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Cynthia Herrup. *A House in Gross Disorder: Sex, Law, and the 2nd Earl of Castlehaven.* New York and Oxford: Oxford University Press, 1999. xiv + 211 pp. $25.00 (cloth), ISBN 978-0-19-512518-4.

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The Disorderly Earl of Castlehaven

This monograph by Professor Cynthia Herrup of Duke University is the first book-length study of an unusual seventeenth-century trial: the prosecution of the 2nd Earl of Castlehaven on charges of sodomy and rape.

The book is divided into five chapters, plus a short introduction and conclusion. Chapter One ("A Household Kept unto Itself") sets the stage. It describes Castlehaven's lineage and explains how he and his family came to possess, among other things, a mansion house at Fonthill Gifford in Witshire and an Irish earldom. It also recounts the growing signs, in the late 1620s and 1630, of Charles I's distaste for the Earl and his family. In 1630, labeled an "annus horrendus" by Professor Herrup (p. 22), Castlehaven's only brother, a Roman Catholic, was imprisoned as a potential enemy of the state; his sister, an eccentric Protestant prophetess, was banned from the King's court; and the Earl himself (who had flirted with Catholicism but ostensibly had returned to the English church) was stripped of his largest and and most prestigious properties in Ireland. What explains the King's enmity toward Castlehaven and his family? Professor Herrup mentions a number of causes, including anti-Catholic prejudice (pp. 15-17) and disputes over land (p. 23), but she focuses the reader's attention on the contrast between Charles I's morally upright and well-regulated household and the unruliness and disorder that allegedly prevailed at Fonthill Gifford.

These allegations of disorder lie at the heart of Chapter Two ("A Debauched Son of a Noble Family"). The charges were brought initially by Castlehaven's eldest son, Lord Audley, who complained to the Privy Council that the Earl intended to disinherit him in favor of a servant, Henry Skipwith, on whom Castlehaven had already lavished gifts worth 12,000 pounds; that Castlehaven repeatedly encouraged Skipwith and other servants to have sexual intercourse with Audley's wife; and that the Earl's wife and Skipwith were having a sexual relationship with the Earl's consent. Over several months, members of the Council interrogated Castlehaven, his family, and the servants at Fontill Gifford. In the course of these examinations, additional charges against the Earl emerged–namely, that he had committed sodomy with Skipwith and another servant, and that he had engineered the rape of his wife. On 25 April 1631, the whole matter came to trial, and the Earl was found guilty of sodomy and rape.

Chapter Three ("A Verdict, But No Resolution") takes a thematic approach to the evidence presented at trial. Herrup concentrates on three themes: first, the responsibility of adult men to govern themselves and their households; second, the duty of aristocrats to conduct themselves with honor; and third, the obligation of Englishmen (and women) to show loyalty to their Protestant monarch. Professor Herrup argues that Castlehaven's trial was less about the specific charges of sodomy and rape and more about his failure to perform these three duties. By being the head of a household overrun by "sly servants and unruly women" (p. 74), by acting dishonorably and encouraging dishonor in others (p. 79), and by having suspect ties to Roman Catholicism and Ireland (p. 81), the Earl was easily portrayed as corrupt and, therefore, guilty of something. Whether he was truly guilty of sodomy and rape we may never know, and Professor Herrup repeatedly insists that this is not the point of her book (pp. xiv, 5-7, 65, 153). Instead, she maintains, it is the trial's social context that deserves our attention. As she explains, "this [was] a case about much more than a single man or a single family ... [instead, it] became a canvas upon which an entire palette of social anxieties

could be exhibited" (pp. 86-87).

Chapter Four ("A Household Broke Beyond Repair") provides a short narrative of events after Castlehaven's execution. It traces the fortunes of the main actors in the drama: Castlehaven's widow, his eldest son Lord Audley (who became the 3rd Earl), and Audley's wife. The chapter also contains a two-page account of some of the bit players, including Castlehaven's younger children and a few of his servants.

Finally, Chapter Five ("Retellings") examines how later authors used the Castlehaven story for widely different purposes. In books, pamphlets, poems, letters, and diaries, the retelling and re-fashioning of the Earl's trial has focused on themes as divergent as family, salvation, governance, sexuality, lewdness, class, desire, madness, and victimization. And, as one might expect, the retellings also differ widely on the ultimate question of the Earl's innocence or guilt.

Professor Herrup has written a very interesting and thoughtful book. Other scholars have briefly mentioned the moral contrast between Castlehaven and his King,[1] but Professor Herrup is the first to explore this fascinating contrast in such detail.

My one criticism concerns the book's production. The copy sent to me had none of the book's promised fifteen illustrations, nor did it have an index. If these defects exist in other copies of the book, I hope that they will be quickly corrected by the publisher.

Notes

[1]. See, *e.g.*, Lawrence Stone, *The Crisis of the Aristocracy, 1558-1641* (Oxford: Clarendon Press of Oxford University Press, 1965), pp. 667-68, and Kevin Sharpe, *The Personal Rule of Charles I* (New Haven: Yale University Press, 1992), pp. 188-192.

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