

Sex, death and their
associated legal
undertakings in
william shakespeare's
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In French, *la petite mort* is an expression that literally means “the brief loss or weakening of consciousness” but usually refers to “the sensation of orgasm as likened to death.” This phenomenon is probably not a revelation, given that every author of hackneyed romance novels references it in trite and often awkward sex scenes but the point is, it is not a novel singularity, originating in mid 20th century erotica but rather, the association of sex and death alongside the law is age-old and has existed even prior to the mid-Renaissance career of William Shakespeare. In the Vienna portrayed in Shakespeare’s *Measure for Measure*, sex is set to become highly regulated after a 14-year period of hedonism and wantonness and it falls to Angelo to enforce these rules. The brothels are about to be shut down in Vienna’s equivalent of Amsterdam’s red-light district, and a young man named Claudio is imprisoned, condemned to be put to death for engaging in unambiguously consensual sexual intercourse with his fiancé Juliet, who becomes pregnant. After this introductory chain of events, the play unfolds to reveal a complicated and contradictory juxtaposition of sex and death which is further intensified by the existence of the law which attempts to govern their concurrence. Moreover, Isabella, Claudio’s sister, and Angelo, the leader of Vienna during the majority of the play, are religious and moral extremists who often conflate sex with death in their dialogue and soliloquies to the point it is often unclear which they are referring to and spend the scope of the play negotiating with how to come to terms with their desires in the context of the law.

Measure for Measure opens with Duke Vincentio, the leader of Vienna, handing over the legal jurisdiction of Vienna to Angelo. The Duke bequeaths

his power to Angelo by saying, “ Mortality and mercy in Vienna/Live in thy tongue and heart (1. 1. 44-45).” From the onset of the play, the power to kill, the nature of mortality, and the ability to save others from death and offer mercy, are in constant interplay with each other and with matters of the body, in this case, the tongue and the heart which are both explicitly sexual organs or at the very least, organs of romance. In the next scene though, in stark contrast to the formal political machinations of the first scene in the play, Lucio and his friends are jesting about venereal disease in the light-hearted manner of men who have nothing better to do when the tone immediately changes at the entrance of Mistress Overdone, a brothel madam who proceeds to inform the group that Claudio has been imprisoned and sentenced to death for impregnating Juliet. After Lucio’s departure, Pompey the clown enters and notifies the group as well as the audience of the shutting down of all the brothels in Vienna but doesn’t hesitate to assure Mistress Overdone that she will always have enough customers to keep herself and her business financially afloat. When Lucio goes to the prison and asks Claudio himself what crime he has committed to warrant such punishment, Claudio replies,

“ From too much liberty, my Lucio, liberty./As surfeit is the father of much fast,/So every scope, by the immoderate use/Turns to restraint. Our natures do pursue,/Like rats that raven down their proper bane,/A thirsty evil; and when we drink, we die (1. 2. 105-110).”

He eventually stops evading Lucio’s question and tells him that the sin he is being imprisoned for is lechery, in more specific terms, engaging in sexual intercourse with Juliet who he genuinely intended to marry before issues with <https://assignbuster.com/sex-death-and-their-associated-legal-undertakings-in-william-shakespeares-measure-for-measure/>

her dowry arose and her parents halted the progression of the marriage. It is highly notable that in the case of Claudio and Juliet at least, it is not the sheer act of sex that is being punished by the law but the fact that there is physical proof of their fornication with her now visible pregnancy, thereby publicizing an act that was initially inherently private and contained to the bedroom with her lover. Juliet at this point in the play is similar to Isabella herself since both women exist outside the boxes that most women fall into in Renaissance Vienna, as virgins looking to be married, wives, or whores. Isabella is attempting to take herself out of the marriage equation by becoming a nun but Juliet on the other hand is sexually active and faces the consequences of her indiscretion but is not a wife yet and since she only has sex with Claudio and without any financial obligation to do so, she is not a whore either. The question that dominates the Vienna of the play is, if nobody knows that a person had sex, did they actually have sex? If two people copulate in a distant forest somewhere without letting anybody know (and obviously if they take the necessary precautions to ensure no pregnancy or sexually transmitted disease transpires) then theoretically, these people are free of the legal consequences of having sex as well, which is ironic and even hypocritical. The language that Claudio uses to discuss his supposed crime though is highly indicative of the play's outlook on human sexuality, even sexuality that is consensual and not the result of duty or coercion. The metaphor Claudio uses of rats dying from being poisoned is vivid and odd given the nature of his crime but then again, by criminalizing sexual intercourse outside of marriage, the disparate entities of sex, death, and the laws which govern them cannot be separated or, in the case of

Claudio who is condemned to death for his crime of physical love, even remotely differentiated. Claudio proceeds to beseech Lucio,

“ I prithee, Lucio, do me this kind service./This day my sister should the cloister enter,/And there receive her approbation./ Acquaint her with the danger of my state...beside, she hath prosperous art/When she will play with reason and discourse,/And well she can persuade (1. 2. 153-156, 161-163).”

By this entreating, Claudio indicates to the audience that his sister, Isabella, is about to take her vows to become a novice nun, and also that it is not her beauty or her virtue that make her a formidable candidate to plead for his life but her skill with reason and discourse, her ability to persuade. Like many of Shakespeare's other female characters, Isabella is not described by her physical attributes but rather by the content of her character. In fact, throughout the entirety of Shakespeare's bibliography, one of the only descriptors of the female form comes in *A Midsummer Night's Dream* where Hermia is described as being of short stature still though with nary a description of her physiognomy. When Angelo feels lust towards Isabella, his rationale is entirely cerebral in nature and his lust seems to be truly sapiosexual if that is remotely possible outside the language of theory. It is notable that Isabella's reputation precedes her before she is physically present in the play and through her brother's words, it is clear that not only is Isabella physically and ideologically pure enough to receive her approbation but also possesses a distinct skill of rhetoric, which is far from typical of a novice nun. In a sense, it is possible to postulate that Isabella and Claudio sort of exist in a sort of gender-swapped universe where Claudio is the delicate damsel in distress and Isabella is the one responsible for <https://assignbuster.com/sex-death-and-their-associated-legal-undertakings-in-william-shakespeares-measure-for-measure/>

negotiating his survival although her weapon of choice is not a sword or spear but her wits and her brain. Moreover, when it comes to understanding the relationship between Isabella and Claudio, it is also necessary to consider the underlying insinuations of their existence as almost unattached entities in Viennese society, without parents or patrons and forced to fend for themselves so to speak. At one point in the play, Isabella suggests that the lives of her parents as well were rife with sexual immorality and seems to imply that Claudio's actions are genetic in nature but for whatever reason, Shakespeare does not extend this potential plot point and never really discusses the familial status of Claudio and Isabella as children but rather focuses on their relationship as siblings and how they negotiate their lives and sexualities in a world that is intent on policing every aspect of their agency.

In Act I, Scene 3, the Duke asks the Friar to provide him with a costume so that he can disguise himself as a visiting Friar. The Duke states that he does not feel comfortable for punishing the people of Vienna for their hedonism because he technically sanctioned it in the first place but still is concerned about the state of affairs in the city. In addition, it is also assumed that the Duke himself has been guilty of crimes of a similar nature that he is condemning in the possibly not so distant past. While Angelo will later expose himself to be a stalwart hypocrite, propositioning Isabella and suggesting she give up her maidenhead in exchange for her brother's literal head, but without a sense of any real stated cognizance for the irony of his actions, the Duke is dangerously self-aware. He is the most powerful character in the play and even when he is not on stage, pulls the strings as if

every other character in the play are only puppets on strings and engineers the schemes and events that will ultimately decide the fates of the entire cast. In a sense, the Duke is above the law in a sense because he decided how the law ought to condemn individual people and ultimately, it is not about the fact that sex is seen as poisonous to the state of Vienna but rather about the narrative that the Duke allows to be perpetuated about sex. That is, through the closure of the brothels, sex in Vienna is regulated and therefore, it is understood that sex is the problem to be curtailed and even if the danger of sex is imagined, because of its delineation as a threat, it becomes the real issue to be addressed on a societal level. As John Dollimore succinctly summarizes,

“ The problem with the concept of *realpolitik* is that it tends to discount the non-rational but still effective dimensions of power which make it difficult to determine whether crisis is due to paranoia generating an imaginary threat or whether a real threat is intensifying paranoia. And of course, even if the threat is imaginary this can still act as the ‘ real cause of the ensuing conflict.” (Dollimore, 78-79) In a sense, the law of the city is mutable according to the whims of the person in power, in this case the Duke since while Angelo is the seeming leader of the city, in some ways, he is still only a figurehead and moreover, it is necessary to understand the nature of the law to understand how the play ultimately pans out.

But, the fact that Isabella is first presented to the audience in Act I, Scene 4 in the convent is intentional and absolutely crucial to her later characterization. Lucio requests that Isabella physically leave the nunnery to plead for her brother’s life, for forgiveness of what she believes to be a sin in <https://assignbuster.com/sex-death-and-their-associated-legal-undertakings-in-william-shakespeares-measure-for-measure/>

accordance to her religion although she ultimately chooses to act on her familial loyalty rather than religious devotion. The existence of the nunnery in relation to the patriarchal atmosphere of Vienna is also crucial to understanding the structures within the city as well as the relationships between sexuality, religion, and the law. As Jessica Slights writes,

“ Like Saint Clare’s dream of founding a religious order for women, Isabella’s desire to become a nun involves the dissident repudiation of men’s right to control women’s destinies. When we speak of ‘ dissidence’ here, we do not have in mind full-scale revolution, but rather the various tactical actions that allow individual agents to resist coercive authority in their daily lives. Such dissident acts are often necessary to accommodate fundamental personal desires and ought, therefore, to be considered techniques as well as, at times, critical interventions in otherwise hegemonic cultural formations (Slights and Holmes, 272).”

In other words, the desire of Isabella to become a nun can almost be perceived as a subconscious transcendence of the social order even if Isabella is most likely the last person to label herself as an iconoclast. If she becomes a nun, she cannot ever be a wife or mother but also will not ever be directly subservient to the orders of any man, except of course, to the will of God. In a sense, Isabella’s taking the veil is a way of taking herself out of the game of marriage in Viennese society, rendering herself free of a fixed identity that she would otherwise have to be circumspect to as a potential wife and mother. By choosing to enter the church, Isabella has made the active choice to remain a virgin, which in its own way, is an act of consent because no one is forcing or coercing or blackmailing her to join the Church

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and moreover, her stubborn adherence to retaining her virginity throughout the play is a sequence of attempts to regain control over her own body and sexuality by refusing to be a potential sexual or romantic partner to Angelo or anybody else. Of course, through his proclamation at the end of the play that she will marry him, the Duke alters her identity from the nebulous place of an almost novice who has still not taken her vows to the firm locus of lawfully wedded wife, Isabella.

Act II Scene 2 is a pivotal scene in the play because it is the first meeting of Angelo and Isabella, who are both extremists although while Isabella can be characterized as well-intentioned, Angelo is most definitely not. Isabella begins by pleading with Angelo to condemn Claudio's fault rather than his person, but Angelo moves forward to argue that a person who commits a crime must be punished for it and well, Isabella definitely agrees that Claudio is guilty of a crime. Lucio whispers to Isabella that she should try harder to bargain for her brother's life at which point Isabella claims that Claudio would have mercy on Angelo if the roles were to be reversed but to no avail. Isabella then calls out to Angelo that she will bribe him, and Angelo is intrigued by her determination as well as the sexual undertones of her statement and tells her to come back the next day. After Isabella departs, the scene concludes with a soliloquy by Angelo where he realizes he possesses a sexual desire for Isabella which is inappropriate and inopportune in a number of ways. He speaks out,

" What's this? What's this? Is this her fault or mine? The tempter or the tempted, who sins most, ha? Not she; not doth she tempt; but it is I That,

lying by the violet in the sun, Do, as the carrion does, not as the flower
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Corrupt with virtuous season... Dost thou desire her foully for those things
That make her good? O, let her brother live! (Angelo, 2. 2. 167-172, 177-
178)”

The above excerpt is so crucial to the central idea of the play because it directly continues the earlier analogies in the play made between sex and death. Angelo uses the metaphor of the carrion in the sun (carrion is defined as dead, rotting flesh) and directly relates it to his sexual desire for Isabella, his inappropriate and wrongful desire since Isabella is about to be initiated as a nun and is not his wife. It is honestly deeply disturbing that the more Angelo ponders on the wrongfulness of his desire, the more he seems to want Isabella with no regard of her want for him or rather, the lack thereof. But Angelo wonders why he is sexually attracted to Isabella and realizes that it is not her looks or her charm but rather her skill in diction and rhetoric, the way she communicates with him and that along with her virtue tempts him all the more. At this point in the play though, Angelo does not seem to have explicitly formulated the proposal to exchange Isabella's maidenhead with Claudio's actual head. However, it is clear that despite the many hazards of sexually desiring Isabella, Angelo is considering yielding to some of his repressed instincts against his better judgment. Ironically and downright hypocritically, Angelo finds himself vulnerable to the same desires he is putting Claudio to death for. His position on the righteousness of sex changes entirely and rather than being insistent on holding up the prescribed law, he is now more focused on avoiding culpability for the potential consequences of his desired union with Isabella. In a sense, Lucio seems subliminally aware of Angelo's weaknesses from the very beginning,

encouraging Isabella to touch Angelo and in a way, present herself as a sexual object when she is initially unwilling to be that kind of sexually available for Angelo or really for anybody. He might even be expecting Angelo's proposition to Isabella and want Isabella to accept the deal to save her brother's life but Isabella herself is a puritanical radical and regards fornication outside of the confines of marriage to be an unequivocal sin, for both men and women.

Act II, Scene 4 begins by Isabella once again going to Angelo and requesting that he spare her brother's life and while he repeats that Claudio will die, he seems marginally more hesitant in his proclamation. When Isabella asks for clarification, Angelo says, " Which had you rather: that the most just law/Now took your brother's life, or to redeem him/Give up your body to such sweet uncleanness/ As she that he hath stained (2. 4. 52-55)." In more explicit terms, would she give up her body, that is, her virginity to save her brother's life? Isabella replies that she would rather give her body than her soul and Angelo pushes back asking whether there is a certain charity in sin if it for the " greater good" so to speak. There is then a few lines of equivocation where Angelo attempts to make Isabella comprehend what he is proposing but she refuses to renege on how she will not redeem her brother's sin by further sinning. Eventually, Angelo tells Isabella that he loves her to which she replies, " My brother did love Juliet,/And you tell me that he shall die for it (2. 4. 143)." Isabella is starkly aware of how the criminalization of sexuality in Viennese society means that no matter what, she will be punished for her actions whether or not she has sex with Angelo out of wedlock and moreover, there is the high probability that even if she sleeps with him, he

will still kill Claudio. When Isabella rejects him yet again and tells him that she will spread word of his proposition to her, Angelo arrogantly but most likely righteously asks her who will believe her. After all, he has a sound reputation and power in the state while she is simply an intended novice nun with a brother that is condemned to die. Initially Isabella's naïveté to Angelo's intentions is frustrating from the perspective of the reader or audience and oddly enough, or perhaps not so oddly given the state of human nature, it is the sheer nature of Isabella's reluctance to sleep with him or with anybody for that matter that seems to make Angelo desire her all the more. Logically speaking, it would not be difficult for Angelo to find a sexual partner in Vienna but because of Isabella's sheer unavailability, it is only she that draws him out of his resolution to celibacy.

Moreover, even though he claims to love her, Angelo never offers to marry Isabella, which would theoretically legitimize their proposed sexual union under the law of Vienna. Isabella and Angelo both continually remark on the act of "sin," fornication, in relation to death, Claudio's death in particular, but also Isabella's potential death if she is forced to give up her virginity to Angelo, or to anybody for that matter. It is valid to question though even if Angelo's and Isabella's union was legitimized if she would still intend to lay down and because she does not seem to condemn sex under the constraints of the marriage bed but rather solely regards sex out of wedlock as deplorable. But, even if Angelo intended to marry Isabella, she does not want to marry him let alone engage in the physical act of sex with him so in any case, he is putting her in a precarious position, where she is trapped with no way out. Or at least, she would be if it were not for the Duke who as it was

previously stated, supersedes both Angelo and the literal law in Vienna because he is the arbitrator of the law even if he technically has to concede to the voices of his people.

When refusing Angelo, Isabella says, " As much for my poor brother as myself. That is, were I under the terms of death, Th'impression of keen whips I'd wear as rubies, And strip myself to death as to a bed That longing have been sick for, ere I'd yield/My body up to shame (2. 4. 99-103)." For someone as averse to the idea of sex as Isabella purports to be, she clearly is fixated on it, utilizing extremely sexualized images to convey how averse she is to sex. The image of being whipped with whips of rubies is extremely sexual in nature which Angelo most likely takes notice of as well. Like Angelo who is extremely repressed, Isabella herself is also equally repressed. As Carolyn Brown writes,

" While disavowing her forbidden gratification, she [Isabella] attests to it her negation. Her religious life secretly gratifies her masochistic needs yet conceals this gratification by asceticism. She reminds us of medieval ascetics who scourged themselves or received flagellations from their superiors and often relished these activities (Brown, 69)."

She formulates the idea that her brother's death is preferable to her committing an act of sin and she states. She emphasizes how disturbing the intertwined relationship between Isabella's chastity and her brother's death is and Isabella at least cannot imagine a world where she can see herself as alive without her virginity.

Act III, Scene 1 begins with the Duke visiting Claudio in prison and attempting to ready him for his death, saying that he should think of it as better than life since life is unequivocally more frightening than death because of its fundamental complications. Then, Isabella enters and requests an audience with her brother, so the Duke takes his leave. Isabella then tells Claudio that there is no way he can avoid his forthcoming death because the only other alternative is life imprisonment but outside of jail, an utter loss of honor. Eventually, she tells him of Angelo's proposition to exchange her virginity for his life and Claudio initially readies himself to die, musing on Angelo's hypocrisy, how he can possess such desires towards an almost nun at that but still doggedly enforce a law against those very longings. But Claudio misunderstands the nature of the law, especially as it is in the city of Vienna. As Slights and Holmes write,

“ Angelo, the play's principal “ hypocrite,” defends his decision to condemn Claudio by denying his own agency, a tactic that enables him to eschew mercy: “ It is the law, not I, condemn your brother” (2. 2. 80). Angelo's recourse to abstract and inherited principles of justice belies both the constructed character of the law and the necessary role of human agency in administering its precepts (Slights and Holmes, 278).”

While Angelo's role is as a guardian of the law, the law is incontrovertibly something intrinsically human and not quantitative in nature. The law is not innate in the backbone of a society but is constructed by human beings who ultimately decide how the law is executed and deals with crime or other misdemeanors in the community. So, when the law attempts to dictate the sexual activities of the people of Vienna, it is really an individual behind it, in <https://assignbuster.com/sex-death-and-their-associated-legal-undertakings-in-william-shakespeares-measure-for-measure/>

this case Angelo, who takes charge of the moral upkeep of the city despite his inability to adhere to this standard of morality himself.

Almost immediately after stating his decision to die though in the aforementioned scene, Claudio reneges on his declaration and begs Isabella to yield to Angelo's proposition without realizing that even if his sister sleeps with Angelo, Angelo could still very easily have him killed. Claudio claims to Isabella that lechery is not a sin or at least, is the mildest of the deadly sins but to no avail; she angrily calls her brother a coward, telling him that it is a kind of incest for her to have sex in order to save his life and storms out.

Then, the Duke enters the scene and tells Claudio that Angelo was only testing Isabella's virtue and would have him put to death no matter what she did. He then requests an audience with Isabella and asks her how she plans to save her brother from his fate only to have her respond, " I am not going to resolve him. I had rather my brother died by the law than my son should be unlawfully born (3. 1. 189-190." In this, she reiterates the direct association between the law and sex and death, in this case Claudio's own impending demise, which prevails throughout the play.

In the first scene of Act IV, Mariana is introduced although notably, she says very little and mainly lets the Duke dominate the conversation but then again, even Isabella who is previously lauded for her skills in rhetoric and speech demurs to him as well. The Duke easily possesses the most political authority in the play but moreover, he also has a sense of assurance that no other character shares simply because he is highly accustomed to getting his way, in superseding any law or societal expectation that he might disagree with. While the Duke is explaining the bed switch scheme to Mariana and <https://assignbuster.com/sex-death-and-their-associated-legal-undertakings-in-william-shakespeares-measure-for-measure/>

Isabella, he does not mention that it very easily could fail due to the proposed intimacy between Mariana and Angelo which is an intangible entity not to mention the legality or morality of the bed switch but perhaps intentionally so. The bed switch scheme is interesting for a number of reasons because it brings up the issue of sexual consent in terms of the law. The fact is, Angelo would obviously not consent to having sex with Mariana but through the Duke's manipulations, it comes to be and he is then forced to marry her even though he states that he would rather die. Moreover, the Duke is the ostensible legal authority in Vienna, even when Angelo is the figurehead of political power in the city and so it is highly morally suspect that he encourages the bed switch because it is for all intents and purposes, rape although it is arguable whether the perpetrator of the crime is Mariana or the Duke himself. While Claudio and Juliet had a similar contract to Angelo and Mariana, in their case, their union was fully consensual and for all intents and purposes, loving, but was still deemed unlawful.

In the case of Mariana and Angelo though, even though Angelo would be entirely unwilling if aware of who he was sleeping with, it is still seen as acceptable within the scope of the play, perhaps because Angelo, as a hypocrite, seemingly "deserves" to be punished. However, similar to Isabella's lack of verbal consent to the Duke's proposal of marriage at the end of the play, Angelo's unwillingness to sleep with Mariana contributes to the problematic nature of Measure for Measure as a "problem play." While female on male rape is rare for numerous reasons, this situation is definitely unique, and it is unclear to what extent Mariana herself has a choice in

sleeping with Angelo in Isabella's place since she too is a subject of the Duke as a citizen of Vienna.

Unlike the comedies which came before it, the ending of the is somewhat discomfoting. While Juliet and Claudio are permitted to be married as they so desired and have their child be legitimized, Angelo is forced to marry Mariana after he sleeps with her thinking it was Isabella, Lucio is forced to marry the woman he previously impregnated, and the Duke states he will marry Isabella but notably, she does not verbally consent to the marriage or presumably, to have sex with him and give up her position as a nun. In fact, his proposal comprises the very last lines of the play when he states in front of most of the characters in the play, " If he be like your brother, for his sake/Is he pardoned and for your lovely sake/Give me your hand, and say you will be mine./He is my brother too (5. 1. 484-487)." But although he proclaims in the last lines to the entire cast that he will marry Isabella, she is noticeably silent, and it is unclear what her actual answer would be to the proposal if she had a real choice in the matter. In some adaptations of the play, both modern and more classic in nature, it concludes with tacit consent on the part of Isabella, a kiss between her and the Duke or at the least a meaningful smile acknowledging her willingness to marry him and give up her erstwhile ecclesiastical intentions. But in the original play, there is no such indication and it falls to the audience or reader to decide to what extent the Duke can be seen to be as sexually coercive as Angelo, the original hypocrite from earlier on in the play who is far easier to condemn because of how clumsy his manipulations are in comparison to the Duke's. The fact is, throughout the entire play, not a single thing happens without the Duke's

knowledge and while the rest of the characters do have agency to act and are accountable for their actions, the strings are pulled by the Duke, even when he is not present in the scene at hand.

In short, in Shakespeare's *Measure for Measure*, it is crucial to understand the relationship between sex, death, and the law. While it is impossible to precisely state how and why the characters in the play behave as they do, ultimately, the issues raised in the play of consent, agency, sexuality, and the simultaneous desire for and fear of death are omnipresent in all societies both Renaissance and modern alike. In other words, while the technical criminalization of sex out of the sanctions of marriage is probably unlikely to happen again, the policing of people's sexuality, namely of women's sexuality is still prevalent to this day in both the United States and all over the world. The characters of Isabella and Angelo in particular are both admittedly religious and moralistic extremists but also at the same time, show their innate mortality in a way that is disturbingly relatable even to the modern audience. Ultimately, it remains to be seen whether there will truly ever be any form of real freedom when it comes to human sexuality or if it's an innate tendency to want to control that sentiment, particularly in women and other groups who are marginalized in terms of their race or sexuality by society at large. But nonetheless, *Measure for Measure* offers a unique and crucial analysis of the often ambiguous yet highly interrelated topics of sex and death in accordance with the law.