



QUEENSHIP AND POWER

SHAKESPEARE'S FOREIGN QUEENS

Drama, Politics, and the Enemy Within

Sandra Logan



Queenship and Power

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Shakespeare's Foreign Queens

Drama, Politics, and the Enemy Within

palgrave
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Sandra Logan
Michigan State University
East Lansing, MI, USA

Queenship and Power
ISBN 978-1-137-53483-5 ISBN 978-1-137-53484-2 (eBook)
<https://doi.org/10.1057/978-1-137-53484-2>

Library of Congress Control Number: 2018936143

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Printed on acid-free paper

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The registered company address is: 1 New York Plaza, New York, NY 10004, U.S.A.

To Robert Moses, with deep love and gratitude

PREFACE

This project has been several years in formation. It began as a response to my increasing concern about the violence of the state—about its monopoly on ‘legitimated violence’, as Max Weber defined it, about the ‘necessary violence’ of the governments of our time and of all times before ours. In our current moment we confront violence that is ‘illegitimate’—the various forms of unsanctioned violence of non-state actors (‘terrorists’), who are themselves often responding to the violence of economic and ideological imperialism, or to the agendas of such imperialism. But we also recognize the violence of poverty, of bigotry and racism, of sexism, of social disparity in access and opportunities, and of self-serving political agendas that comprise the legitimated, structural forms of violence in local contexts. Resistance to these forms of violence—violence based on the capacity to manipulate the law, or to suspend it, to limit its application or extend it, in order to deny protections to or establish restrictions on targeted individuals and groups—echoes in this project.

This is not a study of economic disparity and its ills, to which much structural violence can be traced. Rather, it is a study of a particular political problem—the problem of the abuse of sovereign authority, through which those deemed, according to the judgment of state actors, to be internal enemies, may be targeted for the retraction of rights and privileges, and punished without appropriate processes of law. However, as our awareness of structural violence suggests, such retractions and punishments often remain invisible, even to those who suffer under them. The problem, articulated by Walter Benjamin in his “Eighth Thesis on the Philosophy of History,” is that the exception has become the rule. Thus,

in conditions of systemic oppression, justified by a declared ‘emergency’ or ‘exception’—or by values and perceptions that reduce the protection and rights of some groups relative to others—it is necessary as a first step to recognize sovereign or state judgments and actions as the enablers, not the remediators, of such oppression.

Neither is this a project about women and gender *per se*. Rather, it is about those who become the targets of the sovereign decision, of sovereign judgment above law that is the prerogative of sovereignty, and according to Carl Schmitt, its defining feature. Although I deal with Shakespeare’s representation of four foreign queens, it is my contention that, through these queens, the plays demonstrate the threat to the commonwealth and the commonweal of inept, despotic, absolutist, or tyrannical sovereignty. That threat, which operates at the level of the individual in these plays, targets those who are positioned to be the best loved and the best protected of any subject in the realm: the queen (or empress) consort, the valued adviser, the honored general. It is thus the abuses of sovereign authority, its failures, and the range of responses to such abuses, that shape my analysis of Shakespeare’s foreign queens within each play. Their vulnerability reveals the danger to all subjects of sovereign will-above-law. In explicitly linking political theories of the past and the present, I aim to enrich our understanding of early modern literary texts and their cultural and cross-cultural contexts. No less importantly, I seek to recognize the ways in which these early modern debates about and representations of abusive sovereignty remain utterly pertinent to our own historical moment, although undoubtedly the specific contexts and political realities we face have changed.

East Lansing, MI

Sandra Logan

ACKNOWLEDGMENTS

I would first like to thank the members of the theory reading group at Michigan State University in which I first read Giorgio Agamben—Jennifer Fay, Scott Juengel, and Justus Nieland. I had long been interested in classical and early modern concepts of the political, but our conversations about contemporary theories of sovereignty and subjection started me down the path that led to this project. I am grateful to Michigan State University for two research support grants and two one-semester sabbaticals, which enabled a sustained focus on research and writing as I developed this book. The Chairs of the Department of English at MSU over the last several years—Pat O'Donnell, David Stowe, and Cara Cilano—provided research funding to attend conferences during this period, and offered support, both material and collegial, in various phases of this project, for which I am most grateful. I extend a special thanks to Cara Cilano for her encouragement and enthusiasm during the last two years. Additionally, the College of Arts and Letters helped to fund international travel to the SAA in 2013.

I am thankful for the helpful comments on early drafts of most chapter sections at the Shakespeare Association of America annual conference, in seminars organized by David Goldstein and Julia Reinhard Lupton (2013, *Hospitality*); Mark Albert, seminar organizer, Maureen Dowd and Wendy Wall, seminar respondents (2014, *Putting Gender to Work*); and Farah Karim-Cooper (2016, *Titus Andronicus*). I benefited richly from responses of and conversations with participants in these seminars. At the Ohio Valley Shakespeare Conference, where I presented papers drawn from this project between 2011 and 2017, colleagues have offered insightful

comments, questions, and suggestions, as well as enthusiasm and interest. I wish to extend special thanks to Tim Francisco, Hillary Nunn, Russell Bodi, Susan Oldrieve, Joseph Sullivan, and Richard Dutton for their collegiality, engagement, and friendship. I appreciate the invitation to give a keynote address based on this project at the 2013 OVSC conference in Cleveland, OH, where the lively q&a provided valuable insights and challenges. That same year, I benefited from the richly interdisciplinary conversations at the Global Conference on Evil, Women and the Feminine, led by Natalia Kaloh Vid (Prague, 2013). MSU's Global Studies in the Arts and Humanities program substantially funded my participation in that conference. I also want to thank the Center for Gender in Global Context at MSU for its support of gender-oriented and feminist scholarship in the humanities and in fields across the university.

A number of colleagues and scholars in the field have provided generous support in the form of comments on chapter drafts during later stages of the project. I am extremely grateful to Evelyn Gajowski, Dympna Callaghan, Wendy Wall, Scott Michaelsen, Kavita Mudan Finn, and Richard Dutton for their time and effort in reading and responding to my arguments. Each provided wise suggestions for the revision of individual chapters, as well as encouragement about the value of the project. I have endeavored to take their comments and criticisms into account as I revised, and have been buoyed by their enthusiasm for the larger undertaking. Evelyn Gajowski, in particular, has been a supportive friend and colleague, and she advised me in various helpful ways as I began to frame this project into a book. The anonymous reader of the manuscript offered insightful and helpful comments as well, which much improved the book. In more oblique but no less important ways, conversations with Tommy Gomez (actor) and Ruth Chan (composer) as we collaborated on *The Triumph of Time*, a commissioned piece for musical trio and spoken voice based on *The Winter's Tale*, shaped and refined my understanding of that play. Additionally, the friendship and intellectual support of David Morrow and Ben Bertram has meant a great deal to me, from our early years at UCSD to the present. I am also grateful to Palgrave for their interest in the project, and for their flexibility. I am especially appreciative of the support of Carole Levin, co-editor for the Queenship and Power series, who has been a strong advocate and ally throughout the development of the book. I also thank Christine Pardue for her editorial oversight.

Finally, I would like to thank my mother and father, Robert and Victoria Logan, and my sister Mary Logan, whose interest and encouragement

have bolstered me in this effort. Most importantly, I want to acknowledge the unflinching devotion and constant intellectual engagement of Robert Moses, to whom I dedicate this book. It is an honor to feature his beautiful oil painting, “Red Chair Queen,” on the cover, but he has given much more than that to this project, for indeed, I have been sustained in all aspects of my life by his unwavering support as I wrote it. He attentively read many drafts of each chapter, offered significant insights and suggestions at every point, and prodded me to refine, clarify, and sharpen my ideas. He also assisted with many of the technical and stylistic questions that arise in such a process. It is an understatement to say that I could not have completed this book without him.

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CHAPTER 1

Introduction: Foreign Queens, Abusive Sovereignty, and Political Theory in the Past and the Present

OVERVIEW

This book considers how, in Shakespeare's plays, the presence, conditions, and experiences of foreign queens make visible the abusive potential of embodied sovereignty, and reveal the sovereign himself as the most likely internal enemy. Each of the four main chapters focuses upon Shakespeare's use of a foreign queen to reveal and embody the tensions within early modern English politics, and additionally, demonstrates how contemporary political terms and concepts can help us to recognize less obvious aspects of Shakespeare's plays. Much excellent scholarly work has probed the historical conditions and literary representations of queenship in early modern England, and of gender in early modern historical and literary contexts. In this book, I consider Shakespeare's depiction of four foreign queens within the courts of his plays—Katherine of Aragon in *Henry VIII*, Hermione in *The Winter's Tale*, Tamora in *Titus Andronicus*, and Margaret in the first history tetralogy.¹ I take up a set of questions not widely addressed by early modern queenship scholars: How did Shakespeare engage with and make use of the *foreign* queen at the heart of the nation? How does his representation of such women challenge the apparently straightforward opposition between friend and enemy that, according to major early modern and contemporary political theorists, defines the context of the political? What are the effects of sovereignty's authority above law, its capacity to decide on the exception and the emergency, on the

internal and external enemy? What are the options if the sovereign himself becomes the enemy to the state and the commonweal? How can subjects respond to such a situation? And how does the intersection of patriarchy and monarchy point up the problems associated with embodied sovereign authority?

While focusing on alien women in Shakespeare's royal families, this book does not primarily aim to explore gender relations *per se*. Rather, I consider how, in these plays, the experiences of foreign queens epitomize conditions that potentially affect men and women from every point within the sociopolitical structure. Through these queens, I explore a cluster of political themes of continuing importance: what it means to be divided between nations in loyalties and identity; how hospitality is offered, and whether unconditional hospitality can be achieved; how to navigate the relationship between citizenship and subjection; how banishment or exile constitutes a condition at once disabling and enabling.² In other words, my interest here is in how Shakespeare employs women characters of a particular sort—those who enter the social and political system from beyond its boundaries—as a means to explore various conditions of vulnerability, alienation, and exclusion common to domestic subjects of every social position.³ Foreign queens are uniquely vulnerable within the domestic and political space they enter, subjects of and subject to the intersecting forms of authority of the husband/king. As such, they comprise the potential target of extreme abuse, but all subjects are vulnerable to similar, though less personal, forms of political violence. Even when explicit abuse is not at issue, as it is not in the *Henry VI* plays, the effects of dislocation and isolation instigate forms of disenfranchisement and resistance that may also arise in subjects beyond the royal family and the relatively rarefied atmosphere of the court.

FOREIGNNESS: SUBJECTS AND ALIENS

Legal status in England in the early modern period was primarily a function of birth: one was born either an alien, or a subject. In *Aliens in Medieval Law*, Keechang Kim emphasizes that the concept of alien status was longstanding, but that it underwent a transformation over time as part of a larger shift in legal definitions of personal status, from its earlier basis in "*liberates* and *privilegia* to the abstract notion of political faith and allegiance."⁴ One important step in this transformation came from John Fortescue, who argued that the people born into a kingdom were natu-

rally bound in a mystic relationship to the king who was their head. Fortescue argued, as Kim summarizes, “Law (*Lex*) was responsible for the internal cohesion and unity of the mystic body of the kingdom, but fealty to the king was essentially an effect of birth.”⁵ Perspectives on alien status continued to shift as jurists debated succession questions during the reign of Elizabeth I. By the late sixteenth century, aliens in England were unable to inherit property because they were not considered bound in fealty to the English sovereign; the sovereign therefore owed them no protection, and thus their right of inheritance was not supported by law. Bodin makes this point in *Six Books*.⁶

The 1608 legal case known as ‘Calvin’s Case’ refined these ideas. For example, where John Fortescue argued that *civil* law bound subjects together in fealty to the king, in his decision on the case, Edward Coke determined that such fealty was based on *natural* law.⁷ Further, he emphasized that this fealty was to the *mortal* body of the king, not to his immortal political body, for in cases of an attempted regicide, for example, the attempt was on the body of the living king, not on the body politic as a whole.⁸ This decision, which relied upon changing views of the relationship of subjects to each other, to the commonwealth, to the sovereign, and to the law, revealed clearly that ‘alien’ was no longer purely a spatial designation—“to be born ‘within’ or ‘without’ the *legeance* was [now] a question of faith and allegiance.”⁹ In effect, birth outside the boundaries of England (and now, Scotland) marked the absence of the naturally occurring bond of loyalty that all English-born subjects held through birth. Parentage, which had been a factor in the succession arguments, was not part of the consideration at this point. The decision affirmed that the notion of allegiance to the king was the defining characteristic of subjects, and its absence the defining characteristic of aliens. By the first decade of the seventeenth century, these legal decisions had thus codified a bizarre abstraction through which place of birth was translated into a bond of fealty to the mortal body of the monarch—a direct commitment to obedience which was naturally occurring and instigated by the eternal law of nature. These decisions also suggest that the body politic and the body natural of the king were not bound inextricably together.

However, as Jane Pettegree reveals, beyond legal definitions and perceptions of ‘native’ and ‘alien’, national identity was neither stable nor essential. Specifically addressing representations of national identity on the early modern English stage, she explains, “The collective recognition of native identity relies on a consensual agreement that certain attributes

should form a ‘natural’ core ... [which] reflect[s] an aspirational identity rather than one based on unadulterated reality.”¹⁰ Pettegree suggests that, in terms of lived experience, such alignments were anything but fixed and stable: “At any point in history, collective identities are being continuously formed and re-formed as individuals experience and reflect upon their place in society.”¹¹ Beyond this internal reconfiguration, she notes, “The metaphors that generate political identities often express ... not simply a binary opposition between ‘us’ and ‘them’, but more often a complex and interpenetrated matrix of ideas of ‘foreign’ and ‘native’.”¹² Thus, despite the legal notion that one is born into *legeance* to the king, we can see that the perception of self in nationalistic terms requires a constructed alignment with a system of values, privileges, rights, responsibilities, and laws that may conflict with quotidian experience. Individual subjects may find themselves entwined with foreign others—spouses, merchants, mariners, diplomats, or queens—or one’s own conditions and experiences may conflict with the ideal values and virtues defining national belonging, compromised by failed legal protection, class disprivilege, or conflicting perceptions about sovereign authority, for example.¹³

Further, religious belonging—the concept of universal Christendom, for instance—posited an alignment of virtues and values across national boundaries, through which subjects constituted themselves within an eternal community of believers and agents of devotion and conversion. The *Vindiciae, Contra Tyrannos* is particularly eloquent on this communal bond: “the Church is one, of which Christ is the head, and the members [*membra*] are so united and harmonious, that none of them—not even the least—can suffer violence or harm, without the others being injured and feeling pain ...”¹⁴ The author goes on to compare the church to a body, a building, and a ship, each of which is vulnerable to complete destruction if even a small part is compromised or lost.¹⁵ The point of these arguments is to justify the intervention of foreign princes when a tyrant oppresses the people of another nation—a position that challenges the entire notion of autonomous sovereign territory. Nevertheless, allegiance to a political entity—a state, a commonwealth, a kingdom—however unstable and constructed that allegiance may be, was still rhetorically invoked and mobilized as an ideological concept in the interests of political agendas.¹⁶ And certainly, the idea of national foreignness as a metonym for differing and threatening fealties and values retains, still today, the potency that it held in the early modern period, supporting the designation of the enemy as a perceived threat to state systems.

Small wonder, then, that Shakespeare found foreign queenship such a compelling entry point for thinking about the parameters of sovereignty and its decisions. The idea that the sovereign was inherently bound to his subjects and to the commonweal, and that a foreign queen would naturally lack that bond, opens up rather than forecloses considerations of the validity of such an assumption. The two Elizabethan-era queen characters I deal with here—Tamora and Margaret of Anjou—navigate sameness and difference in complicated ways, but neither demonstrates strong or lasting fealty to the sovereigns they wed, and neither expresses unity with or concern for the body politic. They nevertheless trouble the notion of the internal enemy, and the larger idea of the subjects' bond to the monarch. The Jacobean-era queens—Katherine and Hermione—are less radical in their resistance, but these plays offer nuanced tensions between positions and relationships within the royal court. In his depiction of these queens, Shakespeare situates them differently along the spectrum of commitment to natural law and moral law, but in each case, regardless of actual guilt, they are perceived as transgressors against those overarching guidelines, and in each case they break their fealty to the king. The cause, nature, and implications of that break define the problem of sovereignty he addresses in each play.

The foreignness of these queens is a significant aspect of their relationship to husband and nation. In the early modern period, women were typically subjugated through marriage, and were to some extent severed from home and family in their relocation to their husband's household. In domestic contexts, regardless of the social status of the husband, both spouses would be subjects of the same king, positioned as such through the social hierarchy within which they had always functioned. With the familial relocation of the wife, the bond between families through marriage could offer significant advantages to both sides. In domestic royal marriage, the wife's bond with the sovereign would likely strengthen the family's overall social and political position, but all family members were, from birth, subjects bound in *legeance* to that sovereign. None of this pertained to a foreign queen. A foreign royal woman entering a new nation and new political position through marriage would thus seem to have enormous advantages even over the domestic queen consort, given that her nation of birth represented an independent sovereign state, and that a relative, possibly even her father, wielded sovereign power with some parity to that of her husband. Additionally, we are aware of the retinues that generally accompanied such queens, creating for them a sphere

of familiarity within an otherwise perhaps utterly alien context. Further, the relationship was almost invariably not simply a marriage but an alliance, either through treaty, marriage contract, or less formal pledges of good will and mutual support.

These conditions of their transformation into wives of rulers would seem to offer the greatest security to women as subjects and wives. Historically, all of this may have been the case, but nevertheless, whereas her family may have gained diplomatic and political advantages while remaining autonomous, such a woman would become a subject of her new king and nation, and this shift in subjection created difficulties for her that did not arise for domestic queens. As Shakespeare suggests in *King John* through Blanche of Castile, the divided loyalties of a woman in such a position could be wrenching. In Act 3, scene 1, as the transnational friendship secured by her marriage to the French Dauphin collapses, and her new French husband advocates for war against her English uncle, Blanche laments:

Which is the side that I should go withal?
I am with both: each army hath a hand;
And in their rage, I having hold of both,
They swirl asunder and dismember me". (3.1.253–256)¹⁷

Her image of physical dismemberment serves as a metonym for the dismemberment of the commonweal, the sovereign decision on the external enemy constituting the body politic as a sacrifice to the state's agenda. And clearly, hers was not the only diplomatic marriage to fail in its objectives—indeed, the institution seems to have been a failure in most cases, at least in the long term. Two other historical foreign queens, both of whom are featured in this book, epitomize the problem: for both Margaret of Anjou and Katherine of Aragon, the permanent bond of marriage far outlasted the diplomatic purpose of the union, reducing their value in the eyes of both families. In Shakespeare's plays, the powerfully connected and familially protected foreign queen seldom—if ever—appears and instead, their lack of resources and connections at key moments is much more the norm, particularly when threatened by sovereign judgment.

For example, by the time *Henry VIII* commences, Katherine of Aragon is a once-beloved queen and peace-pledge for a powerful alliance that has lost its political significance, and thus she has few political or personal associations to protect her. Hermione, daughter to the deceased emperor

of Russia, is likewise almost entirely alone and unprotected in her relationship to Leontes and to Sicilia. Tamora, although accompanied by her sons and her servant/lover, has no remaining connection to her realm—she is utterly cut off from her political associations and at the mercy of the Romans as a war captive. Margaret of Anjou, niece to a powerful enemy of England, arrives without dowry or retinue, is vilified for her Frenchness and poverty, and has no contact with her family or nation until late in 3 *Henry VI*. The same is true where such queens play a less prominent role, such as Hippolyta, a war captive, or Cordelia, an exile whose kinship with England's royal family is explicitly negated by her sovereign father.¹⁸ Foreignness in these plays is tantamount to isolation rather than powerful, protective connection, and in effect, disconnected from the familial and political networks of their homelands, these queens are more rather than less vulnerable than their domestic counterparts are.¹⁹

However, as women in an apparent position of weakness and subjugation within the political and patriarchal order, none of Shakespeare's foreign queens is without power and influence, and none is subsumed by the expectations of female silence and submission. For each context of apparent disempowerment, Shakespeare shows us the potential for resistance to, reconfiguration, and/or recalibration of the system, even as he remains, to my mind, utterly cynical in the context of monarchy, primogeniture, and patriarchy, regarding any real-world solutions to the problems he represents. In the plays I deal with, these queens pose a range of challenges to prescribed and enforced hierarchy, directed at both their husbands' patriarchal and sovereign authority. Additionally, two of these four queens—Katherine and Hermione—mobilize independent moral judgment as part of their challenge, asserting a superior moral order to which their husbands should rightly submit. Margaret navigates a complicated moral terrain, initially motivated by a limited, self-interested agenda focused more on personal than political objectives, but eventually the primary agent of support for the threatened monarchy she herself has inadvertently helped to undermine. Tamora initially speaks from a position of universal moral values, but quickly realigns to flout such values while fostering injustice and tyranny against the subjects who have, in her view, wronged her.

All four are mothers as well as queens and wives, and for each, to varying degrees, the maternal role defines their relationship to sovereign authority and to moral order more broadly. In a sense, maternity functions as the great leveler for these characters. They become most like other, common subjects when they speak of their maternal identities,

invoking the idea of maternal protectiveness in ways that situate them as also mothers to their adopted nation's people, but at the same time figuring their maternal selves and their children as subject to sovereign and patriarchal abuse or neglect rather than appropriate protection. Tamora's defense of her son represents her most humanized and submissive moment, and her most vulnerable one, while his execution drives her toward aggressive hatred and political destabilization. Indeed, the manner of his execution, which prefigures the dismemberment metaphor invoked by Blanche of Castile, symbolizes the destruction of Tamora's nation and her sovereignty. Margaret's defense of her son's claim to the throne becomes her source of strongest resistance, as she rebels against sovereign authority to secure his succession. Maternity is itself suspect in Hermione's case, seen as evidence of defied subjection to husband and king, while Katherine's failure to bear a male heir is interpreted a sign of her transgression against divine and natural law. And two of these queens become most culpable when they transgress against maternal values, as Tamora does when she orders the murder of her newborn child, or as Margaret does when she taunts Richard of York with the napkin soaked in his son's blood.

Male sovereign duty and authority is also figured, to some extent, through or in relationship to parenthood, although such connections vary widely across these plays. Henry VIII, desperate to sire a male heir, displaces his wife and daughter both personally and politically in that pursuit. Henry VI, himself rather infantilized early in *2 Henry VI*, comes to be seen as an unnatural father in *3 Henry VI* for disenfranchising his son. Richard III, bent on mowing down siblings to reach the throne, reaches the apex of his tyranny in the murder of the princes in the tower. Saturninus is blind to his cuckoldry, seems unaware of the resulting child's fate, and otherwise wreaks havoc on the Andronici offspring through his injustice. Leontes blames his newborn child for her putative bastardy, and he intends, and indirectly endeavors, to commit infanticide. Paternal and sovereign authority are closely intertwined, and the mistreatment of children—even adult children—by that doubly empowered figure marks the violent potential at the heart of the family/state nexus. In this context, the wife and queen becomes the opposing or enabling force. In all four cases, such responses arise when the sovereign makes judgments or takes actions that rely upon his independent power beyond law, destabilizing the commonweal.

THE NATURE OF SOVEREIGNTY AND THE FRIEND/ENEMY DISTINCTION

Theories of sovereignty in the early modern period invariably involve the basis and nature of sovereign authority, with the homology between the rule of God in the universal order and the rule of the sovereign in the political order a common denominator. Within broader questions concerning sovereign authority, three related, overarching issues frame this project as a whole: absolutism or sovereign will-above-law; the friend/enemy distinction; and the problem of the body natural. Additionally, in the period, and still today, there is a general consensus that effective sovereignty—whether individual or corporate—must exist within a well-ordered state. The sovereign body holds the responsibility to create, change, and enforce law, to protect the territory, to sustain it economically, to declare and wage war, to make agreements and ensure peace.²⁰ Thus, sovereignty aims, in its fundamental framework, at the benefit of the commonwealth and commonweal. The central problem in each of the plays I deal with here is the exercise of such power in its monarchical form under divine sanction—what twentieth-century political theorist Carl Schmitt calls the sovereign decision. The sovereign, he argues, is the one “who decides in a situation of conflict what constitutes the public interest or interests of the state, public safety and order, *le salut public*, and so on.”²¹ Sovereignty, then, takes its fundamental definition, not through its abstract conception, but through its “concrete application.” Thus, he writes in *Political Theology*, “Sovereign is he who decides on the exception.”²² The sovereign decision on the exception comprises a two-fold capacity: to decide “whether there is an extreme emergency as well as what to do to eliminate it.”²³ The preservation of the state, conceived here as an abstract entity, stands as the ultimate and necessary objective.

Schmitt credits Jean Bodin, sixteenth-century jurist and political theorist, with this recognition. In the *Six Books of the Commonwealth*, Bodin examines the relationship between the sovereign and citizens, as well as between the sovereign and civil law. In his basic formulation of sovereignty, he offers a definition consonant with Schmitt’s: “Sovereignty is the absolute and perpetual power of a commonwealth,”²⁴ or, in another version, “Sovereignty is supreme and absolute power over citizens and subjects.”²⁵ As Bodin makes clear, the two faces of this power are mutually reliant—power over citizens and subjects is, in effect, the power of the commonwealth to maintain itself. In a monarchy, that ultimate power resides with

the king. Sir Thomas Smith echoes this in his definition of government and rule: “That part or member of the common wealth is saide to rule which doth controwle, correct all other members of the common wealth.”²⁶ He adds, “That parte which doth rule, define and command according to the forme of the governement, is taken in everie common wealth to be just and lawe.”²⁷ Both Smith and Bodin assert that sovereignty may reside either in one person, in a select group of people, or in the multitude, depending upon the nature of the state, but Smith—unlike Bodin—sees ‘mixed monarchy’ as a viable and legitimate variation, in which sovereign authority is divided, for example, between a monarch and a parliament.²⁸

The relationship of sovereign body to civil law is the most important aspect of the concept. For Bodin, “persons who are sovereign must not be subject in any way to the commands of someone else and must be able to give the law to subjects, and to suppress or repeal disadvantageous laws and replace them with others—which cannot be done by someone who is subject to the laws or to persons having power of command over him.”²⁹ Extending this argument, he states, “the laws of a sovereign prince, even if founded on good and strong reasons, depend solely on his own free will.”³⁰ And later, “the first prerogative [*marque*] of a sovereign prince is to give law to all in general and to each in particular,” with the important caveat that he does so “without the consent of any other, whether greater, equal, or below him.”³¹ Schmitt’s definition of sovereignty similarly places the sovereign above law: in declaring a ‘state of exception’ or an ‘emergency’, the sovereign identifies a situation that cannot be dealt with under ordinary law, and that “instead requires the application of extraordinary measures.”³² Within the polis or state, the group or individual who has been granted the power to make such decisions—or who claims the power to do so—is sovereign. Debates in early modern contexts centered on whether, as Bodin argued, sovereignty is generally unassailable, or if the sovereign in fact answers to others within the system. More radical positions, such as that of the *Vindiciae*, insist that monarchical authority is granted by the people, and may be retracted by them should the monarch fail to govern effectively. Thus, where Smith saw popular correction or overthrow of the monarch as acceptable in mixed monarchies only (he identified England as one), the *Vindiciae* author implies that no sovereign stands above those governed, and no state exists for its own good above the good of its subjects. The power to decide on the exception remains with the sovereign in this view, but if that power is abused, the people may respond through legal means or violent ones.³³

THE EXTERNAL ENEMY

Among the powers attributed to the sovereign, all of which are derived from this fundamental capacity to decide on the exception, both Bodin and Schmitt identify the declaration of war against an enemy of the state as a centrally important one. As Bodin argues, if the commonwealth is not secure, it cannot achieve its objective of providing its citizens with the opportunity to pursue a moral life. For Schmitt, “What always matters is the possibility of the extreme case taking place, the real war, and the decision whether this situation has or has not arrived.”³⁴ Because Schmitt sees the main purpose of the state to be its own preservation, ostensibly based upon the preservation of shared values and a shared way of life, the question of friend or enemy takes shape only from the perspective of that preservationist agenda. These external enemies are invariably also political entities, whose aims are parallel to those they threaten, but whose values and way of life are perceived as dangerous, whether that means that they seek territorial expansion and the control of other subjects, or that they adhere to and promote another religious, political, or economic system.³⁵ The concept of *jus belli* contains within it “the right to demand from its own members the readiness to die and unhesitatingly to kill enemies.”³⁶ The declaration of war requires a reduction of customary rights, and inevitably, the sacrifice of life itself, and therefore constitutes a decision on the exception. The ideological basis of the recognition of the enemy is central to such sacrifices: “each participant ... [must] judge whether the adversary intends to negate his opponent’s way of life and therefore must be repulsed or fought in order to preserve one’s own form of existence.”³⁷ However, the citizens do not make the decision to wage war—that power belongs only to the state: “To the state as an essentially political entity belongs the *jus belli*, i.e., the real possibility of deciding in a concrete situation upon the enemy and the ability to fight him with the power emanating from the entity.”³⁸ Deciding on the external enemy is fundamental to the security and continuation of the state, and ultimately this is the prerogative of the sovereign.

THE INTERNAL ENEMY

In contemporary contexts, Derrida helps us to see that such apparently straightforward oppositions must be problematized, and that in fact, even in their articulation, they obscure tensions and contradictions that cannot be accounted for in oppositional terms, nor in dialectical ones.³⁹ Similarly,

Kim's discussion of early modern aliens and their status vis-à-vis the monarch and the state indicates a number of complications to this conception of political antinomy. Shakespeare, like these contemporary writers, problematizes the basic antinomy of the political through a wide range of means, including the way foreign queens function in relation to sovereign authority. Indeed, the friend/enemy distinction—always inherently unstable—becomes even more troubling when the discussion of the decision shifts from the external enemy to the internal one, for each of the four queens in this study comes to be regarded and treated as an internal enemy, and in each case, that designation oversimplifies the actual relationships it addresses.⁴⁰

Schmitt approaches the concept of the internal enemy by first explicating the primary objective of the state—"The endeavor of a normal state consists above all in assuring total peace within the state and its territory."⁴¹ When the state exists in this peaceful and secure condition, legal norms apply, but when the state is threatened, the norms of law are no longer applicable, and the sovereign declares a 'state of exception' or 'emergency'. But Schmitt explains that such enemies are not necessarily external to the state: "As long as the state is a political entity this requirement for internal peace compels it in critical situations to decide also upon the domestic enemy. Every state provides, therefore, some kind of formula for the declaration of an internal enemy."⁴² According to Schmitt, the internal enemy is a member of the citizenry, a resident within the state, or a group of such individuals, whose actions are judged to threaten the security of the state, and whose transgressions or perceived threats cannot be dealt with through normal law. Therefore, normal law being inapplicable, alternative means must be pursued: "Whether the form is sharper or milder, explicit or implicit, whether ostracism, expulsion, proscription, or outlawry are provided for in special laws or in explicit or general descriptions, the aim is always the same, namely to declare an enemy."⁴³ The ultimate objective in declaring an internal enemy is to avoid civil war, or, if this 'enemy' raises armed resistance, to respond in kind as a means to prevent the extreme possibility that such a threat poses—the overthrow of the state. Schmitt does not address the possibility that the sovereign may be the internal enemy, destructive, destabilizing, or abusive to the citizens, and indeed, his definition of sovereignty and its purposes ultimately conflicts with such an idea. He works from the underlying assumption that the preservation of the state and the sovereign also preserves the commonweal.

Bodin, to an extent, agrees with this view, in that he recognizes that a change of the form of sovereignty inherently dissolves the existing state and institutes a new one. However, he also recognizes that the sovereign may, in fact, be the internal enemy, and makes it clear that regime change is more the norm than the exception. In his analysis, the state is like a living entity, inevitably susceptible to change toward either a better or a worse form, and through either gradual or sudden means. Such changes may be instigated by internal or external enemies *or* friends, may well take place against the will of the sovereign, and *may* also take place against the will of the citizens, whether the change is for better or for worse.⁴⁴ Each of the three legitimate forms of commonwealth—monarchy, aristocracy, or democracy—has two other possible forms. A monarchy may devolve into a despotic or a tyrannical state; an aristocracy into a despotic or factious one; and a democracy into a despotic or anarchic form. A bona fide, full revolution occurs when the form of government changes, as from monarchy to democracy, or from aristocracy to monarchy. An ‘imperfect revolution’ occurs when the *quality* of the sovereign changes, but the form of sovereignty does not, as when there is a “change from a legitimate aristocracy to a factious one, or from a tyranny to a monarchy.”⁴⁵ In describing these transformations, Bodin is careful to recognize that they may be for the best—an inherently more open-ended and naturalistic view of such regime changes, and one apparently at odds with Schmitt’s view that the sovereign decision inherently represents the shared values and perspectives of the citizens.

Indeed, Bodin’s formulation of the inevitability of change, and the possibility that it may be instigated by either friend or enemy, troubles the straightforward purpose of the state and the friend/enemy opposition offered by Schmitt. If regime change may be instigated by a friend of the state, it follows that the regime itself may be considered the enemy, and this is implicit in Bodin’s model. Within Bodin’s recognition of the three possible versions of each governmental form lies a clear acknowledgment that the sovereign body—whether single, a small group, or the multitude—may function *to the detriment* of its citizens, not in the context of a declared emergency, but as a matter of course. Tyranny, factiousness, and anarchy are dangerous, damaging governmental forms that destabilize the state. Thus, one would expect Bodin to advocate for regime change—imperfect revolution at the least—when government exists in one of its corrupt or less ideal forms. He seems to imply, although it remains merely implicit, that it may be possible to distinguish between the enemy of the

current regime, or commonwealth, and the enemy of the commonweal. Such a distinction would turn upon the larger purpose of the state that he asserts—its provision and protection of the quality of life of its citizens, of their capacity to meet the requirements for survival and to thrive in the life of contemplation of higher order matters.⁴⁶ In this scenario, a sovereign who fails in this larger objective, or who actively undermines it, might be declared an enemy to the commonweal and dealt with through some extraordinary means, such as deposition or rebellion.

However, while this idea of sovereign as internal enemy seems strongly implied, Bodin unequivocally rejects rebellion as a solution. Instead, he argues, sovereign power is bounded only by what we might call a *moral* limit: “the absolute power of princes and other sovereign lordships (*seigneuries souverains*) ... does not in any way extend to the laws of God and nature.”⁴⁷ Therefore, according to Bodin, the prerogatives of sovereign will and sovereign autonomy from law refer only to the capacity to override, suspend, or judge beyond ordinary law, or civil law.⁴⁸ The sovereign always operates under obligation and obedience to the higher moral mandate upon which all human government and social hierarchy is built. The overall implication is that the sovereign who fails to submit to that order and function within the appropriate limitations will answer for his sins and transgressions through the judgment of God, to whom he is subordinate. In Bodin’s view, it is never permissible for subjects/citizens to rebel against their sovereign, to question his authority, or to conspire to remove him from office. Thus, despite the titillating idea of legitimate rebellion implicit in this theory, Bodin turns away from authorizing the subjects’ judgment of their ruler—obedience is their obligation and sole recourse, even when the sovereign is clearly identified as an internal enemy.⁴⁹

THE SOVEREIGN AS INTERNAL ENEMY

Several decades before Bodin wrote his *Six Books*, natural law doctrine shaped Melanchthon’s views on resistance, and his views influenced Martin Luther’s. In *Prolegomena to Cicero’s Offices* (1530), he writes: “Animals resist violence out of a natural instinct, for the instinct of self-preservation has been instilled by God in every nature; in man, however, two things lead to the resistance of unjust violence ... [one is] the instinct for one’s own preservation, the other thing is the notion, which teaches ... that the human race is so established as to preserve equality.”⁵⁰ Although civil society limits the use of force out of mere instinct, Melanchthon argues, “it is

permitted to repel unjust force with authorized force, clearly by the office of the magistrate, when it is possible to use his aid, or by one's own hand, in the absence ..."⁵¹ Although early on Martin Luther took a strong stance against rebellion as a means to deal with abusive sovereigns, his later writings, echo Melanchthon, situating resistance to abusive authority as a necessary option. In 1539, in a public disputation at Wittenberg, Luther spoke sharply against "that abominable monster, the Pope, that bear-wolf, who exceedeth all tyranny and oppression." He identifies him as one who "will, alone, be *without law* [*exlex*], will live secure and free and do according to his will ..."⁵² For Luther, such a figure transcended the category of mere tyrant. His overthrow of the law and the moral order that grounded it rendered him vulnerable to rebellion by the subjects whose lives and security he had pledged and failed to protect.⁵³ While Luther is specifically concerned with the abuses of the pope, his views and those of Melanchthon, upon whom he most probably drew, were applied to tyranny in general by writers such as the author of the *Vindiciae Contra Tyrannos*.

The accountability of the sovereign to God is more explicit in the 1579 *Vindiciae* than in Bodin's *Six Books*, and the author offers a far more challenging view of sovereign/subject relations, closer to Melanchthon's than Bodin's. This tract justifies rebellion against the ungodly or abusive ruler, insisting that sovereignty resides in the people or body politic, not in the ruler to whom they have temporarily delegated that sovereignty. This author thus takes a more contractual view of political relationships than either Bodin or Schmitt, situating sovereign power as contingent upon the effective and appropriate fulfillment of the functions of the office of sovereign, and subjecting it, not only to divine judgment, but to the judgment of the subjects who have tacitly authorized it. The tract argues that people renounce their own liberty and accept the command of another only "for the sake of some great advantage."⁵⁴ It affirms, citing Augustine, that sovereigns "do not command out of desire for domination [*dominandi*] but out of duty to show concern, not with the arrogance of ruling, but with compassion in providing."⁵⁵ Arguing that the sovereign must submit to civil law because it is built upon divine law, the author defines tyranny as an "offence committed against the commonwealth."⁵⁶ "[T]he people is conditionally obliged to the prince; but the prince is bound absolutely [*pure*] to the people. So if the condition is scarcely fulfilled then the people is absolved, the contract [*contractus*] is void, and there is no obligation [to the king by the people]."⁵⁷ When the sovereign fails in his duty, the author asks, "who can exact this punishment from the king—for this is a temporal

matter—except the whole people, to whom he swears just as it swears to him?”⁵⁸ The people under a tyrannical ruler, “is free of any crime of perfidy if it publicly renounces someone who is commanding unjustly, or attempts to recover by arms the kingdom from one who desires to retain it illegitimately.”⁵⁹ Not only might the ruler be identified as the internal enemy, in this view, but there is an *obligation* on the people to correct or overthrow him/her. In effect, being a friend to the commonwealth may require being an enemy to the sovereign. Central to this argument is the idea of the body politic. No individual subject may judge the sovereign; such judgment is the prerogative and duty of the subjects as a whole.⁶⁰

In the early twentieth century, Walter Benjamin offers a similar argument. His Eighth Thesis on the Philosophy of History states “The tradition of the oppressed teaches us that the ‘emergency situation’ in which we live is the rule.”⁶¹ The lives of the oppressed, Benjamin suggests, reveal that, for many within the state, political life, and indeed social life, is an eternal and relentless state of exception or emergency, where the law fails to offer protection to the average subject, and where violence in both explicit and implicit forms shapes their daily lives. Oppression is not the result of a sovereign decision on an emergency or exception, but a lived condition that denies equal protection, rights, and opportunities. Only by recognizing this as the norm can we begin to imagine a response that would effectively disrupt the rule of law that ensures our own oppression and justifies the violence to which we are subject. “The task before us,” states Benjamin, “is the introduction of a real state of emergency; and our position in the struggle against Fascism will thereby improve” (Thesis VIII). Benjamin’s thesis can be understood as a critique of the relationship between oppression and power, and overall he advocates active resistance and even the use of violence as a necessary aspect of the response to oppression.⁶² Benjamin’s articulation of inherent systemic or structural violence allows us to recognize that any group of oppressed individuals may be subject to a permanent enactment of the sovereign decision based upon their ‘potential intractability’ or ‘unacceptability’, which serves as a justification for the denial of equal protection by the state. The hierarchies are established through some level of habitual consensus, supportive of the privileges of some groups over others on no other basis except that decision on their perceived threat to the status quo. Benjamin thus rejects the decision on the internal enemy, identifying it as a form of ongoing and unjustified oppression, a judgment outside of law that conflicts with appropriate protections under law. He also recognizes the necessity to

actively resist the sovereign when s/he is damaging to some fraction of the commonwealth.

Giorgio Agamben offers an even stronger rejection of the sovereign decision. He situates *homo sacer* in parallel to the sovereign—such a person “is simply set outside human jurisdiction without being brought into the realm of divine law,” neither remaining within the accepted juridical order nor transformed into a figure consecrated to the divine.⁶³ Thus the *sacra-tio* exists in an indefinable neither/nor condition, in a zone of indistinction, a zone lying between law and no law, a zone of existence simultaneously inside and outside the law.⁶⁴ This zone of indistinction parallels the zone of indistinction associated with sovereignty grounded in the ‘decision’. According to Agamben, “The sovereign and *homo sacer* are joined in the figure of an action that, excepting itself from both human and divine law, from both *nomos* and *physis*, nevertheless delimits what is, in a certain sense, the first properly political space of the West distinct from both the religious and the profane sphere, from both the natural order and the regular juridical order.”⁶⁵ Thus, to the same degree that sovereignty’s decision on the exception merely epitomizes and renders visible the quotidian conditions of sovereign authority and the nature of law, as Schmitt emphasizes, the condition of *homo sacer* reveals that no subject is ever truly protected by law, but is always merely subject to punishment. As Agamben puts it, “*homo sacer* names something like the originary ‘political’ relation, which is to say, bare life insofar as it operates in an inclusive exclusion as the referent of the sovereign decision.”⁶⁶ What this suggests, in terms of this book’s arguments, is that the particular case—that of the foreign queen as a subject of patriarchal and sovereign authority within these plays—defines and epitomizes the condition of all subjects, for whom she serves as the symbolic figure. The judgments to which she is subject are the judgments to which all under sovereign authority are subject, by which they are subjugated, through which they are set outside of law and punished at the sovereign’s will.

Both Benjamin and Agamben suggest that the sovereign is the internal enemy, not only when abusive, but under all circumstances. We can pose Benjamin against Schmitt, then, by recognizing their difference on the question of resistance: Benjamin sees resistance as a necessary challenge to the state’s monopoly on both morality and violence, while Schmitt sees ‘the decision’ as a response to resistance, and as the means through which the state’s monopoly on morality and violence can be ensured. Following Benjamin, Agamben posits the concepts of the decision and the exception