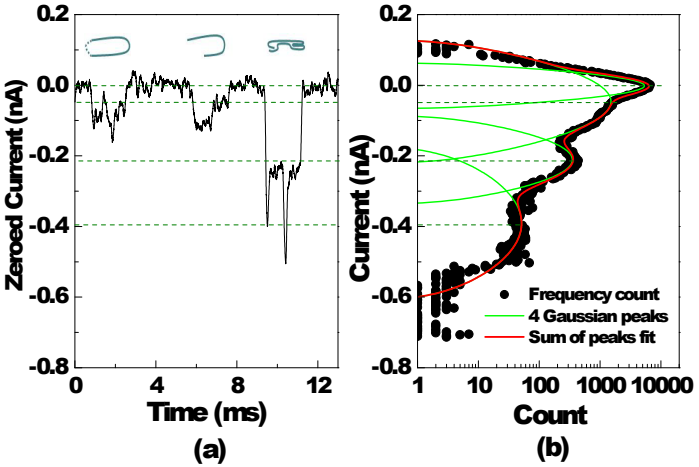

Figure 2: a) Example of DNA translocation events.[10] Possible folded states are shown here. b) Distribution of the current trace during DNA translocations. Note that the baseline current has been set to zero. Peaks correspond to the distinct current levels shown for the example translocations.

Dependency on Salt Concentration

The change in conductance shows a linear relationship with KCl concentration as found by *Smeets et al* 2006.[7] Data for 2M KCl, however, does not follow this trend exactly – it is possible that at higher concentrations (i.e. above the maximum concentration of 1M KCl used by *Smeets et al* 2006) this linear trend breaks down. Within the range of 0.3–0.5M, we would expect there to be a concentration with no visible change in conductance for a DNA translocation (Figure 3).

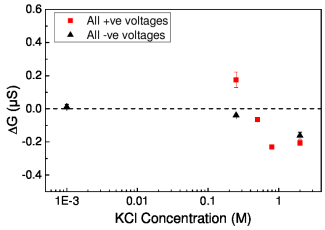

Figure 3: Error bars depict the standard error of the mean values. Change in conductance with the concentration of the KCl solution. ($\frac{\Delta I_{mean}}{V}$).

Discussion

'Coulter counters' were created from quartz nanocapillaries to detect the translocation of λ–DNA. This was possible over a potassium chloride concentration range of 0.001–2M. Different current signatures were seen for various folded states of the DNA in the nanocapillary. As no events were seen at either positive or negative potentials for the few minutes before DNA was added, this is good evidence that the current changes are due to DNA translocations. The events are of a consistent shape and are similar to those found by others in the field using a wide range of techniques.[4,7,11]

The events seen were spaced apart on the order of 1s, three orders of magnitude larger than the average translocation duration. This is consistent with the distribution of event areas in suggesting single molecule translocations were observed.

λ-DNA from Fermentas Lab was primarily used but was thought to remain in circular form, reducing the number of folded configurations observed. Figure 2 exhibits this with a perceptible but small peak for the hypothesised unfolded (linear) state at $\simeq -0.10$nA, and a more distinct peak at -0.21nA.

The change in conductance during translocation was seen to decrease with KCl concentration, passing through zero at a concentration of 390±100M, which agrees with data from *Smeets et al*.[7] Exploring this concentration range is anticipated to be difficult without significantly improving on the frequency of translocation events and the signal-to-noise ratio of the ionic current.

It would also be interesting to expand the salt concentration range further as many studies have focused on the 0–1M range. Results discussed here have shown slight discrepancies in the trend of duration and change in conductance at 2M KCl. Further studies could also investigate DNA translocations for other salt solutions, including higher-charged ions such as $MgCl_2$.

The X Prize Foundation has offered its Archon X prize of $10 million (USD) to "the first team that can build a device and use it to sequence 100 human genomes within 10 days or less, with an accuracy of no more than one error in every 100,000 bases sequenced, with sequences accurately covering at least 95% of the genome, and at a recurring cost of no more than $10,000 (USD) per genome."[12] – the question is whether nanopore technology will be able to meet these requirements before the deadline of 4th October 2013, and who will be the first to do it?

Acknowledgment

This work would not have been possible without the generous and patient help of the Biological and Soft Systems Group. In particular I would like to thank Lorenz Steinbock, Ulrich Keyser, Vivek Thacker and Nick Bell for all their support.

APPENDIX

Change in Conductance

The expression for ΔG has the following variables: L_{pore} the length of the pore, d_{DNA} the diameter of DNA, μ the mobility, n_{bulk} the bulk concentration of ions, $q_{\text{eff,DNA}}$ the effective line charge of DNA, taking into account the counterions for its negatively-charged backbone.

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"O worlds inconstancie": translation and the ethics of reading in Edmund Spenser's *Complaints*

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This paper examines the juxtaposition of Edmund Spenser's translations of Petrarch and du Bellay with several of his own shorter poems in the anthology *Complaints Containing sundrie small poemes of the worlds vanitie* (1591). Translation is particularly thematized in Spenser's rendering of du Bellay's sonnet cycle *Antiquitez de Rome* as *Ruines of Rome*. Exploring the dynamics of translation at play in *Ruines of Rome*, I argue that Spenser's translations in *Complaints* act in coördination with the historiographic project of *The Faerie Queene* (1590); by drawing our attention to the gaps and holes of historical—and literary—knowledge, Spenser celebrates the creative and illusive elements of translation. The illusion of *Complaints* effectively constructs a literary genealogy of vernacular lyric reflected materially in the form of the printed book.

In 1591 William Ponsonbie published *Complaints Containing sundrie small poemes of the worlds vanitie*, a collection of miscellaneous poetry composed or translated by the poet Edmund Spenser. As Ponsonbie indicates in the preface to the collection, *Complaints* directly followed on the heels of the success of the first three books of *The Faerie Queene* (1590), Spenser's best-known work. *Complaints* anthologizes a number of his shorter poems, as well as his translations of the influential Renaissance Italian poet Petrarch (1304–1374) and his French admirer Joachim du Bellay (c.1522–1560).[1] In addition to the

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[1] Ponsonbie writes: "Since my late setting foorth of the *Faerie Queene*, finding that it hath found a favourable passage amongst you; I have sithence endevoured by all good meanes...to get into my handes such smale Poemes of the same Authors". The "smale Poemes" included in *Complaints*

previously published translations *Visions of Bellay* and *Visions of Petrarch*, which appeared in Jan van der Noot's *A Theatre* (1569), *Complaints* includes Spenser's renditions, published for the first time, of the pseudo-Virgilian *Virgils Gnat* and du Bellay's sonnet sequence *Les Antiquitez de Rome* (1558) as *Ruines of Rome*.[2] This essay examines the book's material juxtaposition of Spenser's compositions with his translations of du Bellay and Petrarch, champions of their vernacular literary traditions. I pay particular attention to thematic resonances with the problems of translation and the poetics of loss in *Ruines*, and in the sequence it translates.[3] Spenser's act of translation, I contend, articulates both the loss and creation it effects. Recognizing with du Bellay that the ruins of the city of Rome mark a past that cannot fully be recovered – and that du Bellay's poetry itself was a "relic" of a recent past equally unrecoverable – Spenser subtly refashions the poems for a new life in an English context.[4] In coördination, Spenser positions his own compositions in proximity to the canonic literature of antiquity; in this regard, the project of *Complaints* is neither selfless nor wholly melancholic, as one line of thinking has suggested, but historiographic.[5] Tracing Spenser's response to *Antiquitez* in parallel to the historiographic project of Book II of *The Faerie Queene* (1590/1596), I suggest that *Complaints* constructs a literary genealogy whose teleological trajectory leads ultimately to the reader.

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are *The Ruines of Time; The Teares of the Muses; Prosopopoia. Or Mother Hubberds Tale*; and *Muiopotmos, Or The Fate of the Butterflie*. Ponsonbie suggest that he might have included even more: "I understand that he besides wrote sundrie others, namelie *Ecclesiastes*, & *Canticum canticorum* translated, *A senights slumber, The hell of lovers*, his *Purgatorie*, being all dedicated to ladies; so as it may seeme he ment them all to one volume."

[2]The full title of Jan van der Noot's publication is much longer: see Jan van der Noot, *A theatre wherein be represented as wel the miseries & calamities that follow the voluptuous Worldlings, As also the greate ioyes and plesures which the faithfull do enjoy*, London, 1569. Spenser updated the *Visions of Bellay* (altering the rhyme scheme) but not *Visions of Petrarch*, presumably to conform the former to his more recent translations of du Bellay's *Antiquitez* sequence.

[3]Several writers have recently addressed Spenser's translations of du Bellay. See, for example, Hassan Melehy, "Spenser and Du Bellay: Translation, Imitation, Ruin," *Comparative Literature Studies*, Vol. 40, No. 4 (2003), pp. 415-438; and A. E. B. Coldiron, "How Spenser Excavates Du Bellay's "Antiquitez"; Or, The Role of the Poet, Lyric Historiography, and the English Sonnet," *The Journal of English and Germanic Philology*, Vol. 101, No. 1 (Jan., 2002), pp. 41–67.

[4]A. E. B. Coldiron writes that *Ruines* constitutes an "enactment and thematization of the central Renaissance project of *renovatio*, of bringing Antiquity to English readers." See Coldiron, *ibid*., p. 42. *Antiquitez* was of course a very recent "antiquity," but one separated from Spenser's readers by geography and significant political discontinuities caused by armed conflict in the form of the French Wars of Religion, which dominated the second half of the century.

[5]The classic example of the "melancholic" reading is Thomas Green's *The Light in Troy: Imitation and Discovery in Renaissance Poetry*, New Haven: Yale University Press, 1982. Rodrigo Cacho Casal suggests the influence of Harold Bloom at work in this reading; see Rodrigo Cacho Casal, "The Memory of Ruins: Quevedo's *Silva* to "Roma Antigua y moderna"," *Renaissance Quarterly*, Vol. 62, No. 4 (Winter 2009), p. 1171n.

Antiquitez itself sits at the nexus of a rich intertextual complex: du Bellay engages Petrarch, Janus Vitalis, and Castiglione (among others) through translation and emulation. Elsewhere in his writing however, du Bellay suggests that the act of poetic translation is a deeply problematic enterprise:[6]

> Toutes les quelles choses se peuvent autant exprimer en traduissant, comme un peintre peut representer l'ame avecques le cors de celuy qu'il entreprent tyrer aprés le naturel.
>
> [All these things can no more be rendered in translation than a painter can represent the soul along with the body of the person he undertakes to portray from life.]

Faced with the physical ruins of the city of Rome, du Bellay's poetic project in *Les Antiquitez de Rome* contends with the problem of textually mediated presence (a problem not unlike the painter trying "to represent the soul") – or rather, absence, as the newcomer to Rome discovers in the first quatrain of *Antiquitez* 3:[7]

> Nouveau venu qui cherches Rome en Rome,
> Et rien de Rome en Rome n'apperçois,
> Ces vieux palais, ces vieux arcz que tu vois,
> Et ces vieux murs, c'est ce que Rome en nomme.
>
> [Newcomer, you who seek Rome in Rome and find nothing of Rome in Rome, these old palaces, these old arches that you see, and these old walls, this is what they call Rome.]

The "newcomer" might easily be du Bellay himself, struggling to reconcile the morbidly anticlimactic "old walls" (*vieux murs*) with the many Romes of his literary education: Republican Rome, Imperial Rome, and the Roman Church. Since Sonnet 3 is, in fact, a translation from a Latin poem by the neo-Latin poet Janus Vitalis – the newcomer is also du Bellay's vernacular reader. Du Bellay's textual rendition of the ruins removes the newcomer further from the Rome that remains in name alone. It does so by attempting, desperately, to reconstitute the past glory of the city in the French vernacular rather than the Latin that was emblematic of its imperial reach – even as a papacy troubled by schismatic conflict continued to perform the Latin rite amidst the ruins of the city,

[6] This passage comes from du Bellay's vernacular apology, *La Deffence et Illustration de la Langue Françoyse*. The French text and translation are from Richard Helgerson, *Joachim du Bellay: The Regrets, with The Antiquities of Rome, Three Latin Elegies, and The Defense and Enrichment of the French Language*, Philadelphia: University of Pennsylvania Press, 2006, 337.

[7] The French text and translation are from Helgerson, *ibid*., p. 250.

its universalist mythology rooted both in earlier incarnations of the city, and in Christ. And for the reader, the poem is left to conjure what the city fails to do for the newcomer: to invest the ruins with the incarnate presence of the past, a past remembered textually through the "antiquities" of literature.[8] Reading, du Bellay suggests, is an act of material remembrance.

For Spenser, as a later-sixteenth-century English reader of the *Antiquitez*, du Bellay's sonnets had become "antiquities" themselves, literary relics. Du Bellay's sonnets were likely largely unavailable to many English readers (they circulated in manuscript form, but were never printed).[9] Even for those with access to the poems, *Antiquitez* might have been problematic in a protestant context as a sonnet sequence dedicated to the French king.[10] The elision of du Bellay's dedication from *Complaints* symbolizes the extent to which in Spenser's England, *Antiquitez* had become a literary analog to the ruins it had attempted to reconstitute. Meanwhile, ruins were a common trope of Elizabethan literature, particularly since conspicuous ruins marked the physical landscape of post-Reformation England: the remains of the dissolved monasteries. In parallel, the literary landscape had been marred equally by protestant biblioclasm; simultaneously the theological urgency of the vernacular threatened the loss of contact with the literary past since, as du Bellay cautions us, the "soul" of a poem cannot be translated. Translation, however, was central to the reformers' project; entirely apart from its theological justification, translation provided means to bypass the power wielded by Rome that manifested itself most fundamentally in linguistic uniformity. *Ruines* constitutes a similar endeavor: in order to recover du Bellay's *genius* and invest it with presence for a wide English readership, Spenser recognized the need to translate, constructing his own literary lineage. Spenser situates *Ruines* thus at the heart of central protestant paradoxes: the necessity of the translation of the untranslatable, and the replacement of the incarnate host with the incarnate word.

In this regard, Spenser's act of translating du Bellay interfaces in a crucial way with the historiographic project of *The Faerie Queene*. James Kearney writes that "for Spenser...the point is not to preserve some antiquities and destroy others,

[8]Put another way, du Bellay constructs "the suggestive skeleton of a once living cultural context." See George H Tucker, *The Poet's Odyssey: Joachim du Bellay and the Antiquitez de Rome*, Oxford: Clarendon Press, 1990, p.4.

[9]For a full account of du Bellay's reception in England, see Prescott, Anne Lake, *French Poets and the English Renaissance*, New Haven: Yale, 1978, pp. 38–75. Du Bellay was little known before the 1580s, and continued to elicit scant comment from English writers before the first decade of the next century.

[10]The French monarch was often styled as the *Roi très-chrétien*, an ancient title signifying his dedication to Roman orthodoxy.

but to reclaim antiquities tainted by an errant history and to redeem an English literary language."[11] The redemption of the English literary language is also a central project of *Complaints*, which physically positions Spenser, within the printed book, among the lyric heroes of two prominent vernacular traditions: Petrarch and du Bellay. From at least the beginning of the century, Petrarch had widely been regarded as one of the foundational figures responsible for the elevation of Italian (Tuscan) to a literary language.[12] Indeed, du Bellay's choice to write sonnets was inspired largely by their generic association with Petrarch. Spenser's encounter with these particular literary relics thus marks a crucial step toward the justification of his own vernacular tradition. Moreover, this self-positioning is coördinated with the simultaneous recovery of literary relics: Spenser writes not only the English language but also his own exemplars into the canon of successful vernacular that *Complaints* constructs. Carrying this line of reasoning further, one scholar has recently suggested that "the *Complaints* may well be said to construct a kind of "defense and illustration" of English poetry."[13] Alternatively, I argue that *Complaints* constitutes a collection of vernacular lyric, selected to construct a canon that contains Spenser's own compositions, which rub shoulders with his translated literary relics.[14]

Relics are an important image in *Antiquitez*: they signify both the ruins the poetry describes and the corpus of Latin literature, as for example in du Bellay's dedication to the king:[15]

> Ne vous pouvant donner ces ouvrages antiques
> Pour vostre Sainct-Germain, ou pour Fontainebleau

[11] James Kearney, *The Incarnate Text: Imagining the Book in Reformation England*, Philadelphia: University of Pennsylvania Press, 2009, pp. 138-9.

[12] The Venetian Cardinal Pietro Bembo played an especially central role in securing the position of Petrarch's poetry within this history as the lyric ideal, canonizing all three poets in his highly influential *Prose della volgar lingua* (1525) by presenting them as the archetypal models of poetic skill. Just as Bembo had justified the Florentine dialect through the canonization and revitalization of Petrarch, Du Bellay's *La Deffence et Illustration de la Langue Françoyse* was, in Helgerson's formulation, *La Deffence* "was a manifesto calling for a radically new French poetry." Helgerson, *ibid*., p. ix.

[13] Melehy, *ibid*., p. 419. This had already been done, however, by Spenser's own friend Philip Sidney as *The Defence of poesie*, composed between 1579 and 1581 and published by Ponsonbie in 1595; Melehy does not explain why the English language might need a second defense.

[14] This project may have broadened du Bellay's reception in England. Spenser's canonic maneuvering was so successful that in 1607, John Florio could speak of "great Ronzarde and learned Bellay, [who] have raised our French Poesie unto that height of honour, where it now is," a striking rhetorical departure from the meager English reception du Bellay had received two decades earlier. See Prescott, *ibid*., p. 72.

[15] Helgerson, *ibid*., p.246-7. Spenser did not translate the dedication in *Complaints* or, as far as we know, elsewhere.

Je les vous donne (Sire) en ce petit tableau
Peint, le mieux que j'ay peu, de couleurs poëtiques.

Qui mis sous vostre nom devant les yeux publiques,
Si vous le daignez voir en son jour le plus beau,
Se pourra bien vanter d'avoir hors du tumbeau
Tiré des vieux Romains les poudreuses reliques.

Que vous puissant les Dieux un jour donner tant d'heur,
De rebastir en France une telle grandeur
Que je la voudrois bien peindre en vostre langue:

Et peult estre, qu'à lors vostre grand' Majesté
Repensant à mes vers, diroit qu'ilz ont esté
De vostre Monarchie en bienheureux presage.

[Unable to give you these ancient works for your Saint German or for Fontainebleau, I give them to you, Sire, in this little picture, painted, as best I could, with poetic colors,

Which, placed before the eyes of the public under your name, if you deign to view it in the best light, will be able to boast of having pulled from the tomb the dusty remains of the ancient Romans.

May the gods one day give you the good fortune to rebuild in France such greatness that I would willingly paint it in your language,

And perhaps then your great majesty, remembering my verse, would say that they have been a blessed omen of your universal dominion.]

Redeploying the analogy of the painter, du Bellay proposes the usurpation of Roman *imperium* through its textually reconstituted relics. In other words, du Bellay offers *Antiquitez* as a vehicle for the principle of *translatio imperii*, frequently deployed by medieval and renaissance writers to construct the illusion of the lineal or teleological transfer of imperial power. France can become the new Rome, du Bellay implies, through his poetry, by means of the literary corollary to *transatio imperii, translatio studii*. This vision of historical contact also provides a workable method of literary recovery within a protestant framework. Just as Spenser allegorizes St. George as Redcrosse Knight in Book I of *The Faerie Queene*, reviving him through textual inscription (the Catholic saint can be allowed to survive, translated safely into text), he makes du Bellay and Petrarch available to an English readership as English texts. In this *translatio*, Spenser ensures du Bellay's survival, as he recognizes explicitly in Sonnet 1 and the

envoy:[16]

> Ye heavenly spirites, whose ashie cinders lie
> Under deep ruines, with huge walls opprest,
> But not your praise, the which shall never die,
> Through your fair verses, ne in ashes rest... (Sonnet 1, 1–4)
>
> Needes must he all eternitie survive,
> That can to other give eternall dayes. (*L'Envoy*, 7-8)

It is not in du Bellay's own "fair verses" that the French poet is revived but in Spenser's. Spenser recognizes, if reluctantly, that through time the world must undergo change (as of course did du Bellay and Petrarch). Thus he is able to justify translation: it is his own best chance to "all eternitie survive." In the process of translation, the course of change can at least be influenced; consequently, in the effort to preserve literary relics the translator creates new ones by fashioning ruins out of monuments, fundamentally altering texts in order to give them new life.[17]

Spenser performs his ruinous creation at the level of the poem. While his translations of du Bellay are largely faithful renditions, they also reflect Spenser's own subtle inflections. These occur formally: the Spenserian sonnet consists not of two quatrains and two tercets (comprising a final sestet) but rather of three quatrains and a couplet. The rhyme scheme is adapted to fit a freer English model, altering du Bellay's abba / abba / ccd / ede to abab / cdcd / efef / gg; the displacement of the rhymed couplet to the end of the poem shifts the emphasis to its closure. In Sonnet 3, for example, this displacement underscores du Bellay's survival through Spenser's refashioning. Spenser creatively departs from du Bellay, as rendering "monument" as "funerall" – a translation, as it were, from cold stone monument to living ritual. Spenser reads the ruins of Rome, meanwhile, metonymically:

> Le Tybre seul, qui vers la mer s'enfuit,
> Reste de Rome. O mondaine insonstance! (*Antiquitez* 3, 11–12)
>
> Ne ought save *Tyber* hastning to his fall
> Remaines of all: O worlds inconstancie. (*Ruines* 3, 11–12)

[16] Spenser, Edmund, *Complaints Containing sundrie small poemes of the worlds vanitie*, London: William Pononsbie, 1591. All transcriptions of Spenser throughout this piece are mine, working directly from *Complaints*.

[17] In this regard his translations might be said to resemble the mechanized anthropomorphic reliquaries that often drew pilgrims throughout late medieval Europe.

"Rome" has become "all" in Spenser's translation, expressing overtly what in du Bellay's poem is left understated, and – in the emphatic repetition of the sound of "funerall" – stressing the entire field of cultural production that has been lost with Rome. The city's "inconstancie" provides, paradoxically, the mode of its survival through memory in the form of its ruins. That is, the survival of cultural production necessitates continued vernacular translation (an "inconstant" or transformative process); Spenser's adroit translation of the difficult final lines of *Antiquitez* 3 pinpoints the idea of survival-through-translation in the image of the Tiber:

> Ce qui est ferme, est par le temps destruit,
> Et ce qui fuit, au temps fait resistence. (*Antiquitez* 3, 13-14)
>
> That which is firme doth flit and fall away,
> And that is flitting, doth abide and stay. (*Ruines* 3, 13-14)

The reformers, as Kearney reminds us, were fundamentally ambivalent about language, which both marks the inability of the fallen world of material signification to provide direct contact with the divine word and "necessitates writing and books."[18] Translation in the vernacular ("that is flitting," or language emphatically fallen) does the brutal work of approximating the presence of the past, in spite of its own instability as a language; in this sense, translation operates like memory, powerful because of its ability to recall the past, and flawed because it is unable to recall it perfectly. In Spenser's adaptation of *Antiquitez* 3, translation itself becomes a ritualized form of remembrance capable – unlike the stone monument – of producing literary memory.

Spenser's conflation of "Rome" with "all" in *Ruines* 3 takes its cues from elsewhere in du Bellay's cycle. In *Antiquitez* 26, for example, du Bellay muses that the geography of imperial Rome encompassed the world; indeed in du Bellay's account the world and Rome dialectically define each other:

> Rome fut tout le monde, et tout le monde est Rome.
> Et si par mesmes noms mesmes choses on nomme,
> Comme du nom de Rome on se pourroit passer,
> La commant par le nom de la terre de l'onde:
> Ainsi le monde on peult sur Rome compasser,
> Puis que le plan de Rome est la carte du monde. (*Antiquitez* 26, 9-14)
>
> [Rome was the whole world, and the whole world is Rome. And if we call the same things by the same names, just as we could do without the name of Rome,

[18] Kearney, *ibid*., p. 24.

> Calling her by the name of the earth and the sea, so we can measure the world by measuring Rome, for the map of Rome is the map of the world.]

Du Bellay reads the layout of the city of Rome as the map of the world; and to a certain degree the city, with its many resident nations, was in fact a microcosm of its ecclesiastical empire.[19] The world Rome mapped did not remain static however, and thus anxiety about the discovery of the new world at the end of the fifteenth century, coupled with the simultaneous positioning of European kingdoms as the new imperial powers provides the subtext for the nostalgic past tense of this sestet, is amplified in Spenser's translation of the closing lines:

> For th'auncient Plot of *Rome* displayed plaine, The map of all the wide world doth containe. (*Ruines* 26, 13-14)

Here, the "plan" of Rome is set unambiguously in the past, rendered in Spenser's translation as "th'auncient Plot." Spenser's creative act of translation, acknowledging as it does the historical rupture that separates him from du Bellay's poem, textually re-works the map – a process he also undertakes in the proem of Book II of *The Faerie Queene*, writing Fairie into being with radical historiographic implications. Throughout *Antiquitez*, du Bellay is anxious about the discontinuity between the ruins of what had been Rome and the city's name, indignantly suggesting in Sonnet 6 that "Rome seule pouvoit à Rome ressembler" (9). Mitigating the force of "pouvoit" (which he translates as "might"), Spenser rescues the name of the city from its own semiotic undoing, confidently asserting in the *Envoy* (quoted above) that the *translatio imperii* of du Bellay's project gives Rome new life.[20] Furthermore, by articulating the passage of time that separates Spenser from du Bellay in the archaizing of the Roman *plan*, he marks du Bellay himself as a relic of antiquity, a ruin in need of revival.

Like any reader, as Spenser collects and reconfigures antiquities, he is effectively engaged in a historiographic act. Reading is not a static process, but rather one that is both creative and destructive, for readers must make choices. Kearney emphasizes a secondary meaning of the Latin *legere* – to choose or select – suggesting that "this sense of the word helps evoke Spenser's understanding of reading as an act of discerning or judging, his conviction that

[19]For an excellent study of see Thomas Dandelet, *Spanish Rome: 1500-1700*, New Haven: Yale University Press, 2001.

[20]For further discussion of *translatio imperii* and *translatio studii* in du Bellay in Spenser, see Margaret W. Ferguson, "'The Afflatus of Rome': Meditations on Rome by Du Bellay, Spenser, and Stevens," *Roman Images: Selected Papers from the English Institute*, Baltimore: Johns Hopkins, 1982.

reading is an ethical act."[21] These ethics are fraught, of course, for no reader has access to "the whole body of the Universal History," a phrase one late sixteenth-century observer used to approximate something like "everything that has ever happened."[22] Consequently readers must choose what to include and – often more significantly – what to exclude. However, not all readers, for linguistic, status, or other reasons, have equal access to texts – or the patience to read them – and therefore not all choices are equal. Publishers, recognizing this problem, introduced epitomes, or abridged versions of longer texts, early in the history of print. This market was initially driven by humanists but later in the century, it targeted a broader reading public – one especially interested in histories.[23] Epitomes proved to be problematic texts, because they could potentially alter their sources in fundamental ways. Thus the function of the epitome in Elizabethan England was not unlike the function of the translation. Both redact and alter, reading (and re-writing) in transformative ways. In so doing, translation could also make texts available to audiences otherwise suspicious of, or lacking physical access to them. If the poet is to survive, he must have readers; such is the unwritten assumption of the *Envoy*. Without readers, the poet becomes like the lifeless ruins of Rome in *Ruines* 5:

> *Rome* is no more: but if the shade of *Rome*
> May of the bodie yeeld a seeming sight,
> It's like a corse drawne forth out of the tombe
> By Magicke skill out of eternall night

Here the corporeal analogy emphasizes the reliquary nature of historical artifacts, of which texts are an important species. Like the priest promising transcendent saintly contact through the handling of relics, or the body of Christ, present in the Host, Spenser offers the material recovery of textual antiquities. The "Magicke skill" of the translator, however, must construct the text anew to endow it with presence for a temporally and confessionally displaced readership; to translate is to force the original text to "yeeld a seeming sight."

In *Ruines*, Spenser does this by performing du Bellay's *translatio* upon the relics he has collected, making their "ruins" readable, a move that might be

[21] Kearney, *ibid*., p. 87.

[22] Degory Wheare, *The Method and Order of Reading both Civil and Ecclesiastical Histories*, London, 1685, p. 39, quoted in Chloe Wheatley, "Abridging the *Antiquitee of Faery lond*: New Paths Through Old Matter in *The Faerie Queene*," *Renaissance Quarterly*, Vol. 58, No. 3 (Fall, 2005), p. 870.

[23] Wheatley, *ibid*. p. 861. Wheatley reads such epitomes as providing the model for the abridged "*Antiquitee of Faery lond*" that Guyon reads in the house of Temperance in Book II of *The Faerie Queene*.

construed as archaeological: the archaeologist, literally handling the relics of the human past, must imaginatively reconstitute them to give them meaning. In this sense they have become as much the property of the present, subject to the concerns of its imagination. The "Magicke skill" of the translator is pure illusion. Or as Philip Schwyzer reminds us: "in short, the necromantic longings that draw people to archaeology in the first place are hopeless, unfulfillable, founded on false premises."[24] Archaeology, then, engages in a kind of architectural endeavor, re-building the past from the foundations of physical (or textual) ruins.[25] Spatial memory, after all, is thematically important throughout *Antiquitez* and *Ruines*: many of the sonnets rehearse the geography of the city by naming its landmarks. *Complaints*, I contend, constitutes Spenser's a kind of mnemonic repository, drawing together models of lyric into a space of memory ready for the creative act of the "new poet" – the trajectory of Spenser's poetic career might even be said to have depended upon such a repository.[26]

Spenser himself provides an immediate model for this sort of collection and storing of cultural memory in Book II of *The Faerie Queene* as Eumnestes' library, the chamber of memory in the allegorical brain of the house of Temperance, which along with the other chambers of this brain (reason and imagination) governs the temperate functioning of the "body" of the house. Memory in Eumnestes' library, as Jennifer Summit explains, "is infinite: Eumnestes (Good Memory), the librarian-scribe, is a man of 'infinite remembrance"' and therefore, "it cannot be bounded."[27] In the library, Guyon and Arthur read redacted versions of their respective lineages, produced by Eumnestes' pen. The gaps and ruptures in these abridged texts provide the knights with "secret pleasure," for in the ruptures of historical knowledge, there is space for imagination (located in the next chamber). Neither historical nor fictional, Eumnestes' abridged histories sit comfortably in the dialectical tension of the two: they are shaped by their readers,

[24]Philip Schwyzer, *Archaeologies of English Renaissance Literature*, Oxford: Oxford University Press, 2007, p. 21.

[25]Rebeca Helfer suggests that Spenser engages in such an endeavor in *The Shepheardes Calendar* (1579), following a Ciceronian model of memory that "reimagines the architecture of immortality in ruin itself." See Rebeca Helfer, ""The Death of the 'New Poete': Virgilian Ruin and Ciceronian Recollection in Spenser's *The Shepheardes Calendar*"," *Renaissance Quarterly*, Vol. 56, No. 4 (Autumn 2003), p. 724.

[26]Regarding the Virgilian modeling of Spenser's literary career, see Richard Helgerson, "The New Poet Presents Himself: Spenser and the Idea of a Literary Career," *PMLA*, Vol. 93, No. 5 (Oct., 1978), pp. 893-911; and more recently, Helfer, *ibid*. These spaces are a trope of medieval literature: Dante, for example, analogizes the space of memory as the "noble castle" in the first circle of hell, where "figures are arranged...like books in a bookcase...that have their places in the public memory archive." See Carruthers, *ibid*., p. 883-4.

[27]Jennifer Summit, *Memory's Library: Medieval Books in Early Modern England*, Chicago: Chicago University Press, 2008, p. 126.

whose imaginative projections into the ruptures of historical knowledge are, as we have seen, shaped by their choices.

Similar choices significantly affected the construction of and collection for early modern English libraries which, as Summit finds, were "dynamic institutions that actively processed, and imposed meaning on the very materials they contained."[28] Spenser's project in translation is similar, charting a literary genealogy that makes deliberate choices. Like Guyon in Eumnestes' library, Spenser remembers in a way that is fundamentally creative. Thus in a world of language, as incapable of summoning the presence of the past as it is of signifying the divine word, Spenser's recovery of literary relics boldly approximates them, a recognition of the role of imagination for the "Poet Historicall." Spenser offers *Complaints*, like the house of Temperance, as a fortified storehouse of literary memory in a world transformed by iconoclasm and biblioclasm; crucially, he offers it in the form of a printed book. Print, as Adrian Johns and others have emphasized, supports a rhetoric of fixity.[29] By offering his repository of literary memory, Spenser exploits the illusion of fixity that print provides – that is, *Complaints* gives the impression that it is secure. Thus the book's continued circulation among readers (and the revision this entails) is paradoxically fundamental to the success of its illusion of permanence; like the ruins of the city of Rome in *Antiquitez*, and the textual artifacts of *Ruines, Complaints* depends upon the constant renewal of *translatio* for survival. Since – as the acts of biblioclasm by the reformers forcefully demonstrated – the materials of history are impermanent, the survival of textual relics and the historical contact they encourage sit squarely at the site of their collection, adaptation, and revision.

By setting himself among the literary antiquities of Petrarch and du Bellay, Spenser re-works a deep historical self-consciousness into self-canonization – interspersing his own newly minted poetic relics through the *Complaints*. Spenser's translations negotiate a complex archaeological reconstruction of the literary ruins of the past for his readers. Just as the archaizing language of *The Faerie Queene* positions it within an imagined past – one that is mutable – so does *Complaints* engage in the creation of a literary history, one that includes Spenser. All translation is an endeavor simultaneously constructive and destructive; in their creativity, Spenser's translations amplify the problem. The re-construed literary

[28] Summit,*ibid*., p. 15.

[29] Fixity is a central component of Elizabeth Eisenstein's landmark study of "print culture," which argues, in Adrian Johns' summary, "that the Renaissance and Reformation were rendered permanent by the very permanence of their canonical texts." However, as Johns demonstrates, this fixity was largely fictive – if ultimately successful. See Elizabeth Eisenstein, *The Printing Revolution in Early Modern Europe*, Cambridge: Cambridge University Press, 1983; and Adrian Johns, *The Nature of the Book: Print and Knowledge in the Making*, Chicago: University of Chicago Press.

landscape formed by *Complaints*, which includes for an English readership the otherwise potentially forgotten, can only occur through translation. The problem of investing his poems with "the soul" of their models is deferred – and left unresolved – to the creation of something not entirely new.

Thus Spenser is engaged in the creation of a literary genealogy of lyric, which like any lineage bears the traces of the past even as it continually undergoes transformation through intermarriage and contested succession.[30] Like the double genealogy of Fairy/Britain – which might itself be read as allegorized in the romance/epic tensions of *The Faerie Queene* – in the Library of the House of Alma, Spenser's lyric genealogy maps its own future by constructing the stability and continuity of the literary past. Perhaps this explains the turn to Guillaume du Bartas in Spenser's *Envoy* that some have found problematic:[31]

> Thy dayes therefore are endles, and thy prayse
> Excelling all, that ever went before;
> And after thee, gins *Bartas* hie to rayse
> His heavenly Muse, th'Almightie to adore.

Melehy suggests that Spenser's placement of du Bartas engenders a religious continuity from du Bellay that leads to *Complaints* (du Bartas was the darling of the Huguenots, while du Bellay's leanings were more ambivalent), reforming du Bellay in the process. Spenser does not perform such recoveries so explicitly; the very act of translation does this work for him. If the *Envoy* reads a du Bellay sympathetic to reform, it does so because Spenser is well aware that he has the power to conjure a literary lineage and shape it to his historiographic ends, creating comprehensive fictions of continuity in the voids of historic ruptures. *Complaints* assembles literary relics, pressed into the service of his readings through their translation, as a teleological history that ensures his own survival. Put another way, Spenser has constructed a library of successful vernacular lyric. In this library, Spenser exploits the most successful fiction of print, enlisting its rhetorical fixity in the service of constructing the illusion of "infinite remembrance." As we have seen, however, "infinite remembrance" takes the form of infinite alteration.

Inevitably, time leaves only ruins, a problem at the heart of *Ruines of Time*. Consequently the historian must continue to imagine the past into being.[32]

[30] Wheatley has argued that while the redacted British history conforms to the standard mode of Virgilian epic historiography, "the epitome of fairy history...has the potential to produce a wholly different historiographic effect...to speak securely of a future that is truly unknown." Wheatley, *ibid*., p. 870.

[31] See, for example, Melehy, *ibid*., p. 432.

[32] Philology requires significant imagination as well, if one is to imagine relics into being.

Spenser recognizes this problem at the outset of Book II of *The Faerie Queene*; indeed, he mischievously celebrates it:[33]

> Why then should witlesse man so much misweene
> That nothing is, but that which he hath seen?

Readers acquire an important agency in Spenser's project, for readers of relics write histories. Modes of reading might be easily mapped onto discursive historiographic fields, for readings are coercive: as with the human memory, forgetting is an important part of the process of historical remembrance. The library of the house of Temperance is responsible for the preservation of historical memory and where, after all, that memory takes the form of Eumnestes' redaction. Accepting fully the ethical dilemma inherent to the act of reading – and by extension, the creation of historiography – Spenser reconfigures du Bellay and Petrarch in his own poetic project. In turn, this has significant implications for the modern reader, encouraged by Spenser to read, and in so doing, to write. Every act of reading historicizes, but every reader chooses what to include in her or his history, and thus in each reading of *Complaints* Spenser's knowing ethical problem reproduces itself.

[33] Spenser, Edmund, *The Faerie Queene: Disposed into twelve books, Fashioning XII*. Morall vertues, London: William Pononsbie, 1590, p.186.

"Scrubbing the top of a well used kitchen table is very close to the way I work": Questioning Abstraction and Modernity in the Sculptural Reliefs of Ben Nicholson

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An investigation of the relationship of representation and the traditional national imaginary to the most seemingly abstract of interwar British Modernisms. This article focuses on explaining the emergence of Ben Nicholson's White reliefs, questioning previous Formalist analyses and hagiographies.

At the edge of England lies a ghostly art, said to be the beachhead of continental abstract painting in Britain. Yet these ethereal works from St. Ives, whose shadows transgress their pure white veneer, harbour deep English roots in their hidden cracks and crevasses. Nicholson has been said to have breathed life into a reactionary English art world by learning the lessons of the continent, but his work was more than the uninflected import of foreign concepts – instead his austere reliefs can be read as a form of nuanced play. By looking at Nicholson's use of abstraction, colour, architectonics, cubist space, materiality, and process, we will be able to find continuity between his still lives, early reliefs, and later self-descriptively titled "White Reliefs" [e.g. Fig. 1]. Relating him first to traditional accounts of his work as a sterile abstraction, then a cubist semiotic and self-reflexive game, we will finally be able to re-situate his art as a purposefully ambiguous practice that focused on a deep engagement with materiality, process and English vernacular craft. For too long read as either out of date in a modernist

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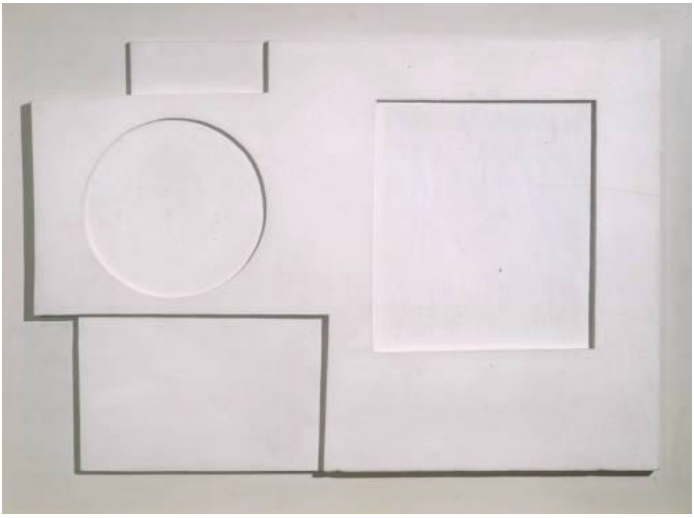
Figure 1: Ben Nicholson, *1934 (relief)*, 1934 (oil on wooden construct)



teleology, or inhumanly clinical in his abstraction, it is time to explore the humanity and nuance of Nicholson's tactile objects.

For Charles Harrison, perhaps the pre-eminent Marxist historian of English modernism, Nicholson was a "paradigm modernist painter"[1], and for Jeremy Lewison, Nicholson's primary (traditionalist) hagiographer, he made an unparalleled progression from Edwardian still lives to abstract reliefs,[2] yet the artist named his mother his greatest influence, from whom the scrubbed tabletop memory derives.[3] The above quote offers an intriguing framework for examining Nicholson's work[4] in its theory, method and content, culminating in the thirties. By examining his white reliefs, their antecedents, and echoes throughout his corpus, the character of these modernist icons will be critiqued. Originally framed as modernist non-referential internationalist abstraction,[5] later critics see greater continuity and reference in his work. Nicholson, deeply analysed, is an artist intimately concerned with art as process, and art as material object, compatible with the above quote. His work can be conceived of as abstract art, cubist art,

[1] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 6

[2] Jeremy Lewison, *Ben Nicholson*: The Years of Experiment 1914-39 (Kettle Yard Gallery, 1983) p. 5

[3] Virginia Button, *Ben Nicholson* (Tate Publishing, 2007) p. 10

[4] primarily the still lives and reliefs to which the quote makes its most obvious allusions

[5] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 106

or self-reflexive material art. The historiographical debate will be traced through these interpretations, and his work contextualised with influences, earlier oeuvre and contemporary discourse. First the traditional formulation of his reliefs as complete abstractions will be analysed, the position antithetical to the quotation, and then the component parts of the conception of his work as scrubbed table will be investigated, in its cubist aspects (still life of the table) and then in its self-reflexive material and process aspects (scrubbing of the table). In each area the dialectics of abstract versus referential, and aberration versus continuity, will work towards viable syntheses, where it will be seen that his work constitutes a fundamentally ambiguous, but referential and fundamentally English practice.

The traditional view, as Lynton outlines, reads Nicholson's white reliefs as a conscious "will to order" after an experimental phase,[6] a romantic artist becoming classical.[7] It is prudent to begin by analysing Nicholson's theoretical context in terms of abstraction - *Circle*, spirituality and light. The defensibility of the counterpoint of the implied cubist and material/process claims of the quotation will thus be appraised.

Nicholson's restriction of the Seven & Five Society[8] to abstract work in 1934 is seen as a discreet and definitive statement of purpose[9] built on recent continental exposure.[10] 1937 *Circle* epitomised the abstract theoretical context surrounding his White Reliefs. Here, indeed, Nicholson set out axioms portraying works like 1934 *(relief)* as a universal, constructive religious experience,[11] "realisation of infinity".[12] This has traditionally been related to an abstract zeitgeist,[13] that thanks to Arp's reliefs he was able to free abstract shapes from

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[6] *Ibid*., p.106

[7] Patrick Heron in Crane Kalman Gallery London, *Ben Nicholson: Early Works* (1968) p. 31

[8] A group of un-ideological artists that had reinstated conservatism (a consolidation of pre-war innovation) in English art, which were hijacked by Nicholson, Hepworth and Moore who expelled all the non-modernists from their ranks.

[9] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 271

[10] 1932 he met Picasso, Miro, Calder and Braque with Hepworth, see Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 12

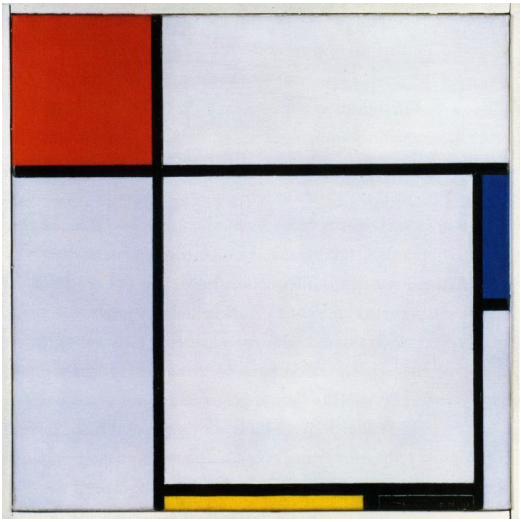
[11] Ben Nicholson, "Quotations", in J. L. Martin, Ben Nicholson, N. Gabo (eds), *Circle: International Survey of Constructive Art*, (Praeger Publishings, 1971) p. 75

[12] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 260

[13] Leslie Martin in Jeremy Lewison, *Circle: Constructive Art in Britain 1934-40*, (Kettle Yard Gallery, 1982) p. 9

motifs[14] which Nash viewed as the discovery of a new world.[15] The coherence and relevance of this ascetic utopian abstract view, however, requires critique.

Figure 2: Piet Mondrian, *Composition with Red, Yellow, Blue and Black*, 1929 (Oil on canvas)



John Russell claims "as social objects BN's reliefs belong to a new world" of Gropius, Mondrian etc.[16] Contemporary critics indeed assaulted Nicholson's movement as an aestheticism, Kenneth Clark's loathed "fatal defect of purity",[17] Gascoyne criticising its "art for art's sake".[18] However, it involved spirituality and design. For Gabo, the Constructive Idea involved organic growth, formal autonomy and the power to shape the social world.[19] Mondrian contrastingly aimed for a spiritual aesthetic purity evolved from its own principles.[20]

[14]Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 259

[15]Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 33

[16]Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 35

[17]*Ibid*., p. 39

[18]Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 27

[19]Naum Gabo, "The Constructive Idea in Art", in J. L. Martin, Ben Nicholson, N. Gabo (eds), *Circle: International Survey of Constructive Art*, (Praeger Publishings, 1971) pp. 6-8

[20]Piet Mondrian, "Plastic Art and Pure Plastic Art (Figurative Art and Non-Figurative Art)", in *Ibid*., p. 45

Lewison notes the similar equation between painting and mysticism found in Mondrian,[21] but warns against affiliating Nicholson with such Theosophy[22] and overestimating Mondrian's influence.[23] From his 1934 visit to Mondrian's studio, he took the simple feeling of "quiet and repose",[24] not De Stijl. Yet, theoretical similarities to modern quasi-mysticisms are manifold, Nicholson even quoting Eddington on the mind's construction of the universe,[25] compatible with modernist theosophy/metaphysics. That his champion, Read, felt that Nicholson made the metaphysical real in his art,[26] is reflected in the Christian Science's metaphysical and mind-driven world-view,[27] the language articulating his spirituality. Ruhrberg's works of "geometric lyricism",[28] the formal tension in line and curve of works like 1937 *(relief)*[29] can traditionally be seen as "icons to Ben's faith" similar to other abstractionists, according to Checkland.[30]

However, it is here that *Unit One/Circles*[31] internal contradictions surface, along with Nicholson's idiosyncratic path within it. Harrison observes that in English modern movements "mutual incoherence is an inevitable feature".[32] Hal Foster posits multiple binaries such as John Piper's excited post-cubism and Nicholson's "calm" reliefs.[33] Indeed Lynton considers Nicholson *not to have been* "constructive", broadly on the grounds that the relationships between his reliefs' pictorial elements were arbitrary, not intellectual.[34]

These spiritual and group associations, not only theoretical and formal, were equally importantly tonal. White, the epoch's spiritual colour, was conveyed

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[21] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 16

[22] *Ibid*., p. 18

[23] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 34

[24] Nicholson quoted in Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 78

[25] Eddington quoted in Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 261

[26] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 80

[27] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 13

[28] Karl Ruhrberg in Ingo F. Walther (ed), *Art of the 20th Century: Part 1, Painting*, (Taschen, 2000) p. 227

[29] Karl Ruhrberg in Ingo F. Walther (ed), *Art of the 20th Century: Part 1, Painting*, (Taschen, 2000) p. 227

[30] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 47

[31] Britain's first interwar abstract art group, and the first product of British art that was respected as an equal by groups on the continent, and involved international contribution, it is widely held to be the first point at which British art returns to the main narrative of continental development after WWI

[32] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 277

[33] Hal Foster, Rosalind Krauss, Yve-alain Bois and Benjamin H. D. Bach loch (eds), *Art Since 1900*, (Thames & Hudson, 2004) p. 287

[34] Norbert Lynton, *The Story of Modern Art*, (Phaidon, 1989) p. 100

by van Doesburg's 1930 *Art Concret* essay.[35] Button, Nicholson's most recent theorist, as well as Lynton, traces similarities in signification of the colour between Nicholson, Kandinsky and Malevich: a "harmonious"[36] colour of hidden potential.[37] For Nicholson this related to a desire for immateriality: "it is thought, not paint".[38] Form was defined by surfaces of shadows, not contours, and Lewison sees the reliefs as infinitely deep, diffused in white light,[39] and by repeatedly smoothing impasto paint Nicholson wanted light to permeate material.[40] Indeed, Lynton indicates earlier immaterial rendering of objects in works such as 1930 *(still life with a jug)*,[41] and here one can see the emancipation of shadow from object. For Lewison the reliefs are also about the emancipation of light from subject,[42] and this is compatible with the influence of Stokes, who saw relief carvings as creatures of light.[43]

Compounding these immaterial characteristics of his use of white, there were architectural and design similarities shared within *Unit One*. Read related light to modern architecture based on the play of volumes[44] and J. M. Richards compared the reliefs to modern architecture structurally,[45] and indeed in contemporary discourse design and universalist spirituality were not incompatible intents.[46] However, fundamentally there was little compatibility between functionalist architecture and mystical art except for the commercial, as Harrison indicates,[47] and worse, this comparison can see them as a commodity fetishism rendering them decorative.[48]

Yet, this play of colour and architectonic space was never entirely abstract. His use of white was never an ideal free from connotation, and may be related to

[35] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 25
[36] *Ibid*., p. 46
[37] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 115
[38] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 46
[39] Jeremy Lewison, *Ben Nicholson*, (Phaidon, 1991) p. 17
[40] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 38
[41] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 44
[42] Jeremy Lewison, *Ben Nicholson*, (Phaidon, 1991) p. 16
[43] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 115
[44] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 41
[45] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 275
[46] *Ibid*., p. 281
[47] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 238
[48] Jane Beckett in Jeremy Lewison, *Circle: Constructive Art in Britain 1934-40*, (Kettle Yard Gallery, 1982) p. 12

his snow paintings of 1922.[49] Harrison acknowledges white's connotations,[50] and while he notes the correlations with design, he places greatest emphasis on interest in apperceptive painting.[51] Incision had involved line with the representation of light[52] as in *1933 (St Remy, Provence)*, basing his use of light in description. Harrison judges his practice never to have "involved complete commitment to abstraction at the expense of particular experience and memory".[53] Yet, Lewison sees the reliefs as an aberration from his oeuvre's still life concerns, "complete statements of nothingness" free from worldly reference.[54] Button also talks of them being empty of natural reference,[55] but maintains they still represent memory and experiences of places and lights like the rest of his corpus.[56] However, Lewison also argues strongly by analogy, Nicholson abandoned 1924 abstractions too far removed from reality,[57] and these periods might be seen as experiments in which he saw limitations.[58] Lynton, while distinguishing between his periods of abstraction, agrees that the white reliefs are distinctly "patently abstract",[59] but simultaneously admits his spirituality obstructed him from delineating between referential and abstract.[60] Harrison expresses a similar, but nuanced, ambivalence believing his circles and squares were indeed a universalist lexicon divorced from cubist referents like guitar holes.[61] However, he isolates the austere object-relationships of the reliefs and still lives as faint parallels, if not total equivalences, finding even in his most "geometric" works "echoes of cubist forms of composition".[62] That the textures in *1934 (White Relief)* distract from spatial relationships[63] which in his still lives they had helped accentuate, suggests the razored down surfaces characterising this series were

[49] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 8

[50] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 264

[51] *Ibid*., p. 264

[52] Tate Gallery, *Ben Nicholson*, (1969) p. 34

[53] Harrison quoted in Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 35

[54] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 33

[55] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 35

[56] *Ibid*., p. 48

[57] *Ibid*., p. 18

[58] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 34

[59] Norbert Lynton, *The Story of Modern Art*, (Phaidon, 1989) p. 198

[60] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 30

[61] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 264

[62] *Ibid*., p. 289

[63] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 122

attempts to isolate planar relationships from still life.

This leads from discussion of the abstract non-referential aspects of his work to a more important framing of his art as a Cubist tabletop. For Gabo, Cubism was merely a destructive starting point for positive spiritualism,[64] but for Nicholson its critical, experimental features would permeate his oeuvre. As Lewison observes, a 1935 non-referential exhibition, and a 1937 still life exhibition implies connection between his practices.[65] To discuss his cubist works' character and relation to his 1930s "abstractions", first his unique "personal" cubist approach to objects will be analysed, followed by spatial concerns, and finally an alternate paradigm from the scrubbed table – the window.

Nicholson's analysis of objects involves a personal cubism fascinated with "making", more than deconstruction, and autobiographical links to his father – intimate memories of the scrubbed table. Harrison forwards a traditional argument that still life is a genre of technical experimentation,[66] but Lewison is convinced that still lives being produced alongside the reliefs show a love of objects.[67] As early as *1919 (blue bowl in shadow)* there is nothing to distract from inter-object dialogue, and he remained concerned with spatial, formal and psychological relationships between objects.[68] Unlike traditional cubism, his objects never fragmented – in *1932-3 (musical instruments)* they merge, but remain legible,[69] and similarly in *1927 Still Life with Knife and Lemon* contours are bent to avoid overlap.[70] In the latter 2-dimensionality and 3-dimensionality are also being played against each other.[71] This concern for the technical aspect of depiction Lynton relates to Nicholson's cubist disposition – that painting is "making", not mimesis.[72]

Unlike most cubism, however, his contains narrative/autobiographical elements.[73] In *St Remy* the psychological drama of his love affairs is rendered in

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[64] Jeremy Lewison, *Circle: Constructive Art in Britain 1934-40*, (Kettle Yard Gallery, 1982) p. 5

[65] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 35

[66] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 168

[67] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 23

[68] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 19

[69] *Ibid*., p. 91

[70] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 12

[71] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 16

[72] Norbert Lynton, *The Story of Modern Art*, (Phaidon, 1989) p. 198

[73] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 255

Figure 3: Ben Nicholson, *Au Chat Botté*, 1932 (Oil and graphite on canvas)

primitivist profiles, and in *Au Chat Botté* the reflection of Hepworth relates the still life to an event, as well as the scrubbed table motif associated with his mother.[74] However, as opposed to "surface" and the scrubbed table, Nicholson's treatment of objects is associated with a dialogue with his father – objects as vehicles for memory. His love of ambiguity can be seen as an unconscious rejection of his father's unified tonal worlds.[75] Indeed, the reductive reliefs, according to Button, came in part from his struggle for independence from his father. footnoteVirginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 11

More importantly, Nicholson's main use for still life came from his spatial interest. Lewison points out apparent irony, that Nicholson created real physical depth synchronous with destroying fictive depth[76] which Lynton also considers a volte-face.[77] However, this is explained by examining his flattening of space as part of a treatment of depth as compacted, ambiguous planar relationships. *1932 (Au Chat Botté)* recent scholarship deems the reliefs' precursor.[78] Here he renders planar relationships interchangeable, creating an "imaginative world".[79] Un-fragmented objects and the scrubbed table both appear – the latter's texture

[74] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 12
[75] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 104
[76] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 15
[77] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 107
[78] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 21
[79] *Ibid*., p. 21

being a means of recession.[80] Here we see Braque's poetic spatial relations.[81] For Lewison, however, this represents very personal assimilation of Cubism, and even relates its spatial concerns to the 1924 *Trout*.[82] In creating the three-layered space of scrubbed table, glass plane, and reflected viewer's world, Nicholson projects space to include the spectator. Text creates a distinct plane, but this is problematised by the overlapping jug. While creating quite radical recession for a shallow-box space, he also collapses it with paradox - therefore he appears to be *playing* with space, and critiquing the medium's potential absurdities.

Button considers his first relief to be consistent with interest in cubist space.[83] However, Harrison thinks he used Arp to escape cubist shallow-box space[84] as well as one-point perspectival space. Yet he does see consistency here in his experimental approach in Nicholson's reliefs' use of browns and greys.[85] Indeed, grid-like abstraction in the reliefs' layout is even found by Lewison to reflect abstract still life backgrounds.[86] The reliefs were continuous with his cubist planar dialogue, now literalised[87].

To this great intellectual interest in objects and space, another model may be juxtaposed alongside the scrubbed table of his cubist compositions – the romantic notion of the "window". In a 1928-31 series Nicholson explored a still life-and-window theme, a romantic symbol of space beyond.[88] Harrison historically locates a 1939 painted relief among views through windows from interior to exterior as pursued by Matisse, the Seven & Five Society and Picasso c. 1920, and perhaps all the reliefs can be historically located thus.[89] Considering their evolution from a window view looking *in* found in *Au Chat*, it seems a fitting label for his spatial interests, a cubist interest in the play of knowledge against sensation.[90]

Pitched against the abstract-aberration and cubist-window formulations, the third and most pivotal evaluation of Nicholson's theory, practice and aims con-

[80] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 92

[81] e.g. Picasso's *Still Life with Classical Head* 1925, see Tate Gallery, Ben Nicholson, (1969) p. 22

[82] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 13

[83] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 25

[84] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 258

[85] *Ibid*., p. 262

[86] Interestingly Vorticist grid-abstraction had come from the Slade technique to which Nicholson was not really exposed Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 15.

[87] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 38

[88] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 64

[89] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 291

[90] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 125

cerns interpretation of his art as "self-reflexive" – an art concerned with its own materiality, process, surface, national roots and intuitive aspects. Here, primarily through Button, there is a potential synthesis of "abstract" and "referential", as well as "aberration" and "continuity". Nicholson critiques art's nature and production in a fundamentally experimental and humanist oeuvre.

In stressing the material and self-reflexive nature of his art Harrison sees cubism's use of fragmentation to codify the subject compatible with Nicholson's emphasis on materials.[91] Lynton hints at this relation in one of multiple ambiguities he traces – pictorial elements lose physicality in 1930 *(still life with jug)* but the support *gains* physicality.[92] Nicholson's dissection of space, his incision of line learned from Braque,[93] codifies and remakes his subjects as material expressions – his subjects evoke their construction. In *6 Circles* colour interestingly exceeds the carving,[94] and this could be related to intent to make artistic materials signify themselves as Lewison hints.[95] Already in 1924 *(Goblet and Pears)* we see this self-reflexive art – the brush strokes, by mismatching the contours, signify both themselves and colour.[96] This is coupled with stress on the materiality of the support itself in works like 1932 *(guitar)*,[97] Wallis's biggest influence on him having been the use of irregular, substantive supports.[98] Nash thought these could be sunk into Modern Homes' walls, but Nicholson used grey frames to emphasise their status as objects.[99] He aimed at avoiding being decorative[100] by making material and idea coextensive,[101] developed from H. S. Ede.[102] This contrasts with Gabo's "absolute" form which was completely independent of the material.[103] The reliefs' substantiality is interpreted by Harrison as an effort to preserve materiality in the face of continental formalising

[91] Charles Harrison, vEnglish Art and Modernism 1900-1939, (Allen Lane/Indiana University Press, 1981) p. 257

[92] Norbert Lynton, Ben Nicholson, (Phaidon, 1993) p. 44

[93] Virginia Button, Ben Nicholson, (Tate Publishing, 2007) p. 20

[94] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 111

[95] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 15

[96] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 15

[97] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 14

[98] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 41

[99] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 41

[100] Ben Nicholson in Crane Kalman Gallery London, *Ben Nicholson: Early Works* (1968) p. 30

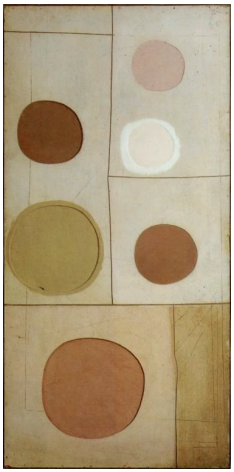
[101] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 48

[102] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 23

[103] Hal Foster, Rosalind Krauss, Yve-alain Bois and Benjamin H. D. Bach loch (eds), *Art Since 1900*, (Thames & Hudson, 2004) p. 288

abstraction,[104] and in the end one can see in his hand-crafted objects what Peter Khoroche calls the "beauty of imperfection" - making a material equivalent for nature.[105]

Figure 4: Ben Nicholson, *Six Circles*, 1933 (Oil on wood carving)



Almost as crucial for him, however, was production. He emphasised process and painting as event, Button argues,[106] indeed, in the Sixties this would almost manifest in action painting.[107] He employed a methodical, workman-like method with the puritan diligence of his mother's kitchen table scrubbing.[108] It was pre-meditated, aimed at embedding the idea in the material through process. Even though Button cites similar use of line to Masson,[109] Lynton is adamant that automatism was anathema to him.[110] Stokes read already, in his canvases, a sculptor's approach,[111] and for him carving was like a natural process that left a mark,[112] and in Nicholson's work the object's texture similarly preserved this

[104]Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 290
[105]Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 65
[106]*Ibid*., p. 70
[107]*Ibid*., p. 69
[108]Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 126
[109]Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 24
[110]Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 121
[111]Stokes quoted in Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 230
[112]Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 67

temporal element. In *1928 (Pill Creek)* the sequential stages of its construction remain evident, right down to the brush marks of the gesso ground which has been scrubbed and incised.[113] In a process Button calls "application and attrition"[114] he left films over an impasto primer charged with primitivism. For Harrison it represents a key step towards the reliefs both in its emphasis on construction.[115]

Even more crucially, in these rich surfaces themselves Nicholson furthered his engagement with space and highlighted the nature of the painting as an object. Weathered texture was his signature, and a rebuke of his father.[116] Tension between restrained colour and line, and weathered surface defines his material codification.[117] While he considers the reliefs completely abstract, Harrison believes this abstraction evolved from concern with surface.[118] This in part derives from how he relates it to his spatial concerns. He elides space using scored verticals and impasstive horizontals in both *Dymchurch* and *Cortivallo, Lugano* in 1923,[119] which also act as compositional controls which return in "abstractions" of 1924[120] and the reliefs. Harrison deems white reliefs to have been completely "purged" of surface incident however,[121] a response to Mondrian's emancipated colours. Yet Lewison relatively dismisses the influence of Mondrian[122] and Patrick Heron notes that Mondrian's pictorial elements performed symbolic functions while Nicholson's were sensuous.[123]

As such contentions show, it is important not to overemphasise foreign influences, and to fully appreciate the role of the emphatic materiality and self-reflexivity in his work one should additionally consider the indigenous quality of his oeuvre. This is something keenly related to the intimate scrubbed table model. While he was aware of international dialogue, he was also praised for his work's English qualities.[124] Read's *The Grass Roots of Art* warned against dissolving variety in internationalism.[125] While Nicholson hated romantic nationalism, he emphasised instinct to counter French sophistication and claimed

[113] *Ibid*., p. 19
[114] *Ibid*., p. 66
[115] Tate Gallery, *Ben Nicholson*, (1969) p. 16
[116] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 65
[117] *Ibid*., p. 74
[118] Tate Gallery, *Ben Nicholson*, (1969) p. 28
[119] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 13
[120] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 27
[121] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 288
[122] Jeremy Lewison, *Ben Nicholson*, (Pahiadon, 1991) p. 18
[123] Patrick Heron in Crane Kalman Gallery London, *Ben Nicholson: Early Works* (1968) p. 40
[124] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 7
[125] *Ibid*., p. 42

English expression "completely vital".[126] Lynton reasonably claims his 1932-3 paintings (contemporaneous with Parisian exposure) were very continental,[127] but Stephens indicates Nicholson naturalised his reliefs with English craft-tradition references.[128] Indeed he points to a vernacular cultural revival in his scarred surfaces that Button notes in his dynamic and flawed facture.[129] "Truth to materials" was not just a modernist primitivist drive, but a culturally loaded axiom, present in the British Studio Pottery Movement.[130] Furthermore, more clearly than his masculine associations with still life objects and his father, his emphasis on carving/crafting of surface and the recurrent tabletop motif[131] might indicate identification with the domestic, and female labour.[132] Itself part of a post-war laudable reaction against the male-dominated public sphere.[133] It is therefore plausible he gendered his own practices feminine, identifying with his mother[134] and what Harrison calls an "ultimately romantic quality" much closer to Wood[135] and St Ives landscapes than internationalist architecture.[136]

Rather than a teleological or bifurcated intellectual, international, modernist abstraction, Nicholson's art was a material, self-aware and coherent oeuvre "reconciling freedom and system"[137] through constant experiment. Summarising his process, Nicholson would describe his work as intuitive, as natural and simple as scrubbing a table: "there is no need to concentrate, it becomes part of living".[138] Even Read reappraised Nicholson's work as a "pre-logical...expression".[139] Nicholson was committed to instinct more than theorising,[140] indeed, Lynton believes he *intuitively* found the Golden Section rather than adapting Le Corbusier.[141] It was not the circles themselves but their instinctive relation in light

[126] *Ibid*., p. 43
[127] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 91
[128] Chris Stephens cited in Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 36
[129] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 43
[130] *Ibid*., p. 44
[131] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 90
[132] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 44
[133] *Ibid*., p. 44
[134] *Ibid*., p. 10
[135] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 38
[136] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 290
[137] Christopher Neve, *Ben Nicholson*, (Bernard Jacobson ltd., 1993) p. 11
[138] Nicholson Quoted in Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 35
[139] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 24
[140] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 8
[141] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 126

and in material that was the "idea"[142] Nothing explains the composition of *1934 (White Relief)* logically.[143] *1934 (relief)* holds a similarly arbitrary, disconcerting composition – the right hand negative rectangle is so emphatically placed it reads as a square.[144] The main plane is complicated, inexact and partially hidden.[145] These odd irregularities can even be contextualised in artistic dialogue with his father who's compositions involved disconcerting angles, informal and shallow space.[146] More evident, however, especially in terms of surface, is the suppression of the ego, workmanlike, and related to his mother's Puritanism.[147] Button even relates this to a Zen aesthetic. Austerity, clarity and imperfection were promoted by Soetsu Yanagi,[148] and similar to Christian Science doctrine.[149] His attention to detail and the absent is indeed akin to Japanese practice.[150] Moreover, this organic quality even verges anthropomorphic as Lynton implies. His *1936 (white relief)* is roughly six feet tall and totemic[151] – it is human. As such, Nicholson remained a romantic, and critiqued the classical. Lynton fundamentally concludes Nicholson's art was a personal art – handmade, and filled with indefinite relationships.[152] In this intuitive aspect fits Harrison's final evaluation: the reliefs embody both the strengths and weaknesses of English interwar art – its substantiality, and idealisation.[153] It is this materiality and simple philosophy that for Button makes the scrubbed table a potent signifier of his relation to his practice.[154]

In the final analysis, the formulation of Nicholson's "theory", process and output as close to a well scrubbed kitchen table is of great analytical utility. While traditional framing of his work as non-referential abstraction is hopelessly inadequate, considering the reliefs aberrations (as Lewison exemplifies) is equally reductive. Most convincingly, a synthesis stance (as Button exemplifies) achieves balance in tracing continuities between his reliefs and the rest of his corpus

[142] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 48
[143] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 122
[144] *Ibid*., p. 124
[145] *Ibid*., p. 125
[146] Jeremy Lewison, *Ben Nicholson: The Years of Experiment 1914-39* (Kettle Yard Gallery, 1983) p. 10
[147] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 70
[148] Whom he might have known through Leach, see Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 71
[149] *Ibid*.
[150] *Ibid*., p. 72
[151] Norbert Lynton, *Ben Nicholson*, (Phaidon, 1993) p. 138
[152] Norbert Lynton, *The Story of Modern Art*, (Phaidon, 1989) p. 199
[153] Charles Harrison, *English Art and Modernism 1900-1939*, (Allen Lane/Indiana University Press, 1981) p. 291
[154] Virginia Button, *Ben Nicholson*, (Tate Publishing, 2007) p. 70

through examining its cubist and self-reflexive material elements. His art was one of multiple ambiguities, continuously experimental, never to be viewed teleologically. Though considered a paradigm modernist, his idiosyncrasies perhaps better label him an eccentric English painter, with perhaps more "feminine-gendered" interest in surface than masculine concern for objects and space formulated as the "window". While Grigson wrongly criticised his reliefs as a "disinfected" art,[155] they are perhaps better appraised as a well scrubbed kitchen table.

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'This is Utopia'? Narrating Time, Space and History in Jeanette Winterson's *Sexing the Cherry* and *The PowerBook*.

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In this paper I explore the British author Jeanette Winterson's literary engagement with post-twentieth century developments in science and with the possible implications of quantum physics, in particular. I situate Winterson on a continuum of writers who, from the early twentieth century onwards, have challenged the boundaries between science and fiction with their explorations of the New Physics, arguing that Winterson is part of a postmodern continuation of this project. I investigate the manner in which she employs the New Physics thematically and aesthetically in her historical narrative, *Sexing the Cherry* (1989), and in her 'interactive' text, *The PowerBook* (2000). I enquire whether, by emphasising the 'story' in 'history', Winterson risks uprooting history from material concerns. Ultimately, this line of questioning leads me to explore whether Winterson's employment of quantum-physics-inflected narrative for the development of a model of autonomous subjectivity results in 'entrapment' in the text.

Abbreviations

SC: Jeanette Winterson, *Sexing the Cherry* (1981; repr. London: Vintage, 2001).
PB: Jeanette Winterson, *The PowerBook* (2000; repr. London: Vintage, 2001).

Introduction: Narrating the New Physics

In Ian McEwan's *The Child in Time* (1987), the physicist, Thelma, berates the children's author, Stephen, for failing to grasp the significance of twentieth

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century developments in science, quantum physics in particular:

> A scientific revolution, no, an intellectual revolution, an emotional, sensual explosion, a fabulous story just beginning to unfold for us, and you and your kind won't give it a serious minute of your time...Who do you want? Luther? Copernicus? Darwin? Marx? Freud? None of them has reinvented the world and our place in it as radically and bizarrely as the physicists of this century have. The measurers of the world can no longer detach themselves...Matter, time, space, forces all beautiful and intricate illusions in which we must now collude.[1]

The irony of this excursus does not escape the reader, who is engaged in reading a novel which itself enacts a radical reassessment of linear conceptions of time by examining the link between trauma and (the instability of) memory. Contrary to Thelma's assessment, the literary imagination has been fuelled by science for hundreds of years, and the 'fabulous story' of the twentieth century, in particular, has been providing material for further 'stories' since its emergence. One example might be the manner in which the theories of time and consciousness posited in J.W. Dunne's classic text *An Experiment with Time* (1927)[2] found expression in contemporaneous works; his thoughts directly influenced, for example, J.B Priestley's so-called 'Time Plays',[3] T.S Eliot's *Four Quartets* and Aldous Huxley's fiction. Dunne theorised that '[t]ime present and time past/ Are both perhaps present in time future', in short, that 'all time is eternally present'.[4] Human consciousness, he argued, nevertheless perceives time as linear.

The principal component of his theory resonates most clearly in Jeanette Winterson's literary model of simultaneous time, in which '[t]ime has no meaning, space and place have no meaning...All times can be inhabited, all places visited.' (SC, 80) Thus, Winterson exists on a continuum of writers beginning with Huxley and Priestley who, from the early twentieth century onwards, have challenged the boundaries between science and fiction with their explorations of the New Physics.[5] What might be called the postmodern continuation of that

[1] Ian McEwan, *The Child in Time* (1987; repr. London: Vintage, 1992), p. 44.

[2] Dunne posited that all moments in time occur simultaneously but that human consciousness functions in a linear manner, which means that our perceptions are limited to fixed points in time.

[3] Cf: J.B. Priestley's *Dangerous Corner* (1932); *Time and the Conways* (1937); *I Have Been Here Before* (1937); *An Inspector Calls* (1946).

[4] T.S Eliot, 'Burnt Norton', *The Four Quartets* (1944; repr. London; Faber and Faber, 1959), *ll*. 1-4.

[5] The New Physics refers to developments in science resulting from relativity and quantum theories at the beginning of the twentieth century.

project, of which Winterson is part, includes such works as Ian McEwan's *The Child in Time* (1987), Martin Amis' *Times Arrow* (1991), Audrey Niffenegger's *The Time Traveler's Wife* (2003), and the emerging writer Scarlett Thomas' *The End of Mr Y* (2008).

According to the literary critics Peter Middleton and Tim Woods, these more recent encounters between science and fiction embody the fundamental ambivalence expressed by postmodern theories of history towards more traditional conceptions, which viewed history as a 'medium for dispassionate and objective truth' and against which postmodern theories 'recoil'. This is because they have 'taught us to explore and investigate the investments by groups or ideologies in specific formations of "power" ' and to recognise diversity of experience instead of homogeneity.[6] The discourse of the New Physics has therefore formed part of a continuing dialogue between literature and science, informing that which Fredric Jameson has referred to as the postmodern crisis in historicity.[7]

I seek to investigate the manner in which Winterson employs the New Physics thematically and aesthetically in her historical narrative, *Sexing the Cherry* (1989), and in her 'interactive' text, *The PowerBook* (2000). I will enquire, firstly, whether by emphasising the 'story' in 'history', Winterson risks uprooting history from material concerns; and, secondly, I will ask whether exploring the potential of quantum-physics-inflected narrative for the model of autonomous subjectivity she develops in her novels results ultimately in 'entrapment' in the text.

Light and Air: Narrating Utopia?

Sexing the Cherry came onto a literary market primed for immediate and widespread critical discussion of this, Wintersons third novel. Indeed, the text confirmed her status as a significant new voice in British literature. Many critics understood the novel's historical setting as an alignment with the perceived postmodern project of rewriting history, equating this tendency with the then modish historical revisions of the New Historicism[8] in critical theory.[9] *The PowerBook*, published eleven years later, marks, according to Winterson, the

[6]Peter Middleton and Tim Woods, *Literatures of Memory: History, Time and Space in Postwar Writing* (Manchester: Manchester University Press, 2000), p. 10.

[7]Cf: Fredric Jameson, *Postmodernism, or, The Cultural Logic of Late Capitalism* (Durham, NC: Duke University Press, 1991).

[8]New Historicism was a school of critical thought which arose in the 1980s in reaction to the text-only approach of formalists and post-structuralist theorists. It argues that all human thought and activity must be viewed through the lens of historical context.

[9]Cf: Shena Mackay, 'The Exotic Fruits of Time', in *Times Literary Supplement*, 15-21 September, 1989, p.1006.

end of the 'cycle' of seven books.[10] On the one hand, the cycle closes a circle of thematic concern first broached in *Oranges are Not the Only Fruit* (1985), which the author summarises with the question: 'Do you stay safe or do you follow your heart?'[11] On the other, it describes an arc of aesthetic influences which encompasses new historical revision (in *Sexing the Cherry*) and, later, engagement with the *fin de millennium* discourse of virtual reality and interactivity (*The PowerBook*).

The author has claimed that she views fiction as a 'flying carpet', which enables the weightless transportation of both reader and writer across the boundaries of time and space. Winterson's fiction does battle with the laws of Newtonian physics and, consequently, with historiography. She states:

> All of my books manipulate time, in an effort to free the mind from the effects of gravity. The present has a weight to it - the weight of our lives, the weight of now. By imaginatively moving sideways, I try to let in more light and air.[12]

This strategy not only undergirds Wintersons aesthetic project, but it also reveals a *political* one. The literary scholar Jennifer A. Wagner-Lawlor, for example, posits that the 'light' and 'airy' space which Winterson creates in her fiction is a utopian one: that imaginary and ideal ουτόπος or 'not-place', in which social and political inequalities have been overcome. In this arena, the boundaries imposed by phallogocentric Enlightenment conceptions of space, time, history and consciousness, which have traditionally served to perpetuate those inequalities, are challenged, and mutual understanding reigns.[13] But by removing the twin pegs of time and space pinning down the fabric of history, the risk of it floating upwards, like the magical city in *Sexing the Cherry*, increases. As Middleton and Woods note, the resistance to forming 'alliances' with conventional historical studies risks entrapment in 'textuality'[14] and historical relativism. Winterson's work questions that which we understand to be 'real', but if it concludes that nothing is, then what purpose can utopia, in any form, serve?

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[10] Cf: Jeanette Winterson, Jeanette Winterson Website, n.d. Web. 11.02.11.

[11] Cf: Jeanette Winterson, Jeanette Winterson Website, n.d. Web. 11.02.11.

[12] Cf: Jeanette Winterson, Jeanette Winterson Website, BBC Interview with Michael Berkeley, n.d. Web. 11.02.11.

[13] Jennifer A. Wagner-Lawlor, 'In Praise of Love: Locating the Body in the Utopic Spaces of *The PowerBook*', in *Winterson Narrating Time and Space*, Margaret J.M Sonmez and Mine Özyurt Kılıç eds. (Newcastle: Cambridge Scholars, 2009), pp. 65-83.

[14] Middleton and Woods (2000), p. 11.

Revising History: *Sexing the Cherry*

The preface to *Sexing the Cherry* begins with a description of the Hopi, a tribe of Native Americans who 'have a language as sophisticated as ours, but no tenses for past, present and future. The division does not exist.' (SC, 7) The second paragraph cites the discovery inherent to the New Physics that '[m]atter, that thing the most solid and the well-known...is now known to be mostly empty space. Empty space and points of light.' (SC, 7) The implied author then asks what implications these observations might have for our concept of time and space. The reader is thus primed to embark on a narrative that appears to dismantle Newtonian concepts of absolute time (time as an arrow in flight, which has a straight and undeviating trajectory) and to reconstruct a model in which past, present and future exist simultaneously. Equally, objective materialist conceptions of space become meaningless in the face of atomic physics, freeing up space in the same way as time has been freed from its teleological propulsion. Placing pivotal questions of time and space in an inter-related sequence foreshadows the novel's own trajectory: as in Mikhail Bakhtin's concept of the chronotope in linguistic analysis, time and space are viewed to be utterly interdependent.[15] In the chronotopic unit of language or narrative, time and space 'intersect and fuse. Time takes on flesh and becomes visible for human contemplation; likewise, space becomes charged and responsive to the movements of time and history and the enduring character of a people.'[16]

Using the concept of the journey both figuratively and literally, the novel's first narrator, Jordan, draws on the language of quantum physics in order to set out his intentions: 'Every journey conceals another journey within its lines: the path not taken and the forgotten angle. These are journeys I wish to record. Not the ones I made, but the ones I might have made, or perhaps did make in some other place or time.' (SC, 10) The other journey in space, that of the 'hidden' or inner life, (SC, 10) is contingent only upon an alternative time. As a theoretical concept, however, Jordan's intention remains metaphysical until the narrative goes on to perform that which he promises: Jordans 'real' journey to the tropics to seek new types of fruit for the English court and his internal journeys to magical lands are narrated interchangeably, without a hierarchy of importance. If matter is nothing but '[e]mpty space and points of light' then the 'hidden life' of consciousness - the life 'written invisibly' or 'squashed between the facts' (SC,10) - is just as valid

[15]The term derives from the Greek: χρόνος ('time') and τόπος ('space') and, literally translated, means 'time-space'.

[16]M.M. Bakhtin, *The Dialogic Imagination: Four Essays by M.M. Bakhtin*, trans. Caryl Emerson & Michael Holquist (Texas: University of Texas Press, 1981), p. 84.

as 'real' life. The narrative carries this theory out, privileging neither 'atom [n]or dream' (PB, 13) but laying both side by side, equal in weight.

While the novel has its roots in 'history' (in Winterson's work this word is to be understood as the feminist theorists Luce Irigaray and Hélène Cixous understood it: as specular and phallogocentric), the Civil War itself functions only as a narrative backdrop of uncertainty against which the lives of the novel's two central narrators unfold. Equally, the historically accurate figure of John Tradescant, gardener and explorer to the king, remains a minor character. Instead, Winterson privileges characters who have otherwise been marginalised by history, for example prostitutes and the poor; she also affords the nameless 'mother' of Jordan, the loving and grotesque Dog-Woman, the role of second narrator. These characters are given licence to comment upon 'historical fact', an act that endows the reader with an alternative perspective. The literary scholar Alison Lee has noted that 'historiographic metafiction suggests that looking back to the past and mapping the "other journeys" can change our perceptions of the past as well as our relationship to it.'[17] However, the structure of the narrative does not merely rest with manipulating the past, but the future also.

In one of Jordan's strands of narratives there is a list of seven 'lies' which call into question basic Enlightenment 'truisms' about time and space, and thus anticipate the theories of quantum physics. 'Lie' number three states that '[t]he difference between the past and the future is that one has happened while the other has not.' (SC, 83) The novel contests this 'lie' by presenting the alternative twentieth-century 'futures' of Jordan in the character of Nicholas Jordan, and of the Dog-Woman in the figure of the unnamed female 'eco-warrior'; or, as critic Pauline Palmer puts it: 'identities and psychological attributes are envisaged as transcending the boundaries of time and space.'[18] These characters experience a form of visual fusion with their past doubles, suggesting that not only is the past present in future time, but that the future is present in past time.

This play with alternate subjectivities in alternate time and space is depicted as potentially liberating for the individual. As Jordan notes: 'If all time is eternally present, there is no reason why we may not step out of one present into another.' (SC, 90) It also adds an element of inevitability to Jordans finding Fortunata, the object of his romantic quest. His meeting with her 'may lie in the future or the past...I cannot be sure...But she is somewhere in the grid of time, a co-ordinate,

[17] Alison Lee, 'Bending the Arrow of Time: The Continuing Postmodern Present', in *Historicité et Metafiction dans le Roman Contemporain des Îles Britanniques*, Max Duperray ed. (Provence: Université de Provence, 1994), p. 225.

[18] Paulina Palmer, *Contemporary Lesbian Writing: Dreams, Desire, Difference* (Buckingham: Open University Press, 1993), p. 103.

as I am.' (SC, 93) Despite, however, his insistence on the possible futurity of this encounter, the comment above begins with the words: 'The scene I have just described.' For the reader, then, the narrator's insistence on the potential futurity of the event has little effect on the linear process of reading with which she is engaged, despite the effective use of the present perfect with its time-straddling nature.

Books themselves are analogous to J.W. Dunne's theory of time. They contain their past, present and future within the covers. As the narrative theorist Mark Currie puts it: 'The present is the object of a future memory and we live it as such, in anticipation of the story we will tell later, envisaging the present as past.'[19] However, each of those phases is relative to the position of the reader's bookmark.[20] In other words, whilst the book physicalizes the notion of simultaneous time, it does the same for the linear process of time-perception. The present, which is actually past, i.e. written, is eternally present in that the reader cannot read more than one page at a time. Furthermore, she knows that the future is undetermined, but simultaneously already determined i.e. written but not read. The past is past, and not the future, because she has just read it.

The descriptions, too, of the fluidity of time and space are caught in the trap of *différance*, a constant deferral of meaning and the act of defining things by recourse to that which they are patently not.[21] Language, just like traditional conceptions of time and space, attempts to pin down experience, concealing its inability to do so by virtue of convention: Jordan's experience of time is 'mostly like my experience with maps', (SC, 89) like 'turning the globe round and round'; space is like a 'concertina', (SC, 23) or not 'like chess', but a 'theatre of changing sets.' (SC, 100) Inexpressible experience must still be rendered within metaphor, but, for Winterson, metaphor, far from being a trap, offers 'transformation', constituting that which is 'carried above the literalness of life.'[22] For, while the 'most real, the best-loved and well-known' things are only 'hand shadows on the wall', the 'heaviness' (SC, 33) of reality may be lifted by that same realisation.

[19]Mark Currie, *About Time: Narrative Fiction and the Philosophy of Time* (Edinburgh, Edinburgh University Press, 2007), p. 5.

[20]Mark Currie (2007), p. 5.

[21]Cf: Jacques Derrida, ' Différance', in *Bulletin de la Société française de philosophie*, LXII, 3 (1968), 73-101.

[22]Jeanette Winterson, *Art Objects* (London: Vintage, 1996), p. 66.

Empowering Narratives: The PowerBook

Sexing the Cherry ends with a lightness which affords flexibility in subjecthood and the potential for personal change. *The PowerBook* functions as the logical continuation of the process of shedding ballast, which entails that the novel's action appears to float, weightless, above the reader. The texts central conceit, that of the conflation of web-based interactivity and the transformative potential of reading and writing for the subject, is an attempt to lift narrative from the confines of Newtonian space and time and to enter the possible worlds of quantum theory. Visually, the first-edition hardback emphasises the connection with the virtual world by placing computer icons on the front cover. The contents page is renamed 'Menu' and each new section is given the imperative mode of computer commands: 'Open Hard Drive', 'Search' and 'Empty Trash'. The omniscient author has 'gone interactive', (PB, 27) and, in an allusion to the theories of reading typical of post-structuralist *Rezeptionsästhetik* (reception or reader-response theory) is as much 'controlled' by both the reader and the protagonist of the narrative as the reader and protagonist are 'controlled' by her.[23] All narrative authority is seemingly relinquished in the reflexivity of the narrator's observation that '[t]his is a world inventing itself.' (PB, 63)

The PowerBook is, in fact, rather a collection of stories, fragments and interregna (i.e. gaps in continuity) than a novel, to a greater extent even than *Sexing the Cherry*. However, the virtual meetings of the narrator and her lover, which take place in narratives set both in sixteenth-century Turkey and Holland and modern-day Paris, segue seamlessly into their 'real' meeting in London, segue, too, into the inserted re-tellings of the stories of real and fictional lovers: Guinevere and Lancelot, Francesca da Rimini and Paolo, the hunter and the princess, Orlando[24] and his/her lost love. In this way, the text engages with the discourse of eternal or divine time (linked here with love and narrative) versus moving time, that of the 'real' world. Familiar images arise in each narrative strand creating a circulatory flow between time, space, fiction and reality.[25] Here

[23] 'The convergence of reader and text brings the literary work into existence, and this convergence can never be precisely pinpointed, but must always remain virtual, as it is not to be identified either with the reality of the text or with the individual disposition of the reader.' Wolfgang Iser, 'The Reading Process: A Phenomenological Approach', in *Modern Criticism and Theory*, 3rd edition, David Lodge and Nigel Wood eds. (Harlow: Pearson, 2008), p. 295.

[24] 'Art is metaphor. Metaphor is transformation. Orlando is metaphor, is transformation, is art.' Winterson (1996), p. 66.

[25] Compare the Lancelot/Guinevere narrative: 'My feet, bare and clean on the cold floor of my penance, left charcoal marks where I walked. The flagstones of your heart have become hearthstones. Wherever we stood, there was fire at our feet', (PB, 69) with the 'main' narrative: 'We looked like lovers blazing for each other.' (PB, 106).

again, the narrator supplies the reader with a metaphorical framework: memory becomes 'images' that 'time changes and that change time, just as the sun and the rain play on the surface of things', (PB, 44) and life, or rather 'the one life we think we know', becomes 'only the window that is open on a screen'. (PB, 103)

While narrative space can be utopian, it can also be a trap triggered by 'writing yourself towards an ending that need never be told.' The story 'convinces itself, and does its best to convince you.' (PB, 53) The narrator's advice is to '[b]reak the narrative. Refuse all the stories that have been told so far...and try to tell the story differently in a different style, with different weights and allow some air to those elements choked with centuries of use, and give some substance to the floating world.' (PB, 53) Following that advice, the narrator offers the reader two alternative endings: one in which the narrator convinces her lover to stay, and one in which she does not. The reader, who has already been challenged once by the implied author, is once again given, nominally at least, an active role in the process of the story. In the first case, the reader is told that she herself is being read by the story 'line by line' (PB, 84) and in the second, that she can 'choose' the ending that she wants. (PB, 205) By removing the boundaries between implied author and reader, between reading and being read, the author places the reader of *The PowerBook* in a world where reality and dream appear as one, time and space mean nothing, and where the only choice to make is the choice to tell your own story, or rather, to tell yourself: 'You can change the story. You are the story.' (PB, 243)

But can the reader *really* alter the story? The tension that drives The PowerBook is to some extent precisely that of the tightrope-walker: Winterson attempts to negotiate a narrative sphere informed by simultaneity, possible-worlds theory and post-structuralist deferral of meaning (versions), in which she invokes a link between the mutability of story-telling and the autonomous subject, freed from the constraints of time, space and history. But this is an unresolvable paradox. It is the attempt of the puppet master to convince the audience that the puppet dances of its own free-will, or because the audience asks it too. The linear process of reading complicates this further as our awareness of the pages to come negates the feeling of interactivity and, consequently, 'control' with which the narrator seeks to imbue the reader. The novel may indeed, following the literary theorist Wolfgang Iser,[26] come into being through the convergence of text and reader, but the materiality of the textual framework dictates how far this interaction may go. The logical conclusion of Winterson's project would be entirely computer-generated, fully interactive 'texts', which, by prioritising

[26]Wolfgang Iser (1926-2007), a German reader-response theorist, argued that a text only becomes 'whole' once author, text and reader have converged in the process of reading.

the reader over the author might raise questions concerning the viability, for Winterson, of taking this model further. In a similar manner, postmodern theories of historiography which emphasise the malleable, fictional nature of historical narrative may open themselves up to accusations of historical relativism and the ethical issues which that raises.

Throughout the cycle of books to which *Sexing the Cherry* and *The Power-Book* belong, Winterson's exploration of the fictional nature of life and history, although at times risking an ouroborus-like[27] 'entrapment' in the text, is grounded by her emphasis on affect. Her continued insistence on loves transformative capabilities, in particular, places her in the philosophical tradition of the British Idealists, J.M.E. McTaggart in particular, for whom love is the 'supreme' good. For Winterson, as for her narrator, it is ultimately love that becomes both 'the keeper of clocks', (PB, 244) and the true 'history of the world.' (PB, 244)

Conclusion: Affecting Weightlessness

In the final analysis, Winterson employs the principles of temporal and spatial multiplicity and simultaneity inherent in the New Physics as a tool with which to challenge the notion of objective truth within historicism. Rather than uprooting history from material concerns, *Sexing the Cherry* encourages the reader to view it from a different perspective. This is because re-writing history from the view point of the marginalised challenges normative attitudes towards, in particular, class, gender and sexuality. Furthermore, by engaging scientific and historiographical discourse within the realm of fiction, Winterson herself both enters and challenges what are still decidedly male domains. *The PowerBook* challenges notions of objective truth by 'empowering' the subject. This text seeks, in short, to narrate the potentiality of subject agency, both the characters and the readers. This strategy does not result in 'entrapment' within myriad potential subjectivities, i.e. within multiple, discrete 'texts', due to Wintersons emphasis on love as a touchstone. Love connotes an ideal model of intersubjective relations and acts to counteract the potentially destabilising consequences of dismantling traditional, concrete conceptions of time, space and history.

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[2] Winterson, Jeanette, *Sexing the Cherry*. 1989; repr. London: Vintage, 2001.

[3] Winterson, Jeanette, *The PowerBook*. 2000; repr. London: Vintage, 2001.

[27] The ouroborus is an ancient symbol depicting a serpent or a dragon eating its own tail.

[4] Winterson, Jeanette, *Art Objects*. London: Vintage, 1996.

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All members of the MCR and those who have recently graduated, are encouraged to submit. Irrespective of the discipline from which submissions come, the aim of the New Collection is to present the diverse spectrum of research in a way that is accessible to all.

Email submissions should be sent to: new.collection.mcr@gmail.com (No hard copy submissions are necessary). Please use whatever reference style is appropriate for your discipline. Authors will have the choice of whether or not they would like their submissions considered working papers whereby readers are asked not to cite the work without the author's permission. This is to help ensure that publication in the New Collection does not preclude publication elsewhere.

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Questions:
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