The King's Two Genders

Cynthia Herrup

Many readers will immediately recognize my title as an echo of Ernst Kantorowicz's magisterial work on the creation of the modern state, *The King's Two Bodies*, published in 1957.[1] Kantorowicz's goal was to understand how kingdoms handled the problem of continuity and succession; he found his answer in an Elizabethan judicial ruling that distinguished property held by the monarch as an individual from property held by the monarch as monarch. Kings, the distinguished Elizabethan lawyer Edmund Plowden explained in his report on the case, had two bodies, one natural and one politic. While the first grew, decayed, and died like any other mortal body, the second transcended time. The two bodies were not coequal; the monarchial body subsumed the mortal one. The end result was two bodies in one person, a body corporate and indivisible.[2] In this legal fiction, Kantorowicz saw the means to understand the mysteries of charismatic kingship that had long fascinated him, the importance of ritualized phrases such as "the king is dead, long live the king," and the meanings of literary texts as diverse as *The Divine Comedy* and William Shakespeare's *Richard II*. In the pursuit of these understandings, Kantorowicz set out at length a history of how the conceit of the king's two bodies adapted readily to complement changing notions of authority in Western European kingdoms,

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[1] Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton, NJ, 1957).

[2] The case of the Duchy of Lancaster, decided in 1561, involved a lease made by Edward VI. It was first published by Edmund Plowden, *Reports* (London, 1571), and in English translation in Plowden, *The Commentaries and Reports of Edmund Plowden, Originally Written in French and Now Faithfully Translated into English* (London, 1779). Spelling and punctuation in quotations have been modernized.

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shifting from a fiction that associated kings with Christ to one that associated kings with law to a culminating reconceptualization in which kings were no longer seen as literally having two bodies, but instead as bodies natural who represented but did not incorporate the community of the body politic.

Kantorowicz had no particular interest in gender, but I am comfortable shadowing his title for my talk on gender—which I am using throughout this piece to mean, as Joan Scott succinctly put it, "a social category imposed on a sexed body"—for several reasons.[3] The phrase "the king's two bodies" struck such a chord in both academic and popular vocabulary that it has been applied not only to other studies of power relations but also to subjects as disparate as the life of Albert Einstein and the enduring influence of Elvis Presley.[4] When I discovered this summer how frequent even the scholarly rephrasings have been, I felt a little chagrined at adding yet another but reaffirmed in my sense that the phrase has had resonance beyond its specific mooring.[5] Moreover, the actual text of Kantorowicz's book is as much a scholarly grab bag as the uses that have been made of his title. *The King's Two Bodies* follows no single line of argument, and its shifts in time, sources, and references are so dramatic that, despite Kantorowicz's obvious, indeed overpowering, erudition, many of the initial reviewers, particularly medievalists in England, were unconvinced. Beryl Smalley, writing in *Past and Present*, called the achievement "rich and muddled." "By the end of the book," she wrote, "I felt as queasy as one would after a diet of jam without bread."[6] By building on Kantorowicz's concept, I hope to add to the grab bag without sending anyone into a sugar-induced coma.

Kantorowicz and historians of gender have more in common than one might expect. Kantorowicz's greatest talent, as his most recent biographer has noted, was as an observer; the originality of *The King's Two Bodies* lay not in the discovery of new material, but in the author's ability to reimagine the importance of material

[3] Joan Scott, as cited in Teresa A. Meade and Merry E. Weisner-Hanks, "Introduction," in *A Companion to Gender History*, ed. Teresa A. Meade and Weisner-Hanks (London, 2004), 3. Alain Boureau argues that the foundation of much of Kantorowicz's work is, in fact, a search for specifically paternal hierarchies; see Alain Boureau, *Kantorowicz: Stories of a Historian*, trans. Stephen G. Nichols (London, 2001), 26–27, 39.

[4] Googling "the king's two bodies" results in citations of Einstein, Virginia Woolf, and slavery in the United States as well as a recent entry on Prince Charles's right to marry Camilla Parker-Bowles. For Elvis, see Martin Jay's preface to Boureau, *Kantorowicz*, xi.

[5] See, e.g., Natalie Zemon Davis's presidential address to the American Historical Association, "History's Two Bodies," *American Historical Review* 93 (February 1988): 1–30; Sir John Baker's Clarendon law lecture *The Law's Two Bodies* (Oxford, 2001); Fraser Eaton, "Gender's Two Bodies: Women Warriors, Female Husbands and Plebian Life," *Past and Present*, no. 180 (August 2003): 131–74; A. J. Minnis, "The Author's Two Bodies? Authority and Fallibility in Late Medieval Textual Authority," in *Of the Making of Books: Medieval Manuscripts, Their Scribes and Readers: Essays presented to M. B. Parkes*, ed. P. R. Robinson and Rivkah Zim (Brookfield, VT, 1997), 259–79; Paul Hammond, "The King's Two Bodies: Representations of Charles II," in *Culture, Politics and Society in Britain, 1660–1800*, ed. Jeremy Black (Manchester, 1991), 13–48.

[6] Beryl Smalley, review of *The King's Two Bodies*, by Ernst Kantorowicz, *Past and Present*, no. 20 (1961): 30–35, quote on 32. Smalley cites other critical reviews. Even in the posthumous tribute (Robert L. Benson and Johannes Fried, eds., *Ernst Kantorowicz* [London, 1997]), most of the authors speak of the book's power as almost magical, a feat of erudition and artistic license rather than coherent or persuasive argument.

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previously known.[7] Looking at the familiar through a new lens is, of course, one of the primary characteristics of gender history. Kantorowicz's desire to understand how monarchial government, with its vastly unequal distribution of power, so convincingly reproduced itself complements the efforts of today's feminist historians to understand the historical persistence of patriarchal ideas. Long before it became the fashion, Kantorowicz also recognized the power of metaphor to shape the world around it, for he believed that linguistic acts and legal fictions were not merely convenient shorthands but instead actively helped to create the state. This too is comfortable territory for feminist historians: for example, the legal fiction of the *femme couvert* in English law (which reduced the status of a married woman to that of a dependent child) haunted the lives of early modern women and now in many ways haunts the study of early modern gender relations.[8]

Most important, although Kantorowicz never explored it, gender is, in fact, central to his study. It is no accident that the two-body fiction on which he put such weight became prominent in an unprecedented half-century when the most likely heirs to the English throne were all female. The concept's value came partly from its utility as a response to the challenges of having "disabled"—that is, other than adult male—monarchs: first the juvenile Edward VI; then the regnant wedded queen, Mary I; and finally, the regnant, young, and unmarried queen, Elizabeth I. There were wide repercussions to the concept that an eternal and always fully able royal body subsumed the inadequacies of whatever person—adult male, minor, or female—actually occupied the throne. In strictly legal terms, it may have been, as the great legal historian Frederic Maitland dubbed it, a "metaphysiological nonsense that did no useful legal work," but its constitutional applications were apparent immediately.[9] As Marie Axton has shown so splendidly, the two-body fiction helped some Elizabethan lawyers make a convincing case that Mary Stuart could safely rule England in her corporate capacity despite her insufficiencies as an individual—femaleness and Catholicism.[10] For Kantorowicz, the king's two bodies was a genderless abstraction. Yet, as Maitland commented, "English law has liked its persons to be real."[11] The real persons behind this fiction were mostly female.

I do not intend to undertake here a gendered rereading of Kantorowicz, although that may well be worth doing. Instead, I want to explore the ways in which a notion of multiple gender identities in monarchy can help us grasp a complex dynamic of early modern governance. Kantorowicz's approach was fun-

[7] Boureau, *Kantorowicz*, 1, 94–95.

[8] A sample of recent work on the impact of couverture for early modern women includes Amy Louise Erickson, "Couverture and Capitalism," *History Workshop Journal* 59, no. 1 (2005): 1–16; Marjorie MacIntosh, "The Benefits and Drawbacks of *Femme Sole* Status in England, 1300–1630," *Journal of British Studies* 44, no. 3 (July 2005): 410–38; Frances E. Dolan, "Battered Women, Petty Traitors and the Legacy of Couverture," *Feminist Studies* 29 (Summer 2003): 249–77; Joanne Bailey, "Favored or Oppressed? Married Women, Property and Couverture in England, 1660–1800," *Continuity and Change* 17, no. 3 (2002): 351–72.

[9] Frederic Maitland, "The Crown as Corporation," in his *Selected Essays*, ed. H. D. Hazeltine, G. Lapsley, and P. H. Winfield (Cambridge, 1936), 104–27, quote on 108.

[10] Marie Axton, *The Queen's Two Bodies: Drama and the Elizabeth Succession* (London, 1977). Lawyerly interest in the concept, Axton notes, receded after Mary Stuart died and James made his firm Protestantism clear.

[11] Frederic Maitland, "The Corporation Sole," in *Selected Essays*, 73–103; quote on 102.

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damentally temporal; he wanted to understand how monarchy was represented over time and space, and how particular metaphors supported particular conceptions of kingship. My concern is chronologically and geographically specific: I want to look at some of the junctures in early modern England in which ideas about gender and kingship met, and to ask what such intersections can tell us about the Tudor-Stuart state. Most discussions of the king's two bodies have focused on the crisis of succession, the atypical moment when kingship passed between two distinct human bodies. Yet most English subjects understood the king's two bodies not as something restricted to a moment of transition, but as a concept that shaped an entire reign, a fact both enduring and quotidian. Monarchs inhabited a body natural and a body artificial at the same time; they represented both the individual and corporate concurrently, not just serially. If the king's two bodies was a metaphor that allowed Kantorowicz to explore the problem of succession, the king's two genders is a metaphor that may help us to explore the problem of effective governance. Kantorowicz argued that it was functional for rulers to distinguish between the body natural and the body artificial; I want to argue that it might also have been functional for rulers to inhabit an artificial body that was gendered neither exclusively male nor female, but both.

Words themselves are my first evidence of the gender mixing of Tudor-Stuart monarchy. "King" and "prince" are gendered terms for us—no one would call Elizabeth II a king. But in the sixteenth and seventeenth centuries, these terms were used to describe female monarchs and, indeed, used by female monarchs to describe themselves. The long list of Elizabethan examples is familiar—descriptions of Elizabeth I as "king-like" before the troops at Tilbury, praises of her "princely" qualities, and her own declarations before parliament and elsewhere that she was prince and king.[12] Less familiar may be the fact that the same applied to Mary Tudor: the imprisoned Princess Elizabeth importuned her sister Mary with reminders of the special value of a "king's word," and Mary's funeral celebrated her with the accoutrements accorded to a king rather than a queen, even displaying the military symbols of gauntlet and spurs.[13] I think that we should attend to these practices; it was not just a conceit to call Elizabeth I a king or to imagine Mary I with spurs. To that end, I will employ the same language here, using the words "prince" and "king" regardless of whether the person so described inhabited a female or male body.

Kingship and gender were both sites of considerable anxiety in early modern English society. Both reflected the belief that the "natural" hierarchy—men over women, kings over commoners—was necessary to ensure good order; both re-

[12] Leah S. Marcus, Janel Mueller, and Mary Beth Rose, eds., *Elizabeth I: Collected Works* (Chicago, 2000); see also Allison Heish, "Queen Elizabeth I: Parliamentary Rhetoric and the Exercise of Power," *Signs* 1, no. 1 (1975): 31–55; Leah S. Marcus, *Puzzling Shakespeare: Local Reading and Its Discontents* (Berkeley, 1988), 53–59; Carole Levin, *The Heart and Stomach of a King: Elizabeth I and the Politics of Sex and Power* (Philadelphia, 1994), esp. 121–48; Janel Mueller, "Virtue and Virtuality: Gender in the Self-Representations of Queen Elizabeth I," in *Virtual Gender: Fantasies of Subjectivity and Embodiment*, ed. Mary Ann O'Farrell and Lynne Vallone (Ann Arbor, MI, 1999), 37–64. I want to thank Laurie Shannon for pointing me to Mueller's intriguing essay.

[13] Judith M. Richards, "Mary Tudor as 'Sole Quene'? Gendering Tudor Monarchy," *Historical Journal* 40 (December 1997): 895–924, examples at 895; Sara Mendelson and Patricia Crawford, *Women in Early Modern England, 1550–1720* (Oxford, 1998), 363; see also Kantorowicz, *The King's Two Bodies*, 80.

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flected as well the fear that such hierarchies were extremely fragile (not because they were improper, but because in a sinful world, the best was always threatened by the worst). Disorder in either sphere was understood to have dire consequences—tyranny, chaos, even enslavement. The gender hierarchy, it was believed, was more natural and older than the political one. The need for government was a consequence of humanity's fall from grace; following Augustine, Christian theorists had for centuries agreed that a holy commonwealth would have no need for externally imposed discipline.[14] Kingship was the best form of government because it was the simplest, but monarchy was still only the best of a bad lot. God ordained monarchs, in a sense, as a sign of his remaining faith that a people who seemed incapable of obeying him might one day be redeemed. Until and unless they were redeemed, human kings could save men and women from their worst selves by convincing them of the value of submission and faith and by helping them to strive to become worthy of something more than human governance.

By 1500, an extensive genre of advice manuals instructed kings and their heirs on how to govern. Guides for princes in use in the sixteenth and seventeenth centuries were as old as Seneca's essays for his pupil Nero and as recent as James I of England's counsel for the Prince of Wales.[15] Some were idealistic, some were down-to-earth, and most were written to be read by subjects as well as princes. Each text had its own emphasis, but the image of the "perfect prince" was surprisingly uniform.[16] Princely power was deeply personal: kings were as responsible for the kingdom as for their own children, and they would answer to God for the souls of their subjects. Princes were to be exemplars: by observing royal lives, subjects would see, for good or for ill, how to treat their own superiors and inferiors. "Your life is open to view; you cannot hide. The fact is that either you are a good man to the great benefit of all," Erasmus counseled the future Charles V of Spain, "or a bad one, bringing great disaster to all." "It is from the head that comes the health of the body," Seneca explained to Nero. Good princes thrived on peace and justice, and they were to deliver both with royal impartiality and dignity. "You cannot put upon you too much king," the earl of Newcastle wrote to the future Charles II.[17] On the public stage that was both their glory and their prison, kings were expected to serve the general welfare, to protect the weak in

[14] Augustine, *De Civitate Dei*, secs. 21–22.

[15] Seneca, *De Clementia* in *Moral Essays*, trans. John W. Basore, vol. 1 (Cambridge, MA, 1928); James I, *Basilikon Doron*, in *James VI & I: Political Writings*, ed. Johann P. Sommerville (Cambridge, 1995); other manuals relied on here include Niccolo Machiavelli, *The Prince*, ed. Quentin Skinner and Russell Price (Cambridge, 1988); Erasmus, *The Education of a Christian Prince*, trans. Neil M. Cheshire and Michael J. Heath, ed. Lisa Jardine (Cambridge, 1997); Sir Thomas Elyot, *The Boke Named the Governour*, ed. H. H. S. Croft, 2 vols. (1531; London, 1880); James I, *A Meditation Upon the 27th, 28th and 29th verses of the 27th Chapter of St. Matthew*, in Sommerville, *James VI & I: Political Writings*; [Charles I], *Eikon Basilike: The Portraiture of his Sacred Majesty in his Solitudes and Sufferings*, ed. Philip A. Knachel (Ithaca, NY, 1966); Thomas Slaughter, *Ideology and Politics on the Eve of the Restoration: Newcastle's Advice to Charles II* (Philadelphia, 1984), as well as more general texts on proper governance.

[16] As well as the works cited above, see Lester Kruger Born, "The Perfect Prince: A Study in Thirteenth and Fourteenth-Century Ideals," *Speculum* 3, no. 4 (1928): 470–504. The clearest differences between texts were not in how princes should behave but why: idealists focused on princely character, pragmatists on princely survival.

[17] Erasmus, *Education of a Christian Prince*, 21; Seneca, *De Clementia*, 433; Slaughter, *Ideology and Politics*, xxvi.

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a manner that would also affirm the power of the strong. The aspiration was to reverse the results of the primeval test of Eden, to inspire in humans the will to have obedience prevail against temptation, discipline against indulgence, and prudence against impulsiveness.

With the responsibilities given to human kings came special status, as the notion of the king's two bodies illustrates. The dualities of kingship, as understood in early modern England, went well beyond this legal fiction. Kings spoke for God, cured by touch, and were allegedly able to see into their subjects' hearts; they were humans unlike other humans.[18] Kings in England were heads of the church not as laity or priests, but as a bit of both. They embodied the law but also had the power when circumstance demanded to override it. They answered for their behavior, but theoretically only to God. Investing exceptional power and responsibility of this sort in any individual was a considerable risk. As God warned the Israelites when they pleaded for a king, any monarch who could protect them could also deprive them of their children, their goods, and their freedom.[19] Kingship, from this perspective, was a test of the king's character, a repeated trial of royal selflessness against venality and endless temptation.

To rule well required traits associated with both the masculine and the feminine: kings had to be both unyielding and tender, both economical and bountiful with words and goods, and both courageous and peace loving.[20] Kings male and female were supposed to nurture their subjects, to act as scripture said, as "nursing fathers." James VI used the image in *Basilikon Doron*; nearly a century later, Queen Anne requested the text as the theme for the sermon at her coronation. Most English subjects would have been familiar not only with the idea of kings as mothers (Christ, too, had maternal attributes) but also with pagan notions of androgynous monarchy.[21] More than a decade ago, the critic Leah Marcus argued that we ought

[18] For extended examinations of the mystical powers of kings, see Kantorowicz, *The King's Two Bodies*; Marc Bloch, *The Royal Touch: Sacred Monarchy and Scrofula in England and France*, trans. J. E. Anderson (London, 1961); and, more recently, Richard McCoy, *Alterations of State: Sacred Kingship in the English Reformation* (New York, 2002); Debora Kuller Shuger, *Political Theologies in Shakespeare's England: The Sacred and the State in "Measure for Measure"* (London, 2001); Paul Kleber Monod, *The Power of Kings: Monarchy and Religion in Europe, 1589–1715* (New Haven, CT, 1999); Stuart Clark, *Thinking with Demons: The Idea of Witchcraft in Early Modern Europe* (Oxford, 1997), pt. 5. Theologians disputed whether women and children who ruled had the same sacral powers accorded to adult male princes, but no one denied that as rulers they, too, had some species of divinity. The notion that kings were demigods was not always taken literally, but it would be foolish to assume it had no purchase.

[19] 1 Sam. 8:11–18.

[20] On qualities associated with the female in the early modern era, see Ian Maclean, *The Renaissance Notion of Woman: A Study in the Fortunes of Scholasticism and Medical Science in European Intellectual Life* (Cambridge, 1980), 20ff, 42ff; Katherine Usher Henderson and Barbara F. McManus, eds., *Half Humankind: Contexts and Texts of the Controversy about Women in England, 1540–1640* (Urbana, IL, 1985); for a more analytical understanding of these associations, see Rachel Weil, *Political Passions: Gender, the Family and Political Argument in England, 1680–1714* (Manchester, 1999), 4–6.

[21] Isa. 49:23; James I, *Basilikon Doron*, 27; Edward Gregg, *Queen Anne* (London, 1980), 402; Marcus, *Puzzling Shakespeare*, 58; Maclean, *Renaissance Notion of Woman*, 12, 38–39; Edgar Wind, *Pagan Mysteries in the Renaissance*, rev. ed. (Oxford, 1980), 211–17; Caroline Bynum, "Jesus as Mother and Abbot as Mother: Some Themes in Twelfth-Century Cistercian Writing," in *Jesus as Mother: Studies in the Spirituality of the Middle Ages* (Berkeley, 1982), 110–69. Oliver Cromwell was called a "nursing father" to the church. See Claire Cross, "The Church in England, 1646–1660," in *The Interregnum: The Quest for Settlement*, ed. G. E. Aylmer (London, 1972), 99–120, quote at 120.

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to take seriously Elizabeth I's claim to be "man and woman both" to her subjects.[22] To some degree, we have done so, although mostly as a measure of the last Tudor queen's exceptionalism. Yet, as Marcus also noted, this exceptionalness might not have been so exceptional. Princes were extraordinary by definition; they defied the set boundaries of mortal and immortal, lay and secular, and single and the corporate. I would argue that they also transcended the confines of a single gender, although not the fears associated with such transcendence.

The key to a well-ordered realm was balancing male and female qualities in proportion; tyrants differed from good kings in degree rather than in kind. They were kings out of balance, princes using the same tools as their worthier counterparts, but excessively and to their private profit. And here we have a second piece of evidence for gender play within Tudor-Stuart kingship: to many commentators, tyranny was the consequence of effeminacy. To Seneca, tyrants were princes who gave into "womanish rage"; for Machiavelli, they were princes who were "inconstant, frivolous, [and] effeminate." According to Erasmus, the greatest disaster to befall a people was to be ruled by either a child or "girlish weaklings."[23] In proper hierarchical relationship, the combination of masculinity and femininity was monarchy's best face. When femininity prevailed over masculinity, however, compassion degenerated to indulgence, generosity to garrulousness and waste, peace loving to cowardice, and severity to vengeance. Tyranny showed not only a king's capacity for personal decay but also the power and danger still left in effeminate behavior.

Masculine self-control was especially critical to the gender balance of kingship because of the ways that early modern men and women understood sexual difference. Philosophers, theologians, and natural scientists from the Greeks forward had argued over the meaning of sexual character, and it was generally agreed that gender influenced choices over things that we see as impersonal—such as foreign policy and state religion—as well as over matters that we consider to be more private—such as fashion and education. And while writers disagreed about the exact nature of the difference between men and women, few considered the barrier between the sexes to be impassable. Masculine dominance was critical to social order, yet masculinity itself was a fragile commodity.[24] The list of ways to debilitate

[22] Marcus, *Puzzling Shakespeare*, 55–58; see also the essays in Louise Olga Fradenburg, ed., *Women and Sovereignty* (Edinburgh, 1992); Pauline Stafford, "More than a Man or Less than a Woman: Woman Rulers in Early Modern Europe," *Gender and History* 7 (November 1995): 486–90. For an argument that the procreative image is critical to understanding James's reign, see Elizabeth A. Spiller, "The Counsel of Fulke Greville: Transforming the Jacobean 'Nourish-Father' through Sidney's 'Nursing Father'," *Studies in Philology* 97 (Fall 2000): 433–54.

[23] Seneca, *De Clementia*, 373; Machiavelli, *The Prince*, chap. 19; Erasmus, *Education of a Christian Prince*, 32. Tacitus taught the same lesson anecdotally; on his influence in late Elizabethan and in Jacobean England, see R. Malcolm Smuts, "Court-Centered Politics and Roman History," in *Culture and Politics in Early Stuart England*, ed. Kevin Sharpe and Peter Lake (Stanford, CA, 1993), 21–43; and J. H. M. Salmon, "Seneca and Tacitus in Jacobean England," in *The Mental World of the Jacobean Court*, ed. Linda Levy Peck (Cambridge, 1991), 169–88.

[24] On the social conception of manhood, see Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2003); Tim Hitchcock and Michelle Cohen, eds., *English Masculinities* (Harlow, 1999); Susan Dwyer Amussen, "The Part of a Christian Man: The Cultural Politics of Manhood in Early Modern England," in *Political Culture and Cultural Politics in Early Modern Europe*, ed. Susan Dwyer Amussen and Mark A. Kishlansky (Manchester, 1995), 213–34.

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masculinity was long, in part because essentially masculine attributes—rationality, moderation, and sobriety, to name a few of the most important—demanded cultivation, as well as vigilance against distractions. In contrast, essentially feminine attributes—such as tenderness, loquaciousness, and love of luxury—were self-indulgent and enticing.[25] What made this particularly worrying was that the Aristotelian view of inviolable distinctions between men and women had long coexisted (somewhat improbably) with Galenic belief that bodies were dynamic structures. Anatomical observations complemented the Galenic sense that diversity was normal and supported the stories, rare to be sure, of individuals who appeared to have changed sexes. Women, it seemed, could become men, and more frighteningly, men could become women.[26]

Companion to this belief in permeability was a fear of effeminacy as a dangerous and potent infection. Laments about male weakness were common across many genres. Authors of antitheatrical treatises and popular pamphlets bemoaned how effeminate fashion accustomed men to the pleasures of a "weak and soft nature"; Fulke Greville bewailed the current "effeminate age" in his biographical study of Sir Philip Sidney. The memoirist Lucy Hutchinson saw the seeds of civil war in any realm where "masculine princes are so effeminate as to suffer women of foreign birth and different religion to intermeddle with the affairs of state"; the poet Alice D'Anvers chastised the Britain of the 1690s as grown "soft to a scorn, nice and effeminate / from your brace ancestors degenerate." Other authors agreed, certain that manly Englishness was waning and that England's political, religious, and cultural independence would soon decline as well.[27] The fear was not new, but it was pervasive, and so too was its invariable companion, the belief that, as one Jacobean pamphleteer put it, never "since the time of Adam [have] women been so masculine."[28] Cheap literature coded generic threats as female: Satanism represented by witches, rebelliousness depicted by women who killed their husbands, and Catholicism understood through the image of the temptress whores of Babylon. The laws about the consequences of wanton sexuality punished women more severely than they did men: laws against bastardy, laws against adultery, and laws against concealing pregnancy. Biology meant that a man might deny what a woman in these circumstances could not, but other statutes distinguished female from male as well: men were barraters, women scolds; men who killed their wives were

[25] Thomas Wright, *The Passions of the Mind*, 2nd ed. (London, 1630), chap. 10, explains how and why certain passions prevail at particular ages in either sex. I want to thank Linda Pollock for this reference and for thoughtful discussion on this subject.

[26] See Maclean, *Renaissance Notion of Woman*, chap. 3. The most influential recent discussion of medical conceptions of the body is Thomas Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge, MA, 1991), but see also the important critique by Katherine Park and Robert A. Nye, "Destiny Is Anatomy," *New Republic*, 18 February 1991, 53–57.

[27] Philip Stubbes (1583) and Greville (ca. 1610), cited in Michael B. Young, *James VI and I and the History of Homosexuality* (London, 2000), chap. 4; Hutchinson (1664), cited in Frances Dolan, *Whores of Babylon: Catholicism, Gender and Seventeenth-Century Print Culture* (Ithaca, NY, 1999), 125; D'Anvers, cited in Weil, *Political Passions*, 111. Creeping effeminacy is the complaint in many of the pamphlets written against the theaters, life at court, and innovations in fashion and religion. For a different view of this evidence, see David Cressy, "Gender Trouble and Cross-Dressing in Early Modern England," *Journal of British Studies* 35 (October 1996): 438–65.

[28] *Hic Mulier, or the Man-Woman . . . printed for I.T.* (London, 1620). A facsimile has been published in *Three Pamphlets on the Jacobean Antifeminist Controversy*, ed. Barbara J. Baines (New York, 1978).

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murderers, women who slaughtered their husbands were petty traitors; and married men were legal adults, married women were legal children. The masculinity that ruled society was, as one recent critic has dubbed it, an exceedingly "anxious masculinity."[29]

And if maleness was persistently insecure, what better evidence that all was well than a king who could embody feminine attributes as well as masculine ones without succumbing to effeminate temptations? Although scholars, myself included, have stressed the analogical connection between monarchs and heads of household and the myriad ways in which each reinforced the other in terms of duties and privileges, and organization and discipline, such mirroring was never complete.[30] A king was still an altogether different sort of person from a father, one whose two genders in proper balance could incorporate within a single body both fatherhood and the gendered struggle that went on throughout the commonwealth.

The dilemma of female kings—my third (and most predictable) evidence of the two genders of English monarchy—has long occupied scholars of Tudor and Stuart England. If the Anglo-American romance with what was not so long ago thought of as "the Elizabethan miracle" were not reason enough for this, the circumstance of having four regnant queens (Mary I, Elizabeth I, Mary II, Anne—and five, if you count Lady Jane Grey) plus several prominent female candidates as successors (Catherine Brandon, Mary Stuart, Arabella Stuart, and Sophia of Hanover) in little more than two centuries would be. That contemporaries preferred to be ruled by an adult male is incontrovertible, yet we may have painted the disabilities of female kings in darker colors than are appropriate. The coincidence of the dynastic importance of such women with the division of Western Europe into warring religious states invited a flowering of political thought that forced writers to reconsider the abilities of female kings. Some political thinkers such as Jean Bodin and, closer to home, John Knox, rejected any positive role for women as princes, but opinion on this was hardly unanimous.[31] Several modern feminist scholars, among them Constance Jordan, Carole Levin, Amanda Shephard, and Anne McLaren, recently have argued that, transfixed by the powerful rhetoric of Knox's tirades against the "monstrous regiment" of women, we have overlooked how much room early

[29] Frances Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550–1700* (Ithaca, NY, 1994), and *Whores of Babylon*; Marc Breitenberg, *Anxious Masculinity in Early Modern England* (Cambridge, 1996).

[30] See, e.g., Susan Dwyer Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford, 1988); Cynthia Herrup, *A House in Gross Disorder: Law, Sex and the Trial of the Second Earl of Castlehaven* (Oxford, 1999). Sarah Hanley has argued that in France, these centuries saw the creation of a "family-state compact" between men that traded stricter regulation of marriage for greater cooperation in royal finance. England's greater reliance on unpaid officials, greater turnover in offices, and deeper grounding in precedent seems to have precluded anything so neat, but the dynamic is worthy of further investigation; see Sarah Hanley, "Engendering the State: Family Formation and State Building in Early Modern France," *French Historical Studies* 16, no. 1 (1989): 4–27, and "The Jurisprudence of the Arrets: Marital Union, Civil Society and State Formation in France, 1550–1650," *Law and History Review* 21, no. 1 (2003): 1–40.

[31] Jean Bodin, *Six Books of the Republic*, ed. and abr. M. J. Tooley (Oxford, 1955), bk. 6, chaps. 4–5; John Knox, *The First Blast of the Trumpet Against the Monstrous Regiment of Women* (London, 1558).

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modern political thought had for female princes.[32] The argument that since the king never died, the individual characteristics of the prince were not disqualification from ruling was only one of several ways to argue support for women kings. Some authors based their theories on the power of royal blood, others on providence, and others still on the spiritual equality of women and men. In his defense of female inheritance, for example, Henry Howard (later the earl of Northampton) provided readers with more than thirty pages of positive historical examples of female kings. Femininity, as the Elizabethan bishop John Aylmer admitted, was a weakness in a governor, but not necessarily one linked to biological sex. Female kings were problematic, but not as deeply and universally troubling as we have believed.[33] In print as well as in reality, style could trump biology.

Judith Richards has developed the implications of this conclusion most fully by extending its reach both back into Mary Tudor's reign and forward into the reign of James I. In a series of important essays published over the past decade, Richards has effectively undermined the notion of any simple connection between gender stereotypes and monarchy in early modern England.[34] She has shown, first of all, how easily mid-Tudor members of Parliament were able to distinguish Mary I as ruler from Mary I as wife; they allowed Philip of Spain what powers they did, she argues, not because Philip was Mary's husband, but because Mary insisted on it.[35] And Richards also has pointed out how political circumstances rather than the monarch's sex determined the success of various idioms of kingship. So, Elizabeth I's insistence that courtiers use a language of love to describe the relationship between her and her subjects was not an innovation born of her femaleness, but a continuation of earlier male attempts to rethink loyalties once expressed in feudal terms into ones understood as voluntary, affective, and transcending all other political allegiances.[36]

The work of Richards and others on England's female princes has implicitly proven that any female who held the throne successfully had to have two genders as well as two bodies. Female princes assuming masculine traits suited, of course, the Aristotelian view that nature always tends to perfection; such women reaffirmed the dominance of male values even as they depicted kings as mixed personages. We have been slower to realize that male kings might also have had a gender problem and that they, like their female counterparts, might have ruled best by

[32] Constance Jordan, "Women's Rule in Sixteenth-Century England," *Renaissance Quarterly* 40 (Autumn 1987): 421–51; Amanda Shephard, "Henry Howard and the Lawful Regiment of Women," *History of Political Thought* 12 (Winter 1991): 589–605; Judith Richards, "'To Promote a Woman to Beare Rule': Talking of Queens in Mid-Tudor England," *Sixteenth Century Journal* 28 (Spring 1997): 101–21; Anne McLaren, *Political Culture in the Reign of Elizabeth I* (Cambridge, 1999); Mary Potter, "Gender Equality and Gender Hierarchy in Calvin's Theology," *Signs* 11, no. 4 (1986): 725–49.

[33] Howard, cited in Shephard, "Henry Howard and the Lawful Regiment of Women," 591; Aylmer, cited in Jordan, "Women's Rule," 439; see also Monod, *Power of Kings*, 66.

[34] Richards, "Mary Tudor as 'Sole Queen?'," "To Promote a Woman to Beare Rule"; see below for references to her essays on Elizabeth I, James I, and Charles I.

[35] Richards, "Mary Tudor as 'Sole Queen?'"; see also Glyn Redworth, "Matters Impertinent to Women: Male and Female Monarchy under Philip and Mary," *English Historical Review* 112 (June 1997): 597–613, especially Elizabeth Russell's comment that Mary promoted her own reputation for weakness (603).

[36] Judith Richards, "Love and a Female Monarch: The Case of Elizabeth Tudor," *Journal of British Studies* 38 (April 1999): 133–60.

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incorporating two genders in productive tension within a single body. Given the contemporary certainty that masculinity was preferable to femininity, male kings, in fact, may even have had the harder undertaking. The transition between Elizabeth and James has long provided us with our classic moment to consider gender and English kingship. David Cressy among others has talked of 1603 as a moment of transition between a "mannish queen" and a "queenish man," yet there might be more here than just that.[37] The later link between unpopularity and perceptions of James as effeminate, recently so well detailed for us by Michael Young, may have had less to do with the king's actual behavior than with the delicate political problem of getting the two genders into proper royal balance.[38]

In her essay on James VI's accession to the English throne, Richards suggests that, despite the more familiar interpretation, it was not effeminacy, but the king's obvious masculinity, his fondness for what David Norbrook has called "displays of political virility," that brought him initially to grief in England. As king of Scotland, James had been noted for intelligence, evenhandedness, and courage; contemporaries saw him as aggressive and impatient with "fopperies" of talk or dress. Yet his expectation that the English would welcome his forthright style was mistaken; after nearly fifty years of female rule, Richards argues, the English saw nurturance and accessibility as princely traits, rather than anything particularly feminine.[39] James began his English reign with several shows of masculine decisiveness: on the journey from Edinburgh to London, he had a cutpurse summarily hanged when the man stole from someone in the welcoming crowd, he called an ecclesiastical conference to resolve doctrinal controversies that had festered under Elizabeth, and he made immediate plans to unify his two kingships.

The iconography of kingship seems to have transcended gender: Elizabeth and James each appeared as Solomon; Mary I and Henry VIII appeared as Judith. The Holy Roman Emperor was credibly represented as an Amazon and Francois I of France as a parthenogenetic amalgam of both gods and goddesses.[40] Kingship was a world in which gender-bending descriptors were so common that this alone should warn us that they may have been more a code for popular and unpopular behaviors than descriptions of royal personalities. Every male ruler in the seventeenth century, including William III, was at one time or another alleged to be

[37] Cressy, "Gender Trouble," 451.

[38] Young, *James VI and I and the History of Homosexuality*; cf. Herrup, *House in Gross Disorder*, 26–38; Pauline Croft, *King James* (London, 2003).

[39] Judith Richards, "The English Accession of James VI: 'National' Identity, Gender and the Personal Monarchy of England," *English Historical Review* 117 (June 2002): 513–23; Norbrook, cited in McLaren, *Political Culture*, 217 n. 57; Caroline Bingham, *James VI of Scotland* (London, 1969), 75–76. On James's reign and reputation in Scotland, see Jenny Wormald, "James VI/I: Two Kings or One?" *History* 68 (1983): 187–209, as well as the essays in Julian Goodare and Michael Lynch, eds., *The Reign of James VI* (East Lothian, UK, 2000). For the difficulties that Charles I had with these expectations, see Judith Richards, "'His Nowe Majestie' and the English Monarchy: The Kingship of Charles I before 1640," *Past and Present*, no. 113 (1986): 70–96.

[40] John N. King, *Tudor Royal Iconography: Literature and Art in an Age of Religious Crisis* (Princeton, NJ, 1979), 219, 220, 254ff.; Wind, *Pagan Mysteries*, 212–14; Louis A. Montrose, "Idols of the Queen: Policy, Gender and the Picturing of Elizabeth I," *Representations* 68 (Autumn 1999): 108–61, and "'Shaping Fantasies': Figurations of Gender and Power in Elizabethan Culture," *Representations* 2 (Spring 1983): 61–94. Lisa Forman Cody tells me that similar cross-imagery appears in depictions of the Hanoverians; see Lisa Forman Cody, *Birthing the Nation: Sex, Science and the Conception of Eighteenth-Century Britons* (Oxford, 2005), which I was unable to see before completing this article.

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in thrall to a favorite (male or female); every one was accused of overspending; and every one was seen as devious, untrustworthy, and effeminate. Several commentators in the 1630s and thereafter considered Charles I to be unnaturally dependent on his wife Henrietta Maria.[41] Early in the reign of Charles II, the diarist Samuel Pepys complained of the king's "horrid effeminacy," and more than twenty years later, the diarist John Evelyn lamented the court's scenes of "utmost vanity."[42] William III, one member of Parliament contended publicly, was so much a creature of his courtiers that they kept him at Kensington "as in a box."[43]

And every female ruler in both centuries was at some point talked about as masculine. Elizabeth I, particularly in her later years, described herself, and was described by others, as the kingdom's "guiding husband." She associated herself with the chaste huntress Diana (the obvious referent apart from the Virgin Mary for a virgin queen), but those who wrote in praise of Elizabeth used a panoply of other biblical and historical comparisons: David, Moses, Solomon, Alexander, Constantine, and Saint George as well as the more predictable Amazons.[44] Mary II was a reluctant monarch if ever there was one, believing that "women should not meddle in government." Yet she drew praise from Bishop Burnet for her "extraordinary firmness" when the French defeated the English and Dutch navies at Beachy Head during her regency. The poet Henry Park lauded her "courage masculine" as well as her "feminine sweetness," and others likened her to Cincinnatus and to Moses.[45] And Queen Anne (who granted her husband George neither power nor royal title) was, as her biographer puts it, the "undisputed" head of her household. One pamphleteer concluded that Anne had a "masculine spirit" within her female body. To those expecting that as a woman, she would be easy to manipulate, she warned, "I thank God I have a soul above that."[46] If most monarchs in the sixteenth and seventeenth centuries were presented as both

[41] See, e.g., G. Huehns, ed., *Clarendon: Selections from the History of Rebellion and The Life by Himself* (Oxford, 1978), 96–102; *The King's Cabinet Opened* (London, 1645); Lucy Hutchinson, cited in Dolan, *Whores of Babylon*, 53, 122–25; Monod, *Power of Kings*, 105; Caroline Hibbard, "Role of a Queen Consort: The Household and Court of Henrietta Maria, 1625–1642," in *Princes, Patronage and the Nobility*, ed. Ronald G. Asch and Adolf M. Birke (Oxford, 1991), 393–414.

[42] Cited in Hammond, "The King's Two Bodies," 21–22; on the political uses of such images, see Rachel Weil, "Sometimes a Scepter Is Only a Scepter: Pornography and Politics in Restoration England," in *The Invention of Pornography: Obscenity and the Origins of Modernity*, ed. Lynn Hunt (New York, 1993), 125–53.

[43] Henry Horwitz, ed., *Parliamentary Diary of Narcissus Luttrell, 1691–1693* (Oxford, 1972), 55. See also M. J. Routh, ed., *Burnet's History of His Own Time*, 6 vols. (Oxford, 1833), 4:562–70. I have not cited a specific example from the reign of James II, but his public image fits the pattern.

[44] Lena Cowan Orlin, "The Fictional Families of Elizabeth I," in *Political Rhetoric, Power and Renaissance Women*, ed. Carole Levin and Patricia A. Sullivan (Albany, NY, 1995), 84–110; Margaret Christian, "Elizabethan Preachers and the Government of Women: Defining and Correcting a Queen," *Sixteenth Century Journal* 24, no. 3 (1993): 561–76, esp. 568–69, 573; Dale Hoak, "Iconography of the Crown Imperial," in *Tudor Political Culture*, ed. Dale Hoak (Cambridge, 1995), 54–103; Montrose, "Idols of the Queen," 137.

[45] Mary II, *Memoirs of Mary, Queen of England*, ed. R. Doebner (Leipzig, 1886), 23; Routh, *Burnet's History*, 4:98; Weil, *Political Passions*, 112 and chap. 4 more generally; Lois G. Schwoerer, "Images of Queen Mary II, 1689–1695," *Renaissance Quarterly* 42 (Winter 1989): 717–48.

[46] Weil, *Political Passions*, 167; Gregg, *Queen Anne*, 138; see Weil's discussion of Anne more generally, chap. 7.

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female and male, then we will do well to explore the possibility that the explanation for this lies deeper than the manliness of one or the effeminateness of another.

Perhaps nothing illustrates the challenges of kingship with two genders better than my fourth body of evidence: the royal prerogative of mercy. Mercy, it was universally agreed, was essential to good governance. In his advice to governors, Thomas Elyot wrote, "in whom mercy lacks and is not found, in him, all other virtues be drowned and lose their just commendation . . . nothing more entirely joins the hearts of subjects to their prince or sovereign than mercy." Other writers echoed the sentiment, and jurists and monarchs each concurred. "God bestows upon princes three special precious gifts for to enable and ennoble their government: power, justice and mercy," declared the early seventeenth century judge, John Dodderidge. Among the last things Charles I instructed his son to remember was that "your prerogative is best showed, and exercised in remitting, rather than exacting the rigor of the laws; there being nothing worse than legal tyranny."[47]

The early modern English legal system had no equivalent to modern appeals and no official structure of secondary punishments for felony. Unlike today, when pardons mostly go to those harmed by the law, in early modern England, pardons were intended to redeem the person rather than to correct the legal process. Pardons were a gift, not a right; they came of grace rather than of deservedness. Mercy humanized the application of the law, it encouraged trust, and it reminded Christian subjects of the unexpected gift of Divine salvation. But given indiscriminately, mercy unmanned its giver, sickening the realm and discharging, as Howard put it, "a distemper upon the common people."[48]

In the bio-logic of the early modern world, women were natural petitioners for mercy, and their success was as frightening as it was reassuring. In Catholic Europe, of course, the paradigmatic intercessor was the Virgin Mary, always ready as a fourteenth-century parable put it, to use "the cloak of her mercy . . . to soften the king's anger against us."[49] Reformed religion demoted Mary, but the association of women and mercy remained strong. In his book on passions, Thomas Wright declared, "Women, by nature, are inclined more to mercy and pity than men." Elyot saw the Roman Empress Livia as an example of wives' ability to "persuade sweetly their husbands to mercy and patience." When told that Charles I would listen only to the queen's petition for his pardon, John Williams, archbishop of York and former Lord Keeper, applauded the way that "princely ladies" could prevail in mercy when councilors could not.[50] But female pleas for mercy

[47] Elyot, *The Boke Named the Governour*, 2:73, 79; British Library Harleian MSS 5220/9v; *Eikon Basilike*, chap. 27.

[48] Cited in Linda Levy Peck, "The Mentality of a Jacobean Grandee," in Peck, *The Mental World of the Jacobean Court*, 320 n. 97. I discuss mercy's dangers in detail in my forthcoming book on pardons and kingship in the seventeenth century.

[49] Cited in Marina Warner, *Alone of All Her Sex: The Myth and Cult of the Virgin Mary* (London, 1976; repr., London, 2000), 285.

[50] Wright, *Passions of the Mind*, 40; Elyot, *The Boke Named the Governour*, 2:79; John Hacket, *Scrinia Reserta* (London, 1693), 135–36. For the tradition of female intervention in medieval England, see Paul Strohm, "Queens as Intercessors," in his *Hochon's Arrow: The Social Imagination of Fourteenth Century Texts* (Princeton, NJ, 1992), 95–119; Lois L. Huneycutt, "Intercession and the High-Medieval Queen: The Esther Topos," 126–46; and John Carmi Parsons, "The Queen's Intercession in Thirteenth-Century England," 147–77, both in *Power of the Weak: Studies on Medieval Women*, ed. Jennifer Carpenter and Sally-Beth MacLean (Urbana, IL, 1995); cf. K. J. Kesselring, *Mercy and Authority in the Tudor State* (Cambridge, 2003), 141–42.

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too often were dangerous, urged by the wrong people for the wrong reasons. The problem was pardons based on empathy rather than on reason. Womanish mercy derived from pity, from what Elyot called a "sickness of the mind" and the Elizabethan parliamentarian Thomas Digges referred to as a "sugared poison." Pity, Seneca cautioned, put a kingdom at risk because it "regards the plight, not the cause."[51] The lesson was clear: mercy born of pity alone redeemed no one and left the merciful giver weaker than before. The most familiar laudatory stories of mercy in early modern literature, drama, sermons, and advice manuals follow a single, highly gendered plot: a potential traitor, often someone close to the prince, is discovered; he (and I do not know of any female examples) pleads for pardon, first in person and then through a female intercessor; the monarch's counselors insist that a pardon would endanger both the prince and the realm; the king acknowledges the danger yet offers the traitor clemency; and the traitor becomes a loyal subject.

Seneca's often-repeated story about Augustus and Lucius Cinna fits this narrative; so, too, did the fictional pardon granted by Henry IV to the earl of Rutland in Shakespeare's *Life and Death of Richard II*.[52] In this episode, although Henry Bolingbroke (now Henry IV) has defeated and deposed Richard, the lost king still has his supporters, and Rutland, the son of the loyal duke and duchess of York, is one of them. On discovering his plans for treason, the duke wants to denounce his son to the king immediately, the duchess to excuse him as long as they can guarantee his loyalty. "Hide the trespass of thine own," she begs her husband. She can understand his refusal only as a suspicion that the boy is not his, "Hads't thou groan'd for him as I have done," she says, "thou wouldst be more pitiful . . . thou dost suspect that I have been disloyal to thy bed." In despair, she urges Rutland to throw himself on Henry's mercy before the duke exposes him. The next scene, in the presence of the new king, is staged as a disputation between the traitor's mother pleading for his life and his father urging severity. Again, the duchess talks of pity, the duke of danger. Her plea, delivered on her knees derives from "heart and soul." "Forget to pity him," the duke warns Henry, "lest pity prove a serpent that will sting thee to the heart."

Henry does pardon Rutland, but while he praises the duchess' sincerity, he lets the audience know that her pity was not what moved him. His first reaction is to the shrillness of her voice; he depicts her arrival as turning the previously all-male discussion "from a serious thing" to farce; he answers her repeated pleading only with the neutral phrase "rise up, good aunt." The duke ridicules his wife, first for her lack of legal sophistication, then for pleading for something so effeminate it is better expressed in a foreign language. "Speak it in French, king," he mocks once the pardon is won, "say, pardonne moi." As the audience already knows, however, Henry's pardon is a calculated risk, not an act born of either sympathy

[51] Elyot, *The Boke Named the Governour*, 2:81; Digges, cited in McLaren, *Political Culture*, 26; Seneca, *De Clementia*, 30.

[52] Seneca, *De Clementia*, 381–87. I have come across the Cinna story repeated by Elyot, Erasmus, Richard Morrison, Robert Cotton, and Michel de Montaigne, and this list is surely incomplete. Shakespeare uses pardons in many of his plays, not only in the two (*Merchant of Venice* and *Measure for Measure*) where mercy is a central focus. Except in battle, his petitioners are regularly women, and as women, they routinely frame their pleas in terms of pity, exactly the emotion contemporaries found so problematic. The episode discussed here is from *Richard II* 5.2–3.

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or empathy. Before the duke and duchess appear, the prince tells Rutland that he will pardon him in order "to win thy after-love." Henry tells the duke that, whatever the old man's view his fidelity has earned Rutland a second chance. The scene ends with the king promising that Rutland's fate will be exceptional; as for the other conspirators, "destruction straight shall dog them at their heels," he says. In this guise, mercy is a tactic rather than an indulgence. Feminine pleas become masculine acts, pardons born of calculation and expressed as a willingness to sacrifice oneself that manage to echo both the bravery of generals and the trusting nature of Christian love. Acts of mercy such as this were didactic acts of domination; rather than conveying effeminacy, they reinscribed the king's control of femininity.

In both Shakespeare's works and in other contemporary depictions of mercy, audiences seem to have been exposed deliberately to both feminine and masculine ideas of mercy.[53] First, the venues are not those of the law: trials or due process are deep background, if there at all. The scenes avoid courtrooms, in which women would have no voice, in favor of royal households or more exceptional settings where they might speak. Second, the decision to grant pardon has nothing to do with guilt or innocence (no one in these stories doubts the guilt of the individual in question), nor with the seriousness of the alleged threat to authority (no one doubts the plausibility of successful rebellion). Third, the division over granting pardon is not between a male monarch and a female petitioner: the reluctant male is a royal counselor, and the king embodies a via media between masculine caution and effeminate compassion. The issue is not whether mercy will be granted, but how. Last, despite the offender's duplicity, the intercessor's empathy, and the counselor's dire predictions, the gamble always works. The prince's willingness to trust an erring follower at the cost of royal safety converts the erstwhile traitor into not just a loyal, but an exemplary, subject.

The dilemma for kings male or female was actually to produce this sort of mercy. It could be done. Edward III pardoned the burghers of Calais in 1347 at the behest of his queen, Philippa; Henry VIII listened to Katherine of Aragon's request for mercy for the participants in the May Day riots of 1517.[54] But complaints of too powerful female intercessors and too compassionate kings (male and female) were more common than stories of responsible persuasion. Princes were too often swayed, as one commentator lamented, by "womanish lenity."[55] Despite recognizing that in Scotland, frequent clemency had earned him contempt rather than obedience, James I pardoned the notorious countess of Somerset, on the advice

[53] I am grateful to Lena Cowan Orlin for pointing out to me the particularly elaborate depiction of Jane Shore in this regard in Thomas Heywood's *First and Second Parts of King Edward IV*.

[54] Strohm, "Queens as Intercessors," 95–119; "Ill May Day," in Collier, *Broadside Blackletter Ballads, printed in the sixteenth and seventeenth centuries, mostly in the possession of J. Payne Collier* (London, 1868), was reprinted several times in later reigns; cf. Kesselring, *Mercy and Authority*, 159–60, for an alternative version of the story. For other examples of intervention by Tudor consorts, see Kesselring, *Mercy and Authority*, 123; David Loades, *The Reign of Mary Tudor: Politics, Government and Religion in England, 1553–1558*, 2nd ed. (London, 1991), 210–11.

[55] Henry E. Huntington Library, EL MSS 7976 (anon.); see similar comments cited in Young, *James VI/I*, esp. chap. 4. Carla Pestana and Richard Ross kindly pointed out to me that John Winthrop faced similar criticisms; see Carla Gardina Pestana, "The Problem of Land, Status and Authority: How Early English Governors Negotiated the Atlantic World," *New England Quarterly* 78 (December 2005): 515–46. I thank the author for allowing me to see her essay before publication.

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of several petitioners, among them Queen Anna.[56] Edward Hyde, later earl of Clarendon, remembered Charles I as someone so willing to pardon that his judges had to educate him in the dangers of too much tenderness.[57] Charles II's advisers saw him as irremediably compassionate, a condition they attributed to his life in exile as well as to the desires of his mistresses, the most powerful of whom was considered virtually a "mistress of state."[58] As regent, Mary II tried to follow the scriptural injunction never to forgive anyone who defiled the land with blood, but Mary's policy was viable only in the short term; most princes had to provide not a kingship without mercy, but rather a kingship that offered mercy in two genders, mercy reflecting a prince who was (as one courtier said of both Elizabeth I and James I) "soon angry, yet without bitterness or stinging revenge."[59]

Female kings faced their own challenges in exercising mercy. Unlike male kings, they could not cloak their grace with the intervention of wives. A male king such as Edward III was not unmanned but merely drawn away from excessive anger by his wife's plea for the burghers of Calais. Public staging of such mercy literally displayed the king's two genders without fueling suspicion about private female influence. No male consort could play the role of intercessor this way without seeming impotent, and no female king could succumb to a husband's (or indeed anyone's) pleas without fulfilling expectations of effeminate behavior. If we restrict ourselves to secular matters, Elizabeth, Anne, and even Mary I were unsurprisingly reputed, often in contravention of the facts, to be overly merciful and tenderhearted.[60]

Even for male kings, properly balanced mercy became harder to maintain in the seventeenth century. Perhaps this was, in part, because the motives of the Stuart queen consorts, all Catholic, were always suspect. Perhaps it reflected as well the early Stuarts' dislike of public ceremonial and open access. But regardless of individual issues, mercy was becoming more dangerous to manage between 1603 and 1685. First, Catholics often needed and received royal pardons in these decades, but particularly after the twin traumas of the Gunpowder Treason and the rendering of the Oath of Allegiance, no Catholic promise of loyalty, reform, or

[56] James I, *Basilikon Doron*, 20; Leeds Barroll, *Anna of Denmark: Queen of England* (Philadelphia, 2001), 146–48, citing John Chamberlain. I am grateful to Alastair Bellany for discussion on this point. On the queen's influence on James in Scotland, see Maureen M. Meikle, "A Meddlesome Princess: Anna of Denmark and Scottish Court Politics, 1589–1603," in Goodare and Lynch, *The Reign of James VI*, 126–41, esp. 130–31, 137–38.

[57] Huehns, *Clarendon: Selections*, 316–17; see also Hacket, *Scrinia Reserta*, 184; British Library, London, Additional MSS 35331/26.

[58] Cited in Nancy Maguire, "The Duchess of Portsmouth: English Royal Consort and French Politician, 1670–1685," in *The Stuart Court and Europe: Essays in Politics and Political Culture*, ed. R. Malcolm Smuts (Cambridge, 1996), 247–72, quote at 258; see also Halifax, "A Character of King Charles the Second," in George Saville, marquis of Halifax, *Halifax: Complete Works*, ed. J. P. Kenyon (Harmondsworth, 1969), 247–70.

[59] Mary II, *Memoirs*; Mendelson and Crawford, *Women in Early Modern England* (363) overstate the case on Mary's reluctance; quote from Roger Wilbraham, cited in Robert Ashton, ed., *James I by His Contemporaries* (London, 1969), 6.

[60] Loades, *Reign of Mary Tudor*, 210–11, 228–29; Mendelson and Crawford, *Women in Early Modern England*, 366; McLaren, *Political Culture*, 181; Christian, "Elizabethan Preachers," 566–67; Weil, *Political Passions*, 170–73; Kesselring, *Mercy and Authority*, chap. 6.

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submission was reliable evidence of repentance.[61] Thus any pardon offered to a Catholic or on a Catholic's recommendation made a prince seem either corrupt or womanish. Second, while royal advisers had always needed and received pardons, the revival of impeachment in the 1620s changed the meaning of princely intervention in these instances. As parliaments took more initiative in impeachments, they came to see themselves more emphatically as protectors of the realm.[62] This cast kings—who more often than not hoped to protect their ministers—as either cowardly or effeminately dependent. And third, while kings had always been seen as fonts of mercy, the restored Charles II faced an unprecedented dilemma in 1660. Widespread clemency was a critical tool for restoring order, for it both reminded subjects that Charles was as much a king as his predecessors and showed them that kingship had advantages. At Breda, Charles had declared broad forgiveness as a basic premise of his regime. The peace of the realm at several levels demanded an unsparing approach to pardoning.[63] Yet wholesale mercy had always been seen as debilitating, a sure sign of royal weakness. Given the backbiting that was inevitable once peace returned, Charles's magnanimity could not help but be seen as damaging to the kingdom. The king was subjected repeatedly to graphic depictions of himself as femininely indolent, femininely indecisive, and femininely self-indulgent.[64] Francis Bacon characterized princes as objects who have "much veneration, but no rest."[65] A kingship with two genders may be one reason for such constant movement. Historians have conventionally approached the king's gender as a matter of either/or; I have tried to suggest here the advantages of considering it in terms of both/and.[66] To substantiate my conclusions would need detailed studies of each of the regimes I have mentioned, but I venture that considering kingship in two genders might offer a new coherence to the history of the early modern English monarchy.

The framework helps to make sense of continuities across reigns that have seemed anomalous—such as Elizabeth I's court of love and Charles I's court of domesticity or the fluid use of male and female images for monarchs across the era. Treating monarchy as a state of being also encourages fresh comparisons—the reigns of Mary I and Mary II, for example, or James I and Charles I—and suggests fresh

[61] The bibliography of work on aspects of Catholicism and antipopery is vast; the most trenchant recent commentators include Tim Harris, Mark Knights, Peter Lake, Michael Questier, John Spurr, and Alexandra Walsham; for the later period, John Miller, *Popery and Politics, 1660–1688* (London, 1973), and John Kenyon, *The Popish Plot* (London, 1972), are still very useful.

[62] On the revival of impeachment, see Colin G. C. Tite, *Impeachment and Parliamentary Judicature in Early Stuart England* (London, 1974); on later Stuart England, the most recent discussion is Tim Harris, *Restoration: Charles II and His Kingdoms, 1660–1685* (London, 2005).

[63] Among the Cromwellian innovations that outlived the interregnum was a vast expansion in the practice of trading pardons for exile in routine felonies; massive circuit pardons in return for transportation became a key element in Restoration penal policy. See my "Punishing Pardons: Some Thoughts on the Origins of Penal Transportation," in *Penal Practice and Culture, 1500–1900: Punishing the English*, ed. Simon Devereaux and Paul Griffiths (Basingstoke, 2004), 121–37.

[64] Harold M. Weber, *Paper Bullets: Print and Kingship under Charles II* (Lexington, KY, 1996); see also Hammond, "The King's Two Bodies"; Weil, "Sometimes a Scepter Is Only a Scepter."

[65] Francis Bacon, "Of Empire," in *The Essays*, ed. John Pitcher (London, 1985), 115–19, quote at 119.

[66] Feminist scholars have extensively explored the possibilities of this broader framework; one of the better-known examples is Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (Boston, 1990).

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avenues for research, such as into the routine use of prerogatives, or, as Kevin Sharpe has recently suggested, into the nuances of royal and parliamentary rhetoric.[67] Understanding the position of a king who simultaneously had two genders offers a new way of seeing both the strategic advantages and the challenges of retaining authority in early modern England.[68]

It suggests as well why the task might have become more difficult in a kingdom growing (as the Tudor-Stuart realm was) more heterogeneous. How, for example, could a king with two genders convince realms as culturally different as England and Scotland (not to mention Ireland) that the regime was virile? If putting a proper face on a prerogative such as mercy was hard, how could a prince negotiate the even harsher terrain around the prerogative to make peace or war effectively? If realizing two genders in productive tension within a single body was, indeed, becoming less tenable, how does this add to our understanding of the literal splitting of the kingship in 1688 into two gendered bodies: the war king, William, who owed his legitimacy to his wife, and the reticent queen, Mary, who had "female sweetness" as well as "courage masculine"? Bacon told us that kings had no rest. Perhaps that resulted not only from the traditional cares of office but also from the demands of a realm that asked its kings to be both manly and womanly.

[67] Kevin Sharpe, *Remapping Early Modern England: The Culture of Seventeenth-Century Politics* (Cambridge, 2000), pt. 2.

[68] I want to thank Richard Ross for drawing my attention to the way that, in terms of shifting responsibilities, a two-gendered monarch had many of the same advantages as the idea of the Trinity.

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