

*Mine eye and heart are at a mortal war,
 How to divide the conquest of thy sight;
 Mine eye, my heart thy picture's sight would bar,
 My heart, mine eye the freedom of that right.
 My heart doth plead that thou in him dost lie
 (A closet never pierced with crystal eyes)
 But the defendant doth that plea deny,
 And says in him thy fair appearance lies.
 To 'cide this title is impaneled
 A quest of thoughts, all tenants of the heart,
 And by their verdict is determined
 The clear eye's moiety and the dear heart's part.
 As thus: mine eye's due is thy outward part,
 And my heart's right, thy inward love of heart.*

The bitter trauma described in Sonnet 42 when the speaker acknowledges the loss of his lovers (and pretends to find joy in the fact) is followed by a period of separation beginning with the sleeplessness of Sonnet 43 and continuing with the four-elements poems (44 and 45) that suggest (but do not prove) a physical distance. The emotions have quieted somewhat and the rhetoric has become less complex. Both poems end in melancholy but the word *joy* – last found in the couplet of Sonnet 42 – reappears in Sonnet 45 in the same position: the fourth word in line 13. (This use of *joy* looks back to the dramatic use of *pain* in the last line of Sonnet 38.)

Sonnet 46 takes another step into the realm of cooler emotion marked by the use of a common thread in the sonnet tradition, the battle between the eye and the heart. The language is cooler, too, leaning heavily on legal imagery and the concept of property rights. The speaker's eye and heart are trying to decide which is entitled to the greater share of the conquest of the friend's sight. This is puzzling. How can the conquered divide the spoils of the victor? The answer lies in the third line, where it is the picture of the friend that is being fought over. The eye wants to bar the heart from the sight of the picture, and the heart wants to deny the eye "the freedom of that right," *freedom* being a privilege, such as access to a place not open to the public.

In a miniature trial scene (the sestet), the heart pleads that the friend is within him and that he is like a treasure chest ("closet," l. 6) which cannot be pierced, even by sharp eyes. However, the defendant (the eyes) denies the plea, declaring that the friend's beauty is rightly his. To decide ("side," l. 9) ownership, a panel is formed – a jury of thoughts, which the landlord heart has as tenants. This jury will determine the part due to each.

The speaker predicts that the eyes' share would be the friend's looks and the heart's would be the "inward love of heart." (l. 14) The playful tone of this sonnet indicates a lightening of the speaker's grief. The thoroughly predictable conclusion is a far cry emotionally from the agonies at the ends of Sonnets 40 through 42.