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#### **Research Article**

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# "Thrice the brindled cat hath mew'd" - The Three Trials of William Hone

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**Abstract:** This essay argues that the bold affirmation of the political, rather than the religious, purpose of his liturgical parodies enabled the journalist, satirist, and publisher William Hone (1780–1842) to turn three accusations of blasphemous libel into the triple defence of the freedom of the press during his trials in December 1817. Hone was accused of blasphemous and seditious libel for having printed and published three liturgical parodies in the early months of that year. These were *The Late John Wilkes's Catechism of a Ministerial Member, The Political Litany, Diligently Revised* and *The Sinecurist's Creed, or Belief.* He conducted his own defence and, against the odds, was acquitted in all three trials. On January 23, 1818, Hone published the narrated transcripts of the trials. The present essay analyses and interprets those transcripts, highlighting Hone's eloquence, his desacralisation of court ritual, and, most important, the strategic use of satire as a legitimate method of political criticism and as an index of the freedom of the press. The Conclusion focuses on the political and cultural significance of Hone's rebuttal performance and claims his long-standing right to our attention.

Keywords: William Hone, liturgical parodies, popular radical satire

#### Introduction

The satirist, journalist, bookseller, and publisher William Hone (1780–1842) was put on trial on three consecutive days – December 18, 19, and 20, 1817 – for having printed and published in late January or early February of 1817 three liturgical parodies parodying the Church Catechism, the Litany, and the Athanasian Creed. These parodies were *The Late John Wilkes's Catechism of a Ministerial Member*<sup>1</sup> (tried on the 18th), *The Political Litany, Diligently Revised* (on the 19th), and *The Sinecurist's Creed, or Belief* (on the 20th). They were sold quickly in London and the country<sup>3</sup> – perhaps as many as a hundred thousand copies

<sup>1</sup> On the title page of this parody, Hone claimed that he had taken it from an original by John Wilkes "never published." Marcus Wood discovered the eighteenth-century manuscript in the British Library, among Hone's papers relating to his intended *History of Parody*, and published the transcript as an Appendix (Wood 272–290). This manuscript provides the only existing version of Wilkes's *Catechism* and it also shows Hone's reworkings of the original.

<sup>2</sup> Hone had published a fourth parody *The Bullet Te Deum, or the Canticle of the Stone*, which was not prosecuted. See *The William Hone Bio Text* for the texts of the four parodies: *John Wilkes's Catechism*: honearchive.org/etexts/wilkes-catechism/wilkes-catechism-html.html; *The Political Litany, Diligently Revised*: honearchive.org/etexts/political-litany/political-litany. html; *The Sinecurist's Creed, or Belief*: honearchive.org/etexts/sinecurists-creed/sinecurists-creed-html.html; and *The Bullet Te Deum, or the Canticle of the Stone*: honearchive.org/etexts/bullet-canticle/bullet-canticle-html.html.

<sup>3</sup> Some copies were bought at Hone's shops (67 Old Bailey and 55 Fleet Street) for subsequent resale in the country.

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in less than two months. Hone was prosecuted on three ex-officio informations<sup>4</sup> and accused of blasphemous and seditious libel. He conducted his own defence and, beating the odds, was acquitted in all three trials.

Hone was an autodidact with a passion for print culture. In Memoirs from Childhood, an incomplete autobiography included in Frederick Hackwood's work William Hone: His Life and Times, his interest for prints and books – the latter possibly stimulated by seeing his father constantly reading the Bible – is so evident that it is difficult to overstate their lasting influence.

The central texts of his self-education were John Bunyan's Pilgrim's Progress, which he read when he was nine years old, Foxe's Book of Martyrs, and, above all, The Trial of John Lilburne, which he read when he was sixteen. In the Memoirs (Hackwood 40), he recalls how he was touched by the spirited defence of a wrongfully accused man. It is tempting to see Lilburne's self-defence almost as a framework for his own.

These texts represent a rich dissenting tradition within which Hone found his cultural identity and political consciousness. Born in Bath, his family moved to London when he was three years old. In the London of the 1790s, he became involved in radical circles, while also working in various offices as a clerk. In 1800, he married Sarah Johnson and opened a circulating library in Lambeth. In 1816, with a wellestablished reputation in the book trade as an antiquarian and publisher, he began producing satirical pamphlets, displaying what Marcus Wood (10) designated Hone's "violent satiric impulse" against the Regent and the Liverpool government.5

Unlike the satires he authored and published in 1819 and 1820 in partnership with the caricaturist George Cruikshank, whose motivations are clear,6 Hone never fully explained what had led him to write and publish the liturgical parodies. Were they somehow a belated rebellion against his father's exacerbated religiosity? Or were they simply the product of the long tradition of liturgical parody described by Anthony Marks (232-247)?7

They were not a complete surprise, however, as in 1817 Hone was a well-known writer of radical critiques of the government and the Regent.8 As a result, he had become a target of Lord Sidmouth's repressive policies, and on May 3, 1817, he was arrested on his way home at the end of the day. On May 5, he was brought to Westminster Hall to plead and afterwards remained in custody on three counts of blasphemy and one of sedition.<sup>10</sup> On July 2, he was released. During his stay in prison he began preparing himself for the trials although he afterwards confessed that as the months went by without any notice he hoped that the charges had been dropped.

Yet, in late November he was notified by the Attorney-General of the forthcoming trials. Hone was the image proper of vulnerability. He was physically debilitated<sup>11</sup> and on the brink of bankruptcy. On his side

<sup>4</sup> An ex-officio information was a form of indictment decided by the Attorney-General on behalf of the Crown. This meant that the reasons behind an indictment could be withheld. It was abolished in England, Wales, and Northern Ireland in 1967. www. merriam-webster.com/dictionary/informations.

<sup>5</sup> In 1816 Hone published satirical prints of the Regent, viz. The Yacht for the R - -t's B-M. A Poetical Epistle from Brother John in England, to Brother Pat in Ireland honearchive.org/etexts/yacht.html and Hone's view of the Regent's bomb, now uncovered honearchive.org/etexts/regents-bomb.html.

<sup>6</sup> Hackwood (219-220; 236-237) alludes to Hone's recalling of how he got ideas for some pamphlets, namely for *The Political* House that Jack Built and The Queen's Matrimonial Ladder.

<sup>7</sup> As Marks thoroughly shows, parodying the Bible and the liturgy was a European tradition - not just English - from the Middle Ages throughout the Reformation period. In England, this long tradition continued in a considerable number of parodies that appeared during the Civil War period and the Commonwealth in the seventeenth century.

<sup>8</sup> Hone had commenced publishing in late January 1817 the radical periodical Hone's Reformists' Register and Weekly Commentary.

<sup>9</sup> Particularly, Lord Sidmouth's employment of spies and his Circular Letter to magistrates, issued on March 27, 1817 (HO 42/ 162-232). These Home Office Papers contain copies of Hone's pamphlets and of his periodical, which suggests that Hone had come under Lord Sidmouth's radar. honearchive.org/bibliographical/archives/pro.html.

<sup>10</sup> The text of one of the three entries of the official record of Hone's prosecution and detention (PRO PRIS 4/29, 250-251) is in The Hone Archive.org, which also contains a useful account of the whole background of Hone's trials. honearchive.org/  $biographical/letters/1817-05-05-prison-notebook.html {\tt\#Note2.}$ 

<sup>11</sup> Hone complained about his bad health before and after the trials in several personal letters, for example, on May 8, 1817, to John Hunt (Kent and Ewen 345), and January 8, 1819, to John Childs (Kent and Ewen 348).

he had only his story and the conviction that it was a better story than that of the prosecution. The jurors proved him right, 12 and Hone's trials show that might does not always mean right and that "ultimately the better story can win up," as President Barack Obama said in 2018, when referring to Nelson Mandela's political and moral example. 13

After the acquittals, on January 23, 1818, Hone published the narrated transcripts of the trials interspersed with verbatim testimony under the title *The Three Trials of William Hone, for Publishing Three Parodies; viz. The Late John Wilkes's Catechism, The Political Litany, and The Sinecurist's Creed.* On the frontispiece of the volume he printed the quotation from Shakespeare's *Macbeth* (IV,1) "Thrice the brindled cat hath mew'd," which, thus re-contextualised, offered the promise of a satirical banquet. I have chosen it for the title of this essay to underline Hone's "irresistible propensity to humour" and the overcoming of literary and cultural boundaries that characterised Hone's satiric writing.

Hence, the structural, rhetorical, and symbolic frames of reference for Hone's parodies were furnished by the popular traditions of trial, liturgical, freak-show and nursery rhyme parody, the sub-literary traditions of almanacs, press advertisements, children's books, chapbooks, showman's notices or playbills, and parodic reworkings of literary models, including Defoe, Marvell, Cowper, Sterne, or Pope (Wood 96–214).

In the introduction to *Facetiae and Miscellanies*, a collection of satires whose authorship he acknowledged, Hone indirectly referred to the twofold sources of his satires: "they savour somewhat, perhaps, of the ancient spirit of my country and of converse with books rather than men" (Hone, *Facetiae and Miscellanies* vii). The questioning of fixed notions of language and class, reflected in this intertwining of "high" and "low," constitutes Hone's notable contribution to the expansion of the public sphere.

Following Marcus Wood's 1994 groundbreaking analysis of Hone's satirical production and its sources, the centrality of satire in the Romantic period was explored by Gary Dyer, Kyle Grimes, Kent and Ewen, Steven Jones, Vic Gatrell, and Vincent Carretta. Although the works of some of these authors do not focus on the sub-literary and non-literary satiric writing of radicals such as William Hone, they contribute to a reappraisal of satire as "a popular semiotic discourse potentially available to poets as well as printmakers, and to diverse audiences at the time" (Jones, *The Satiric Eye* 2).

Satire had overstepped the confines of a refined, politically safe audience and reached the public square. Accessibility played a key role in the process. Technological innovations that lowered the price and accelerated the pace of print production fostered the emergence of cheap publications and created the appropriate background for the outburst of satire in the post-Wars period. As Gatrell showed (501–508), in the London of the 1810s small bookshops and printshops erupted, selling cheap textual and graphic satires airing social grievances and attacking the powers of the day. Satirical discourse became unrestrained and unintellectual, but capable of abstract political thought. At once popular and sophisticated. It questioned notions of "high" and "low" culture and weakened "the hegemony of the concept of vulgarity" (Smith 154) as linked to the lower classes. This triumph of laughter was perceived as dangerous by the political establishment.

<sup>12</sup> It must be acknowledged that Hone benefited from the fact that his jurors were not "packed," that is, they were not nominated and selected from a jury list by an officer of the crown. After the trials, a printed broadside, *The Three Honest Juries: A Parody on "The roast beef of Old England"* was published by John Fairburn with a caricature by George Cruikshank "Laugh like me," to honour Hone's juries. British Museum online collection, number 1868,0808.8375.

<sup>13 &</sup>quot;Ultimately right makes might, not the other way around, ultimately the better story can win up" (Barack Obama, 16th Mandela Lecture, Johannesburg, South Africa, 2018).

<sup>14</sup> Henceforth referred to as *Trials*. Page references throughout are to this 1818 edition. According to Kyle Grimes, the collected edition of the three trials was reissued several times in the nineteenth century (*The William Hone Bio Text. An Annotated Bibliography*). According to Kent and Ewen (10), the *Trials* were not reissued until 1880, by Thomas Tegg. There are also separate volumes of the *Trials*, published in 1817 (first and second trials) and 1818 (third trial). honearchive.org/bibliographical/annotated.html.

**<sup>15</sup>** In the last issue of the periodical he briefly edited, *The Reformists' Register and Weekly Commentary*, Hone wrote that he possessed "a lively conception of wit and an irresistible propensity to humour" (Hone, *The Reformists' Register and Weekly Commentary* 430).

**<sup>16</sup>** One of the first comic-satiric pamphlets by Hone is *Buonaparte Phobia*, or *Cursing made Easy to the Meanest Capacity*. In this pamphlet, Hone creates the character of "Dr. Slop," a mock nickname for Robert Stoddart, lead-writer and chief editor of *The Times*. This is a satire on the use of language: Stoddard is a gentleman, yet he curses in the most vulgar way.

Hone's satiric writing participated in this technological and cultural change. The new availability of political satire to a middling and even popular audience is illustrated by the sale of the liturgical parodies. Hone's shops in Fleet Street and the Old Bailey sold the indicted parodies as two pence pamphlets which for Kyle Grimes was the real motive behind Hone's prosecution. Hone was not tried for having published blasphemous texts but, rather, for having expanded their circulation (Grimes, "William Hone, John Murray, and the Uses of Byron" 196).

The prosecution itself gave credence to this claim. In the second trial, the Attorney-General said that "being circulated at a cheap rate," the purpose of the parody of the Litany was to put it "within the reach of the common and ordinary people," and he added: "this is the object of the publication; and it is because this is the object that I have thought it to be my duty to bring it before you" (Hone, Trials 75). He concluded that the publication of certain texts could be permitted if they were made available only to an audience of "sensible men": "there may be many writings which sensible men may read in their closets; some of them may be highly improper for general circulation, although some may be properly open to a free discussion" (Hone, Trials 75). He warned that unless a stop was put to the proceedings like those of the defendant, "the time will come, when a stop will be put to all that remains of the Christian establishment of the Church of England of everything entitled to reverence" (Hone, Trials 76).

Hone's parodies were available to a larger audience than that of "sensible men" in their closets and they did not show the reverence prescribed by the Attorney-General. Yet Hone denied any intention of bringing religion into contempt, and instead asserted the political purpose of the parodies. He argued that satire was a mark of the freedom of the press and that the three accusations of blasphemy were in fact an attack on this constitutional right.

The present essay examines Hone's defence strategy, namely the de-sacralisation of court ritual through satiric laughter and the use of satire as a legitimate method of political criticism and as an index of the freedom of the press. Simultaneously, it highlights the eloquence, intellectual courage, and fortitude Hone displayed on those three days. The Conclusion focuses on the political and cultural significance of Hone's rebuttal performance, namely on how he has earned the right to our attention.

# The Trials: "Is a Laugh Treason? Surely Not!"

On the first day, the Attorney-General began his address by stating the terms of the accusation: "It is an information filed by me, as Attorney-General, against the defendant, William Hone, for printing and publishing an impious and profane libel, upon The Catechism, The Lord's Prayer, and The Ten Commandments, and thereby bringing into contempt the Christian Religion" (Hone, Trials 2). The main argument of the prosecution was that the parody was blasphemous and that the defendant had intended to revile religion. The accusation tried to strengthen its legal force by stating that the parody of the *Catechism* was in contempt of "the religion and worship of the Church of England, as established by Act of Parliament [and that it had] nothing of a political tendency about it" (Hone, Trials 2). The accusation thus refused to acknowledge the political purpose of the parodies.

After the address by the Attorney-General, Hone started his defence. He could not afford to hire legal counsel, therefore conducting his own defence was a matter of necessity. He turned necessity into opportunity. Hone translated the legal right to "speak for himself" in court into the affirmation of the dignity of his political voice and the vindication of satire as a mark of the freedom of the press. He combined victimisation and humility with humour, boldness, eloquence, and strategic vision. The spoken word thus used became an effective counter-power.

Hone began by presenting himself as a shy, humble person, "a man so humble in life as himself" (Hone, Trials 18), as someone unaccustomed to speaking in public, someone who stood there alone "unassisted by counsel to make his own defence" (Hone, Trials 13). To highlight his vulnerability, he referred to an episode that had taken place on May 5, 1817, when he was taken to Westminster Hall to plead. On that occasion, Hone was feeling very sick and asked Lord Ellenborough for permission to sit down, which the Justice

vehemently denied.<sup>17</sup> This episode of victimisation aimed at winning the sympathy of the jurors, whom he called "his friends."

The indicted parodies were published anonymously, signed only as "Printed by One of the Candidates for the King's Printer," but Hone promptly admitted the fact of the publication (Hone, *Trials* 20, 83). This demonstration of intellectual courage was an indication of the tone that would mark his self-defence – a tone of self-assured confrontation with the political *status quo* represented by the judge. Like Thomas Wooler, Richard Carlile, Samuel Bamford, and many other radicals, Hone was an autodidact, aware of his intellectual and rhetorical capacities. Like them, he was excluded from participation in the mainstream public sphere of the day. It was partly this feeling of marginalisation that produced and shaped the radical press, whose combative tone, eloquence, and satirical hauteur also characterised Hone's self-defence.

Hence, anchored in his rhetorical capacities and knowledge of the Law, the latter stemming from his long-standing interest in the application of justice, <sup>18</sup> Hone discussed in court certain legal proceedings, namely the proceeding by information. In the first trial, he considered this process unconstitutional because it allowed a person, a "victim" (Hone, *Trials* 14), to be taken "in a summary way by warrants and brought to answer suddenly to informations of which he was wholly ignorant" (Hone, *Trials* 14). He accused the court of limiting his ability to defend himself by denying him copies of the informations, which were necessary for him to know the specific charges against him (Hone, *Trials* 14). On the second day, he added that this proceeding was costly because copies of the charges could not be obtained, but for a considerable sum (Hone, *Trials* 90).

Hone also discussed the constitutional role of judges, which aimed at stressing the authority of the jurors. On the first day, <sup>19</sup> he argued that Fox's *Libel Bill* of 1790 had fixed the power of the jury to judge the whole content of informations (Hone, *Trials* 18–19). The judge is the authority that presides in a court, but that does not try the cases; that being the role of the jury (Hone, *Trials* 90). Hone thus refuted and ultimately reversed the authority of his accusers. He also denounced the constant interruptions by the judge as an obstacle to his defence. On the third day, physically exhausted, he "earnestly and slowly" addressed Lord Ellenborough in these terms:

My lord, I think it necessary to make a stand here. ... your lordship interrupted me a great many times yesterday, and then said you would interrupt me no more, and yet your lordship did interrupt me afterwards ten times as much as you had done before you said you would interrupt me no more. I feel it proper to make this observation upon this interruption. Gentlemen, it is you who are trying me to day. His lordship is no judge of me. You are my judges, and you only are my judges. His lordship sits there to receive your verdict. (Hone, *Trials* 148)

The core of Hone's self-defence, however, lay in the affirmation of the political – not religious – purpose of the parodies. Hone said in court that he had used satire to criticise the established powers. He repeatedly stated that "his intention was merely political. It was done to excite a laugh. Was a laugh treason? Surely not" (Hone, *Trials* 126). Referring to the *Catechism*, he said that "from the beginning to the end of the production in question, the subject and the object was political. It was intended to ridicule a certain set of men, whose only religion was blind servility" (Hone, *Trials* 52). It was a political catechism and not an impious and wicked publication, as charged. The liturgy was a mere figure of style. If the jury could find a

<sup>17</sup> This episode was illustrated by the satirical print *Law vs Humanity, or A Parody on English Liberty*, by Charles Williams. It was published by S. W. Fores, London, on December 26, 1817. libraries.adelphi.edu/bar/hone/law.html.

**<sup>18</sup>** Hone had published in 1815 the pamphlet *La Pie Voleuse, the Narrative of the Magpie*, a story about the case of Elisa Fenning, a young servant-girl who had been found guilty of the murder of her master's family, and executed by hanging. Hone was convinced that this was an example of miscarriage of justice. Description of the pamphlet and title page transcription: www. honearchive.org/etexts/magpie.html. Hone also published the accounts of the inquest on the shooting in March 1815 of Edward Vyse, a 19-year-old young man who was taking part in a demonstration against the Corn Laws. Hone saw the shooting as a blatant abuse of power. Entry and title page description: www.honearchive.org/bibliographical/annotated.html# ReportCoronersInquestWatson-15.

<sup>19</sup> The first trial was presided by Mr Justice Abbott. On the second and third days he was replaced by Lord Chief Justice Ellenborough.

passage in it that, in any way, tended to turn anything sacred into ridicule, he called on them to find him guilty; but, if they could not discover such a passage, he demanded an acquittal at their hands (Hone, Trials 53).

To prove that he did not want to mock religion, Hone referred to the interruption of the sale of the parodies, saying that if he had wished to ridicule religion, he should have taken a different course; he should have continued the publication and made money by it, as there was a great demand for it (Hone, Trials 41). The corollary of this argumentation was that if his parodies did not mean to revile religion, he could not be found guilty of blasphemy. The opening passage of the *Catechism* confirms Hone's assertions:

A CATECHISM, THAT IS TO SAY, An Instruction, to be learned of every Person before he be brought to be confirmed a Placeman or Pensioner by the Minister.

Question. What is your Name?

Answer. Lick Spittle.

Q. Who gave you this Name?

A. My Sureties to the Ministry, in my Political Change, wherein I was made a Member of the Majority, the Child of Corruption, and a Locust to devour the good Things of this Kingdom. (Hone, Trials 7)

Hone offered a new view of parody as secondary text. He argued that "parodies were not necessarily disrespectful to the work parodied" (Hone, Trials 119) and that "they might convey ludicrous or ridiculous ideas relative to some other subject" (Hone, Trials 23). He explained that his parodies were intended to excite laughter and ridicule, not of the original texts, but of something else – in this case, the Regent, the ministers, the House of Commons. As Anthony Marks (233) pointed out, there was a contrast between the original and its reapplication. Linda Hutcheon (8) characterised the discourse of parody as a stylistic confrontation that establishes difference at the heart of similarity. Hone was aware of this paradoxical "independence" of parody, established through forms of ironic inversion (Bowers 47). Parody became an act of linguistic acquisition and simultaneous subversion (Wood 13).

This view of parody shifted the focus of the accusations away from religion to politics, thus emptying them of their justification and enabling Hone to argue that the charges of blasphemous and seditious libel were a mere pretext, that he was prosecuted only because he was on the wrong side of politics. If the grounds for prosecution were political rather than religious, they were, in fact, he claimed, an attack upon the freedom of the press, a constitutional right that should begin in the courtroom. Addressing the jury, he said in the first trial that:

It was essential to the friends of justice, that all men should stand equal, when they were brought before the tribunal of the laws. But he denied that he was placed in that situation of equality, when he was singled out by the Attorney-General to be tried for an offence, which, if it had been committed in favour of the Ministerial Party, would not have been noticed. (Hone, Trials 42)

For proving this thesis, Hone resorted to the legal principle of precedent and to his extensive knowledge of the history of parody. He read out his and others' parodies, gathered from his antiquarian reading, to prove to the jury that parodies of the Scriptures, if done "on the right side" (Hone, Trials 58), that is, if they praised the government, were not prosecuted. He set forth quoting extensively from other people's parodies of the Scriptures that had not been prosecuted. He cited and quoted extensively from Martin Luther, Bishop Latimer, Dean Boys of Canterbury, Ben Jonson, John Bunyan, and even the cabinet minister George Canning. Hone contended that "if this mode of writing has been practised by dignitaries of the church, and by men high in the State, he humbly conceived that that circumstance might be some excuse for his having been the publisher of the trifle now charged as libellous" (Hone, Trials 41).

In the second trial, Hone rhetorically asked: "was it honourable, or manly, to make such a distinction between parodists?" adding that "he was quite sure that, if he had the files in Court of the Morning Chronicle, Morning Herald, The Morning Post, and The Times some years ago, he could have produced

hundreds of parodies on the Scriptures" (Hone, *Trials* 110). He referred again to the cabinet member George Canning, who had written parodies of the Scriptures and had not been prosecuted (Hone, *Trials* 110–111). He concluded that his parodies did not deserve to be made an exception to the general rule (Hone, *Trials* 119). Amongst others, he read out "The Poor's Man Litany" on the third day, which contained lines such as:

From the tantalised sight of viewing the Great

Luxuriously rolling in coaches of state,

While thousands are starving for something to eat,

Good Lord, deliver us! (Hone, Trials 119)

Hone's strategy was to persuade the jurors that the question was not the form of his satires, but their content. He was prosecuted for his political opinions, not for having published parodies of the scriptures. What was at stake, therefore, was the liberty to express in print form political opinions that were different, even contrary, to those of the government – the liberty of the press. He said that he was "dragged before the Court, from behind his counter and for what? For doing that which a Cabinet Minister had been suffered to do with impunity" (Hone, *Trials* 45). Hence if he was convicted, Canning "ought to follow me to my cell – if my family is ruined, his family ought to be made to feel a little – if I am injured by this indecent, this unjust prosecution he ought not to be suffered to escape unpunished" (Hone, *Trials* 45).

The choice of vocabulary in the above quotation – the use of the verb form "dragged" and the adjectives "indecent" and "unjust" – as well as the rhetorical question "and for what?" illustrates a discursive strategy aimed at winning the sympathy of the jurors by stressing the powerlessness of the defendant *versus* the power of State. Both judges presiding, Mr Justice Abbott and Lord Ellenborough, sought to interrupt Hone several times to prevent him from reading other people's parodies that hadn't been prosecuted. When Lord Ellenborough said that the quoted parodies would not be accepted as evidence, Hone was not intimidated:

If your lordship says, that I am not to read these publications to the jury if that is your lordship's decision against me, then I have no defence to this information, and I am ready to go with your lordship's tipstaff wherever your lordship may think proper to send me. (Hone, *Trials* 87)

Apart from blasphemous libel, in the second trial Hone was charged with seditious libel, and this accusation allowed him to stage an eloquent definition of freedom of expression. He admitted, with irony, that the accusation was met by him with "a *little*,<sup>20</sup> and only a little" (Hone, *Trials* 119) embarrassment, because he knew that he was exercising the right to liberty of expression, a constitutional right. Therefore, he claimed the protection from the jury:

Of his right to express his opinions, opposed, as he imagined they might be, to their own; and he was persuaded, that just and liberal feelings would rally in the hearts of his jurymen, and that they would do unto him as they would that men should do unto them. (Hone, *Trials* 120)

Hone defended his right to freely express his opinions and justified it: "was it not better that he and others should be encouraged to express their mind, than to conceal it, and reserve the expression for secret conspiracies? Every rational man would answer in the affirmative" (Hone, *Trials* 122). He went on to examine each prayer in his parody of the *Litany* and, using strong adjectives, said that the government would listen to and "be grateful" for the enquiries of the people "if its members were not imbecile, self-conceited, and supine" (Hone, *Trials* 123). Reformists would identify with this prayer:

That it may please ye to show pity to all who are prisoners and captives for the people's sake, or through the oppressive expenses of the Laws.

We beseech ye to hear us, O Rulers. (Hone, Trials 81)

A particularly damning prayer, which possibly elicited bursts of laughter, was directed at the Regent:

That it may please ye, as much as in ye lie, to keep and defend him from battle and murder, and sudden death, and from fornication, and all other deadly sin [sic];

We beseech ye to hear us, O Rulers. (Hone, Trials 81)

After asserting the political purpose of the parodies and vindicating satire as a mark of the freedom of the press, Hone took a step forward. In one of the most quoted excerpts of the *Trials*, he claimed to be doing more than merely expressing his opinions; he claimed to be telling the truth, that what he said was true,<sup>21</sup> not libellous and that:

If there was ridicule, those who rendered themselves ridiculous, however high their station, had no right to cry out because they were ridiculed. He intended to laugh at them. They were his vindictive prosecutors, and his hypocritical persecutors; and laugh at them he would, till they ceased to be the objects of his laughter by ceasing to be Ministers. (Hone, Trials 126).

The prosecution argued that the strategy of quoting other people's satires could not be accepted and that the parodies should be tried by their own content alone and not "by the authority of parodies equally offensive" (Hone, Trials 142). In the final address on the first day, the Attorney-General admitted that "it was certainly the first time any attempt had been made by a person to vindicate himself by showing that others had offended" and condemned it: "was it to be endured that a man should thus vindicate his misconduct that he should be allowed to show that he had been guilty of no offence, because he had, as it were, a prescription in crime?" (Hone, Trials 63).

Despite the efforts of the Attorney-General, Hone proved that his was the better story. Firstly, he stated that his parodies were political, not religious, thereby establishing satire as a method of political criticism. Hone said that "the whole of the recent proceedings of the Administration had his total disapprobation and therefore he commented upon them through the medium of parodies" (Hone, Trials 125). Satire was an index of free speech and liberty. Its attack was an attack on liberty of expression and of the press.

Secondly, in a society undergoing deep economic and social change, satire and the laughter it elicited defied the barriers of class and social position, representing what Joseph Butwin called "the first franchise of the disenfranchised" (Butwin 17). Hone brilliantly explored the levelling effect of satiric laughter through the reading of satirical texts. The laughter repeatedly produced in the courtroom effectively rebuked the accusers and demolished public fears of the established powers.

Through the disruption of the symbols of power, satiric laughter undermined the seriousness and intimidatory character of court ceremony and language. It was the world turned upside down by mocksatiric laughter - the carnival usurpation of official culture theorised by Mikhail Bakhtin.<sup>22</sup> In the "parodistic and profane inversion of canonized values" (Lachmann 125) Bakhtin envisioned a world where authority is joyfully questioned.

This delight in unrespectability began in the first trial. When the Attorney-General quoted Hone's parody: "the Minister for the time being always obliges all his creatures to swear I, the Minister, am the Lord thy liege, who brought thee out of want and beggary into the House of Commons" (Hone, Trials 9), Mr Justice Abbott had to warn the audience that:

<sup>21</sup> The allegation of truthfulness constituted no defence against a charge of libel. In his Commentaries on the Laws of England, Blackstone (Book 4, 112) argued that "the provocation, and not the falsity, is the thing to be punished criminally." Hone hoped that the jurors might feel otherwise.

<sup>22</sup> The Russian language philosopher and literary critic Mikhail Bakhtin (1895-1975) discussed the cultural significance of carnivalistic laughter in his works Problems of Dostoevsky's Poetics (1963) and Rabelais and his World (1965). A thorough account of Bakhtin's life and work is found in Mikhail Bakhtin, by Katerina Clark and Michael Holquist, published in 1988 by Harvard University Press.

If there is anybody present of so light a disposition as to think that a matter of this kind should be made a subject of laughter, at least he shall learn that he shall not come here to interrupt those who are of a graver disposition, and in the discharge of an important duty. (Hone, *Trials* 5)

The same happened in the second and third trials (Hone, *Trials* 73, 141). The effect was the ridicule of humourless power. In the second trial, when Lord Ellenborough referred to the jury as "sensible men," Hone remarked: "My lord, I understand your lordship's notion of sensible men in a jury box very well. What your lordship means by calling the jury sensible men, is, that they will find me guilty; but my notion of their being sensible men, is, that they will acquit me" (Hone, *Trials* 110).

There are many hilarious moments in the *Trials* that show how Hone got the better of the authority of state, symbolised by Mr Justice Abbott and Lord Chief Justice Ellenborough. The same effect had the "Violent coughing, and other marks of disapprobation, on the part of the spectators" (Hone, *Trials* 64), which interrupted the Attorney-General at the end of the first day and led Mr. Justice Abbott "to declare his determination to order the Court to be cleared if decorum were not observed" (Hone, *Trials* 64). Sedition and blasphemy trials like Hone's were sites for the publicity of an attitude of political challenge through satirical discourse.

Like other radical journalists of the time,<sup>23</sup> Hone was aware of the political importance of these trials. He repeatedly stated that the real target of the accusation was not him, but the liberty of the press. In the second trial, he stressed that the press was "common property" and that:

It was a great security which every man in England felt he had against injustice. Even he, as he stood there, felt that there was no one in that Court, even if disposed (which he hoped there was not) to do him an injustice, who would dare do so: and why? Because the act could not be hidden in a corner; it would be made known by means of a free press, and excite a public opinion which would be terrible to the most powerful of evil-doers. (Hone, *Trials* 107–108)

He then concluded: "Let this prosecution, which aimed at so valued a privilege as the liberty of the press, be put on its true ground, and be stripped of its hypocritical pretext" (Hone, *Trials* 108).

Hone was not alone in this interpretation of the significance of his trials for the struggle for the freedom of opinion and of the press. A few days after the trials, on December 29, a meeting of the *Friends of the Liberty of the Press and Trial by Jury* was held at the City of London Tavern, Bishopsgate Street, whose report was published as an appendix to the volume of the *Trials*, bearing the title "Trial by Jury and Liberty of the Press." The meeting was chaired by Mr. Waithman, whose opening address criticised several aspects of the process, namely the indictment by *ex-officio* informations, the division of the prosecution into three trials "with the manifest intention of inflicting a vindictive punishment" (Hone, *Trials* 201), and the partiality of the accusation, stressing his conviction that if the parodies had been published in ridicule of reformers and against the rights of the people they would not have been prosecuted (Hone, *Trials* 201). He also highlighted Hone's courage and defence of the freedom of the press:

The struggle to effect this triumph was glorious for Mr. Hone, but still more so for the people of England, in behalf of whose rights and liberties it was virtually made, rights and liberties that were preserved by his courage. (Hone, *Trials* 203)

Sir Francis Burdett, the well-known reformist and MP, was present at this meeting and in his address he related the cause of freedom of the press to the demand for parliamentary reform. He said that "there was no solid support for either of those great privileges [trial by jury and freedom of the press], but by the existence of a third by which he meant a fair representation of the people in Parliament" (Hone, *Trials* 204). His words were received with great applause. After praising the courage and "spirit of honest independence" (Hone, *Trials* 205), displayed by Hone, Sir Francis Burdett reminded the audience of the role played by

<sup>23</sup> The radical editor Thomas Jonathan Wooler was arrested in May 1817 and charged with seditious libel for having published two articles in his periodical *The Black Dwarf*, namely "The Right of Petition" and "The Past – The Present – and the Future." He was brought to trial on June 5, at King's Bench, before Justice Charles Abbott and was acquitted. For a discussion of the importance of Wooler's trial for the assertion of radical culture, see James Epstein (29–69).

Mr. C. Pearson<sup>24</sup> in obtaining an important reformation of the Special Jury List, consisting of the replacement of "the old corrupt list of jurymen" by another containing the names of "upright and honourable, and perfectly disinterested men" (Hone, Trials 205). Several resolutions were passed, and the meeting closed with an optimistic note stressing the power of the juries (Hone, Trials 232).

# **Conclusion**

Hone defended satire as a legitimate method of political criticism and as an index of the freedom of the press. He showed that the power of state could be defeated by another power – the power of the written and spoken word, freely used. He proved that spoken and written words could be winning tools and that, if "knowledge is power," imagination and courage might be as powerful. This was accomplished by a smalltime bookseller and publisher. Hone exploited this unequal condition effectively and his acquittals are a landmark in the history of the struggle for freedom of opinion and freedom of the English press.

Other political trials that took place in 1817 - the trials of Thomas Wooler, James Watson Sr., Thomas Preston, and Arthur Thistlewood, also acquitted - did not acquire the notoriety of Hone's trials. Hone's courage and spirit of defiance - to defend himself alone in court of a piecemeal accusation and defy the authority of state, knowing the odds against him - may partly explain his success. But the decisive element of Hone's trials was his use of satirical discourse in new, sophisticated ways: as the playful exploitation of ridicule to demystify and rebuke his accusers and as a tool for the rational confrontation of the authority of state symbolised by the judge and the Attorney-General.

In the first case, the reading out of the indicted parodies, as part of the accusation, highlighted the contrast between the pompous court ritual and the mocking text of the parodies, which elicited bursts of laughter from the audience and threats of disciplinary action by the judge. For Edward Thompson, the trials of William Hone were "some of the most hilarious legal proceedings on record" (721). In the second case, satire was used as serious discourse to prove that the accusation was an attack on the freedom of opinion and of the press. Hone read many liturgical parodies that had not been prosecuted. For Ben Wilson (3) Hone's trials represented a pivotal moment in the history of the British press.

Satiric laughter thus used was eminently transgressive.<sup>25</sup> Through its levelling power, laughter undermined the authority of state, represented by Hone's prosecutors, and enabled him to get the better of his privileged opponents. At the same time, laughter also allowed Hone to assert - and enact - the arrival of a new political audience on the public stage through the promotion of popular readership and the political awareness that goes with it (Grimes, "Spreading the Radical Word" 144-145). In the process, Hone violated the border between "subliterary" and proper literature, that is, he violated the border between the literary and the political, as Joss Marsh (25) pointed out. In his satirical production, Hone merged "high" and "low" literature and culture, thereby overcoming their established boundaries, namely of class. Thus conceived as classless, literature and culture can be instruments of individual and collective emancipation. In the early nineteenthcentury, this view of culture was not tolerated by the political establishment, as the prosecution clearly showed.

In 1822 the golden years of radical satire had come to an end, and Hone had become an "extinct volcano," but between 1815 and 1821 satirical discourse became instrumental in championing a clear politico-cultural agenda of parliamentary reform and freedom of the press. Hone's liturgical parodies were biting, humorous, popular, and, in the long run, they contributed to the success of parliamentary reform and freedom of the press.

<sup>24</sup> Pearson was Thomas Wooler's lawyer in his 1817 sedition trial, who guestioned the method of the appointment of jurors. 25 It was probably the recognition of this transgressiveness that led George Cruikshank to depict Hone as the only radical in an attitude of boldness in his 1820 print Coriolanus Addressing the Plebeians (British Museum registration number: 1859,0316.152. Description and comment in Catalogue of Political and Personal Satires in the Department of Prints and Drawings in the British Museum (13677), by Frederic George Stephens and Mary Dorothy George, vol. x).

The transgressive character of Hone's rebuttal performance may, at least in part, account for the current interest, even fascination with Hone's work. On the 200th anniversary of his trials in 2017, newspaper articles and other initiatives paid tribute to his courage and satiric humour, and discussed the repercussions of the trials.<sup>26</sup> These initiatives stressed the contemporaneity of the struggle for freedom of speech and of the press and, above all, they underlined the example of courage and imaginative use of language set by this remarkable figure, an "uncommon man" in John Wardroper's (1–18) characterisation.

In effect, Hone still strikes us today with the resolve and brilliance with which he overcame political, literary, and cultural barriers and translated them into political and cultural act that was meaningful to a new political audience. Satire was his weapon.

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**<sup>26</sup>** This aspect of Hone's trials was discussed in "William Hone and the Culture of Protest," an event hosted by the *BSECS* (*British Society for Eighteenth-Century Studies*). It consisted mainly of a workshop and a 1-h enactment of Hone's trials by students of Warwick University, using verbatim testimony. www.bsecs.org.uk/news-and-events/william-hone-and-the-culture-of-protest/.

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