

Queen Caroline's Pains and Penalties: Silence and Speech in the Dramatic Art of British Women's Suffrage

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Abstract: In Britain, the act that launched the militant campaign of the suffragettes in 1905 was the interruption of a political meeting in Manchester. The violent silencing and arrest of the women ensued. The women's suffrage campaigns in Britain became more vigorous in the early twentieth century. They frequently foregrounded the oppressive silencing of women in their political speeches at public meetings, in newspapers, and in the courts. Having deliberately sought arrest, some militant suffrage activists exploited the arena of the court room to expound on their political position. In various audacious and spectacular ways, the exclusion of women from the democratic process was challenged, not least by a sustained attack on the legal system. Drama, one of the more successful cultural forms of protest, was often used to expose the inequities of the existing social fabric, and as an aesthetic form it deploys the body as well as the voice. This paper will examine the forceful, antirhetorical function of silence in British women's suffrage drama from the early twentieth century, focusing on the appropriation of Queen Caroline (1768–1821) as a silent proto-suffragette in Pains and Penalties, a play about her trial, written by Laurence Housman (1865–1959) and directed by Edith Craig for the Pioneer Players theater society.

Keywords: women's suffrage drama / censorship / suffragettes / trial / parliament / monarchy

INTRODUCTION

From politely spoken request to shrieking demand, the expression in the campaigns for women's enfranchisement in Britain has been associated with breaking a silence in order to achieve justice. Women's voices, and those of their supporters, appeared to be ubiquitous. They were mediated extensively

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and successfully in both print and material cultures. The founding of suffrage newspapers and the distribution and sale of these publications ensured that the movement had a sustainable channel of public communication. Silence appeared to be symbolic of oppressed femininity in this period, and mechanisms of the enforced silence of women from earlier periods surfaced in anti-suffrage propaganda, drawing on the ancient history of the scold's bridle, an instrument of torture originating in the sixteenth century for the punishment of women.¹ Thus speaking out of turn incurred physical restraint and public humiliation. The forceful and violent constraint of the body was a ubiquitous motif in popular culture, but the mechanisms of silencing were also embedded in the militant suffrage appropriation of the constitutional argument for women's enfranchisement, as detailed by Laura E. Nym Mayhall. As Mayhall demonstrates, the militants aligned themselves with earlier Radicals, citing such figures as Oliver Cromwell and John Hampden, and emphasized the physical exclusion of women from political institutions.² Mayhall's historical study of militant suffrage provides substantial material for readers now wishing to reflect on this topic from a jurisprudential perspective. Principally interested in militant suffrage activity, the aim of which was to be acknowledged as political rather than criminal, Mayhall provides many examples of the "staging of exclusion," whereby suffragettes demanded the subject's right to petition and rejected the law as currently deployed:

Suffragettes did not merely stage their exclusion from the constitution; they also repudiated the authority of the law. Rooting their rejection of the law's authority in the principle that "government without the consent of the governed is tyranny," they claimed the right to withhold consent until they received representation in Parliament.³

The article quoted here by Mayhall, "A Question for Constitutionals," was published in the suffragettes' newspaper, *Votes for Women*.⁴ Its author, Laurence Housman, developed and mediated his political arguments, writing back to this staged exclusion of women in dramatic form on the stage itself.

The purpose of this article is to reassess the function of silence in its dynamic relationship with speech in British women's suffrage drama, exemplified by one particularly illuminating historical play, Laurence Housman's *Pains and Penalties*.⁵ Housman, the brother of poet A. E. Housman, was a founding member of the Men's Society for Women's Suffrage who used

his skills as an artist and author to promote the campaign for women's suffrage and to attack the censorship of the stage.⁶ *Pains and Penalties* was banned by the Lord Chamberlain, although its performance was achieved by the Pioneer Players theater society on the basis of a technically private production for its members.⁷ The interval between the acts was used as an opportunity to hold a protest against the new Lord Chamberlain's reader of plays, Charles Brookfield; the usually silent audience made their voices heard through an almost unanimous vote against him.⁸ The play was written to publicize the women's suffrage campaign, taking the treatment of Queen Caroline (1768–1821) as typical of the sexual double standard propagated by patriarchal institutions of government and for its attempt to secure the oppression of women in Britain. Housman's revisionist account of the scandal of Queen Caroline is aligned with the nineteenth-century Radicals' championing of Caroline as a symbol of the unjust treatment of women.⁹ Such an appropriation of Caroline in both periods, which exposed the open secrets surrounding her marriage, also depended on a concomitant silence about her deviance. The weak point in the suffragettes' appropriation of Caroline for their cause concerned the details of Caroline's own sexual conduct and vulgarity. The silences that emerge in Caroline's story are therefore revelatory of the values of monarchy and parliament (in the reigns of George IV and George V) as well as those of the later women's suffrage movement.

PASSIONATE SPEECHES

Women's suffrage activism in Britain in the mid-nineteenth century has been characterized by law-abiding protests involving letter writing and lobbying within the acceptable boundaries of femininity and decorum, mediated through politeness and quietly spoken appeals. However, Sophia van Wingerden points out that such activity must be considered in its historical moment: "For women to engage in any public business was still thought exceedingly unusual, and public manifestations of support for political aims was simply not behaviour befitting a respectable female."¹⁰ The negotiation of the public space by women who challenged femininity was vexed. At the height of the movement from 1905 to 1914, some activists resorted to extreme forms of noisy civil disobedience. Militancy, advocated by the Women's Social and Political Union

(WSPU) but eschewed by other groups, took various dramatic forms. The act of lawbreaking became a self-conscious performance, casting women publicly as unfettered political agents, defying the dominant ideological constraints of a femininity that presumed their confinement to the private sphere. This phase was characterized by women finding a voice, speaking out with a view to being heard by those who had the power to make the necessary changes for a social transformation. The militants challenged the legal system because their enfranchisement required a change in legislation. Their disruption of political meetings, notoriously beginning in the Free Trade Hall, Manchester, in October 1905, and subsequent arrest of the demonstrators, allowed activists their opportunity to make speeches in public and then in court to publicize their campaign, often with great eloquence. Such eloquence defied the expectation of the demurely silent woman, and this is widely evidenced by Laura E. Nym Mayhall in her study of various trials of militant suffragettes reported in the press.¹¹

However, eloquence, articulacy, and inhibition brought about by overwhelming emotion are all brought to the fore in the journalistic coverage of a ground-breaking trial of militant suffragettes in October 1908.¹² One of the two trials that reinforced the militants' constitutional argument for women's enfranchisement and for a widespread rejection of the authority of the law took place at Bow Street on October 14, 1908, when Emmeline and Christabel Pankhurst and Flora Drummond were tried for having incited others forcibly to enter the House of Commons. Although the Wellington (New Zealand) *Evening Post's* brief article foregrounded "Miss Christabel Pankhurst, the Portia of the movement," it claimed that the execution of her legal knowledge was inhibited by her emotion, and under the heading "a passionate speech", the article describes all of the suffragettes present in court as overcome by emotion:

During her speech for the defence Miss Pankhurst was so moved by the matter she was discussing that she could control her feelings no longer. For some minutes the only sound in court was that of her sobbing, while tears ran down her cheeks as she bowed her head. She struggled bravely to recover herself, and continued her speech, but again and again she faltered, and words of defiance were interrupted by bitter sobs. At the close she sank back into her chair in a flood of tears. Mrs Pankhurst was also overcome by her emotion, and many other women in court wept in sympathy.¹³

The women were fined and bound over to keep the peace but chose a prison sentence, which met with a celebratory response from their supporters and the consequent silencing of the magistrate:

So soon as the three had declared they would go to prison, a hundred or so of their women supporters, who filled the back of the court and the box allotted to counsel, sprang to their feet, waved their arms and cheered wildly. Mr Curtis Bennett, who looked weary of the whole business, waved with his arms for the gaolers to take the prisoners out of court, and held up his hands in mute appeal for order.¹⁴

The threat posed by the suffragettes' challenge is signified here by the unstable circulation of the power of speech in the court, between magistrate and defendants. Laura E. Nym Mayhall's analysis of this trial provides evidence to the contrary, of Christabel Pankhurst's confident demeanor, supported by a photograph of Christabel and Emmeline Pankhurst with Flora Drummond in the dock.¹⁵ Other newspapers reported the court scene and Christabel Pankhurst in different ways. The incident was of international interest and the coverage went global, with foreign correspondents relying on news being relayed at a distance and sometimes second-hand. The mutation of the story and the function of voice and silence in these narratives are revelatory of the circulation of power in the dramatic trial scene as it unfolded. The *New York Times* emphasized and undermined Christabel Pankhurst's legal expertise, by questioning the way in which she was being characterized by other journalists

. . . in newspaper headlines as "Another Portia" but a legal friend present at the hearing at Bow Street Wednesday said that her conduct of the case gave no evidence of forensic or other special talent; simply showed a pert young woman posing for the gallery with the indulgent permission of a fatherly magistrate and helped by the tolerant good nature of a police officer disposed, like all the men of the metropolitan force, to handle Suffragettes with the utmost leniency.¹⁶

The ears of the court were bent (and at some length) by extremely articulate and well-prepared defendants who seized the opportunity to present a political speech in place of a response to questioning. They drew attention to the victimized role offered by society and rejected. Militants occupied these

spaces to speak out because they did not recognize the law when it did not recognize them as citizens. From the middle of the nineteenth century, the testing of legal terminology (whether “man” included or excluded “woman”) and debates about the status of women (married, with property, widowed) had been part of the campaigns for social reform.

The sight of middle-class women (whose behavior was supposed to be otherwise strictly regulated) crouching on the pavement chalking slogans was not unusual during the militant phase of the campaign. The strategies for publicizing their political ideas were diverse, complex, imaginative, and spectacular. The printing presses at the Women's Press were used to produce the newspaper of the WSPU and to publish novels and plays. Even the graffiti of the suffragettes was affected by the age of mechanical reproduction. A stamping device was used to print onto the walls of the House of Commons an extract from the bill of rights that read: “It is the right of the subject to petition the King, and all commitments and prosecutions for such petitioning are illegal.”¹⁷ When arrested for this audacious act, Marion Wallace Dunlop presented in her defense her intention for the graffiti to be permanent: “I wrote these words because they were in danger of being forgotten by our legislators and because I intended that they should be indelible.”¹⁸ This incident was reported in the militants' newspaper, *Votes for Women*, under the ominous title, “The Writing on the Wall.”¹⁹ Thus she demonstrated the militants' consideration of the effectiveness of their interventions: the longevity of the message and its independence of the author, the reproducibility and wide dissemination of the message, and the element of surprise. Its disembodied, written (rather than spoken) form gave it this longevity. The unspoken message had a deadly force.

SILENT PROTESTS

The experience of outrage felt by women was sufficient to bring about some spectacular acts of resistance. Many of the most memorable incidents involved women interacting with physical barriers silently, or at least without the need for speech: chaining themselves to railings and smashing windows. In whatever form this overt interaction took place, there was also a transformation at work: a transformation of the barrier and the woman

herself.²⁰ The assumption that the barrier signified a silencing was challenged. Often for the first time barriers were being identified as such: there was a voicing of the barrier. The barrier was exploited as a means of expression, to communicate the ideas that motivated the physical transgression achieved. Pavements and walls became canvasses. The visual image—one that could speak for itself, independently of its author and as a deed without words—became adopted as a preferred form of argument. Visual images of the destruction of property, the broken window pane itself, were celebrated by the suffragettes. Barbara Green has explored the innovative use of the spectacle by the suffragettes.²¹ Thus, the elements of textualization and embodiment within the spectacle, the fusing of body and space, and the performative aspects of this process, made even the images of destruction symbolize a novel act of aesthetic creation in new forms in art and politics. In this politically unstable period, cultural interventions exploited aspects of familiar forms and reconfigured others. In the contradictions and conflicts which emerged, new meanings were made possible that moved beyond the binary of voice/silence and enabled power to recirculate, albeit momentarily, to produce creative spaces in which justice might be realized.

Various mechanisms of attempts to silence the opposition were deployed on both sides. The suffragettes faced the most repressive forms of imprisonment and censorship, and were subjected to the more insidious and imperceptible acts of dissuasion and discouragement. However, the militant suffrage movement was founded by an act of heckling. Subsequently, various acts of subversive silence abounded through ironic juxtaposition and inference. The Women's Freedom League in particular deployed silent witnesses to sit in court and report on the cases in the women's suffrage press. The decision not to speak by creating a strategically pregnant silence was an especially fruitful strategy.

On October 28, 1908, two women orchestrated an incident in the House of Commons in the Ladies' Gallery, the segregated section of the Strangers' Gallery open to women, from where they could observe proceedings. One woman chained herself to the Grille while another cast propagandist leaflets into the House. The Grille incident presented another sensational moment of transgression involving a physical barrier. In *The Militant Suffrage Movement*, Laura E. Nym Mayhall analyzes the resonances: the attention drawn to the Ladies' Gallery in the House of Commons and the function of the barrier, separating and to a certain extent concealing women; and the language

with which suffragists referred to this systematic separation and concealment of women with “the orientalist imagery of the oppression of purdah and the harem so characteristic of Victorian feminism.”²² This separately designated space in the seat of government permitted “Ladies” (as a subgroup of “strangers”) in the gallery to exercise the power of sight but not sound. The invitation was predicated on the visitor’s silence and decorum. The potential effectiveness of action over speech was at the heart of the militants’ campaign, emphasized by its slogan, “Deeds not words,” which signified the exhaustion of words; their time was over and the priority was shifted toward action. However, the political activist may operate silently but nevertheless achieve expression. To this end, the occupation of a significant space has often been a highly effective political act.

The law courts and the Houses of Parliament were obvious targets for assault, as the suffrage activists attempted to gain physical entry to the institutions that legally excluded them. Marches and petitions were destined for the metropolitan capital and seat of government. On February 9, 1906, Mrs. Pankhurst led a deputation to Parliament to make a petition. The Houses of Parliament needed to be transformed; memorably depicted in one cartoon as “the house that Jack built,”²³ it would be reengineered by the New Women of the new century. In February 1907, Pankhurst held the first Women’s Parliament in Caxton Hall, London, leading the audience of four hundred to the House of Commons where a lengthy struggle with police ensued.²⁴ On June 29, 1909, Pankhurst and eight other women tested the Bill of Rights, the right “to petition the King.”²⁵ The politics of women’s suffrage took on spatial forms. Movement, outside the home, in public, for women outside the working class challenged the separate spheres ideology. Where the force of this challenge became most effectively represented is in relation to a threshold or border where the viability of the law to exclude women from the process of government was tested.²⁶ The anonymity of the transgressor was often significant, as was the silent perpetration of the act. The demand for inclusion is assumed rather than vocalized in a plea to gain entry. In a suffrage short story, “The Women at the Gates,” the discussion between an anonymous woman and man in a crowd outside of Parliament, witnessing the arrest of a suffragette trying to gain entry, presents the struggle explicitly in terms of warfare.²⁷ The inevitable destruction of an anonymous multitude is depicted in the influential short story by Olive Schreiner, “Three Dreams in a Desert,” where the locusts build a bridge with their bodies.²⁸

PERFORMING PROTESTS

In various audacious and spectacular ways, the exclusion of women from the democratic process was challenged, not least by a sustained attack on the legal system. According to Laura E. Nym Mayhall: “Throughout the Edwardian campaign for women’s suffrage, suffragettes assiduously sought to legitimize their protests and their claim to citizenship by appealing to the law.”²⁹ The exposition of their arguments for the vote took shape in political speeches and newspapers but also found a hearing on the stage in front of an audience. Drama, one of the more successful cultural forms of protest, was often used to expose the inequities of the existing social fabric; as an aesthetic form it deploys the body as well as the voice in front of witnesses: the audience. Some plays exploited the metatheatrical dimension, drawing attention to the active participation of the audience in the process as witnesses of a social reenactment, where wrongs are righted and justice prevails. In one successful play, Cicely Hamilton’s *A Pageant of Great Women*, Justice is indeed a character presiding over what amounts to a hearing on women’s rights.³⁰ In front of Justice appear the great women of the past, who are summoned as silent witnesses for Woman in her case for women’s rights against an ultimately silenced Prejudice. The success of Woman is vocalized by repeated reference to Prejudice’s silence, expressed by both Justice and Woman:

Justice: There falls a silence.

Woman: Goddess, he is dumb!

Justice: Dost thou not speak?

Woman: Goddess, he slinks away!

(*Prejudice goes out.*)

Justice: Is it e’en so?

Woman: Yea, I have silenced him: O give me judgement, give it!³¹

Techniques of parody and reversal were often exploited in the cultural interventions of the women’s suffrage movement, exposing those injustices that were apparent in daily encounters or, more explicitly, with reference to specific unjust laws. Susan Glaspell’s play *Trifles* (subsequently adapted as a short story entitled “A Jury of Her Peers”) was performed in London by the Pioneer Players, the same theater society that produced *Pains and Penalties* in support of women’s suffrage.³² *Trifles* raised questions about the adequacy of the law to understand a woman’s motive to commit a crime or even

to notice and interpret the evidence. One of the female characters states enigmatically, “the law is the law and a bad stove is a bad stove.”³³ Although Glaspell’s story has been influential in American feminist criticism, and its association with women’s suffrage drama in London and its resonance for literature and law deserves more consideration, it is the silent aspects of the play that concern me here. Glaspell’s story highlights the institutional failure to see, hear, or understand women, and it implicates the audience in silent collusion with the women, who join together to withhold the evidence to protect Mrs. Wright. Any interruption, identifying the evidence, would break the laws of naturalism, breaching the fourth wall that separates the audience from the actors. Glaspell’s deployment of naturalism has the effect of interpellating the audience in supportive silence. Glaspell’s wronged woman does not get her day in court. She is absent from the play, firmly incarcerated pending trial. The aesthetic decision to leave her there, ending the play with the unresolved question about justice, appears to be successful as it leaves the audience silently in a troubled state of mind.

The antisuffrage lobby was ridiculed as self-defeating in several women’s suffrage plays, which highlighted their paradoxical position: in organizing politically to prevent women from taking part in politics, they disproved their own argument. In a comic monologue, *An Anti-Suffragist or The Other Side* by H. M. Paull, Miss De Lacey, the secretary of the Little Pendleton Anti-Suffragist Society, reports to the meeting how the A.S.S. [sic] came to be formed. She describes, in unintentionally amusing manner, the reluctant participation of various women in the discussions: “Miss Prideaux wouldn’t stand up to speak because she thought it unladylike to be so obtrusive.”³⁴ In response to Sir Reginald Bellamy’s “rude” conclusion, “the fact that we had come here to assert how unfit we were to take any part in the affairs of our country showed that we agreed with him.” She reported, “Of course it would have been unladylike to contradict him, so we sat silent.”³⁵ Although silent decorum is claimed to be the appropriate behavior for women, the forceful adherence to this argument ironically amounts to a political position that these women deny.

SILENCE, JUSTICE, AND PUBLIC SECRETS

In spite of the modernity of the sabotage and surveillance, spectacle and violence, the cultural politics of the women’s suffrage movement also relied on

creating a tradition, appropriating figures, incidents, and events from the past to give the campaign credibility and wider resonance. Laurence Housman's banned play, *Pains and Penalties*, produced in London in November 1911, claimed Caroline, the uncrowned Queen and estranged wife to George IV, as a proto-suffragette. The exclusion of Caroline from the Coronation both symbolically and literally provided a figure of maligned womanhood. Earlier political activists had exploited this status for their own ends. By January 1820, when George acceded to the throne, his years of well-publicized profligacy and the rising power of the Radicals created a volatile moment for the monarchy.³⁶ The status of George, Prince of Wales, was subject to doubt in many ways. Following an adulthood of wild spending and even wilder living, openly consorting with various women, he had married the Catholic widow Maria Fitzherbert clandestinely (and without the King's permission) in 1785. Ten years later, he officially married the wealthy Caroline of Brunswick to settle his vast debts and to produce an heir. The marriage was short lived, and their only child, Charlotte, died young. Caroline was to live in exile for some twenty-five years.

Their marriage had been expedient. but it was founded on collusion, demonstrated in the most poignant way by the failure of anyone present to break the pregnant pause in the marriage ceremony engineered by the Archbishop of Canterbury:

The marriage ceremony on 8 April passed off without undue incident, though it was noticed that the Archbishop of Canterbury paused meaningfully at the passage concerning the disclosure of "any lawful impediment" and twice repeated the passage which abjured the Prince to "live from that time in nuptial fidelity with his consort."³⁷

The failure to take the opportunity to disclose and to testify to the truth of the matter with regard to the Prince's status implicated those present. As Marianne Constable explains, "a kind of sincerity or commitment to the performance and what it inaugurates is required on the part of the participants."³⁸ The truthful declaration of the details of the Prince's activities with Mrs. Fitzherbert would have demonstrated just such a "commitment" to the marriage but may have been interpreted by the King as treasonable. The marriage of George to Caroline was financially beneficial to the kingdom at a time when George's debts had run into six figures.³⁹ It was therefore

effectively a “necessary silence,” since the Archbishop was daring to transgress the bounds of necessity by drawing attention to the vulnerability of the silence by his pauses and repetitions. The Prince’s (second) marriage was to a large extent no less questionable in status as his first. The integrity of his marriage to Caroline was fundamentally undermined by the fact that those conducting the ceremony did not have faith in the vows being made. As it was, the commitment to fidelity was never achieved for either of the royal couple.

In 1820, what became known as the “Queen’s affair” absorbed the attention of the nation. Whereas Caroline expected to be accorded the respect and privileges of Queen, George had excluded her name from the nation’s prayers, not without opposition from his ministers. When she returned to England in June, in spite of attempts to keep her away, a crisis ensued not least because the people and indeed the military appeared to support her; Radical politicians approached her, and their newspapers solicited popular support.⁴⁰ She was welcomed home to some extent with the public awareness of the double standards being enforced by the monarchy and government. Her husband, his courtiers, and Whig politicians sought to bring about her exclusion if not also her downfall by means of divorce on the grounds of adultery. The king insisted on removing her name from prayers; in the place where her name should appear, instead there was to be silence. What was effectively a trial was enacted by means of a reading in the House of Lords of a bill of “pains and penalties” (taken by Housman as the title of his play), an ancient procedure invoked in this case to remove the title from the Queen and send her back into exile.⁴¹ Caroline was subjected to public humiliation as witnesses were questioned on the precise arrangements of her travelling, accommodation, and even bathing to determine the level of intimacy she enjoyed when in exile with her Italian servant, Pergami. In Housman’s play, Caroline advised Pergami not to appear as a witness in her defense, explaining, “They have here in England a terrible instrument of torture which you Italians do not understand—cross-examination it is called. To face that you have to be more accustomed to telling lies than is reasonably possible to anyone who is not himself a lawyer.”⁴² Caroline thus advocated Pergami’s right to silence, raising questions about truth and justice in the English legal system.

Caroline’s morality, rather than that of her husband, became the subject of scrutiny. A xenophobic ridiculing of her nationality and that of Pergami, as

well as other cultural and behavioral signs of her failure to qualify as an English lady were evident in the vicious world of the political cartoon. There was consternation about her manners and personal hygiene. Lord Malmesbury recorded in his diary that he advised her “to be perfectly silent on politics and party” and urged her to engage in a “long toilette.” He noted despairingly, “What I could not say myself on this point, I got said through women.”⁴³ Although Malmesbury is in a position to advise the new queen, he is prevented from explicit instructions on her behavior where it compromises appropriate gender relations. Thus Caroline’s bragging about conducting a “fast toilette” was an affront to decorum.⁴⁴ Although he felt it impossible to refer directly to her poor personal hygiene, he attempted to convey as much by implication, referring to the preferred length of time to be taken. In the formal interactions at court, the management of conversation was complex and fraught; the significance conveyed and interpreted appeared to depend as much on the unsaid, the implied and omitted, as much as on what was directly expressed: “I was far from satisfied with the Princess’s behaviour; it was flippant, rattling, affecting raillery and wit, and throwing out coarse vulgar hints about Lady [Jersey], who was present, and though mute, *le diable n’en perdait rien*.”⁴⁵ As a last resort, translation into French appeared to signify moral values in great tension.

Brougham, the lawyer entrusted with negotiations to prevent Caroline from returning to Britain, played a significant part in the outcome. He recorded in his autobiography his regret that she attempted to enter Westminster Abbey on Coronation Day; according to his reading, the mood of the crowd was fickle, and she found herself in a humiliating position, although she had earlier been championed by the Radicals.⁴⁶ As E. A. Smith has demonstrated, the popular press published letters and articles that emphasized the Queen’s plight as representative of the oppression of women generally.⁴⁷ In Housman’s play, avidly watched by suffrage activists in London in 1911 with their own desires to get through the same barrier, Brougham identifies the significance of the events:

I foresee that from this trial may spring the reform of our monarchy, the reform of our representative system, the reform of our marriage laws, nay, the reform even of our conception of the rights and status of womanhood throughout the world. Justice, in figure, will come from the people, and will be enforced by the people.⁴⁸

Housman chooses not to have the scene of Caroline's rejection acted on stage. Instead it is reported to King George by a member of court who had refused her entry:

"Her Majesty did not say anything in reply; leaning on Lord Hood's arm she returned immediately to her carriage. They then drove round to the south-side entrance: afterwards to the north. What happened there I have not heard: no doubt in each case your Majesty's orders were obeyed. A quarter of an hour later I saw the coach drive away: as it went by, the crowd hooted."⁴⁹

Having demanded her rights as a Queen, she finds herself publicly humiliated. The details are left to the imagination, and most significantly, she is reported as responding with dignified silence.

In *The Academy*, the reviewer of the Pioneer Players' performance of *Pains and Penalties* questioned the advisability of the "recently added" Coronation Day scene depicting George IV, which showed the king "in a very repulsive light," although Caroline was also made to appear entirely capable of the deeds of which she was suspected. In this regard, Housman deviated from the common view that Caroline was "more sinned against than sinning."⁵⁰

This particular performance of the play on November 27, 1911, reviewed in *The Times* as "Incident at the Savoy,"⁵¹ had a direct relationship with the ongoing debate about the censorship of the stage. After the first act of the play, Harley Granville Barker addressed the audience, proposing a resolution to condemn the newly appointed reader of plays, Charles Brookfield.⁵² Granville Barker was one of the dramatists who, as member of the Drama Committee of the Society of Authors, had written to the *Manchester Guardian* in 1909 in response to the report of the Select Committee on Stage Plays (Censorship). The signatories had asked for the option for authors to have trial by jury rather than by committee and for the "list of offences" to omit those relating to the "religious and political liberty of the stage."⁵³ They pointed out that the Select Committee's recommendation for what amounted effectively to "optional censorship" would be unworkable, since the theater owner or landlord would require it to safeguard his or her interests: "By penalising a building because somebody produces a punishable play in it you drive the landlord into driving his lessee to the Censor."⁵⁴ On the occasion of Housman's play about Queen Caroline, Granville Barker was transforming the Savoy Theatre into a people's court.

PETITIONING THE KING

The Pioneer Players theater society had a sustained engagement with the Lord Chamberlain in the battle against censorship. In January 1912, the Pioneer Players produced another play that was both refused a licence and depicted the reform of the monarchy.⁵⁵ *The Coronation*, a play cowritten by Christopher St John and Charles Thursby, is set in the imaginary land of Omnisterre, on the day of coronation of Henricus XVI. Henricus expresses socialist sentiments, much to the horror of the chief minister (significantly named Verbi-Verbi) and whom Lord Benedict disparagingly refers to as “that little counter-jumper.”⁵⁶ The government of Omnisterre, under Verbi-Verbi’s leadership, “is run as a business concern.”⁵⁷ By contrast, Henricus intends “to see that the poor are not oppressed, and that labourers are not defrauded of their just wage. I am to declare before God that even though benefits flow from the splendours of Empire, I, the King, will never fail to be the guardian of the poor.”⁵⁸ From the crowds lining the streets emerges an unnamed woman who casts a petition into the King’s carriage. This document reveals to Henricus the state of the nation, leading to his epiphany and his determination to liberate his people. He challenges Verbi-Verbi:

You, who have silenced the voice of the people, who have stolen from them all rights except the right to starve—the right to die! The rights of the people! [. . .] I deny that I am trifling with THEIR rights. . . . I am respecting them. . . . Protecting them, giving them a voice. . . . Nothing may come of it. . . . But at least I have broken that silence, that terrible silence, which for years has been heard only of heaven!⁵⁹

The breaking of the silence of oppression by the petition of the King by a wronged woman is a shared plot in *The Coronation* and *Pains and Penalties* and made both plays highly resonant for the constitutional argument used by the militants in the British women’s suffrage movement. The world of politics is occupied by words (Verbi-Verbi) while the disempowered languish in silence. In both cases, the abjected female returns, acting as a catalyst brings about a new perspective, instigating a new system of justice and truth. It presents, through Woman in *The Coronation* and the Queen in *Pains and Penalties*, a glimpse of a new world order. To what extent do either of them constitute a figure of repressed desire, a troubling feminine principle posing a

challenge to the law, or as Maria Aristodemou suggests, “the repository onto which any untameable aspects of language could be projected, thus enabling philosophy and law to guard their claim as guardians of the truth”?⁶⁰ In this respect, *The Coronation* and *Pains and Penalties* share with Susan Glaspell’s *Trifles* a reassessment of orthodoxy, exposing the institutionalized trivialization of women from all social classes: from the humble peasant in *The Coronation* and the neglected farmer’s wife in *Trifles* to the exiled Queen of England in *Pains and Penalties*. The performance context of the Pioneer Players’ production of these plays adds an extra dimension to the challenge, presented as they were explicitly in defiance of the Lord Chamberlain’s attempts to regulate the stage.

Brougham was right. What happened to Caroline in the “Queen’s affair” had a long-lasting significance. In the rediscovery of Caroline in the 1990s, the powers of the monarchy and their maintenance through the institution of marriage and the symbolism of the royal family became tested during the conflicts within the marriage of Charles and Diana. Although the value of Caroline for the women’s suffrage campaign is clear—as a famous figure in British history whose life exposed the double standards at the heart of the monarchy and legal system, and Laurence Housman’s play emphasizes the prejudices and vindictiveness employed to find the legal means to deny her rights—the narrative ends on a low note: with her abjection and realization that she had been manipulated by politicians and abandoned by a fickle public.

In Housman’s play the significance of Caroline’s relationships with men (other than the King) is repressed. The female subject as rational being, in women’s suffrage cultural representations, tended to depend on the repression of her potential sexual desires. The figure of Caroline in the play as an articulate and respectable lady, foregrounding her rationality rather than her passion, contrasts greatly with many reports of the time. Housman was later informed by Sir Douglas Dawson that his play might receive licence for public performance in the future if he were to remove one word (“adultery”) and one sentence: “Heirs male of the last generation have not been a conspicuous success.”⁶¹ Housman’s recollection of the terms at stake in the achievement of a licensed public airing of his play includes a significant debate about silence, meaning, and space:

The word I was to leave out was “adultery.” It came in a sentence which Queen Caroline had actually spoken: “If I ever did commit adultery, it was

when I married the husband of Mrs FitzHerbert.” It was a magnificent answer to her tormentors; it put the case in a nutshell; but—it contained the forbidden word. “But, my dear Sir,” I protested, “the word adultery is said in church every Sunday, with ears of men, women, and children. What does it matter?” “Nothing at all,” he said: “In church it means nothing, but on the stage it means everything.”

There, of course, he was quite right: the stage being so much more alive in meaning what it says, than the Church. Still, it was comic.

“Well,” I said, “I can do this: I can make Caroline say, ‘If I ever did commit . . .,’ and then Lord Brougham can interrupt with an exclamation of horror, representing the mind of the Lord Chamberlain’s office up-to-date, so that the word never gets spoken.” But this, I found, did not satisfy him. “No,” he said, “I’m afraid that directly you say the word ‘commit’ everybody will know what the next word is going to be.”⁶²

A silence, especially that enacted on stage, has the power to speak to the audience. The Lord Chamberlain was therefore censoring the words that “Caroline had actually spoken” because these would be uttered on the stage. Drama had the power to reach an impressionable audience. The theater was a valuable space for political persuasion and influence. Housman’s proposed compromise—to remove the word “adultery” but retain the verb “commit”—was rejected. The play finally found approval with the less explicit phrasing, “If ever I did that thing.”⁶³ Although “That thing” was deemed a suitable substitute for “adultery,” a silence was not. If anything had been learned from several hundred years of stage censorship—a lesson put into practice by the suffragettes—it was that silence could be all too effective as a means of communication.

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1. Lisa Tickner, *The Spectacle of Women* (London: Chatto & Windus, 1987), at 32, fig. 30, “Beware of Suffragists,” by E. Dusédeau, Jersey, c. 1909, depicting a woman with an abnormally long tongue about to be cut with scissors.
 2. Laura E. Nym Mayhall, *The Militant Suffrage Movement: Citizenship and Resistance in Britain, 1860–1930* (Oxford: Oxford University Press, 2003).
 3. *Id.* at 59.
 4. Laurence Housman, “A Question for Constitutionals,” *Votes for Women*, Feb. 24, 1911, 335.
 5. Laurence Housman, *Pains and Penalties: A Play in 4 Acts* (London: Jonathan Cape, 1911).
 6. Katharine Cockin, “Laurence Housman,” in *The Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004).

7. Katharine Cockin, *Women and Theatre in the Age of Suffrage: The Pioneer Players 1911–25* (Basingstoke: Palgrave, 2001), 18–19, 47, 121.
8. Laurence Housman, *The Unexpected Years* (London: Jonathan Cape, 1937), 248.
9. See Flora Fraser, *The Unruly Queen: The Life of Queen Caroline* (Basingstoke: Macmillan, 1996); E. A. Smith, *A Queen on Trial: The Affair of Queen Caroline* (Stroud: Alan Sutton, 1994).
10. Sophia van Wingerden, *The Women's Suffrage Movement in Britain, 1866–1928* (Basingstoke: Macmillan 1999), 26.
11. Mayhall, *supra* note 2, at ch. 4.
12. "The Suffragist Triumph," *Evening Post* (Wellington, New Zealand), Dec. 9 1908, 9. See Linda Rozmovits, "New Woman Meets Shakespeare Woman: The Struggle over the Figure of Portia in the Late Nineteenth and Early Twentieth Century," 4/4 *Women's History Review* 441–64 (1995).
13. "The Suffragist Triumph," *supra* note 12, at 9.
14. *Id.*
15. See Mayhall, *supra* note 2, at 77 (fig. 4.2).
16. "Pert Young Woman is Miss Pankhurst," *New York Times*, Oct. 18, 1908.
17. Mayhall, *supra* note 2, at 52.
18. *Id.*
19. "The Writing on the Wall," *Votes for Women*, July 9, 1909, 905.
20. An early version of this article, which focused on the function of barriers, was used in my paper at the Critical Legal Studies conference held at Birkbeck University of London in 2007. I am grateful to the conference organizers, the panel, chair, and audience for their supportive comments.
21. See Barbara Green, *Spectacular Confessions: Autobiography, Performative Activism and the Sites of Suffrage 1905–1938* (New York: St Martin's Press, 1997).
22. See Mayhall, *supra* note 2, at 51.
23. See Tickner, *supra* note 1, at 51 (fig. 28, "This is the House that Man Built").
24. See Wingerden, *supra* note 10, at 78.
25. *Id.* at 86.
26. See E. Sharp, "Patrolling the Gutter," in *Voices and Votes*, ed. Glenda Norquay, (Manchester: Manchester University Press, 1995), 223.
27. Evelyn Sharp, "The Woman at the Gates," in *Voices and Votes*, ed. Glenda Norquay, (Manchester: Manchester University Press, 1995), 96–104.
28. Olive Schreiner, "Three Dreams in a Desert," in *Dreams* (London & Leipsic: T. Fisher Unwin, 1890).
29. See Mayhall, *supra* note 2, at 63.
30. This is one of the most significant women's suffrage plays produced in Britain. See Katharine Cockin, "Cicely Hamilton's Warriors: Dramatic Reinventions of Militancy in the British Women's Suffrage Movement," 14/3 *Women's History Review*, 527–42 (2005).
31. Cicely Hamilton, "A Pageant of Great Women," in *Women's Suffrage Literature*, vol. III, *Suffrage Drama*, ed. Katharine Cockin, Glenda Norquay, & Sowon Park (London: Routledge, 2007), 174–266, 231.
32. Susan Glaspell's *Trifles* was produced on February 9, 1919, at the King's Hall, London. See Cockin, *supra* note 7, at 115, 123.
33. See Linda Ben-Zvi, "Murder, She Wrote": *The Genesis of Susan Glaspell's Trifles*, 44/2 *Theatre Journal*, 141–62 (May 1992); Elaine Aston, "'Meeting the Outside': The Theatre of Susan Glaspell," in *Difference in View: Women and Modernism*, ed. Gabriele Griffin (London and Bristol, PA: Taylor & Francis, 1994), 155–67.
34. H. M. Paull, "An Anti-Suffragist or The Other Side," in *Women's Suffrage Literature*, vol. III, *Suffrage Drama*, ed. Katharine Cockin, Glenda Norquay, & Sowon Park (London: Routledge, 2007), 450.

35. *Id.* at 451.
36. See Leonore Davidoff & Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class 1780–1850* (London: Hutchinson Education, 1987).
37. E. A. Smith, *A Queen on Trial: The Affair of Queen Caroline* (Stroud: Alan Sutton, 2005), 7.
38. Marianne Constable, *Just Silences: The Limits and Possibilities of Modern Law* (Princeton, NJ: Princeton University Press, 2005), 163.
39. Smith, *supra* note 37, at 2.
40. *Id.* at xi.
41. Flora Fraser, *The Unruly Queen: A Life of Caroline* (Basingstoke: Macmillan, 1996), 399.
42. Housman, *supra* note 5, at 102.
43. Smith, *supra* note 37, at 5.
44. *Id.*
45. *Id.* at 7.
46. *Id.* at 179.
47. *Id.* at 100.
48. Housman, *supra* note 5, at 93.
49. *Id.* at 111.
50. *The Academy*, Dec. 2, 1911, 701.
51. “Incident at the Savoy,” *Times* (London) 1911.
52. Cockin, *supra* note 7, at 19.
53. *Manchester Guardian*, Nov. 29, 1909, 12.
54. *Id.*
55. Cockin, *supra* note 7, at 96–97.
56. Christopher St John & Charles Thursby, “The Coronation,” in *Women’s Suffrage Literature*, vol. III, *Suffrage Drama*, ed. Katharine Cockin, Glenda Norquay, & Sowon Park (London: Routledge, 2007), 98.
57. *Id.* at 99.
58. *Id.* at 110.
59. *Id.* at 118. All ellipses in this quotation are in original except as indicated by square brackets.
60. Maria Aristodemou, *Law & Literature: Journeys from Her to Eternity* (Oxford: Oxford University Press, 1999), 18.
61. Housman, *supra* note 8, at 249.
62. *Id.* at 250.
63. *Id.*