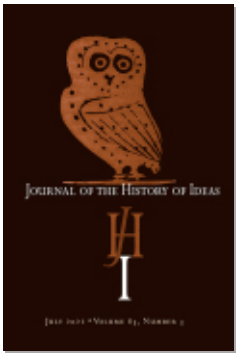
Debating Drama in the Early Modern University: John Case, Aristotle's *Politics* , and a Previously Unknown Oxford Disputation



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Debating Drama in the Early Modern University: John Case, Aristotle's Politics, *and a Previously Unknown Oxford Disputation*

Daniel Blank

The question of the morality of theatrical performance reverberated throughout early modern Europe. It was addressed by humanists and theologians, pamphleteers and players, echoing across a wide variety of polemical contexts. Yet despite the range of these discussions, the participants held in common their reliance upon, and reference to, the authors of the classical world, where theatrical performance had likewise been a controversial issue. The purpose and propriety of drama had been discussed at length by Plato and Aristotle, both of whom were invoked in the early modern debates; the rediscovery of Aristotle rendered him a particularly frequent referent. His position within these debates was variable, however. Although he has often been viewed by modern critics as one of the period's protheatrical authorities, in sharp contrast to the antitheatricalism of Plato, the documentary record suggests that this was not always the case. The manner in which early modern thinkers engaged with Aristotle regarding the theatrical question merits further attention. This article will examine that

For their insightful comments, I am grateful to Anthony Grafton, Kirsten Macfarlane, and especially Richard Serjeantson, who first called my attention to the manuscript under discussion. I would also like to thank the anonymous readers as well as the *JHI* editors for their invaluable suggestions.

engagement in one of the early modern world's foremost academic settings: the University of Oxford.

Theatrical performance was an especially contentious issue at Oxford during the late sixteenth century. The majority of scholarly discussions revolve, with good reason, around the showdown between William Gager (1555–1622), Christ Church's renowned academic playwright, and John Rainolds (1549–1607), Elizabethan Oxford's most outspoken opponent of theatrical performance. Their controversy unfolded through an exchange of letters that began in 1592; it reached a larger audience upon the 1599 publication of *Th'overthrow of stage-playes*, which included all of Rainolds's letters to Gager as well as a portion of his subsequent correspondence with Alberico Gentili, the Regius Professor of Civil Law. Two disputations on the subject are also known to have taken place: in 1584, students pursuing their master of arts degree addressed the question of whether drama should be permissible in "a well-governed community" ("Utrum ludi scenici in bene instituta civitate probandi sint?"); in 1593, students seeking to become doctors of civil law disputed whether actors are "infamous" ("An histriones sint infames?").[1] The response to the former is unknown, but the students responded to the latter in the affirmative. Despite recent interest in the Oxford antitheatrical controversy, as well as in antitheatricalism more generally, the actual substance of these disputations remains obscure, and several critical questions remain unanswered. How was the issue of theatrical performance discussed in public academic forums, as opposed to through private correspondence? Were students discussing the issue in similar terms as their professors? How often did these debates occur, and what kinds of scholarly texts were most prominent within them?

This article brings forth a new document that may offer insight into these questions, elucidating both the substance of academic debates over drama as well as their frequency and their longevity; it also offers insight into larger questions about the ancient authorities who informed these debates. The document appears in the university notebook of Edmund Leigh, who took his BA from Brasenose College, Oxford in 1604.[2] Interest in this manuscript has lain chiefly in the recently discovered early draft of Francis Bacon's *Valerius Terminus of the Interpretation of Nature* contained therein,

[1] See Andrew Clark, *Register of the University of Oxford*, 2 vols. (Oxford, 1885–89), 2:170, 2:183. On the context and the larger significance of these disputations, see Daniel Blank, "Actors, Orators, and the Boundaries of Drama in Elizabethan Universities," *Renaissance Quarterly* 70 (2017): 513–47.

[2] Leigh's notebook is catalogued as Cambridge University Library (hereafter CUL) MS Additional 102.

as detailed in an excellent study by Richard Serjeantson.[3] But Leigh's notebook also holds great significance for our understanding of the debates over theatrical performance, as Leigh considers in Latin over the course of a single folio the following question: "An Ludi scenici sint liciti?" (Should stage-plays be permissible?)[4] The notes that follow appear to have been written by Leigh in preparation for an academic disputation. They thus provide valuable, hitherto unattainable insight into how this question was being discussed in formal academic settings at the beginning of the seventeenth century. Leigh was not the only Oxonian to ponder this question during the early modern period, nor was he the only one to do so in an official academic setting, as the disputations noted above indicate. His discussion is particularly noteworthy, however, because Leigh himself was a protégé of Rainolds.

Leigh's notes, which support a negative response to the question of stage-plays' permissibility, are developed entirely from a specific section of Aristotle's *Politics*, as well as the Oxford philosopher John Case's 1588 commentary on that text, entitled *Sphaera Civitatis*. Leigh's exclusive invocation of this Aristotelian source material raises important questions about how the *Politics* figured in early modern discussions about theatrical performance, especially in relation to a work more ostensibly concerned with drama like the *Poetics*; it also requires us to reconsider the extent to which Aristotle may have displaced Plato as the key antitheatrical author of the sixteenth century. This new document, then, while certainly a valuable window into debates over drama in the late Elizabethan and early Jacobean university, also has implications far beyond Oxford, and stands to contribute much to our understanding of Aristotelianism in early modern England and across Europe.

My analysis below is divided into three main sections. In the first, I examine Leigh's notebook in order to shed light on the substance of academic debates about dramatic performance. This new document suggests that these debates continued into the seventeenth century—over a decade longer than previously realized. The specific section of the *Politics* that Leigh uses to justify his antitheatrical stance is taken from the end of Book 7. This is the exact portion upon which Rainolds relied at several points during his correspondence with Gager, an alignment that offers a suggestive model of how polemical arguments about dramatic performance may have been transferred from teachers to their students. Furthermore, a portion of Leigh's

[3] Richard Serjeantson, "The Philosophy of Francis Bacon in Early Jacobean Oxford, with an Edition of an Unknown Manuscript of the *Valerius Terminus*," *The Historical Journal* 56 (2013): 1087–106.

[4] CUL MS Additional 102, fol. 25r.

notes are taken nearly verbatim from Case's *Sphaera Civitatis*, allowing for a reconsideration of the early reception of Case's writings. In the article's second section, I discuss the ancient text that Leigh uses as his primary referent, Aristotle's *Politics*, within the context of debates about drama at Oxford, and particularly the writings of Rainolds and Case. The third and final section considers larger questions surrounding Aristotle's reception in the early modern period. By looking to the commentary tradition both in England and on the European continent, I argue that the *Politics* was more influential in antitheatrical discourses than scholars have allowed, illuminating the role Aristotle played in these conversations—and challenging the notion that the sixteenth century universally regarded Aristotle as a philosopher sympathetic to the theater that Plato had assailed. In examining the university notebook of an undergraduate who appears to have had an especially close relationship with Rainolds, and who evidently engaged closely with the writings of the prominent Aristotelian Case, I hope to provide an important new perspective on the theatrical question, its prominence, and the role that Aristotle played within it.

I. EDMUND LEIGH'S UNIVERSITY NOTEBOOK

After Rainolds's death in 1607, his extensive library was distributed by his executors to the students of various Oxford colleges. The details of this distribution are recorded in a booklist that survives in Bodleian Library MS Wood D. 10, preserving not only the holdings of Rainolds's library but also the specific members of the Oxford student population to whom he felt close enough to bequeath its contents. Leigh inherited four volumes from Rainolds, and his name appears in the section of the booklist devoted to students of Brasenose.[5] Whether Leigh studied directly with Rainolds is unclear, as they were at different colleges during Leigh's years in Oxford. While Leigh was of course a member of Brasenose, Rainolds never had any affiliation there; by the time of Leigh's arrival at Oxford, Rainolds was serving as president of Corpus Christi, a post he held from 1599 until his death in 1607. Yet the fact that Leigh was included in Rainolds's bequest suggests that the

[5] Serjeantson identifies these four volumes in "The Philosophy of Francis Bacon," 1097n. Mordechai Feingold was the first to take serious notice of Rainolds's booklist, and is preparing to publish an edition of it, as discussed in *The Mathematicians' Apprenticeship: Science, Universities and Society in England, 1560–1640* (Cambridge: Cambridge University Press, 1984), 58n.

two had a relationship, the nature of which was probably—at least to some degree—pedagogical. Leigh's notes are thus remarkable not simply because they alert readers to a previously unknown disputation on drama, but also because Leigh had a direct connection to one of the stage's most prominent attackers—a connection which the notes themselves help to illuminate.

Serjeantson dates Leigh's draft of the *Valerius Terminus* to "some point in or shortly after 1607," during the period when Leigh would have been working toward his Master of Arts degree.[6] Given their proximity within the manuscript and the fact that they precede the Baconian selection, there is little reason to assume a significantly later date for Leigh's notes on the theatrical question: the manuscript of the *Valerius Terminus* occupies fols. 28v–29r, while Leigh's notes can be found at fol. 25r–v. This would indicate composition either during the year of Rainolds's death or not long after, and therefore would be quite proximate to Leigh's encounters with him, especially if (as seems likely) they were in contact as Leigh pursued his MA. If Leigh actually used the arguments recorded in his notebook for an academic disputation—it is difficult, unfortunately, to say with absolute certainty that he did—then his notes would represent the last known academic disputation on dramatic performance in the period before the English civil war. Regardless of whether the disputation actually took place, however, his notes represent the latest known institutional discussion of the subject, and confirm that the Oxford debate over drama outlived its most vocal participant.

The fact that one of the students known to be in direct contact with Rainolds should take an interest in this particular question provides insight into how the question of theatrical propriety was being discussed in Oxford in the years following the publication of *Th'overthrow of stage-playes*. As repeated references in *Th'overthrow* suggest, one of the texts most crucial to Rainolds's stance against theater was Aristotle's *Politics*. At a particularly telling moment as he discusses ancient spectacles in a letter to Gager, Rainolds mentions how Aristotle "banish[ed] all vnseemely speeches and spectacles out of his commo*n*wealth."[7] A marginal note makes clear that this assertion is taken from the final chapter of Book 7 of Aristotle's *Politics* ("Politicor*um* lib*er* 7 cap*ut* ult*imum*"); the numeration of this final chapter varies in different manuscripts of the *Politics*, but in all instances it appears as the last installment of Book 7. This chapter discusses the rearing of

[6] Serjeantson, "The Philosophy of Francis Bacon," 1087, 1098.

[7] John Rainolds, *Th'overthrow of stage-playes* (Middleburg, 1599), 71. On this particular section and its importance for understanding Rainolds's position, see further Blank, "Actors, Orators, and the Boundaries of Drama in Elizabethan Universities," 534–36.

children within the ideal state and serves as a kind of precursor for Aristotle's more extended discussion of education in Book 8, the conclusion of the project. Aristotle feared that exposing children to obscene language and behavior would lead them to adopt those habits in themselves, leading him to declare in the specific section Rainolds references that legislators must "banish the seeing of either pictures or representations that are indecent"; any kind of visual art form that "represents indecent actions," he continues, must be prohibited (1336b13–18).[8] It is not difficult to see how this section appealed to Rainolds, who shared Aristotle's notion of the impressionability of youth and, consequently, wished to ban "unseemly speeches and spectacles" from his university.

It is thus immensely significant that the foundation of Leigh's response to the theatrical question is taken from the same section of Aristotle's *Politics*. Leigh was evidently preparing to "deny," rather than "affirm," the question at issue—that is, he was taking the position that theatrical performance should not be permissible—and in doing so, he drew his answer from Book 7 of the *Politics*. Immediately beneath "An Ludi scenici sint liciti?" Leigh writes:

> Ar*istot*el*i*s. 7°. Politicor*um* Cap. 15. modis o*mn*ib*u*s cavendu*m* es*s*e monet ne ciues comediar*um* spectaculis insideant. & cap. 17. ubi loquitur de pueror*um* institutione. 3.[ia] [*i.e.* tria] praecepta proponit q*uae* ad temp*e*rantia*m* spectant.[9]
>
> [Aristotle, Book 7 of *Politics*, chapter 15: he instructs to beware in all ways lest the citizens spend too much time at the spectacles of comedies. And chapter 17: where he speaks about the education of children. He sets forth three precepts which pertain to temperance.]

Leigh then goes on to list the precepts:

1. pueri cu*m* servis quam minimu*m* versentur.
2. Omnis verbor*um* obscenitas è ciuitate expellatur, poenaq*ue* turpiter loquentib*us* irrogetur.
3. Adolescentulos es*s*e Jambor*um* ac comediar*um* spectatores lex prohibeat.[10]

[8] All translations from this source are taken from Aristotle, *Politics*, trans. H. Rackham (Cambridge, MA: Harvard University Press, 1932), and are cited parenthetically in the text.
[9] CUL Additional MS 102, fol. 25r.
[10] CUL Additional MS 102, fol. 25r.

[1. Children should dwell with slaves as little as possible.
2. All obscene speech should be driven away from the city, and punishment should be inflicted for speaking shamefully.
3. The law should prohibit youth from being spectators of iambi or of comedies.]

The second of these precepts comes from the same passage discussed in my previous paragraph, making clear that this sort of "obscenity" has no place within the community. The first precept is taken from a nearby passage, in which Aristotle discusses the importance of rearing children at home (1336a40–41). The third precept deals most explicitly with drama; I will discuss its Aristotelian context at further length below. All three of Leigh's bullet points speak toward the kind of "temperance," or limitation, that should prohibit attendance at theatrical performances.

Leigh's response to the theatrical question is drawn from Latin translations of Aristotle's *Politics*, and he even reproduces the format of some contemporary commentaries, which provide summaries in numerical lists to highlight the salient points of each chapter.[11] The handwriting of this passage does suggest that it was compiled in relative haste, as is made especially apparent when compared to Leigh's neater handwriting elsewhere in the notebook. His notes on the theatrical question are preceded, for instance, by notes taken from the French philosopher Charles de Bovelles, composed in a markedly more orderly fashion. But the fact that Leigh should craft his response with direct reference to this section of the *Politics* nevertheless emphasizes the importance of these passages to Rainolds and his like-minded colleagues, as well as to the intellectual milieu upon whom the question of theatrical performance stood to have a direct impact.

Leigh's viewpoint, after all, seems aligned with that of the venerated Oxford pedagogue, as Leigh goes on to summarize learned arguments against dramatic performance:

> Ra*ti*o verò e*sse* ex judicio interp*re*tum quia inde gignu*n*tur otiu*m*, libido, temporis jactura, & q*u*od caput e*st* nequitiæ vehemens ad flagitiosos mores induendos motus & incitatio.[12]

[11] See, for instance, the summary of Book 7 Chapter 17 in Pieter Gilkens, *In Politicorum Aristotelis, Libros VIII, Commentaria Absolutissima* (Frankfurt, 1605), 187–88.
[12] CUL Additional MS 102, fol. 25r–v.

> [By the judgment of interpreters, the reason for these precepts is that drama begets laziness, sexual desire, wasting of time, and, most wicked of all, the powerful motion and incitement toward adopting shameful habits.]

We should note that immediately beneath these lines the following sentence appears:

> Omnis quidditatiua cognitio no*n* e*sse* est semp*er* ap*pre*hensiua, quia hæc requirit quanda*m* adæq*ua*tione*m*.[13]
>
> [Quidditative knowledge is not always apprehensible, since it requires a certain adequation (i.e. to the subject).]

Although this final sentence was clearly written in conjunction with Leigh's remarks on drama—especially as the remainder of fol. 25v is left blank—it appears not to bear any topical relation to the preparatory notes preceding it. Leigh's statement about quidditative knowledge seems drawn from the realm of scholastic philosophy, and in particular the writings of Thomas Aquinas, upon whom Leigh relies as an authority over the course of the next several folios.[14]

More significant for our purposes, Leigh records that Aristotle's cause for banning drama from his commonwealth stemmed from the misconduct that it allegedly incited among its viewers, and especially the "shameful habits" that it apparently caused. While this sounds like a formulation drawn from Rainolds, Leigh has actually drawn these summarizing remarks from Case's *Sphaera Civitatis*. The final sentence of Case's commentary on Book 7 of Aristotle's *Politics* reads as follows:

> Nam per illa virtutum faculae extinguuntur, sparguntur semina vitiorum, corrumpuntur mores, multa alia incommoda gignuntur ciuitatis: exempli causa, otium, libido, temporis iactura, naufragium rerum, et quod est omnium deterrimum, vehemens ad flagitiosos mores induendos motus ac incitatio.[15]

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[13] CUL Additional MS 102, fol. 25v.
[14] Serjeantson, "The Philosophy of Francis Bacon," 1094.
[15] John Case, *Sphaera Civitatis* (Oxford, 1588), 696.

> [For by these things the torches of the virtues are extinguished, the seeds of vices are scattered, manners are corrupted, and many other troubles of the commonwealth are produced: for instance laziness, sexual desire, wasting of time, the shipwreck of things, and worst of all the powerful motion and incitement toward adopting shameful habits.]

The parallels to Leigh's notes are unmistakable, as Leigh reproduces exactly Case's phrasing about "otium, libido, temporis iactura," as well as "vehemens ad flagitiosos mores induendos motus ac incitatio." Case's commentary here refers to a number of the evils from which children are meant, in his interpretation of the *Politics*, to be kept away. In the preceding sentence, Case notes:

> Si enim serui malitiam aut ignorantiam, si idola Venerem et turpitudinem, si fabulae vanitatem morum sapiant, insipiunt magistratus qui pueros ab illis longissime non arcent.[16]
>
> [For if slaves give the impression of malice or ignorance, if idols savor of venery and shamefulness, if plays exhibit an emptiness of morals, magistrates who do not keep children as far away from them as possible are fools.]

Yet while Case enumerates all three of these as possible causes of "shameful habits," Leigh repurposes his language to refer exclusively to dramatic performance. Case's interpretation of the *Politics* becomes—without explicit acknowledgment—a key source of Leigh's antitheatrical argument.

To be sure, the claims that Leigh records in his university notebook about theatrical performance were not unique: plenty of early modern antitheatrical writers routinely spoke about the idleness and lustfulness that drama provoked, the evil behavior it encouraged, and the time it wasted by taking its viewers away from religious worship and learned study. Nor were he and Rainolds alone in their reliance upon the antitheatrical section of Book 7 of Aristotle's *Politics*. In their attacks on the commercial theater in London, Stephen Gosson and Philip Stubbes cite this exact section; both of

[16] Case, 696.

their treatises significantly predate Leigh's notes.[17] Gosson had actually been Rainolds's student at Oxford, a fact that further attests the importance of this section of the *Politics* within the academic sphere. Yet Gosson and Stubbes reference Book 7 only briefly, and so the fact that this is Leigh's primary authority emphasizes its centrality to the antitheatrical position in early modern Oxford. That he should rely upon Case to make his antitheatrical claims is of interest as well, as Case has long been known as a prominent defender of the arts, and of dramatic performance in particular. As I will discuss at further length below, Leigh's notebook compels us to consider Case's early reception among the members of his university, especially regarding how aspects of his defense may have been seized upon by the antitheatrical faction.

Before coming to a broader discussion of Aristotle's *Politics* and its significance to discussions of drama both inside and outside of Oxford, we must consider one further aspect of this document. While it seems probable that Leigh was preparing to participate in an academic disputation, we must acknowledge the possibility that the jottings in Leigh's notebook instead represent an account of a disputation he witnessed. Two considerations render this unlikely: The haste in which he has compiled his notes suggests preparation for a future disputation, rather than a record of one that has already taken place; and any details about the specific occasion on which the disputation might have occurred are conspicuously absent from the document. We also know that this could not have been one of the two aforementioned disputations on drama already known to have taken place in Oxford, as Leigh was not born until ca. 1585 and did not enter Brasenose until 1600.[18] So even if he was not a participant, his notes would still represent a record of a previously unknown disputation (assuming that it actually took place), and would remain testament to the fact that Book 7 of Aristotle's *Politics* was an extremely influential point of reference in the academic sphere. Regardless of the exact involvement of its author, Leigh's notebook provides valuable new insight into the Oxford debates over dramatic culture. Whether written in the hand of a participant or a spectator, these notes toward a disputation occasion a reevaluation of the role that Aristotle played in the longstanding discussions about drama that permeated early modern Oxford.

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[17] Gosson's reference to Book 7 of the *Politics* appears in his *Playes Confuted in Fiue Actions* (London, 1582), sig. C7r–v, while Stubbes' appears in his *The Anatomie of Abuses* (London, 1583), sig. L7r.

[18] Serjeantson, "The Philosophy of Francis Bacon," 1096.

II. THE *POLITICS* IN EARLY MODERN OXFORD

Aristotle featured more prominently in the debate over drama in early modern Oxford than scholars have acknowledged. In his feud with Gager and Gentili, Rainolds's reliance upon Book 7 of the *Politics* was not limited to the portion of *Th'overthrow* quoted earlier. In a later Aristotelian passage from *Th'overthrow*, Rainolds makes clear that his primary aim is protecting the impressionable young students of early modern Oxford from the alleged harms of theatrical performance. Amid a discussion of the allegedly lascivious aspects of Gager's plays, he writes: "For *Aristotle* wishing a lawe to be made in all well ordered cities, that *young men should neither see tragedie played, nor Comedie, vntill in riper years they be past danger of being hurt thereby*, groundeth his advise on reason and experience; because things which young men receave, doe sticke fast by them: and therefore sith principall care ought to bee taken that they may prove virtuous, they should be kept fro*m* hearing any ill speeches, and seeing any ill deedes; chieflie such deedes and speeches, as are lewde or hatefull."[19] Students, in other words, should be kept from the theater lest they imitate the evil behavior they witness there; while more mature members of society may be able to recognize this wickedness and avoid it in themselves, the "young men" of Oxford remain susceptible. Rainolds did not oppose the reading or the recitation of dramatic texts, and he even quoted from Senecan tragedy in his own lectures. The danger he identified lay specifically in theatrical performance.

In quoting directly from the *Politics*, the printed text of *Th'overthrow* includes a transcription of Aristotle's original Greek, confirming that it derives from Book 7. In Harris Rackham's modern translation, the specific passage from Book 7 is given as follows: "The younger ones must not be allowed in the audience at lampoons [ἰάμβων] and at comedy, before they reach the age at which they will now have the right to recline at table in company and to drink deeply, and at which their education will render all of them immune to the harmful effects of such things" (1336b20–23). This is the same passage from which Leigh takes his third bullet point, in which he speaks of prohibiting youth from attending iambi or comedies. Rainolds actually translates ἰάμβων as "tragedies," perhaps suggesting that Leigh, too, had tragedies in mind when he used the Latin form of this word ("Jamborum") in his notebook. Rainolds does, after all, draw a firm connection between Aristotle's conception of iambi and Gager's tragedies in a marginal note to this passage from *Th'overthrow*: "ἰάμβων hee saith, meaning such

[19] Rainolds, *Th'overthrow*, 114–15.

speeches (vsed to bee expressed in that kinde of verse) as there are a number vttered by Antinous, Eruymachus [sic], with the like, in your Vlysses redux, and commonly in all tragedies."[20] For both Rainolds and Leigh, this Aristotelian passage represented a crucial assessment of theatrical performance.

With passages like this one, Book 7 of Aristotle's *Politics* was seen by the antitheatrical contingent to offer a remarkably coherent, and indeed unusually direct, condemnation of theatrical performance, and it did so in relation to the subject paramount within Rainolds's own philosophy: educational practice. I would suggest that the alignment of these concerns rendered the *Politics* not only an ideal text with which to engage in Rainolds's own writings against stage-plays, but also the ideal text with which to instruct the younger generation at Oxford. But the extent to which this view of Aristotle was widespread, as well as the role that the *Politics* played in establishing it, warrants further discussion—even more so considering that Book 7 of the *Politics*, in which Aristotle discusses the function of education, has received comparatively little attention, to say nothing of the discussion of theatrical performance within it.[21]

Even as interest in the Aristotelian dimension of early modern Oxford was renewed in the late twentieth century by scholars like Charles B. Schmitt and James McConica, the *Politics* did not receive much attention in comparison with, for instance, Aristotle's *Rhetoric*. To some extent, this is understandable: Rainolds's lectures on the *Rhetoric* in the 1570s earned him a reputation for oratorical prowess relatively early in his career, while also establishing this text as central to the university curriculum.[22] Rainolds's lecture notes survive, as does his copy of the *Rhetoric*, which is bound together with the *Politics* in a volume printed by Guillaume Morel in Paris in 1562, held in the Bodleian under shelfmark Auct. S 2.29. While the text of the *Rhetoric* contains extensive, meticulous annotations, the text of the *Politics* appears untouched, perhaps giving the mistaken impression that the

[20] Rainolds, 114.

[21] On this critical neglect, as well as Aristotle's reasons for devoting a considerable portion of his political project to the topic of education, see Pierre Destrée, "Education, Leisure, and Politics," in *The Cambridge Companion to Aristotle's* Politics, ed. Marguerite Deslauriers and Pierre Destrée (Cambridge: Cambridge University Press, 2013), 301–23.

[22] See James McConica, "Humanism and Aristotle in Tudor Oxford," *The English Historical Review* 94 (1979): 303. See further Lawrence D. Green's seminal edition: *John Rainolds's Oxford Lectures on Aristotle's* Rhetoric (Newark, DE: University of Delaware Press, 1986).

latter treatise was less valuable to Rainolds than the former, and by extension to the academic community as a whole.

Yet the *Politics* merits further discussion, as it too played a crucial role in the Elizabethan and early Jacobean university. While Rainolds's appropriation of the *Politics* for antitheatrical purposes seems logical based on the aforementioned factors, Leigh's appropriation of Case's *Sphaera Civitatis* for antitheatrical purposes is more surprising. Case was considered in his time, and is now remembered, as a member of Oxford's protheatrical cohort. He was a close friend of the prominent academic playwright Gager, Rainolds's chief interlocutor in the antitheatrical controversy: Gager provided a laudatory epigraph to *Sphaera Civitatis*, and a prefatory poem that identifies its author as "I. C." at the beginning of the 1592 print edition of one of Gager's plays can almost certainly be attributed to Case.[23] Schmitt calls him "the chief representative of the first generation of the Aristotelian revival," and in several instances Case used Aristotelian commentary as an opportunity to offer significant remarks upon theatrical performance.[24] In his commentary on Aristotle's *Nicomachean Ethics*, entitled *Speculum Moralium Quaestionum in Universam Ethicen Aristotelis* and published three years prior to *Sphaera Civitatis*, Case addresses a familiar question: "Should stage-plays be permissible, and should they be placed under the category of virtue?" (An ludi Scenici sint liciti, & sub hac virtutis materia contenti?).[25] It is remarkable that Leigh reproduces exactly the language of the first half of this question, emphasizing the Aristotelian dimension of his exercise: he takes his subject from a commentary on the *Nicomachean Ethics*, and he crafts his response using the *Politics*. His notes operate within an established framework for the discussion of the theatrical question, indicating the continuity of this framework across Oxford generations and Aristotle's importance within it. We do not know who set the disputation question for Leigh, but the fact that it appears in his notebook confirms that this particular question remained prominent in the academic sphere for decades beyond the publication of Case's treatise. It also confirms that Aristotle remained as crucial a figure for Leigh's generation as he had been for Case's; and it begins to form an interesting triangulation between Case, Rainolds, and Leigh, with Aristotle as the common ground.

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[23] Frederick S. Boas, *University Drama in the Tudor Age* (Oxford: Clarendon Press, 1914), 177.

[24] Charles B. Schmitt, *John Case and Aristotelianism in Renaissance England* (Kingston and Montreal: McGill-Queen's University Press, 1983), 222.

[25] John Case, *Speculum Moralium Quaestionum in Universam Ethicen Aristotelis* (Oxford, 1585), 183.

Case organizes his response in *Speculum Moralium Quaestionum* (not uncommonly for philosophical treatises and commentaries of the period) much like a disputation. He justifies academic plays by asserting five reasons for their permissibility: their ability to accurately represent "the memory of ancient times" (memoriam antiquorum temporum); their "great understanding of things" (multiplicem scientiam rerum); their ability to impart "great experience" (magnam experientiam) upon their viewers; their excellent depictions of "the force of voice, gesture, and affect" (vim vocis, gestus, & affectus); and their graphic demonstrations of "the joys of affability and the value of kindness" (delectabilem affabilitatis & comitatis vsum).[26] Professional stage-plays, however, receive no such justification, as Case declares unambiguously that they are more inclined "toward scurrility than good humor" (ad scurrilitatem potius quam comitatem referuntur).[27] Case evidently used his commentary on the *Nicomachean Ethics*—which was, incidentally, the first book printed at the newly established University press, more easily facilitating the dissemination and the preservation of the ideas contained within its pages—as a venue to establish his position toward theatrical performance.[28]

Three years later, his commentary on the *Politics* advanced that position. Each book of the *Sphaera Civitatis*, which has been recently brought into critical focus in two excellent articles by Sophie Smith, corresponds to one of the eight books of the *Politics*.[29] Some of Case's theatrical commentary appears in Book 6, which in Aristotle's text deals with constitutions—democratic and oligarchic—as well as the magistracies that it is necessary to establish. Here, Case presents a question that seems more germane to Elizabethan Oxford than to ancient Greece: "Should masters of games be permitted in a well-governed state?" (Vtrùm ludorum magistri in rectè instituta ciuitate sint permittendi?)[30] This question provides a springboard for negative sentiment about theatrical performance, as the *ludi scaenici* (stage-plays or, more literally, stage-games) to which Leigh refers constitute

[26] Case, *Speculum Moralium Quaestionum*, 183.
[27] Case.
[28] On Case's relationship with the University printer, Joseph Barnes, see Schmitt, *John Case and Aristotelianism*, 87; Jason Peacey, "'Printers to the University' 1584–1658," in *The History of the Oxford University Press*, ed. Simon Eliot, 4 vols. (Oxford: Oxford University Press, 2013), *Volume I: Beginnings to 1780*, ed. Ian Gadd, 52.
[29] Sophie Smith, "Democracy and the Body Politic from Aristotle to Hobbes," *Political Theory* 46, no. 2 (2018): 167–96, esp. 180–83; Sophie Smith, "The Language of 'Political Science' in Early Modern Europe," *Journal of the History of Ideas* 80, no. 2 (2019): 203–26, esp. 214–24.
[30] John Case, *Sphaera Civitatis*, 584.

a particular type of *ludi*.[31] Case puts forward the Aristotelian notion that "spectacles are for lazy citizens" (spectacula sint otiosarum ciuitatum). He also declares that "mortal amusements and theaters" (mortalia oblectamenta & theatra) are not meant for those who have devoted their lives "solely to the contemplation of divine matters" (soli rerum diuinarum contemplationi).[32] The opposition that Case sets up is reminiscent of that from the *Speculum Moralium Quaestionum*, in that learned men of the university should not be associated with theatrical practice unless it can be verified to have edifying properties. It may seem surprising that Case's comments are not made in response to Book 7 of Aristotle's *Politics*, which deals with theater in a much more explicit fashion. As Schmitt explains, however, Case has a tendency to discuss "a topic only very marginally connected with the text being expounded."[33] And as Smith has recently argued, *Sphaera Civitatis* "often departed from [Aristotle], either by offering new answers to old questions or by raising new questions of contemporary relevance."[34] Case's discussion of theatrical performance falls squarely into the latter category. Certainly it is telling that performance—and particularly its regulation—is the topic toward which Case gravitates, solidifying the connection between Aristotelian philosophy and discussions about drama in early modern Oxford.

III. ARISTOTLE AND THE THEATRICAL QUESTION: LOCAL AND INTERNATIONAL CONTEXTS

Leigh's notes evidently follow within a well-established framework for using Aristotle as a facilitator for theatrical discussions—discussions in which the *Politics* in particular featured prominently. As is evident from Rainolds's use of Aristotle in *Th'overthrow* and Case's addressing of the theatrical question in both *Speculum Moralium Quaestionum* and *Sphaera Civitatis*, prominent figures within Oxford saw a direct relation between the Greek philosopher and contemporary discussions about theatrical performance. But how unique was this phenomenon? Was its lawfulness a standing question among other Aristotelian commentators, or was this a uniquely Oxonian

[31] On the connection between ancient and early modern *ludi* with specific relation to theatrical performance and spectacle, see Blank, "Actors, Orators, and the Boundaries of Drama in Elizabethan Universities," 532–41.
[32] Case, *Sphaera Civitatis*, 584–85.
[33] Schmitt, *John Case and Aristotelianism*, 129.
[34] Smith, "The Language of 'Political Science' in Early Modern Europe," 214.

preoccupation? A representative survey of the available commentaries, in which Case himself is known to have been well versed, suggests that Book 7 leant itself to a fairly straightforward interpretation during the fifteenth and sixteenth centuries: that obscene theatrical performances should be driven out of any well-governed commonwealth.

In some instances, the ban on such performances is understood implicitly as part of a larger ban on obscenities in general. In his discussion of the end of Book 7 of Aristotle's *Politics*, for example, the Italian scholar Donato Acciaioli writes: "The philosopher labors greatly around the education of children, so that they beware of all obscene things and also keep away from them, since they can stir the passions and infect the mind."[35] Elsewhere the ban is more explicit. The German Protestant theologian Martin Borrhaus suggests that, according to Aristotle's philosophy, children must be prevented from seeing comedies "in which are acted the base, ignoble gestures of servants, flatterers, prostitutes, panders, and others, which the youth, who are easily inclined and prone toward admiring just about anything, imitate."[36] Comedies in his view need not be completely eradicated, but reserved exclusively for those less inclined toward irresponsible imitation: "If the youth should not be spectators of comedy, then who will be the auditors and the readers? Learned men who approach things cautiously, since they can bring restraint toward the business of comedies."[37] The Italian humanist Piero Vettori adopts a similar position, saying that Aristotle "desires that those who are still growing be prevented altogether from seeing or hearing licentious things, which are able to stimulate their weak minds toward doing something shameful. Thus he forbids them to be spectators of either lewd pictures or theatrical performances, which have any vileness in them."[38] Children, according to Vettori, lack the strength of

[35] "Maxime laborat philosophus circa educationem puerorum, vt caueant à cunctis obscęnis, etiam ab ijs, quæ per sensus mouere appetitum, & inficere animu*m* possint," Donato Acciaiuoli, *In Aristotelis libros octo Politicorum commentarii* (Venice, 1566), 258r.

[36] "In qua seruorum, adulatorum, meretricum, lenonum, et aliarum personarum illiberales, turpesq*ue* gestus aguntur, quos facilè lubrica et prona admi[r]andum quiduis adolescentia exprimat," Martin Borrhaus, *In Aristotelis Politicorvm, sive De Repvblica libros octo* (Basel, 1545), 450.

[37] "Quod si spectatores non debent esse adolescentes Comœdiæ, qui igitur auditores erunt, et lectores? Circu*m*spexerint igitur literarum doctores, quam moderationem adhibeant in Comœdiarum professione," Borrhaus, 450.

[38] "Uelit interdici adolescentibus omni aut aspectatione aut auditione rerum lasciu[i]arum, & quæ possunt excitare animos illoru*m* infirmos ad aliquid turpiter faciendum. Vetat igitur Ipsos esse spectatores aut picturarum aut fabularum in theatro impudicarum, & quæ

mind necessary to resist imitating the behaviors that these performances will bring before their eyes.

Case, as we have seen, largely aligns himself with these commentaries in identifying an antitheatrical strain within Aristotle's text. But there is a crucial difference between his remarks on Book 7 and those of these European commentators. In the final paragraph of his Book 7 commentary, just prior to the section Leigh adopted, Case draws a sharp distinction between two types of theatrical performances: plays that are "obscene and worthy of derision" (obscoenas et irrisione dignas) and plays that are "dignified" (liberales).[39] It is a brief comment, but nonetheless a telling one, and it mirrors his earlier discussion of the distinction between academic and professional plays in *Speculum Moralium Quaestionum*. It also mirrors the distinction drawn by Gager in the midst of his dispute with Rainolds. Seeking to differentiate his own entertainments from those of the commercial stage, Gager writes that professional actors display "a lewd, vast, dissolute, wicked, impudent, prodigall, monstrous humor, wherof no dowte ensued greate corruption of manners in them selves, to saye nothing heere of the behowlders."[40] This is the Oxford context in which Case's commentary operates. The careful nuance with which Case discusses the theatrical question, and the lengths to which he goes to distinguish permissible performances from dishonorable ones, is virtually unique among early modern commentaries—and clearly reflective of specifically English concerns relating to the rise of the commercial stage and the efflorescence of dramatic performance in late Elizabethan England. But the question itself, as Leigh's notebook attests, may have been especially prevalent within Oxford, given not only the significance of the debates over theater but also their coincidence with the revival of Aristotelianism. While the first English commentary on Aristotle, based on Louis Le Roy's earlier French translation, contains familiar language about obscenity (children should "neither heare nor see dishonest, wicked, or odious things, nor vse to recite them"), it does not dwell specifically on the merits of dramatic performance.[41] We can understand this to be an English preoccupation, then, but perhaps even more so an Oxonian preoccupation, as humanists like Rainolds and Case discussed contemporary issues like this one in relation to classical texts.

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habeant in se deformitatem aliqua*m*," Denis Lambin (tr.) and Piero Vettori (comment.), *Aristotelis Politicorvm libri octo* (Basel, 1582), 568.

[39] Case, *Sphaera Civitatis*, 696.

[40] See Karl Young, "William Gager's Defence of the Academic Stage," *Transactions of the Wisconsin Academy of Sciences, Arts, and Letters* 18 (1916): 614.

[41] Aristotle, *Politiques, or Discovrses of Government* (London, 1598), 380.

This account of the commentary tradition also prompts a reconsideration of Aristotle's position vis-à-vis the theatrical question in early modern Europe. The long-held view has been that Plato was widely known in the period as the great antitheatrical author: in his *Republic*, Plato had scorned poets' imitative practices, and dramatic poets above all, who are deemed to promote falsehoods and obscure truth through mimetic representation; he ultimately calls for their banishment.[42] Aristotle, on the other hand, has often been seen as sympathetic to theatrical performance, having apparently developed the theory of catharsis in the *Poetics* and in Book 8 of the *Politics* as a response to Plato's charges against poets. Early modern antitheatricalists, after all, rejected catharsis as a valid justification for the stage.[43] In his seminal work on antitheatricalism, Jonas Barish writes that the purging of passionate emotions that catharsis involves reflects a positive view of an earlier Platonic position: "Aristotle and Freud both see the release of irrational impulses as therapeutic, whereas for Plato it means the dangerous raking up of feelings that might better be suppressed." Barish also declares Aristotle the earliest figure in the "rehabilitation of mimesis from the low position assigned it by Plato."[44] To a large extent, this vision of Plato as the early modern period's antitheatrical touchstone remains uncontested by modern scholars.

Recently, however, this view has begun to come into question. Russ Leo identifies an "antitheatrical Aristotle," one upon whom Rainolds drew in crafting his philosophy toward dramatic enactment.[45] Leo focuses primarily on the *Poetics*, a text that has recently been shown to have been more prevalent in early modern England than previously realized.[46] As Leo observes: "While his contemporaries read the *Poetics* to learn how to write a poem, or to defend poetry, Rainolds recruits Aristotle as an anti-theatrical writer, suspicious of histrionic performance and spectacle."[47] Leigh's note-

[42] For an overview, see Bernard Weinberg, *A History of Literary Criticism in the Italian Renaissance*, 2 vols. (Chicago: University of Chicago Press, 1961), 1:250–52.
[43] See Leah S. Marcus, "Antitheatricality: The Theater as Scourge," in Arthur F. Kinney and Thomas Warren Hopper, eds., *A New Companion to Renaissance Drama* (Hoboken, NJ: Wiley Blackwell, 2017), 188.
[44] Jonas Barish, *The Antitheatrical Prejudice* (Berkeley: University of California Press, 1981), 28–29. See further Martin Puchner, *Stage Fright: Modernism, Anti-Theatricality, and Drama* (Baltimore: Johns Hopkins University Press, 2002), 23–24.
[45] Russ Leo, *Tragedy as Philosophy in the Reformation World* (Oxford: Oxford University Press, 2019), 119–63.
[46] See Micha Lazarus, "Aristotelian Criticism in Sixteenth-Century England," *Oxford Handbooks Online*, ed. Colin Burrow (Oxford: Oxford University Press, 2016), 1–30, DOI: 10.1093/oxfordhb/9780199935338.013.148.
[47] Leo, *Tragedy as Philosophy*, 123.

book both bolsters this perspective and adds a new dimension to it. In his brief notes, the *Politics* was clearly the key reference; he refers not to the *Poetics* or to Plato's *Republic*, but exclusively to an Aristotelian treatise which Case had used as a springboard for a discussion of drama's permissibility, and which Leigh's teacher, Rainolds, had marshaled toward an explicitly antitheatrical purpose (references to Plato in *Th'overthrow of stage-playes* are, incidentally, relatively sparse). The notion that Plato was the early modern period's predominant antitheatrical referent may require some revision. The *Politics* may also play a more significant role in that history than scholars have acknowledged.

This is not to say that Aristotle was himself an antitheatrical writer, or even that it would be possible to draw such a coherent conclusion across texts, as Leon Golden cautions with regard to discussions of catharsis across the Aristotelian corpus.[48] It is rather to say that select portions of Aristotle's philosophy were being used to support antitheatrical positions. This much Leigh's notebook confirms with certainty. We should be careful not to extrapolate too far, of course: Leigh's personal notes are not meant to be a treatise on Aristotle, and they are certainly not comprehensive; lacking the nuance with which commentators approached such questions in print, Leigh simply cherry-picks the portion of the Aristotelian corpus and Case's commentary on the *Politics* that are most useful for his argument. Leigh may or may not have even held the position for which he was assigned to argue.[49] Yet the texts that he selects give tremendous insight into the terms of the debate in Oxford, and suggest that Aristotle's prominence within that debate may also have farther-reaching implications beyond Leigh's own university. They also attest to the fact that classical texts like the *Politics* were versatile, in that they could be used in a variety of ways depending on the purpose and the context of a particular argument.

In some sense, then, Leigh's notebook is a local document with universal implications—a claim that, not coincidentally, aligns with the one Smith makes about Case's commentary on the *Politics*.[50] The document's significance is vast: it has wide-ranging ramifications for our understanding of Aristotle's early modern reception; it reinforces the importance of Book 7 of the *Politics* to Rainolds's own thinking, and it confirms the continued influence of

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[48] Leon Golden, "The Purgation Theory of Catharsis," *The Journal of Aesthetics and Art Criticism* (Summer 1973): 473–79.

[49] On this aspect of early modern disputations, see Debora Shuger, "St. Mary the Virgin and the Birth of the Public Sphere," *Huntington Library Quarterly* 72, no. 3 (2009): 313–46, esp. 333–36.

[50] Smith, "The Language of 'Political Science' in Early Modern Europe," 214.

Rainolds's ideas even after his death; and it forces us to think with greater nuance about the role Case's own philosophy played in the theatrical question. Yet perhaps one of the most significant takeaways from Leigh's notebook lies in what it can tell us about instruction in the early modern university setting. Modern scholars often discuss the academic controversies that arose among members of the Oxford and Cambridge faculties during the early modern period, but seldom do they address the impact that these controversies had on the students of those universities. This is as true about modern studies of the Oxford antitheatrical controversy as it is about studies of, say, early modern debates over religious practice or the scientific curriculum.

There has also been comparatively little discussion of how students participated in academic debates through events like disputations, and how their viewpoints may have both mirrored and helped to shape the opinions of the faculty. Leigh's notes provide us with the opportunity to rectify that omission. We witness in these notes about theatrical performance a student who knew Rainolds, and who was clearly familiar with the writings of Case, preparing to dispute on the same subject that had occupied nearly a decade of his teacher's controversial career. It may not be a coincidence that one of the books Leigh received upon Rainolds's death was a commentary on the tragedies of Euripides, one of the comparatively few texts in Rainolds's possession with an immediate connection to drama—suggesting their shared interest in this topic.[51] In addition to illuminating the time frame and subject matter of disputations on theatrical performance, Leigh's notebook provides a suggestive example of how polemicists like Rainolds may have engaged and instructed the students of early modern Oxford on issues of pressing relevance to university culture. Writings like the *Politics* evidently played particularly large roles in those humanistic pedagogical exchanges, allowing teachers to shape students' thinking on contemporary debates through reference to classical texts.

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[51] Given in Rainolds's booklist as "Scholia gr. in 7. Euripidis tragoedias per Arsenium Archiepisc. Monembasiae. 8°." Bodleian MS Wood D. 10, p. 89. Serjeantson, "The Philosophy of Francis Bacon," 1097n, has identified this as the 1534 Venice edition of *Scholia in septem Euripidis tragœdias*, edited by Arsenios, Archbishop of Monemvasia.