

Edward IV, and, more broadly, it has been seen as a marker of the legal landscape for the play's contemporary society expressing a tension between ecclesiastical absolution and secular legal systems.¹⁸ But what if we were to read the naming episode as an early example of performed libel, or slander, in the legal context of defamation?¹⁹ What if the passage seeks to ruin the good reputations of the men it names by accusing them of vice through allusive association with each of the Worldlings? And what if its distinctions are based on the technical legalities of defaming different groups of people? In a play that is chiefly concerned with the danger of idle words, this episode appears to have been intentionally designed to function as defamatory verse, to rob the men named of their communal reputations through the performative power

18. For a reading of this section as political satire in support of those connected with Edward IV see Geck 'Dating and Prosopography'. John Marshall makes a similar case for reading aspects of *Wisdom* as political satire of an anti-Lancastrian bent in "Fortune in the Worldys Worschyppe": The Satirising of the Suffolks in *Wisdom*' *Medieval English Theatre* 14 (1992) 37–66. For a reading which locates tensions between common law procedures and ecclesiastical penitence in this episode based on the Worldlings' use of their 'neck verse' to evade secular legal repercussions see Hutson *The Invention of Suspicion* 12–63.
19. I use both of the terms, *libel* and *slander*, deliberately in this instance because I wish to suggest that there is a relationship between early modern performed libels and this earlier instance of performed defamation. Although during both the medieval and early modern periods the terms *libel* and *slander* were not legally separated into written or spoken attacks as in our modern understanding, the term *slander* is more appropriate for the spoken *Mankind* instance because the early modern understanding of the term *libel* is a much more specific and precisely defined one. Scholars have argued that although it was not statutory, the distinction between spoken and written attacks as those labelled *slander* and *libel* respectively appears to have been widely observed from an early stage. On the evidence of Star Chamber records for libel cases during the reign of James I, I do not believe such a clear distinction to have been widely observed in practice. However, hereafter the terms *slander* or *defamation* will be used in reference to the *Mankind* instance, whereas the term *libel* will be used to refer to early modern examples. For further work on these later examples of libel see Adam Fox 'Ballads, Libels and Popular Ridicule in Jacobean England' *Past and Present* 145 (1994) 47–83 and *Oral and Literate Culture in England 1500–1700* (New York: Oxford UP, 2000), especially 299–334; for their performance qualities see Clare Egan "Now fearing neither friend nor foe, To the worldes view these verses goe": Mapping Libel Performance in Early-Modern Devon' *Medieval English Theatre* 36 (2014) 70–103. For a concise explanation of the early modern legal definition of libels see David Ibbetson 'Edward Coke, Roman Law, and the Law of Libel' in *The Oxford Handbook of English Law and Literature, 1500–1700* edited Lorna Hutson (Oxford UP, 2017) 487–506.

of words. It also appears to act as a commentary upon the legal punishment of such offences, which distinguished between the slander of those in public office and that of private individuals. The explicit association of defamation with the performance of communal morality in *Mankind* sheds new light on the ways in which the early dramatic tradition engaged with its socio-legal context. Furthermore, this reading of *Mankind* establishes a historical precedent for the early modern trend of performed libels and furthers our understanding of how such libels might have functioned in provincial communities.

Ostensibly, Titivillus initially talks of the ‘abyll felyschyppe’ (*Mankind* 477) going abroad to steal men’s horses, but his command in lines 492–5 is actually rather vaguer: ‘Go and serche the contré ... what yf ye may cache owghte. Yf ye fayll of hors, take what ye may ellys’. And again a few lines later: ‘Forth, and espye were ye may do harme’ (*Mankind* 502). While the satirical potential of this episode has been highlighted, scholars have tended to read this naming joke straightforwardly as indicating those who will be the targets of theft.²⁰ They read the distinction between those in positions of authority (Master Woode, Master Alyngton, and Hamonde) who the vices claim they will not visit, and the others (Master Huntyngton, Wylliam Thurlay, Pycharde, Wylllyham Baker, Rycherde Bollman, and Wylllyam Patrycke) that they will thieve from, as an indication that one would not wish to steal from the former group for fear that their authority and social standing might result in the culprits being hanged for theft.²¹ This is an adequate explanation for the episode; its local circumstantiality and reference to individuals in positions of authority as those to be afraid of stealing from provides a coherent, sufficient explanation for the scene. However, this need not stop us from positing alternative possible explanations and contexts. If we read this section as slandering the men, then rather than planning actual theft of property, the implication is that Titivillus invites the vices, via their subsequent words, to plunder the good reputations of these men by associating them with the particular vices that name them. What follows here is a thorough consideration of another possible socio-legal discourse in which the episode may participate: the defamatory tradition.

By allusion, then, Master Huntyngton, Wylliam Thurlay, and Pycharde are accused of overindulgence in the latest guise (or fashion), Wylllyham

20. Geck ‘Dating and Prosopography’ 48 and 52.

21. Geck ‘Dating and Prosopography’ 41 and 48. Marshall describes those who are avoided as being “spared” for reasons of judicial authority’ (‘Addressing the Audience’ 193).