

PART ONE

Introduction: Two Queens and a Crown

On a February morning in 1587, a most extraordinary event took place at the isolated English castle of Fotheringhay: Mary Stuart, anointed queen of neighboring Scotland and dowager queen of France, crossed a crowded room to kneel at a scaffold that had been hammered together the night before. Sumptuously dressed and radiantly calm, the Roman Catholic Queen of Scots murmured a psalm in Latin; as she fell silent, an ax descended to separate her carefully dressed head from her graceful neck. After two more blows had completed the task, a cloth was ripped from a nearby billiard table, and in that shroud the queen's body was stored away, to be buried only six months later at the local cathedral of Peterborough. Meanwhile, all bloody traces of the execution were consigned to the flames. Church bells pealed to proclaim the demise of the woman who had been a thorn in England's side for most of her forty-four years.

In London, one-hundred miles to the south, another queen greeted news of the thorn's extraction with mixed emotions. Elizabeth Tudor, England's ruler for the last twenty-nine years, had reluctantly signed the warrant for Mary's death a few months before, just after a short but dramatic state trial had found the Queen of Scots guilty of conspiring to kill

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Elizabeth and usurp her throne. For one monarch to order the execution of another was unprecedented,¹ but Elizabeth's action had at least lowered the curtain on a decades-long tragedy that in its time involved not only the two queens but also their bordering countries and even their churches, Roman Catholic and Protestant. Yet although Mary had long stood as her most formidable rival, Elizabeth, now the lone female ruler in all of Europe, could not feel simple relief at her bloody end. The two queens had also been cousins (once-removed) and, although they had never met, their lives had run parallel courses. The death of the woman she had sometimes even called sister was the death of part of Elizabeth as well.

The four-month period that began with Mary's treason trial and ended with her beheading comprises a pivotal episode in English history. In turn, the numerous and rich records that this episode generated give us an extraordinary glimpse into sixteenth-century England's turbulent political, religious, and even psychological life. On the surface, that life looks singularly sunny. Elizabeth Tudor, whose rule lasted until 1603, was dearly beloved and by almost any standard the most successful monarch that England had ever known. During the golden reign of "Gloriana," her country attained an impressive level of political and religious stability, cultural brilliance, and international prestige.² Aided by an expanding trade network and a literary tradition that projected a glowing and confident national image, a backward island under Elizabeth shrugged off its medieval chrysalis to emerge as a modern state of the first magnitude. In less than two centuries' time, its empire would span the globe.

Contemporary portraits of Queen Elizabeth (Figure 1) show England's splendor embodied in her. But such proud preeminence was far from secure or inevitable, and the path to it was never easy or straight, especially in the first decades of Elizabeth's reign. On the contrary, just under an ever-more-resplendent veneer seethed a viper's nest of crises and conflicts—over the nature of monarchy, over the specific desirability of female rule, over England's religious identity, and even over its status and survival among the other kingdoms of Western Europe. In part because Mary Queen of Scots came to stand for everything that Elizabeth

¹It is true that the executions of two kings had been ordered in England's past: Henry IV had called for the death of Richard II in 1400, and Edward IV for that of Henry VI in 1483. But Henry IV and Edward IV were crowned only after the demises of their predecessors; Elizabeth remained the first sitting monarch to sign a warrant for the death of another sovereign.

²"Gloriana" is the adulatory name the poet Edmund Spenser gave Elizabeth in his long allegory dedicated to her, *The Faerie Queene* (1590–96).

Queen of England was not, the relationship between the two women was molded by these conflicts. When Mary came to trial for treason on October 15, 1586, many matters of dispute seemed close to resolution, and when she knelt at the scaffold on February 8, 1587 they even appeared to have been resolved. But a close look at the documents of the trial in their context yields a different view of England's history, suggesting less a nation's steady and inexorable progress to glory than a series of interminable struggles waged in an atmosphere of passion, fear, and mystery.

THE ROAD TO FOTHERINGAY

Tudor Quandaries

Elizabeth Tudor came to the English throne in 1558, very much against the odds. Although her father had been King Henry VIII, one of England's most forceful and dynamic rulers ever, her mother had been his scandal-ridden second wife, Anne Boleyn. After fathering a daughter with his first, devoutly Catholic, wife, Catherine of Aragon, Henry—desperate for a male heir—had divorced her for Anne. To do so, he had had to repudiate England's official Roman Catholic faith, establishing the Church of England as the state religion in its stead.³

Though he had seemingly moved heaven and earth to marry her, Henry soon tired of Anne Boleyn, and not long after the birth of yet another daughter, Elizabeth, he found several pretexts—treason and adultery chief among them—to have his second wife beheaded. Henry declared their baby a bastard, and in this, at least, the Roman Catholic Church concurred, since Catherine of Aragon had still been alive at the child's conception. Elizabeth was thus bound to grow up under the shadow of her mother's sullied name, barely acknowledged by a father whose attentions soon centered on the one son he managed to produce, with his third wife, Jane Seymour.

After Henry's death in 1547, the crown passed to this son, the sickly Edward VI, and upon Edward's early death in 1553 to Mary Tudor, Henry's daughter by Catherine of Aragon. An even more fervent Catholic than her mother had been, Mary was also the wife of Philip, prince of Catholic Spain. And in her zeal to bring England back into the fold of the

³The state church that Henry established remained in many ways Catholic in its traditions and doctrines; indeed, it did not discard the Catholic Mass until 1549. At that time, under Henry's son Edward VI, the Church of England became Protestant, but even today it is more hierarchical—and closer in spirit to the Catholic Church—than any other Protestant denomination.

true church, she persecuted her own Protestant subjects so vigorously that she has gone down in history under the unflattering epithet of "Bloody Mary." Predictably, Mary Tudor's short but gory reign fostered suspicion and enmity between English Protestants and their Catholic counterparts. The latter often viewed Protestants as upstarts and heretics, while many Protestants associated the Roman Catholic Church with bitter tyranny, at the same time fearing any tie to the Catholic powers of continental Europe that might jeopardize the integrity and independence of their own small country.

Nor was their fear unfounded. While the Protestant Reformation earlier in the sixteenth century had already challenged the Roman Catholic hegemony of medieval times, Western Europe remained divided between two formidable Catholic dynasties—the Hapsburgs, who ruled Spain, and the Valois kings of France. Though challenged by Protestant movements at home, both of these power blocks were already busy extending their conquests in the New World across the Atlantic, and alongside them England looked like a feeble scrap of soil, one almost as ripe for the taking as the lands of North and South America. Despite England's sizable Protestant population, its queen's marriage to Philip of Spain thus yoked it to Hapsburg Europe with a violence that often seemed to guarantee both Catholic and Spanish domination in the future.

Mary Tudor's bloody stint on England's throne fueled other anxieties as well. Apart from those revolving around questions of religious and political identity, one of the deepest concerned the scope and nature of sovereign power. At the time of Mary's accession, her subjects imagined that power in forms inherited from the medieval past and considered it to be enormous. By and large, the prevailing notion of royal prerogative stemmed from the doctrine of the king's two bodies. In place for centuries, this doctrine held that monarchs in effect possessed two bodies, one natural and one political. The king's body natural was his physical body, subject to decay and mortality, but accorded certain powers that were absolute in the sense that they need not conform to law or custom. His body "politic" was a more mystical entity; it was attached to the body natural, but unlike that body did not die. Instead, it passed from individual king to individual king, all the while enjoying numerous temporal privileges in conjunction with Parliament.⁴

At least as important as the empowering concept of the king's two bod-

⁴Ernst Kantorowicz's *The King's Two Bodies* (Princeton: Princeton University Press, 1957) is the classic work on this subject. In *The Queen's Two Bodies: Drama and the Elizabethan Succession* (London: Royal Historical Society, 1977), Marie Axton applies some of Kantorowicz's model to the special case of Elizabeth Tudor.

ies was that of his divine appointment. A monarch's very touch was believed to possess the power of sacred healing, and his will was presumably aligned with God's.⁵ But by Mary Tudor's time, belief in that alignment had come under attack from several quarters. There was, for example, the troublesome precedent of Henry VIII himself, who despite his marital escapades and cavalier manipulations of power—especially in the repudiation of papal authority—had grown more and more dependent on his Parliament. Henry had given members of that body's upper House (of Lords) and its lower one (of Commons) an important role in the question of succession outside the Tudor family; he depended on their support in the creation and maintenance of the Church of England; and above all he needed Parliament in the delicate matter of taxation. The royal coffers were never very full, and, in a tradition that would outlive him, Henry relied on the revenues brought in by the constituencies of individual members of Parliament.

What's more, while still largely concentrated in the hands of the landed peerage and gentry, English wealth had by the 1550s begun to migrate to the urban merchant and entrepreneurial classes. Some of the members of these classes happened also to belong to the lower houses of Parliament and thus wielded considerable political power. Many of them were of the new Protestant faith, whose emphasis on the endeavors and entitlements of the individual supported capitalist enterprise. Although Catholics too were involved in entrepreneurial activity, it remained that the more communally oriented church of Rome had grown up entwined with feudal society. A new distribution of wealth and influence, sometimes reinforced by religious ideology, was bound to challenge the hierarchical, semimystical assumptions of England's Catholic past . . . and, in time, the authority of the Catholic queen, Mary Tudor.

But Mary's royal prerogative was perhaps most gravely undermined by the simple fact that she was a woman. In English society women possessed no political authority of any description. Just as the Book of Genesis depicted Eve as Adam's subordinate, so was woman construed as man's inferior. Women's lower status was difficult to reconcile with the obvious supremacy of the monarchy, especially since as queen of England Mary Tudor also headed its church, and the influential Christian apostle St. Paul had explicitly prohibited women from priesthood. Then, too, women's uniquely inescapable reproductive lives seemed to root

⁵Mary Tudor actually revived several old rituals meant to assert a king's divinity—a strategy that, according to Carole Levin, betrays the vulnerability of her own position. See Levin "Would I Could Give You Help and Succour": Elizabeth I and the Politics of Touch," *Albion* 21 (1989): 91–205.

them permanently in the physical world. Contaminated by that world's mutability, frail and unpredictable, they seemed to many incapable of the clean separation of being that made the doctrine of the king's two bodies possible. Though it certainly included examples of patriotic and godly heroines like Esther and Deborah, the Old Testament itself offered the powerful cautionary figure of the sensual and bloodthirsty harlot queen Jezebel. But even without Jezebel's precedent, common contempt for the female body would have conspired with the popular assumption that, because she was naturally disorderly and in need of constraint by man, woman should never reign over man. That conspiracy could prevent even a princess of the blood from inheriting indisputable authority with her crown.⁶

When Mary Tudor died, childless, in 1558, she thus left a country torn by religious fear and animosity, one at best unpersuaded by female rule and increasingly skeptical about the sovereign-worshipping social hierarchies of the past.⁷ She also left an England embroiled in conflict with the neighbor to its immediate north, Scotland. Today Scotland and England, along with Wales and Northern Ireland, are part of the United Kingdom. But in the sixteenth century the two countries clung to very separate identities and were ruled by different monarchs. England had long sought to dominate a smaller and less populous kingdom, one that defiantly preserved its own "auld Alliance" with the Valois power block of Catholic Europe. The Scottish king, Henry's contemporary James V, had even married a French woman, Marie de Guise, and the French often supported Scotland against the English.⁸ In part because the "auld Alliance" threatened to open the door to a French invasion of England, Henry VIII

⁶Belief in women's permanent internal confusion stemmed from uncontrollable bodily processes such as menstruation and pregnancy, but was often countered by the conviction of female modesty and inherent delicacy. Natalie Davis presents both sides in "Woman on Top," in Davis, *Society and Culture in Early Modern France* (Stanford: Stanford University Press, 1975), 124–51. Constance Jordan relates such notions of feminine subjugation directly to arguments against women's rule in "Women's Rule in Sixteenth-Century British Thought," *Renaissance Quarterly* 40 (1991): 421–52.

⁷Historians disagree about the extent of antimonarchical feeling in the late Tudor period. J. E. Neale tried to establish its ascendancy in his classic *Elizabeth and Her Parliaments* (London: Jonathan Cape, 1957), but his argument has been tempered by scholars like Geoffrey Elton. See Elton's essay, "Parliament," in Christopher Haigh, ed., *The Reign of Elizabeth I* (London: Macmillan, 1984), 79–100. It is generally conceded, however, that by the second half of the sixteenth century, Parliament had become more powerful than it had been in the past.

⁸Within France, the family of Marie de Guise (who is sometimes called Marie de Lorraine) was actually a threat to the Valois dynasty, but this complication did not make Scotland's ties to Catholic France seem any less a menace to the Protestant English and their Scottish sympathizers and co-religionists.

had tried to arrange a marriage between his son, Edward VI, and James's infant daughter, Mary Stuart. When that plan failed, he aimed to beat Scotland into submission by raiding and burning its ports and cities.

This "rough wooing" (as the novelist Sir Walter Scott was to call it) finally drove the Scottish royal family full into the arms of the French. Mary Stuart was betrothed to the French dauphin, and her country remained a battleground between English and French interests. Scots themselves were divided: Though many approved of the "auld Alliance," a powerful subgroup loyal to England emerged in the 1540s and 1550s, in tandem with a growing Protestant movement whose adherents were often more strictly Calvinist than were members of the Church of England.

Though each one is distinct, the tensions we have just considered often collided. For example, one of the sixteenth century's most outspoken enemies of female rule, John Knox, was a Scottish Presbyterian, a bearded demagogue who preached the monstrosity of the "regiment of women" with the same bitter and impassioned eloquence he used to denounce the Catholic Church. An excerpt from Knox's most fulsome tirade on the subject, *The First Blast of the Trumpet against the Monstrous Regiment of Women* (1558), appears in Document 1. Knox anchored his twofold argument against female sovereignty, or gynocracy, both in "Nature" and in holy scripture. *The First Blast* thus cites numerous passages from the Old and New Testaments that place woman below man, while also claiming that "Nature hath in all beasts printed a certain mark of dominion in the male, and a certain subjection in the female." Once he had established the "fact" that the complementary laws of nature and holy writ made female rule a "monstrous" deviation from the right hierarchy of things, Knox could declare gynocracy a species of treason: "For that woman reigneth above man, she hath obtained it by treason and conspiracy committed against God" (Document 1).

In the end, Mary Tudor's death might have rendered Knox's point moot (at least in England) had not her heir apparent turned out to be yet another woman. At twenty-five, Mary's half sister, Elizabeth, was Protestant in her religious convictions, toughened by years of adversity that had even included a short captivity, and far more shrewd than either of her siblings had been. To survive, Elizabeth had already perfected the art of playing her supporters against one another, simultaneously agreeing with all and none while carefully veiling her own motives and intentions. She was to hone these skills over the course of her reign; indeed, they became the key to her political survival.

For example, at the time of her accession, Elizabeth's subjects fully expected her to marry. Early portraits of her as queen (Figure 2) depicted

her with her hair down, suggesting a virgin on the brink of marriage.⁹ But while her people earnestly wished for her to produce an heir, Elizabeth nobly sidestepped any number of prospective husbands, even those who had the backing of many of her most powerful subjects. Over time, it became apparent that the queen had little intention of taking a husband. Indeed, after an apparent fling with one of her favorites threatened to compromise her reputation, she was happy to let the image of virginal purity crystallize around her. In the long run, that image became one of Elizabeth's most potent weapons, for it allowed her to present herself as espoused to her people, even as she remained independent of individual men in a way that a married woman of her time could not hope to be. Then, too, Elizabeth's avoidance of marriage kept England out from under the thumb of other European countries, and it countered popular mistrust of the dangerously mixed nature of the sexualized woman. Although Elizabeth never entirely escaped rumor and innuendo, the myth of chaste maidenhood held fast and on the whole served her remarkably well. At the very least, that myth helped the queen to steer clear of the imputations that had shadowed her mother, Anne Boleyn, who had after all been branded a whore and beheaded accordingly.

The Mary Stuart Menace

But Elizabeth had to contend with a shadow even more menacing than that of Anne Boleyn. Her subjects turned out to be far from unanimous in their support. To some—and especially to those of the Roman Catholic persuasion—the fact that both her own father and the pope had declared her a bastard canceled her title to the throne. Next in *legitimate* line, they held, was another Mary—Mary Stuart, fifteen-year-old queen of Scotland at the time of Elizabeth's accession and, as it happened, just married to the crown prince of France as well.

Mary Stuart's grandmother had been Margaret Tudor, sister of Henry VIII, who had married Scotland's king, James IV, and given birth to Mary's father, James V. Her mother was Marie de Guise, daughter of one of the most powerful families in Catholic France. (See family tree, Fig-

⁹Readers curious about the ways Elizabeth manipulated her own virginity—and the ways in which that image could on occasion backfire—should consult Helen Hackett, *Virgin Mother, Maiden Queen* (London: Macmillan, 1995). Hackett is especially concerned to show the complications of Elizabeth's legendary virginity, as is Philippa Berry in *Of Chastity and Power* (Oxford: Oxford University Press, 1993). For a more straightforward assessment of Elizabeth as virgin queen, see Frances Yates, *Astraea: The Imperial Theme in the Sixteenth Century* (London: Routledge, 1975), and Roy Strong, *The Cult of Elizabeth: Elizabethan Portraiture and Pageantry* (London: Thames and Hudson, 1977).

ure 3.) Sterling at least in point of legitimacy, this pedigree, to many minds, placed Mary before Elizabeth in line to the throne. Yet, Henry VIII had left a will excluding the Stuart line from the English succession, and Elizabeth's supporters brandished it at every opportunity. Recalling common law strictures barring those of foreign birth from positions of power in England, they also pointed to Mary's French blood, as well as to the fact that she had been born on Scottish rather than on English soil. And it is they who carried the day, especially since Mary Stuart was a Catholic, just like the recently departed Mary Tudor, once hated and feared by so many.¹⁰

Relieved to have escaped Mary Tudor's oppressive yoke and determined never again to suffer under Catholic rule, most Protestant Englishmen supported Elizabeth's ascent to the throne. Others came out on her side after they weighed their distaste for female rule against a general belief in hereditary right and the relatively clear lack of appropriate male claimants. In the end, Elizabeth was crowned with exceptional, if not unanimous, support from her weary subjects and at her coronation she kissed a copy of the Great Bible—an English-language version of the Old and New Testaments that had become a potent symbol of a Protestant England.¹¹

Nonetheless, Mary Stuart still posed a serious threat both to England's makeshift unity of political affection and to Elizabeth's personal authority. First, there was the question that Mary's very existence raised: Was she or was she not foreign? If she was in fact an alien, could she then inherit the crown?¹² What, in other words, was Scotland's relationship to England? As an ostensibly rougher and politically weaker country, was

¹⁰These matters, including the controversy over Henry VIII's codicil, are taken up by Mortimer Levine in both *The Early Elizabethan Succession Question* (Stanford: Stanford University Press, 1966) and *Tudor Dynastic Problems, 1460–1571* (London: Allen and Unwin, 1973), 74–75, 99. Elizabeth did have other rivals besides Mary, including Lady Margaret Lennox and her son Henry Lennox, Lord Darnley, and Lady Katherine Grey, but their claims paled beside those of Mary, whose Continental ties also made her far more significant than other competitors for the throne.

¹¹In general, the Protestants placed the authority of scripture over the ritual and visual symbolism of the Roman Catholic Church. The Great Bible was first published in 1539, with Henry VIII on the title page; after Elizabeth came to the throne, she replaced her father there, and the Great Bible's successor, the Bishops' Bible of 1569, features her as the defender of the Protestant faith. See John King, *Tudor Royal Iconography* (Princeton: Princeton University Press, 1989), 16–17.

¹²This question was floated most widely in John Hales's influential 1563 *Treatise, in Treatises in the Hereditary Right of the Crowne of England*, ed. G. Harbin (London, 1713). The matter of Henry's will was pursued by Edmund Plowden in 1566. For detailed discussion of these texts and their arguments, see Marie Axton, "The Influence of Edmund Plowden's Succession Treatise," *Huntington Library Quarterly* 37 (1974): 209–26.

it England's subordinate and therefore part of it? Certainly, many contended that it was, holding that the kings of Scotland had long acknowledged "the king of England to be the superior lord over the realm of Scotland."¹³ On the other hand, wouldn't anointing a Scottish-born queen in effect subject England to its supposed inferior? There was also the troubling fact of Scotland's "auld Alliance" with a strong and Catholic France. The question that Mary Stuart raised, of whether England's own boundaries properly encompassed those of Scotland (or, for that matter, France's those of England), opened the way to deeper philosophical quandaries about what was foreign to England and what was not.

In any event, Mary's Frenchness posed a problem unto itself. Although virtually all English historiography refers to her as Mary Stuart, the queen's given name was in fact Marie, and she spoke of herself as such throughout her life. Her native tongue was French, and she had been sent to France at the age of five to be bred in the court of the Valois king, Henri II. Mary almost always wrote and preferred to speak in French. At fifteen she married François II, the French dauphin, later joining him on the French throne until his premature death in 1560.

Mary's Frenchness in turn intersected with two other, equally disconcerting qualities: her Roman Catholic religion and her coquettish personality. The official church of France was Roman Catholic, and the Queen of Scots was devoted to it from earliest childhood. Besides, the French court was notoriously the most sophisticated, if also probably the most decadent, in Europe. There Mary acquired an array of charms and cultivations that, combined with her regal height (of 5'10") and lovely face, made her the darling of the Valois court poets and an extraordinarily seductive presence wherever she went. Throughout her life, Mary managed to beguile even skeptical Englishmen into the admission that she was "the finest she that ever was."¹⁴

But what made Mary Stuart most alarming to Elizabeth, and in turn to many of that queen's subjects, was that while she was barely in her teens her mother's ambitious brothers had joined with the king of France himself in urging her to claim the arms of England as her own. The Guises were merely eager for a political toehold in England, but their impressionable niece absorbed their belief in her own entitlement. In short, Mary promised an England quite unlike the one that came into being under her cousin once-removed. To imagine Mary was to imagine

¹³John Leslie, *A Defence of the Honour of . . . Marie* (London, 1569), 66.

¹⁴Thomas Randolph to William Cecil, Lord Burghley, *Calendar of State Papers Relating to Scotland and Mary Queen of Scots* (CSP, Scot.) (Edinburgh, 1880–1969), II:229.

England's shadow self—Catholic rather than Protestant in its dominant religious inclinations, and intimately bound to the powerful Valois sector of continental Europe instead of proudly independent of it.

Nor did Mary's differences from Elizabeth end with her religion and cultural affiliation. Whereas the Tudor queen, as we have seen, was increasingly concerned to preserve a protective image of virginal purity, Mary was married before she was halfway through her teens. Upon her first husband's death, she returned to her own country to resume her throne, clad in the white veil of mourning, traditional in France, that was to become her signature (Figure 4). In time she made a second marriage, this time to a "handsome, bearded and lady-faced" English Catholic, Henry, Lord Darnley.¹⁵ Since wives were deemed subordinate to their husbands, Mary's marriage alone complicated any attempt to grant her the unrivalled status of a queen. To make matters worse, she was rumored to have wed Darnley out of sexual lust. At the very least, Mary's eventful sexual history meant that whereas the unmarried Elizabeth was usually able to hold herself apart from dangerous stereotypes about female emotionality, sexuality, and vulnerability, the Queen of Scots was doomed to play into them.

Perhaps most notably, however, Elizabeth was an adroit manipulator of her own ministers, and her willingness to involve herself in politics actually reinforced the sovereign authority in which she so deeply believed. By contrast, although Mary had been Scotland's queen virtually all her life (her father, James V, having died when she was six days old), she lacked real, hard political experience, and indeed displayed a singular lack of interest in acquiring it. While Mary was still living a sheltered life in France, her mother was adroitly managing Scotland on her behalf. And upon Marie de Guise's death in 1560, the reins of government fell into the hands of Mary's half brother—her father's illegitimate son, James, Earl of Moray.

The clever and ambitious Moray befriended a growing coalition of Protestant lords, many of whom subscribed to John Knox's vituperative views on both female rule and the Catholic faith. Suspicious of Continental ways, contemptuous of her ability to govern, and fearful that Mary would persecute Scottish Protestants as Mary Tudor had persecuted English ones, many of Mary's Protestant lords, led by Moray, made her life impossibly difficult from the moment she came back from France. And Mary,

¹⁵James Melville, *Memoirs of Sir James Melville*, ed. A. Francis Stewart (New York: Dutton, 1930), 92.

while believing as devoutly as Elizabeth in her own royal privilege, fatally avoided involving herself deeply in affairs of state.¹⁶

Despite their differences, Mary Stuart and Elizabeth Tudor nonetheless shared one overwhelming, if obvious, similarity: Both were women. And thanks to the Salic law that kept women from the French throne, as well as to similar rules of exclusion in many other European countries, they were the only two who ruled in Europe.¹⁷ But while it ought to have brought them together, the fact that both rulers were female actually compounded the stress of their relationship. On the surface that relationship was normally civil and often even affectionate; underneath lurked Elizabeth's fear that Mary would challenge her throne, and Mary's resentment of Elizabeth's habit of interfering with her own authority. "You be tender cousins, both Queens in the flower of your ages, much resembling other in most excellent and goodly qualities," Moray wrote to Elizabeth. "But your sex will not permit you to advance your glory."¹⁸

Elizabeth's enormously influential Secretary of State, William Cecil, was especially astute about the real problems that stemmed from the fact that Mary and Elizabeth were "two queens in one isle," neither able to trust the other fully, yet each dependent on the other, and both bearing the burden of power in an age reluctant to grant it to women. "God could not have blessed these two kingdoms with greater felicity, than if one of the two queens had been a king," he wrote.¹⁹ Another of Elizabeth's ministers, Nicholas Throckmorton, echoed Cecil when he wished "that one of these two Queens of the isle of Britain were transformed into the shape of a man, to make so happy a marriage, as thereby there might be an unity of the whole isle." Both Cecil and Throckmorton implied that if one of the two queens had been a king, she might have married the other, and Scotland and England would then have been peaceably united. Ideally, Elizabeth would have been the husband king, for then Scotland's subjection to England would have found a perfect mirror in the gendered

¹⁶Jenny Wormald pursues this tendency as the foundation of Mary's political failure throughout *Mary Queen of Scots: A Study in Failure* (London: George Philip, 1988).

¹⁷At least officially. Catherine de Medici, wife of the French king Henri II, wielded considerable power, even after his death. "Salic law," derived from the code law of the Salian Franks which prohibited female inheritance and barred women from the thrones of France and Spain.

¹⁸Moray to Elizabeth, August 6, 1561. CSP, Scot., I:540-41. Moray specifies that the queens could only hope to "advance [their] glory" in "a peaceable reign," knowing full well that true peace was unlikely.

¹⁹William Cecil to Elizabeth. CSP, Scot. II:80. The phrase "two queens in one isle" was coined by Mary's uncle Francois, Duc de Guise. For a full commentary on its significance, see Alison Plowden, *Two Queens in One Isle: The Deadly Relationship of Elizabeth I and Mary Queen of Scots* (Sussex: Harvester Press, 1984).

relationship between the two rulers. But since Mary and Elizabeth obviously could not marry, they were forced into incessant competition.

For Elizabeth, in particular, this competition was as personal as it was political, and Mary's emissary James Melville took notice. A typical visit to the English queen ended with her asking Melville whether Mary's hair or hers was the lovelier, and "which of them two was fairest," then "which of them was of highest stature." Upon being informed that Mary was, Elizabeth declared that the Queen of Scots was "too high and that herself was neither too high nor too low." She even arranged for Melville to overhear her at the virginals, upon which "she asked whether my queen or she played best." Later, the queen demanded to know "whether she or my queen danced best."²⁰

Elizabeth's anxious queries about her cousin once-removed almost comically exaggerate the differences between the two queens — differences that only widened as Mary's second marriage turned out to be a profoundly miserable one. Darnley soon cast his lot with Mary's truculent lords rather than with the queen herself, even plotting with them to stab his wife's beloved Italian secretary, David Rizzio, to death in her presence. Mary was pregnant at the time, and soon she bore a son, the future James VI of Scotland. But her marriage, for obvious reasons, never recovered from the Rizzio incident. Before long, Darnley himself had been murdered, and Mary was suspected of having had a hand in his demise.²¹ When shortly after Darnley's death she eloped with the man believed to have done the actual killing — James Hepburn, Earl of Bothwell — she effectively signed her monarchy's death warrant. Led by her half brother Moray, Mary's subjects mounted a rebellion against her. They imprisoned their queen in a castle in the middle of Scotland's desolate Loch Leven and there, in 1567, forced her to resign her crown to her year-old son, James VI. Though Mary later escaped her island prison, and even mounted a briefly successful rally against her own rebellious subjects, she was eventually defeated. She fled to England, hoping for safe harbor and the redress of grievances from her cousin Elizabeth.

The dramatic events that brought an end to Mary's personal rule in Scotland are crucial to an understanding not just of what became of her in England, but also of two issues that were to come to a head in the final months of her life, almost twenty years later. First, there is the matter of female rule: Many of Mary's troubles in Scotland were rooted in the fact that she was a woman. Once she had fallen, the stereotypical brands of

²⁰Melville, *Memoirs*, 94.

²¹The circumstances of Darnley's death were highly suspicious: While he was recovering from a probable venereal illness in Edinburgh's Kirk o'Field, the building was blown to bits. Darnley's body turned up, strangled but otherwise unscorched, in the garden.

adulteress and whore were liberally applied to her. For example, after Darnley's murder, Mary's enemies circulated a crude caricature featuring the Queen of Scots as a mermaid — a contemporary icon of feminine lasciviousness (Figure 5). And after Mary's flight to England, much was made of an apocryphal cache of love letters and sonnets that she had presumably written to Bothwell during her marriage to Darnley.²² The bet-ter to shred what remained of Mary's reputation, the Scottish scholar George Buchanan wrote the most corrosive diatribe against her to be published in her day. Throughout, Buchanan belabored qualities he believed only a woman would possess: "Such are the natures of some women, especially such as cannot brook the greatness of their own good fortune; they have vehement affections both ways; they love with excess, and hate without measure; and to what side soever they bend, they are not govern'd by advis'd reason, but carried by violent motion."²³

As we find in the excerpt from Buchanan's *Ane Detection of the Doings of Mary Queen of Scots* that appears as Document 2, Mary's alleged crimes, although never absolutely proven, became an occasion for argument against female sovereignty. Mary herself became living confirmation of all the popular reasons why a woman should not be trusted with the crown. The scandal that surrounded her naturally magnified her danger to Elizabeth, who was after all a woman as well, daughter of a queen beheaded for sexual and political misconduct, and separated by a fine line from the very assumptions and allegations that bedevilled her Stuart cousin. Though infinitely more adept at managing her own image — and ministers — Elizabeth was ultimately as vulnerable as Mary to the imputations and representations of her subjects.

At the same time, however, Mary also prompted passionate defenses of female rule. In 1569, the year after her ignominious defeat at the hands of her own subjects, one of her most loyal supporters, the Catholic priest John Leslie, Bishop of Ross, completed his *Defence of the Honour of . . . Marie*. Though also a personal tribute to Mary, Leslie's *Defence* con-

²²The genuineness of the "casket letters," as they came to be known, is highly debatable. They vanished after an English commission tried Mary for adultery and conspiracy in 1568, and generations of historians have exhausted themselves in controversy about the sonnets and letters, which Mary claimed not to have written but which, if authentic, prove her complicity with Bothwell in Darnley's death. Gordon Donaldson's *The First Trial of Mary Queen of Scots* (London: Batsford, 1969) delves deep into the casket letters controversy, while in *Images of a Queen* (Berkeley: University of California Press, 1964), James E. Phillips explores the propaganda for and against Mary that grew out of that controversy. After centuries of debate, the question of whether the letters were forged — and Mary guilty of adultery and conspiracy to murder — remains open.

²³George Buchanan, *Ane Detection of the Doings of Mary Queen of Scots* (1571); London, 1721), 40.

demned theoretical works like Knox's *First Blast* as a "poisoned pestiferous pamphlet" and registered a claim for the legitimacy of female sovereignty.

Leslie's *Defence* (Document 3) links public animus against the Queen of Scots to hostility to female sovereignty itself. In defending the virtue of the queen, Leslie thus also defends the virtues and rectitude of queenly rule itself. Leslie holds that those who opposed Mary's personal right to any throne "expressly denied and refused *all* womanly government" (emphasis added). Similarly, as he refutes the dictum, derived from Knox, that "the civil regiment of women is repugnant both to the law of nature and to the blood," Leslie shows how slanders against Mary — "feigned and forged reports" against her "virtuous good innocence" and reputation — are symbolic assaults on "God's holy word," launched by those who have "licentiously wreathed and wrested" scripture to make female rule look like a crime against divine law (Document 3).

Leslie's rejoinders to Knox range from the scriptural point that woman "was created to the image of God as well as man," and thus has equal right to political authority, to a head-on collision with Knox's argument that the law of nature prohibits female rule. For Leslie, Knox's interpretation of the law of nature is "counterfeit," a manipulative, manmade fiction that has no relationship whatever to the nonhuman, or prehuman, world of nature.²⁴ In any case, the fact that Mary Stuart could be used by both sides in the debate about the legitimacy of "womanly government" shows how obsessively contemporary thinking (and feeling) about the nature of monarchy centered on her. It also helps to explain some of Elizabeth's ambivalence toward her controversial cousin — an ambivalence that stemmed from more than Mary's demand to be considered, at the very least, next in line to the English throne. Such practical threats were significant, but the symbolic ones were no less real. Her political weakness made Mary Queen of Scots a testing ground for the legitimacy of female rule; after all, questions about that legitimacy could not comfortably be probed with direct reference to the far more formidable Elizabeth Tudor. In turn, Scottish hostility to Mary shadowed the possibility of similar attacks on Elizabeth.

At the same time, the backlash against Mary only thinly disguised a very different kind of rebellion, this one against monarchical authority itself. George Buchanan had claimed that some women's "vehement affections" made them intuitively despotic rulers. But when Mary's subjects forced her to give up her throne, they directly attacked the power

²⁴Jordan explores Leslie's interesting perception that the law of nature is merely a political fiction in "Women's Rule," 444.

of any sovereign, female or male. Indeed, by putting a baby in her place, they were retaining only the faintest illusion of monarchical authority, since for years and years to come Scotland would in effect be ruled by a cadre of its subjects, and not by a sovereign at all.

When Mary fled to England, then, she brought more than one kind of trouble with her. In the first place, she was seen as Elizabeth's rival, one whose Roman Catholic faith and ties to France threatened England's autonomy and its provisional religious identity. Equally important, Mary was a reminder of how precarious Elizabeth's own position was, not just as queen at a time when female sovereignty could be seen as itself an act of treason against God, but as a monarch in an age and culture that found more and more ways to challenge the privileges of kings and queens.

Captivity and Conspiracy

Mary Stuart first set foot in England in the spring of 1568. Given the magnitude of the menace that she posed, Elizabeth could see few options beyond the one she chose, which was to put her cousin under lock and key. Here Mary was to remain for years while the English queen maintained the pretense that Mary was merely a guest of the crown, albeit one without liberty to refuse the company of her hosts. Permitted a substantial retinue, the cloth of the Scottish state, and most of the trappings of the queenship she had officially resigned, Mary was shuttled from English castle to English castle over the next nineteen years. She proved a dangerously charming "guest," regularly befriending her noble keepers and their wives, and all the while weaving a wide web of correspondence with all of the great rulers of Europe, including Pope Pius V and his successor, Gregory XIII.

Many of Mary's letters were written in cryptic shorthand, or "ciphers," and they often passed from (and to) the queen in secret. But she also maintained a more public correspondence, some of it with Elizabeth Tudor. Several of the letters between the two queens appear in Document 4. Poignant, querulous, and forceful by turns, Mary's messages to Elizabeth make it clear that she never recognized her long sojourn in England as less than the brutal captivity that it was. Elizabeth, for her part, was inclined to deny her own ill intentions toward Mary, and indeed she may very well have been confused about her own motives. But one thing was clear: Mary Queen of Scots compounded her own difficulties by refusing to see herself as anything other than an anointed queen, one whose crown and all of the accompanying prerogatives were still very much her own. Though she often wrote humbly to Elizabeth, Mary continued to

demand that the queen declare her next in line to the English throne. And although Mary's accession would have been disastrous to a Protestant England, to cut her out of the succession would have been to admit that she had a right to it in the first place. As Elizabeth's own Parliament recognized, "this disabling shall be an enabling."²⁵

At least equally disquieting were Mary's semiclandestine correspondences with the pope, with her French family and friends, and with a number of the English Catholics who supported her. Mary's letters reveal that she often knew about the rash of conspiracies always afoot against Elizabeth—particularly the Northern Rebellion of 1569 and the Ridolfi Conspiracy of 1570–71.²⁶ But despite the Queen of Scots's demonstrable involvement in these incidents, Elizabeth was loath to put an end to her. In part she feared retaliation by Mary's many Continental friends; equally important, she shrank from the notion of sentencing an anointed queen to death. To do so would moreover be to seek definitive resolution, and Elizabeth's style of government was based on deferral and sly equivocation. Putting an absolute end to Mary would challenge more than one foundation of Tudor authority.

The stalemate between the two queens persisted for nineteen years. In vain, Mary pleaded with Elizabeth to help restore her to her throne; she also called on her son, James, to liberate her from captivity. Now well into his teens, James had his own hopes of being named Elizabeth's successor and, valuing a political alliance with the Tudor queen above filial duty to his mother, he refused. Mary next begged Elizabeth for a personal meeting. It was not a new request: During her personal rule in Scotland, James refused to rescue his own mother.

²⁵T. E. Hartley, ed., *Proceedings in the Parliament of Elizabeth I* (Leicester: Leicester University Press, 1981), I:374–75.

²⁶During the first years of her English captivity, Mary counted on support from the earls of the north of England, particularly the powerful Lord of Northumberland. Animated partly by the possibility of Mary's marriage to the English Duke of Norfolk, some of the earls did band together against Elizabeth, but their plans were confused and incoherent. The Queen of Scots herself doubted their success, and after a short foray south, the leaders of the "Northern Rebellion" lost their resolve, disbanding before serious blood was shed. Some of them escaped to the continent, but others, including Northumberland, were beheaded. The Ridolfi Conspiracy was the inspiration of an Italian banker living in London, Roberto Ridolfi, who plotted a Spanish invasion of England to be combined with an uprising of English Catholics. Ridolfi unfortunately lacked the support of Spain itself, but he claimed to have been directly inspired by Mary (copies of her alleged instructions to him have been lost). The conspiracy was nipped in the bud, and Ridolfi's main co-conspirator, the Duke of Norfolk, was tried and executed for high treason. Analyses of the Ridolfi plot may be found in Francis Edward, *The Marvellous Chance: Thomas Howard, 4th Duke of Norfolk and the Ridolfi Plot, 1571–1572* (London: Harth Davis, 1968), and in J. H. Potter, *The English Catholics in the Reign of Elizabeth* (London: Routledge, 1920); on the Northern Rebellion, see A. Fletcher, *Tudor Rebellions* (2d ed., London: Longman's, 1973) and M. E. Jones, *Change and Continuity in the Tudor North* (York: St. Anthony's Press, 1993).

She knew about the Northern Rebellion 1569
7 Ridolfi Plot 1571-2.

she had often wished to see Elizabeth, and in 1562 that queen had even made plans to meet with her, only to cancel them at the last minute. Now, probably frightened of her cousin's notorious personal charm and the disabling sympathy she might feel were she ever to see miserable Mary in the flesh, Elizabeth redoubled her efforts to avoid an encounter with the Queen of Scots. She succeeded: The two queens never met. Meanwhile, Mary's health collapsed. She aged rapidly, seeking refuge in her correspondence, in a menagerie of small pets, in the arts of embroidery, and, increasingly, in the Catholic religion.

Mary's Catholicism brings us to the last threat that she posed to a country increasingly dominated by Protestant tempers and interests. For one thing, her faith linked the Queen of Scots to Catholic France and papal Italy; it also put England in an awkward relation with Europe's other Catholic power, Hapsburg Spain, whose king always seemed to be searching for a reason to invade England. At the same time, England's own disaffected Catholics were naturally drawn to the Queen of Scots.²⁷ As the years of captivity went by, Mary herself found more and more material for the role of Catholic martyr—a role she would perfect up to the very moment of her death.

Throughout Mary Stuart's nineteen-year captivity, Elizabeth Tudor's Protestant ministers and many members of her Parliament called for the Queen of Scots to be put to death. They insisted that this "traitress and pestilence of Christendom" was too hostile to Elizabeth to be allowed to live.²⁸ Others proclaimed that "Scottish Mary" had "already cost us enough of our English blood, and cares not to make havoc of nobility and people,"²⁹ while still others denounced her as a "bosom serpent" who, as long as England harbored her, threatened to sting the country's Protestant heart.

Anti-Catholic tensions mounted as Mary's captivity ground on. The pope excommunicated Elizabeth Tudor in 1570, and two years later the Saint Bartholomew's Day massacre of French Protestants, in which France's Catholic government was involved, made the half-French Queen of Scots less welcome in England than ever. Such incidents could only feed English Protestants' already well-nourished belief in an international

²⁷ Adrian Morley explores Roman Catholic attachment to Mary in England in *The Catholic Subjects of Elizabeth Tudor* (London: Allen & Unwin, 1978), though see Potter, *The English Catholics*; and John Bossy, "The Character of Elizabethan Catholicism," *Past and Present* 21 (1962).

²⁸ CSP, Scot., IV:391.

²⁹ John Stubbes, *The Discoverie of a Gaping Gulph* (1579), in *The Gaping Gulf, with Letters and Other Relevant Documents*, ed. Lloyd E. Berry (Charlottesville, Va.: University of Virginia Press, 1968), 80.

Catholic conspiracy against them. Yet even so, Mary Stuart might have lived out her days and died a natural death had not an ardent and idealistic young English Catholic, one Anthony Babington, gotten himself arrested in the summer of 1586.

Along with several of his friends and a firebrand English priest named John Ballard, Babington was charged with conspiring to overthrow Elizabeth and replace her with the Queen of Scots. Mary had been in correspondence with Babington, and letters that had passed between them were produced. Babington confessed to Mary's role in the conspiracy and was rewarded with the standard punishment for traitors, drawing and quartering.³⁰ Although the letters between Mary and Babington were real, it is also likely that Elizabeth's ministers, far more eager for Mary's death than was Elizabeth herself, doctored at least one of them, adding a postscript that seemed to request the names of Babington's co-conspirators.³¹

It is certain in any case that Elizabeth's ministers, led by Elizabeth's new Secretary of State, Francis Walsingham, had long monitored Mary's correspondence, regularly intercepting the letters she habitually smuggled out of her most recent and wretched prison, Chartley Castle, in a beer casket. Walsingham also secretly encouraged the Babington conspiracy, if not to frame the Queen of Scots outright, then at least with the aim of creating a situation in which she could only incriminate herself. Thanks to his efforts, Mary was confronted in early August 1586 and charged with conspiracy against the English crown. Her rooms were ransacked, and in September the Queen of Scots was removed to Fotheringay Castle, in Northamptonshire, where she would be brought to trial for treason.

WALSINGHAM

The Bond of Association

The road to trial had been well paved, and not just by the tensions, contrivances, and indiscretions we have explored. Two years before Mary's trial, Elizabeth's Privy Council had drafted the so-called Bond of Association (Document 5). The Bond's chief architect was Walsingham, with

³⁰ Babington himself was less instrumental to the conspiracy than the militant priest, John Ballard, who seems to have preyed on the younger man's cultish devotion to Mary to realize his own political and religious vision. Close analyses of the almost laughably inept plot and Mary's involvement in it appear in Charles Nicholl, *The Reckoning: The Murder of Christopher Marlowe* (London: Jonathan Cape, 1992), and in J. H. Pollen, *Mary Queen of Scots and the Babington Plot* (Scottish History Society, third series, 1922).

³¹ Walsingham's role in the apprehension of Babington and, later, Mary, is elaborated in Pollen, *Babington Plot*, and even more dramatically in Antonia Fraser's classic, *Mary Queen of Scots* (New York: Greenwich House, 1969), 475–500. See also Patrick Collinson, *The English Captivity of Mary Queen of Scots* (Sheffield: University of Sheffield Press, 1987), 6.

Doctored the letters!

William Cecil (now Lord Burghley, and the queen's treasurer) also heavily involved. In essence, its effect was to license, legalize, and even organize the fate of Mary Queen of Scots. Its inspiration was ostensibly the recent discovery of yet another Catholic conspiracy against Elizabeth. A statute under Edward III had already made it high treason, punishable by death, to plot against the monarch, and this statute had often been invoked to grisly effect over the course of Elizabeth's reign, one obsessed with fears and fantasies of treason.³²

The existence and continued applicability of the older statute notwithstanding, Elizabeth's Privy Council intended to create something new: a formal association that would include all of the "natural-born subjects of this realm of England." Mary Stuart had significant support in England, but just the same many, many thousands signed a formal "Bond" in which they vowed to do everything in their power to preserve the "great felicity" and "inestimable comfort" that Elizabeth's reign had brought them. In the wake of the fact that "the life of our gracious sovereign Queen Elizabeth hath been most dangerously designed against," the signatories—all male—swore "to prosecute, suppress and withstand all such intenders." Bound together in the "band of one firm and loyal society," they also promised to "act the utmost revenge" on anyone believed to pose a threat to Elizabeth.

The Bond of Association was essentially a lynch law, for it licensed the speediest possible punishment for an alleged crime.³³ Moreover, the Bond expanded the category of treason—invariably punishable by death—to include anyone suspected of harboring subversive thoughts against the queen, regardless of whether that person happened to be a subject of the crown. Soon the Bond of Association had passed into an official "Act for the Security of the Queen's Royal Person." The so-called Act of Association made it clear that the captive Queen of Scots was its real target, for it twice specified that "privity" to a plot against Elizabeth of "any person that shall or may pretend title to the crown of this realm" was as criminal as plotting itself. Indeed, such a person—who could only be Mary—would be "excluded and disabled for ever" from "the crown of this realm," and could even be put to death by the very subjects who had sworn to defend the reigning queen.³⁴

³²Lacey Baldwin Smith, *Treason in Tudor England: Politics and Paranoia* (Princeton: Princeton University Press, 1986).

³³Plowden, *Two Queens*, 197. The Bond of Association and the legality of the ensuing trial are both considered in A. Francis Stewart's introduction to *The Trial of Mary Queen of Scots* (Edinburgh and London: William Hodge & Co., 1923), 9–11. Stewart reproduces several of the documents also printed in this volume.

³⁴The Act of Association was followed, in 1585, by a second act—the Queen's Safety Act—which focused less on the event of an attack on Elizabeth than on the question of succession should she be killed. It barred her assailant from the throne but not his or her

The 1585 Act of Association seemed to be protecting an established monarch, Elizabeth Tudor, and, of course, fundamentally it was. But while Elizabeth—and even Mary, to show that she was harmless—had approved of it, the Act also created a way for English subjects to pressure their queen into taking action against her perceived enemies. At the same time, the Act siphoned authority from the crown by delegating the investigation and preliminary judgment of crimes against Elizabeth's "royal person" to a carefully specified commission of peers and privy counsellors. Less than two years after the Act of Association passed into law, its stipulations were to provide a perfect script for the prosecution of Mary Queen of Scots.

Created a way for English subjects to pressure their Queen.

THE TRIAL OF MARY QUEEN OF SCOTS

An "Extraordinary Course"

Even the most casual reader of the proceedings against the Queen of Scots (Document 6) is struck by how heavily those proceedings were weighted against her. This is not just because the Act of Association had so recently made it legal to pursue those of royal blood as ruthlessly as any common subject suspected of treason. To make matters much worse, Mary herself had only a day's warning that she was actually to stand trial. A suspected traitor was never allowed counsel, but the francophone Queen of Scots would be forced to conduct her own hastily cobbled defense in a language that was essentially foreign to her. Denied a single witness in her defense, Mary soon found that even her impressive familiarity with the canon law of continental Europe would be of no use to her. A treason trial was bound by English common law and statutes, and in any case the Act of Association, which legitimated the trial, was of recent vintage. Mary protested that the laws governing her trial were "by me most unknown," and so indeed they were.

In other words, Elizabeth's ministers, led by the ubiquitous and zealous Walsingham, would be hard-put to prove that they "proceed[ed] according to equity and right, and not by any cunning point of law, and extraordinary course." With considerable justification, Mary would maintain that her trial possessed nothing more substantial than the "shew and colour of just and legal proceeding." Initially she even refused to appear

Showed that she was not guilty and colour of legal proceeding.

heirs. This left the way open for Mary's Protestant son, James, to inherit the English crown, as indeed he did upon Elizabeth's death in 1603.

at it, for all that her accusers informed her that "neither her imprisonment, nor her prerogative of royal majesty could exempt her from answering in this kingdom."

From Mary's perspective, the notion of a trial was highly irregular, indeed inappropriate, because she was an anointed queen, not a common criminal. But there is another point of view. To Mary's prosecutors it seemed that the Queen of Scots had left her political body in Scotland when she abdicated the throne; they had before them only Mary's natural body, stripped of its queenly might. Then too, to many of Mary's English contemporaries, her trial would have looked unusually generous, for it did accord the queen a measure of public justice, at least on the surface. In both England and continental Europe, simple regicide was far more common than due process of law. Indeed, three months before Mary's trial at Fotheringay, the Prince of Orange had been murdered by Roman Catholic assassins, and three years after it, Mary's own brother-in-law, Henri III of France, would meet a similarly violent fate. In England, two kings (Richard II and Edward II) had been put to death without any sort of legal investigation of their alleged crimes. Some evidence even suggests that Elizabeth would have preferred that Mary herself be secretly poisoned without Elizabeth's official knowledge.

Mary Stuart, however, was not in the mood for gratitude. Indignant that she was asked to "lay aside the bootless privilege of royal dignity" — the privilege of not answering charges against her — the Queen of Scots began to consider appearing at her own trial only when she was told that it "could and would proceed against her, though she were absent." The very fact that the trial "could and would" do so — that Mary's defense, like her physical presence, was not ultimately relevant to the proceedings — tells us how drastically the deck was stacked against her. In the end, though, Mary's reluctant agreement to stand trial in person looks to have been, in part, the decision of a woman anxious about her reputation. The queen's accusers cleverly reminded her that "by avoiding Trial, you draw upon yourself suspicion and lay upon your reputation an eternal blot and aspersion." It was only thereafter that Mary agreed to appear in the makeshift courtroom that had been hurriedly assembled in a room above the great hall of Fotheringay.

When she did so appear, Mary's English prosecutors commanded virtually every detail of the scene. Thirty-six peers of the English court, including only two Catholics, flanked the defendant (Figure 6). This arrangement alone reminds us that Mary's trial was never a trial in the conventional sense of a hearing before a judge and a jury of her peers. Because Mary was a queen, she had no peer in England besides Eliza-

beth.³⁵ More gravely, Mary's immediate judges were the members of the commission accusing her. Her ultimate judge was to be Elizabeth Tudor herself, Mary's presumed victim. And Elizabeth was not even there; her secure absence, contrasting as it does with Mary's forced bodily presence, epitomized the Scottish queen's disadvantage. Elizabeth's person was signified "at the upper end of the chamber" by a "chair of estate," draped with a "cloth of estate" meant to represent her. Mary was assigned a humble place "below and more remote."

On this grim stage, the trial itself unfolded with sinister momentum. First, the Lord Chancellor, Sir Thomas Bromley, summarized the charges against the Queen of Scots, underscoring Elizabeth's "great grief of mind" that Mary had "conspired the Destruction of her and of England." Somewhat disingenuously, he described himself as willing to hear how Mary might "clear [herself] of [the charges] against [her], and make known [her] innocency." Next, "a historical discourse of Babington's conspiracy" was presented, one that "concluded, That [Mary] knew of it, approved it, assented unto it, promised her assistance and shewed the way and means." Babington's confession was cited, and at last the incriminating letters "betwixt her and Babington" were read out.

The first letter, from Mary to Babington, merely appointed him to deliver any correspondence that might come to the Queen of Scots from France or Scotland. But Babington's torrid reply to the woman he addressed as "my dread sovereign lady and queen, unto whom I owe all fidelity and obedience" struck a very different note. In it, he resolved to join forces with "one Ballard, a [man] of singular zeal to the Catholic cause, and your majesty's service" to accomplish "the deliverance of our country from the extreme and miserable estate wherein for a long time it hath remained." Babington promised "the hazard of my life" to serve "your sacred majesty" and assured Mary that the "chief actors" in his plot had all taken the same vow. He then described "lieutenants" posted in various parts of England and Wales, all poised to "undertake the delivery of your person from the hands of your enemies," whereupon they would embark on "the dispatch of the usurper." This last "tragic execution" would be undertaken out of "the zeal they bear to the Catholic cause, and your majesty's service." The letter concluded by asking Mary to contribute her "experience and wisdom" in order to make this scheme a reality.³⁶

³⁵ Antonia Fraser makes much of this point in *Mary Queen of Scots*, 503.

³⁶ The letters between Babington and Mary are reproduced in full in Stuart, *Trial*, 45–51.

Mary's first response to the reading of the letter was to deny that she had ever received it. When Babington's confession was read, along with that of his cohort John Savage, averring that she had indeed received the letters, Mary insisted that the alleged reply must have been composed by her "adversaries," for it was written in secret code and not in her own hand. Nevertheless, the long reply in question was read aloud. It began by commending Babington's plan and pointing to dwindling Catholic support for the queen's cause, and it included requests for details for the planned attack on Elizabeth, culminating in "the manner of my getting forth of this hold." The letter even offered pretenses that Babington and his men might adopt in the event they were detected, and filled in many details of the plot that Babington had left vague, advocating "some stirring" in Ireland as well as in Scotland and England. The letter ended with information about when and how Babington might rescue Mary and a promise of reward. *Mary's reply to Babington forgid.*

From the first, Mary held that this was a forged letter that proceeded not from her, and would admit to nothing more than a personal desire for liberty. Elizabeth's "destruction" could not have been further from her mind. But her denials were countered with the "Testimonies of Her Secretaries," Claude Nau and Gilbert Curle, both of whom had acknowledged her correspondence with Babington. These testimonies were, however, not actually presented to Mary "face to face," only adduced, and she was left to declare that "the majesty and safety of all princes falleth to the ground if they depend upon the Writings and Testimony of Secretaries."³⁷

The first day of the trial ended in a stalemate, one that stemmed from Mary's determination to present herself as someone other than the woman that Elizabeth's commission said it was trying. To Mary's own mind she remained a foreigner and an anointed queen whose crown set her above all charges. The second day of the trial likewise began with Mary complaining that her "honour and reputation was called in question before foreign lawyers, which by wretched conclusions drew every circumstance into a consequence." She again declared herself protected by "the immunity and majesty of foreign princes," resenting that she had been "made to descend beneath her royal dignity."

With her insistence upon unassailable majesty as its foundation, Mary's defense seems to have taken most of the morning of October 16. She clearly believed that the best defense was a strong offense, for she

³⁷Nau and Curle were actually both shown only copies of the originals, and to this extent their confession was manipulated.

hinted that Elizabeth herself had once been guilty of conspiring against Mary Tudor during her sister's reign, and she berated her own accusers for having manipulated the letters that supported the case against her.

Though momentarily shaken, the English commissioners were determined, once again, to "proceed to Proofs"—something they knew Mary lacked. More letters were read, these to one of Babington's co-conspirators, and Mary again denounced her secretaries, Nau and Curle, denying as well the charge that she had planned to transfer the English crown to the Catholic king of Spain once she had gained it. The trial ended with the Queen of Scots "rising up with great confidence of countenance" to demand that she be "heard in a full Parliament, or that she might in person speak with the queen." Like every other wish she had made in the previous nineteen years, this one was not to be fulfilled, but as the queen left the room, she paused by the table where many of her prosecutors sat and hoped aloud that she would never see them again. Perhaps not dreaming to what grim letter her desire would be gratified, the Queen of Scots swept from the room.³⁸

It is surprising to read of Mary Stuart's "confidence of countenance" at the end of a trial clearly tailor-made to condemn her for treason. The trial's outcome was never in question, but the defendant's apparent composure as it drew to a close reminds us of the impressive degree to which Mary was after all able to resist the barrage of evidence and accusation, at least some of it contrived, that was levelled against her. It is thus worth pausing over several features of her defense. Together these features suggest that while Mary's trial might look like little more than a legal mouse-trap meant to catch the conscience of a queen, it was in reality a scene of historical transformation, one in which competing assumptions about political authority, national identity, and even the nature of femininity were forced to confront one another.

"She Was No Subject of the Queen's"

Mary's first attack on her accusers began before her trial. It was an assault on the kind of law whereby she was to be tried. Because it held even Elizabeth's equals capable of treason, we recall, this was not a law with the authority of ages behind it, but rather one that had been designed only two years before, through the Act of Association. Mary dismissed this "late law, upon which the authority of [the] Commission wholly depended," as "unjust, devised of purpose against her" and above all "without example." To this law, Mary therefore declared, "she would

³⁸Fraser deftly captures the ironies of this moment in *Mary Queen of Scots*, 516.

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never subject herself." Indeed, the only laws she could respect were either "the common law of England"—which required a precedent for a case just such as hers (there was none)—or the "canon law" of the church, in which only the upholders of that law (i.e., the pope) and not her accusers would be privileged to "interpret" the case. Though in the end she would be prosecuted by the law she scorned, Mary managed to foreground if not the outright illegality of the proceedings against her, then at least the novelty and hence the shaky authority of that law.

Mary's refusal to "subject" herself to the law points up the manmade, historically contingent nature of a legal system that presents itself as absolute; it also suggests that what actually stood trial in the fall of 1586 was the very notion of what was absolute. For Elizabeth's commissioners, the law was absolute, even though they themselves had framed it in order to defend a Protestant England that uniquely empowered them. But for Mary it was her own innate and non-negotiable sovereignty that was absolute. Her most vehement and frequent declaration was not just that she refused to be "subject" to an ill-conceived law but "that she was no subject," period: "Rather would she die a thousand deaths than acknowledge herself a subject, considering that by such an acknowledgment she should both prejudice the height of regal majesty, and withal confess herself to be bound by all the laws of England, even in matter of religion."

Valuing herself as an anointed queen, Mary exempted herself from the status of subject. And if she was not Elizabeth's subject, then by all laws other than the Act of Association, to try her for treason was illogical. For this act could only be committed by a subject, which is to say from within the political hierarchy that treason, by definition, aimed to overthrow.

Mary's claim "that she was no subject" thus damaged her prosecutors' rationale. One thing she meant by it was simply that she was "foreign." Yet to accuse Mary of treason was to assume that her place of birth, Scotland, was indeed part of England. If this was so, then why was the disowned Elizabeth on the throne and not Mary? But besides probing the sore question of what was foreign to England and what was not, Mary's insistence that she was "no subject" redounded to a much larger issue, that of the extent of a sovereign's invulnerability. This was a point of controversy that would only escalate over the next century; the English Civil Wars of the 1640s would eventually make it their main theme. But in 1586, Mary Stuart merely maintained that "justice" would be served only when her accusers realized that, as an anointed queen, she stood above all earthly law.

Their notion of justice was very different. As one of the commissioners, the Vice Chamberlain Sir Christopher Hatton, pointed out, from the

English point of view "all justice would stagger, yea, fall to the ground" if "the royal dignity" was to be exempted from the charge of such a crime. Mary's unsupported claims of sovereignty's immunity from the laws that rule the ordinary human would remind us, then, that like that of what was and was not England (or English) an integrated concept of justice had split open at the seams.

Mary's distinction between what lay above the law and what lay below it resonated in a different key as well, for another of her defenses was to remind the Commission that what was happening in their makeshift court was not a matter limited to England, or even to the petty domain of terrestrial political concerns: Even before the trial began, Mary insisted that her trial unfolded on a higher, and fundamentally moral, stage—in "the theatre of the whole world," which was "much wider than the kingdom of England," and whose audience, she implied, was finally God. Throughout her trial, Mary "appealed to [the] consciences" of her adversaries, and denied that she would ever "make shipwreck of my soul by conspiring the destruction of my dearest sister." Toward the end of the trial, Mary identified herself with the virtuous queens of the Old Testament, declaring that "she had rather play Hester than Judith; make intercession to God for the people than deprive the meanest of people of life." She even presented the execution of Babington as the death of a Catholic martyr to her own cause, provoking both the Lord Treasurer and Walsingham himself to an indignant defense that temporarily turned the tables, forcing them to explain themselves almost as fully as Mary had thus far been compelled to account for herself.

Mary also seems to have conceived of her trial as part of a larger *imitatio Christi*—the symbolic process, cultivated in medieval times, whereby human beings molded their own miseries to resemble the redemptive suffering of Christ. After her trial, the Queen of Scots would complain that she had been treated as Christ had at the end of his life, and it is worth noting that he too had been tried and crucified because he had treasonously proclaimed himself a sovereign, in his case King of the Jews. Whether or not Mary was interested in the full scope of the analogy between her situation and Christ's, it is clear that she did everything in her power to give her trial the form and meaning of religious experience.

By shifting her trial to a spiritual stage, Mary Stuart stood a chance of winning even despite earthly defeat.³⁹ Her manner of self-presentation

³⁹This was a strategy that Mary's grandson, Charles I, would exploit when he was tried by his own subjects in 1649. See Daniel P. Klein, "The Trial of Charles I," *Legal History* 18 (1997): 1–25.

"Imitatio Christi" - her trial.

was highly theatrical and transformed the proceedings against her from a fixed tableau of immutable guilt into a scene of volatile debate. Mary's determination to make her trial as dramatic and unpredictable as possible brings us to a final conflict whose repercussions were to vibrate far beyond Fotheringay in space and time. We recall that the Stuart queen's favorite strategy of resistance was to deny that she had written the letters in question: "With a countenance composed to royal dignity and with a mind untroubled" she disavowed all connection with the "word and writing" that had been produced against her. In point of fact, the charges against Mary depended very heavily upon the written word's authority to compel belief in guilt or innocence. But the Queen of Scots strove to call writing's very authority into question, not only by denying that the letters could count as proof positive, but even by disdaining to give her accusers any written version of her response to Elizabeth's "scruples." Instead, she spoke without notes—"for it stood not, said she, with her royal dignity, to play the scrivener."

From the beginning of the trial to its end, Mary based her defense on hostility to the abstract impersonality of the written word—symbols detached, she implied, from the physical and even moral realities of her situation. This strategy has roots in religious ideology, for since its inception earlier in the century, the Protestant faith had built itself on the written words of holy scripture, in defiance of the icons and rituals that were the cornerstone of Roman Catholic religious practice. Especially in contrast to that of the Roman Catholic Church, Protestant authority tended to rest upon the abstractions of the written word, and this was precisely where the legal attack on Mary Stuart had its roots, too.

But the Queen of Scots insisted on an altogether different system of meaning, one grounded less in language than in the human body. Her words were often eloquent, too, but Mary foremost made her physical frame, crippled by nearly two decades of confinement, a moving object for all to see. In essence, she presented her body as evidence to counter that supplied by writing. By challenging writing's authority and redirecting attention to her own flesh, Mary refuted the Protestant assumptions that were the underpinnings of her trial. To this effect she repeatedly interrupted the reading of the letters, and "fell into speeches" again and again. She "wandered far in these digressions" and, "called back again and prayed . . . to speak plainly," she was more likely to weep. "Tears burst forth from her incessantly," we are told. "Withal she shed plenty of tears."

Mary Stuart's tears produced several effects. For one thing, they complemented the queen's insistence that other laws and rules could be

applied to the situation at hand. If her trial were to end as Elizabeth's commissioners so visibly wished it to end, this wouldn't be because right had prevailed. Rather, it would be because one (visibly manufactured) set of legal conventions, political assumptions, and standards of evidence had defeated another, more archaic paradigm of truth based on blood right and pity for the plight of another. Furthermore, the bodies of condemned criminals were traditionally meaningful symbols of their guilt: In London, heads were impaled on Tower Bridge to make an example of their former owners, and Mary's own supposed accomplice, Anthony Babington, had like many another traitor been drawn and quartered because that bloody spectacle would serve as a warning and reinforce the impression of his guilt.

Frequently, felons and traitors even cooperated in their own physical degradation. But Mary refused to play the game. Through her tears and the pathetic display of her suffering body, she aimed not to confirm her own guilt but rather to disrupt the charges against her, antagonizing the very legal system into which her body was supposed to fit. She would later employ the same strategy at her execution, presenting herself there not as a repentant enemy of the state but rather as a suffering martyr for her faith.

Finally, in weeping, Mary drew upon an obviously gendered form of expression. While in her day tears were less likely to be considered the sole provenance of women than they are now, "womanly weeping" remained a very particular phenomenon; many onlookers would have remembered, for example, that at Christ's crucifixion it was women who wept (Luke 2:28). Just so, Mary's frequent tears and displays of emotion encouraged her accusers to see her as a woman, and especially as a woman in distress. The white veil of mourning that she wore was also bound to attract sympathy, helping the Queen of Scots to exploit a specifically feminine aura of vulnerability.⁴⁰ We've already seen that she also aligned herself with the biblical heroine Esther, famed for her feminine mildness.

Mary Stuart's inventive defense was not enough to change the scheduled outcome of her trial. But both her surprising eloquence and her tactics of disruptive resistance allow the trial record as we have it to provoke multiple interpretations, responses, and feelings. By shifting the platform of her own authority and by challenging the one that her accusers had built for the occasion, Mary paved the way to future, strikingly

⁴⁰The veil, or one reputed to be it, is now on display at London's Victoria and Albert Museum.

ambivalent, imaginative treatments of the trial like the one that we find in the court poet Edmund Spenser's allegory, *The Faerie Queene* (1590–96).

Of course, Mary's defense only made a symbolic difference. It did not alter the legal outcome of her trial. The only question that really remained was that of how the Queen of Scots's guilt would be used and interpreted. And as it happened, immediate judgment was delayed—not because of anything the defendant was able to say or do, but rather because Elizabeth called the commissioners back to London before they could announce their verdict. In any case, it was Elizabeth who had finally to decide what Mary's punishment should be. That meant, ironically enough, that it was the very queen supposedly in danger who kept it possible that anything at all might have happened next.

"Answers Answerless": Elizabeth's Struggles with Parliament

An enormous and vociferous proportion of the members of Elizabeth's Parliament had long wanted Mary Stuart dead. After her trial, their voices were joined by those of other, less illustrious English subjects, many of whom published impassioned arguments for the "Necessity of the Sentence of Death." The author of one such treatise typically held that, had she not been caught, the Queen of Scots would have "spared no device or unmerciful feat to have accomplished her will, in revenge of her imprisonment." To his mind, Mary desired nothing less than the "persecution of the Protestants" and the "transformation of the laws, rights and usages of the realm to the appetite of strangers."⁴¹ Such accusations suggest that expelling Mary was less about protecting Elizabeth (the premise of the Act of Association) than it was about purifying "the realm" of England from the contamination of "strangers," especially non-Protestant ones. Those in favor of Mary's expulsion were tormented by the thought of the French or even Spanish Catholic government she might bring in were she ever to take Elizabeth's place; they dreaded domination by "partial and evil affected Aliens."⁴²

It was, however, for Elizabeth, not them, to decide what ought to be done about Mary. It was Elizabeth who could pardon her, and if a sentence of death were to be issued, it was Elizabeth who would have to issue it. Hence petition after petition made its way to the Tudor queen, each presenting the Queen of Scots as the root of all evil, author of the many

⁴¹"Necessity of the Sentence of Death" (1586), CSP, Scot., IX:384.

⁴²*A Defence of the Execution of Mary Queen of Scots* (1586), F3r.

rifts and schisms dividing a country that, they implied, would otherwise have enjoyed a happy unity. At the same time, the heated rhetoric that called for Mary's head also raised one of the most troublesome ghosts of her reign—the ever-shaky status of female monarchy. One analysis of Mary's "horrible and unnatural attempts and actions," for example, maintained that though the two queens were "of like sex and quality," Elizabeth owed Mary no womanly pity, for "what compassion is to be had of her who has transgressed the bounds of that modesty and meekness that her sex and quality prescribes?"⁴³

On the surface, charging Mary with a crime against virtuous womanhood was meant to absolve Elizabeth herself of the necessity of behaving compassionately, as otherwise a woman should: If Mary had "transgressed the bounds" of prescribed feminine "modesty and meekness," then Elizabeth would be justified in doing the same, and seeking her blood. But such formulations were dangerous, for they invariably recalled the fact that the two queens were "of like sex and quality" and that aspersions cast upon Mary were all too likely to reflect upon Elizabeth as well.

No matter how Elizabeth responded to Mary's trial, she would thus be drawing attention to the deepest uncertainties of her reign. Indeed, the very fact that Mary was on trial for treason would have brought to mind Knox's assertion in his *First Blast of the Trumpet* that the woman who "reigneth above man" did so only through "treason and conspiracy committed against God." If female rule was itself treason, then Elizabeth, in putting Mary to death for treason, might be in some way condemning herself as well. At the very least, she ran the risk of appearing as much a criminal against female virtue as Mary herself had seemed. Yet in letting Mary live, Elizabeth would be subordinating her most powerful subjects' wills to her own—an act of doubtful integrity on the part of either a lovable monarch or a virtuous woman.

The dilemma that confronted the Tudor queen as her Parliament pressed her to put an end to Mary's life cannot be underestimated. Elizabeth knew that to sentence Mary to death would be to blot her own name, as both a monarch and a woman. And she knew that it would also be to bring down the wrath of Valois and Hapsburg Europe alike, as well as to alienate Elizabeth's own Catholic subjects. Understandably the English queen's response to the Mary Stuart problem was thus to temporize. Nor is it surprising that her desire to postpone a decision should have pitted an ambivalent Elizabeth against a male Parliament's single-minded quest for her rival's death. Elizabeth's words on the subject therefore

⁴³"The Policy and Justice of the Proposed Execution of Mary" (1586), CSP, Scot., IX:251.

Blot her name to put Mary to death.

chart a kind of verbal isthmus between Parliament's unequivocal clamorings and Mary's own relatively straightforward strategies of defense.

To appreciate Elizabeth's struggle with Parliament in the last months of Mary Stuart's life, we need to consider what her relationship to that body had been like before. We saw that in the reign of Henry VIII, the crown had grown increasingly dependent on Parliament, especially for tax revenues. Although Elizabeth inherited this dependence, and also had to call on Parliament to settle numerous matters of legislation and policy, she had always, by and large, held her own, and seen her will done as a result. When there was disagreement with the queen, Parliament's two houses were seldom sufficiently unified to oppose her, and in any case Elizabeth's superior power, as monarch, was generally respected. It is true that the first decades of Elizabeth's reign had seen conflicts over such issues as religion and the Tudor queen's possible marriage, and that Elizabeth was much more conservative than Parliament as a whole, almost always less inclined to take rapid action in both foreign and domestic affairs. Potential crises were usually resolved to Elizabeth's satisfaction because she was extraordinarily agile politically, and made sure to involve herself in parliamentary sessions, appearing always at their opening and closing, and often cleverly playing the members of both houses against one another.

Against the background of this tradition, the Mary Queen of Scots affair stands out sharply. A unified Parliament was thirsty for Mary's blood, a suddenly isolated Elizabeth reluctant to shed it. The queen thus kept uncharacteristically aloof from the parliamentary sessions that took place in the wake of Mary's trial, and when she did address Parliament, she did so in the form of two long and painstakingly crafted speeches (Document 7). Both speeches responded to official calls for Mary's death — calls that aimed to paint Elizabeth into a political corner, leaving her no choice but to have Mary's head.

On October 25, nine days after the conclusion of Mary's trial, the consiliar court, known as the Star Chamber and consisting of Elizabeth's Privy Council and certain judges, had met at Westminster, and declared definitively that Mary Stuart had "compassed and imagined within this realm of England, divers matters tending to the hurt, death, and destruction" of Elizabeth. After this preliminary judgment had been passed, Parliament erupted into several days of impassioned speechifying against the scarlet "Jezebel," Mary Queen of Scots. Mary was denounced as "the daughter of sedition, the mother of rebellion, the nurse of impiety, the handmaid of iniquity, the sister of unshamefastness."⁴⁴ Again and again,

⁴⁴Job Throckmorton, in Neale, *Parliaments*, II:11.

the Queen of Scots's sex colored all of the crimes of which she stood accused, be they sedition, rebellion, or even simple shamelessness. Bitter misogyny both magnified English hatred of Mary and provided an inflammatory vocabulary for widespread fear and loathing of Catholic and Continental domination.

Before long, both houses of Parliament addressed a joint "supplication" to Elizabeth, holding up to her the "most dangerous and execrable practices" of the Queen of Scots. That queen, it was declared, had designed first "to ruin and overthrow the happy State and Commonwealth of this most noble realm" and then "to bereave us of the sincere and true Religion of Almighty God, bringing us and this noble crown back again into the thraldom of the Romish tyranny." Parliament praised Elizabeth for having shown extraordinary clemency to Mary in the past. But, they warned, an "insolent boldness is grown in the heart of the same queen": "If the said lady should now escape the due and deserved punishment of Death, for these her most execrable Treasons and Offences, your highness's royal person shall be exposed unto many more." They thus urged Elizabeth "to take speedy order" and seek "the just and speedy execution of the said Queen." Not to do so would "procure the heavy displeasure and punishment of Almighty God." At the very least, "the effect and true meaning" of the recent Act of Association demanded Mary's death.⁴⁵

As Parliament created an atmosphere of haste and urgency and invoked the wrath of God in tandem with the earthly directives of the Act of Association, its members seemed to have sought dominion over their queen. But the matter is more complicated. As one historian has demonstrated, Elizabeth herself evidently asked the authors of the petition to insert their seemingly coercive reference to the Act of Association because it relieved her of some of the burden of decision.⁴⁶ Most recent analysts of Elizabeth's speeches even surmise that she would have been happiest had her Parliament taken Mary's punishment into their own hands. We might in any event say that the Mary Stuart problem struck at Elizabeth's queenly authority in a complicated way — not just by subjecting the queen's will to that of Parliament but, more subtly, by forcing her to *want* to divest herself of a royal prerogative that she, not unlike Mary, held dear.

Elizabeth's first speech to Parliament was thus designed to stall for time. When she finally delivered it, it turned out to be a masterpiece of sinuous equivocation, one that could not have differed more dramatically from Mary's fundamentally unwavering (if tearful) defense at her trial.

⁴⁵Parliament's first petition to Elizabeth is reproduced in Steuart, *Trial*, 62–64.

⁴⁶Neale, *Parliaments*, II:115.

→ Subtle to divert herself of royal prerogative

Both queens confronted a unified group of male subjects who demanded a single and definite resolution to a longstanding complexity. Unlike Mary's defiant insistence on her own unassailable majesty, however, Elizabeth's first speech to Parliament began with expressions of deepest humility. At first, this humility was directed to a God who had so often and so "miraculously preserved" Elizabeth from harm. But gradually it was transformed into gratitude to the "good will" of her own subjects. The sorrowful, oddly intimate language of self-reflection that permeated her speech likewise submitted Elizabeth's very heart to her listeners, meekly acknowledging her dependence on them.

Like Mary's, Elizabeth's words functioned partly as a defense: The Tudor queen defended herself from the need to make a decision about Mary, but she also defended the law whereby Mary herself was tried. This double allegiance—to another queen and to her people—structures Elizabeth's speech. And indeed she proved nimble at playing both of her own affiliations against one another, evidently to buy more time for herself. Elizabeth herself declared that she and Mary were "not different in sex, of like estate"—such "near kin" that, had the two queens been "but as milk-maids, with pails upon our arms," Elizabeth could never have been induced to harm her cousin.

Of course, Elizabeth realized that she and Mary were very far from milkmaids, but this too becomes a point of kinship. Elizabeth emphasized that the Queen of Scots was not tried by jury precisely because she was a queen—"a proper course forsooth if trial against a Princess!" Indeed, even more than royal blood, Elizabeth and Mary seemed to share the vulnerability of kings, and it is this vulnerability, not royal power, that Elizabeth attempted to use as well as acknowledge, noting that "we princes are set as it were upon stages, in the sight and view of all the world. The least spot is soon spied in our garments, a blemish quickly noted in our doings" (Document 7).

Even as it expresses sympathy with Mary, however, Elizabeth's first parliamentary speech stresses her allegiance to her own subjects, beginning with her dependence on their "good will" and drawing to a close by invoking the Act of Association, "which as I do acknowledge as a strong argument of your true hearts, and great zeal to my safety, so shall my bond be stronger tied to a greater care for all your good." The bond with her people that was sealed by the Act of Association is pitted against her blood bond with the Queen of Scots; identification with another woman (and cousin) competes with gratitude to a relatively abstract corporation of male subjects. In her speech, Elizabeth refused to choose between these bonds. And as long as she held on to both of them, she

could avoid "present resolution." Her first address to Parliament thus ends with the inconclusive promise "to deliberate long upon that which is once to be resolved."

We should beware of seeing Elizabeth's circular, slippery, indefinite speech as simply the utterance of her true feelings, a guileless expression of her psychological conflict as she debated killing someone she saw as more like herself than otherwise. It was also a rhetorical form, designed if not to persuade its audience, then at least to buy time from it. And it succeeded in part because Elizabeth was willing to play a stereotypical female role before her audience, appearing to submit to them as a woman should.

Elizabeth's first speech to Parliament may also be seen as a dramatization of England's own struggle to determine what was like and unlike itself. Parliament demanded that that struggle be resolved. It responded immediately to Elizabeth, in a strident and unyielding voice that contrasts dramatically with the queen's evasive words. Voiced by the speaker of the House of Commons, Sir John Puckering (or Pkeryng), Parliament's second plea for Elizabeth to put her "impatient Competitor" out of her misery was based on the idea that "the welfare and the hurt of the prince belongeth to all." If the sovereign fundamentally "belongeth" to her subjects, Puckering maintained, then this belonging takes precedence over any loyalty she might have to another ruler. "To spare her is to spill us," Puckering insisted, whereas Mary "is only a cousin to you in a remote degree."

Puckering's reasoning proceeded logically, even moving from numbered point to numbered point as he warned that Elizabeth could never be safe while Mary lived, nor could "religion" be, let alone England's "present state" of peace and unity. Despite its rational structure, however, the real force of Puckering's speech lay in its thinly veiled threat to Elizabeth, for he warned that in the end she would "deservedly provoke the heavy hand and wrath of God" should she fail to strike Mary down. The threat returned when Puckering hinted that the Act of Association licensed Elizabeth's subjects to take Mary's life "without direction," and that Elizabeth herself was bound by that same law: "To let Mary live would be to defy it."

At the same time, Puckering carefully tailored his petition to Elizabeth's sex, all the while invoking Mary's, for his favorite metaphor was one that cast the people of England as Elizabeth's children. Here again the question of how closely Elizabeth was actually related to Mary—and what she therefore owed her—came into play, for Puckering held that while Mary was only a remote cousin, "we be the sons and children of

this land, whereof you be not only the natural mother, but also the wedded spouse." This being so, "it would exceedingly grieve and wound the hearts of your loving subjects" to allow Mary to live.⁴⁷

In his rejoinder to Elizabeth's first speech, Puckering in effect asserted two bonds between the people of England and their female ruler, both meant less to empower Elizabeth than to manipulate her. One was the bond of romantic love, in which to spare Mary would be to "wound" England's heart. The other, more potent, bond was a maternal one, which any mercy for Mary would sever: "If she prevail, she will rather make us slaves, than take us for her children; and therefore the realm sigheth and groaneth under fear of such a step-mother." Just as Mary the traitor was supposed to have violated the boundaries of proper femininity, so did Mary, England's potential queen, desecrate another appropriate female role—one that Elizabeth embodied, for "with more than motherly piety you have always cherished us the children of the land." In turn, by allowing Mary to live, Elizabeth would become a bad mother to her children-people.

Powerful as these arguments and images might be, however, the most thunderous resonance of Puckering's speech came from its invocation of the Protestant state. That state, Puckering held, would end as Mary's Catholic state began, for she had been "poisoned with popery from her tender youth" and was "so devoted and doted" to "popery" that she could only be expected to "supplant the gospel where and whensoever she may." Puckering enjoined Elizabeth to follow the biblical precedent in which "those mischievous and wicked queens, Jezebel and Athalia" were direly punished, and in his speech the diverse languages of love, nature, and faith all converged to create the impression of "one voice and mind making humble and instant suit" that Mary Queen of Scots must die . . . and Elizabeth Queen of England yield to the will of her people. That the two queens thus appear to share the same situation gave eerie force to the inversions that filled Puckering's speech and bound the two women together in other ways: "As her life threatened your death, so her death may, by God's favour, prolong your life," Puckering prophesied. "Mercy in this case will in the end prove cruelty against all."⁴⁸

Clearly Elizabeth must respond. But how? Though much briefer than her earlier speech, the queen's second address to Parliament was even more contorted and elusive than the first had been. Indeed, William

⁴⁷Puckering's metaphor was not uncommon. An anonymous pamphlet of the day accused Mary of inciting Elizabeth's subjects to "gnaw the womb of our common mother." See *A Defence of the Execution of Mary Queen of Scots* (1586), 40.

⁴⁸Puckering's speech is reproduced in Steuart, *Trial*, 67–71.

Warner, author of the Elizabethan chronicle *Albions England*, compared the queen's address to "King Gordian's Knot," for the speech was so grammatically intricate, its logic so densely interwoven, and its syntax so convoluted, that its audience was hard-put to penetrate its true meaning. Was Elizabeth indirectly asking—as to many she seemed to be—that "some other means" than public execution be used "to work my safety"? Or was this what she herself pronounced it at the end, a helpless "answerless" to the question of whether Mary Stuart should be sentenced to death?

The individual reader must make up his or her own mind as to what Elizabeth meant by her "answer-answerless." Nonetheless, it is possible to consider some of the rhetorical strands of Elizabeth's oration. First, and most noticeably, there is simply its style. Elizabeth's sentences are all clogged with qualifying phrases and subordinate clauses piled one on top of the other. The speech boasts many of the *topoi*, or commonplaces, of classical rhetoric—examples of past rulers confronted with agonizing decisions, allusions to the difficulty of speaking, a list of self-congratulations that the speaker pretends *not* to give. But none of these *topoi* is pursued for very long, and instead of supplying the speech with a venerable and confident infrastructure, they only thicken its patina of indecision.

The speech is also fraught with Elizabeth's consciousness of her own womanhood. She plays with the image of her Parliament as "suitors" and of herself as someone driven by "greedy desire." The erotic language that runs through the speech keeps the sex of the speaker in the foreground, and Elizabeth had always been famous for her ability to employ this technique with playful agility. But in this case, Elizabeth's efforts to eroticize her relationship to her male listeners falls flat, and is indeed often buried under the more burdensome aspects of respectable femininity, especially a woman's dependence for authority upon her own good name. Thus Elizabeth wonders "what is it which they not write now, when they shall hear that I have given consent, that the executioner's hands shall be imbued with the blood of my nearest kinswoman?"

As if to resolve a dilemma compounded by her own sex, Elizabeth takes a tack reminiscent of the one Mary used when she invoked the heroines of the Old Testament, Esther and Judith. But instead of women of scripture, the English queen aligns herself with the ancient Greek leader Alcibiades, also lacing her speech with structural allusions to the wise king Solomon. In essence, her speech takes flight from the imagery of queenship altogether: only men can hope for the aura of invulnerability that Elizabeth seeks.

Accordingly, Elizabeth's speech foregrounds mental (typically male), not emotional (typically female), activity: The inward processes of "judgment" and "knowledge" become its theme. Elizabeth even lapses into a long and seemingly unmotivated account of her life, beginning with the days "when first I took the sceptre" and emphasizing both the "perils" of that time and her own habits of lengthy and rational deliberation. The point of this self-reflective digression may be similar to the point of Mary's efforts to establish her foreignness and inalienable majesty: Each queen fought to define who and what she was.

But the most conspicuous feature of Elizabeth's speech is its failure to resolve the situation at hand. The address to Parliament begins and ends with the same sort of paradox: First the queen places herself between two incompatible linguistic possibilities — "whether I should speak or use silence." Similarly, she ends by classifying what she has spoken as an "answer-answerless." While this inconclusiveness might be seen as a deferral strategy, we could also understand it as a function of Elizabeth's queenly predicament — the fact that no legal or official vocabulary existed to communicate the difficult situation at hand.

Elizabeth's two speeches were not only intended for the ears of Parliament; they were also meant for the eyes of her people, and she diligently polished them before Francis Walsingham had them printed, both in the vernacular and in Latin translation. Walsingham also published Parliament's petitions for the sentence of death to be passed against Mary, thereby creating the politically useful image of a queen under pressure from her subjects. Elizabeth herself participated in the creation of that image, whose purpose was, in the end, to absolve her of full guilt in Mary's death. On the surface, that is, the queen's exchanges with Parliament look like evidence of her submission to her own subjects. But this surface impression may well have been one that Elizabeth wished to exploit, a means whereby she actually attempted to protect her own authority, especially to the extent that that authority required that she be judged a just queen and a woman of flawless repute.

At first glance, Elizabeth's speeches seem only to contrast dramatically with Mary's defense at her trial, the most striking difference lying in the way that the two queens presented themselves to their audiences. Mary, we recall, insisted unequivocally upon her own "regal majesty," and from its height eschewed all deference to English law. Elizabeth, by contrast, fully acknowledged that she was trapped, declaring that "by this last Act of Parliament you have brought me to a narrow streight, that I must give order for her death, which is a princess most nearly allied unto me in blood." Yet both queens were ultimately vulnerable to the

will of Parliament. Elizabeth had a history of managing to see her own will done, the far less strategic Mary a history of succumbing to the will of others. Elizabeth's speeches reveal that in this instance her own will could not be done, partly because it could not be known entirely even to herself.

There were in any event numerous pragmatic reasons for Elizabeth to delay decision as long as possible. Besides not wanting to have Mary's blood on her hands, Elizabeth feared Scottish and French retaliation. At least equally important, Mary's life had become a guarantee that Philip of Spain would not attempt to invade England. Yet popular anxiety was building. War with Spain had broken out in 1585, fueling popular hysteria about a possible Hapsburg invasion, regardless of the Queen of Scots's fate. That wild fear combined with poor economic conditions and rising prices to create an atmosphere of extreme domestic disquiet, one Mary Stuart's presence only seemed to exacerbate. Thus in early December, Elizabeth apparently made up her mind, and on December 4 she proclaimed the sentence of Mary's death. Almost at once ambassadors from Scotland and France began to arrive in order to bargain for the Queen of Scots's life.

Mary's own reaction to the sentence of death was somewhat different. She expressed it in her last letter to Elizabeth (Document 4). Signed "your sister and cousin wrongfully imprisoned, Marie, Queen," the letter does not protest against its author's fate. Rather, Mary presents herself as a martyr to the Catholic faith and requests burial in France alongside her mother, Marie de Guise. Her most poignant plea, however, is for Elizabeth "not to permit that my execution take place without your knowledge; not for fear of the torment, which I am very ready to suffer, but for the rumours that would be spread about my death, without witnesses."

What sort of "rumours" might possibly be spread about Mary's death? Mary's concern about them reprises a leitmotiv in the story of her trial and its aftermath. We have seen how much this historical episode revolved around matters of fiction and representation: Mary's enemies — Elizabeth's ministers — had built a trap for her, probably tampered with the evidence against her, and manipulated the Queen of Scots by preying upon her fears that her reputation would be ruined if she refused to appear in a carefully contrived court authorized by a recently invented law. Elizabeth's second speech to Parliament in particular had betrayed her painful consciousness that it was crucial, if almost impossible, to control the way that she was seen by others. She noted the "many defamatory Books and Pamphlets against me, accusing me to be a tyrant" and dreaded what would be said against her when it "shall be spread" that

"a maiden queen" had "spilled the blood even of her own kinswoman." Mary's fear of "rumour" was thus well-founded. And her English enemies shared her desire to control the way in which the end of her life was to be interpreted, fearful lest the Queen of Scots be construed as something far more heroic than a dire and scandalous enemy to the English state.

In the end, Mary's execution, on February 8, 1587, turned out to justify fears that its meaning could not be regulated. But it is only by turning, at last, to contemporary treatments of the execution itself that we can see how fully those fears were justified: The social, political, psychological, and moral dilemmas that the treason trial had laid open were by no means resolved by Mary's death, but in fact lived on through it.

"In My End Is My Beginning": The Death of Mary Stuart

Although Elizabeth proclaimed the sentence of death in early December, Mary's execution itself was delayed. December and January went by, bringing, in Walsingham's words, "false bruits . . . that the Queen of Scots was broken out of prison, that the city of London was fired; that many thousand Spaniards were landed in Wales."⁴⁹ In the frantic atmosphere that these rumors created, Elizabeth at last signed Mary's death warrant, consulting anxiously with her ministers over its wording. During this time, Elizabeth's Secretary of State Francis Walsingham — Mary's most formidable and persistent enemy heretofore — fell ill and was replaced by one William Davison. Many suspected Walsingham's sickness was a political ploy, devised at the last minute to avoid direct responsibility for Mary's death. In any case, it was under Davison's direction that the warrant, accompanied by formal letters from the Tudor queen's council, was sent to Fotheringay Castle.

Once Elizabeth learned that the death warrant had been dispatched, she was furious, declaring that Davison had acted without consulting her. As if to shift the burden of responsibility, Elizabeth even slyly reported a dream in which Mary's death had driven her to rage. But the queen could rant and rave all she liked: The warrant was already on its way to Fotheringay, and there it was immediately put into effect by Sir Amyas Paulet, Mary's grim and rigorous Puritan keeper. Under Paulet's direction, a scaffold was erected in the great hall of Fotheringay. With the sound of the hammer ringing in her ears, Mary set about making

⁴⁹Conyers Read, *Mr. Secretary Walsingham and the Policy of Queen Elizabeth* (Oxford: Oxford University Press, 1925), III:60–62.

her own final arrangements: She was determined to turn her execution into a stage for her vindication as a martyr to the Roman Catholic Church, and thus as the foundation of her symbolic victory over Elizabeth of England. Certainly, the situation was tailor-made to inspire sympathy for the Queen of Scots. She arrived at her own beheading splendidly dressed, serenely enjoining her devoted women in waiting not to weep, forgiving her executioners, murmuring psalms in Latin, and commanding the scene to the end.

But what *was* the end of the scene? Throughout Mary's captivity, a cryptic motto embroidered in cloth had hung above her chair of state: "En ma fin est mon commencement" ("in my end is my beginning"). These words proved prescient, for in an important sense the end of Mary's mortal life marked the beginning of a tide of controversial writings and new images of the queen that would flow for centuries. The vast difference between two contemporary accounts of the execution — one by an eye-witness, Robert Wyngfield, and one by a Scottish Catholic living in France, Adam Blackwood — dramatizes the extent to which an event intended to achieve resolution merely perpetuated conflict and controversy.

The Protestant Wyngfield's *Circumstantial Account of the Execution of Mary, Queen of Scots* (Document 8) tells us much about how Mary's enemies saw her in the end. As she approached the scaffold, Wyngfield reports, the queen was

of stature tall, of body corpulent, round-shouldered, her face fat and broad, double-chinned, and hazel-eyed, with borrowed hair. . . . Her attire was this: On her head she had a dressing of lawn, edged with bone lace, a pomander chain and an *Agnus Dei* about her neck, a crucifix in her hand, a pair of beads in her girdle, with a golden cross at the end of them, a veil of lawn fastened to her caul, bowed out with wire, and edged round about with bone-lace . . . her sleeves to the ground, with acorn buttons of jet, trimmed with pearl, . . . her girdle whole, of figured black satin, and her petticoat skirts of crimson velvet.

Wyngfield treated his Elizabethan readers to an even gaudier inventory of Mary's girdle and petticoat, her "shoes of Spanish leather," her green silk garters, and silver-clocked hose. Then, by his report, Mary began to divest herself of her rosary and crucifix, handing them to her distraught female attendants. "She made herself unready with a kind of gladness," Wyngfield conceded, and throughout her disrobing "never altered her countenance" but instead, "smiling, said, to the executioners, she never had such grooms before to make her unready, nor ever put off her clothes before such company." This flirtatious Mary then crossed herself, kneeled,

and without any token of the fear of death, said [a psalm in Latin] ... Then, groping for the block, she laid down her head, putting her chain over her back with both her hands Then she laid herself upon the block most quietly, and stretching out her arms and legs cried out ["In your hands, God, I commend my spirit"], three or four times. At last whilst one of the executioners held her straightly with one of his hands, the other gave two strokes with an axe before he did cut off her head, and yet left a little gristle behind.

Colorful, grotesque, yet tinged with erotic nuance, Wyngfield's account converts Mary into a carnival attraction. The brilliant costume, the repeated smiles, the jokes, wig, and "corpulent," inflated, and ungainly body all suggest a clown more than a woman. Such details conspire to strip the Queen of Scots of all suggestion that she might be a Catholic martyr. In this light, the most vivid detail of Wyngfield's account comes when the executioner holds her head aloft. For at that moment, Wyngfield testifies, the queen's artfully woven hairpiece slipped aside to reveal that the youthful, almost vibrant beauty who had spoken her last words only moments before was in reality a gray and ailing woman, no longer recognizable, "her face much altered" and her lips grotesquely stirring "up and down almost a quarter of an hour after her head was cut off."

Such macabre (and often apocryphal) details remind us that Wyngfield wrote from the perspective of one who wanted Mary Stuart dead. Although it is surprisingly objective, and even touching in many ways, his description of the execution also aims to erase the queen from the scene of her death, seizing control of the image she had fought to design and regulate. Later the same year, however, a very different version of the execution, excerpted in Document 9, was published in Paris. Eventually translated into English as *The History of Mary Queen of Scots*, Adam Blackwood's *Martyre de la royne d'Escoce* cast the Queen of Scots as a martyr to English Protestant barbarity in general and to her "cruel cousin Elizabeth" in particular. It is to some extent the literary equivalent of the portrait of Mary as a Catholic heroine (Figure 7) that was made shortly after her death. Coming, logically, at the end of a hagiographic treatment of Mary's life, Blackwood's account presents Mary's bodily decrepitude as the result of her harsh confinement. It also magnifies her "true piety." On the way to the scaffold, for instance, the queen points out that the cross she carries corresponds to her heartfelt reflection on Christ's death—a death that hers is clearly meant to imitate.

Whereas Wyngfield inflates many details of Mary's physical appearance until she resembles nothing so much as a garish *grande dame*, Blackwood invokes a moral and spiritual framework to give the execution a specific meaning within the martyrological tradition. Wyngfield's

grimly factual language contrasts with Blackwood's insertion of damning adjectives and vivid figures of speech, apparent, for example, when he describes the "shameless executioner" and speaks of "the butcher's hands." And where Wyngfield ruthlessly itemizes Mary's own body, Blackwood contextualizes her execution within the responses of her sympathetic audience. He marks the "watery eyes and sorrowful hearts" of her women in waiting and declares that even "her hardest-hearted enemies were greatly moved": "There was only two or three persons that could withhold weeping."

In turn, for Blackwood, the actions of the executioner amount to the brutal ravishment of a defenseless woman: Mary's gown is "stripped down to the middle" and she is "snatched . . . rudely by the arms," stripped of her doublet and bodice, "so that her neck being all naked appeared to the spectators more white than snow or alabaster." Unlike Wyngfield, Blackwood allows Mary herself to speak at great length, showering blessings and prayers all around while the Dean of Peterborough does all he can "to interrupt her." Interested in arousing Catholic sympathies, Blackwood is eager to exaggerate Mary's sufferings: So the two strokes that fell in Wyngfield's account turn into three, "to make her martyrdom the more noble," Blackwood insists, and perhaps also to recall the Holy Trinity. Afterward, the telltale "coil" that slipped of its own volition in Wyngfield's version of events is roughly "pulled off her" by an executioner filled with "derision and contempt," so that instead of denying Mary grace and authority, the spectacle only signifies those qualities together with the magnitude of her recent suffering.

These two competing accounts of the death of Mary Queen of Scots provide a good place for our consideration to end. Beginning with her treason trial and ending with her execution, the last four months of Mary's life bared a profound schism in English social and political life. In sentencing the Queen of Scots to death, Elizabeth confirmed the Protestant course upon which her country was set. For centuries, anti-Catholicism would run rampant in Britain, with persecutions of Catholics on the books until the Catholic Emancipation Act of 1829; in 1688, an English king, James II, would be deposed as much for his Catholic faith as for his infamously autocratic leanings.

The second effect of the trial and execution of Mary Stuart was ironic: With the dangerously Catholic Queen of Scots out of the way, a childless Elizabeth's throne could pass to Mary's own Protestant son, James VI of Scotland.⁵⁰ And so it did, upon the Tudor queen's death in 1603. In a way,

⁵⁰This ironic line of succession was made possible by the Queen's Safety Act of 1585.

Mary had died in vain. Her family was to inherit the English throne in any case, and the crowns of Scotland and England were thus to be joined after all. In 1707, the Act of Union would certify those countries' economic and political consolidation into the single entity of Great Britain.

Meanwhile, though, the house of Stuart itself was to have a tumultuous and ultimately tragic career upon the English throne: Mary's grandson, Charles I, would lose his own head, James II would be driven from the throne, and in 1714 the direct line of Stuarts — some of whom, like Mary, inclined dangerously to decadent French sensibilities and the Catholic faith — would be replaced by the soberly Protestant and German house of Hanover. We might thus say that Mary's many trials — culminating in her legal one — provided a paradigmatic instance of Stuart unpopularity in England.

Third, Mary's treason trial and subsequent beheading foreshadows the weakening and at last the dismantling of absolute sovereignty in England and Scotland. As they replaced loyalty to a monarch with loyalty to religious creed and conscience, the wars of religion on the European continent had already gravely undermined sovereign power in Europe. Mary's own complicity with Roman Catholic plots against Elizabeth had underscored that weakness, much as her own death had, in a different way, suggested that the days of powerful monarchy might be numbered. In any case, we have seen that Mary's own fate at the hands first of her own subjects in Scotland and then of ambitious Englishmen illustrated the vulnerability of monarchs. Elizabeth, too, ultimately had to yield to the wishes of her Parliament, contrary as they were to at least some of her own impulses and intuitions, and she was well aware that in striking Mary down she was destroying an anointed queen.

Just so, while religious and political turmoil of the sort that had caught both Mary and Elizabeth in its maelstrom was to galvanize absolutism in France, in England the coming Civil Wars of the seventeenth century would result in England's rejection (and later its modification) of the very institution of monarchy. Mary's trial and death seems to have anticipated as much. After her burial at Peterborough Cathedral in August of 1587, an epitaph was erected near her tomb, then swiftly removed for its dangerous political insinuations. For it predicted that "the same wicked sentence" that "doomed [Mary] to a natural Death" guaranteed that "all surviving kings, being made as common people, are subjected to a civil Death."⁵¹

⁵¹The epitaph is reproduced in full in William Camden, *Annals, or the History of the Most Renowned and Victorious Princess Elizabeth, Late Queene of England*, trans. R. N. (London, 1635), 385. This is the third edition of Camden's book, first published in Latin, in 1615, as *Annales rerum Anglicarum et hibernicarum regnane Elizabetha*.

But the fourth and final legacy of Mary's trial pertains to queens, not "kings." We saw that, had either Mary or Elizabeth been male, a very different drama would have unfolded between the two of them, quite possibly a comedy ending in marriage rather than a tragedy ending in betrayal and death. We also saw how many of Mary's problems could be traced to the fact that she was a particular kind of woman, one extraordinarily vulnerable to ambitious, clever, and unscrupulous men — both Scottish and English — at a precarious historical moment. Elizabeth's need to guard her reputation as a woman likewise colored her relationship to another female ruler whose death only appeared to guarantee Elizabeth's own life. As they themselves seem to have realized, Elizabeth and Mary represented not only two myths of femininity, but also the sad fact that a complex range of subtle and original possibilities for female identity had to be sacrificed to make room for those myths.

Most, if not all, historians would agree that Mary bore the brunt of this sacrifice, paying for her generation's narrow paradigms of female power with her life. But Elizabeth also paid, and never more fully than in the Mary Stuart affair. Thanks to that affair, her own reputation as a just and honorable queen would be forever mixed. It is only fitting, then, that in 1612 Mary Stuart's body was removed from its first resting place in Peterborough, and at the behest of her son, James, reinterred in London's Westminster Abbey, where Elizabeth herself already lay buried. Today, Mary's tomb stands only a few yards from Elizabeth's own. The two queens who never met in life are joined forever in death.

A NOTE ABOUT THE TEXT

Written English in the time of Elizabeth I and Mary Queen of Scots differs, sometimes dramatically, from written English of the present day. In the interest of clarity and accessibility to the modern reader, the spelling and punctuation of several contemporary documents have been modernized into the style of modern British English. The texts of George Buchanan's *Ane Detection of the Doings of Mary Queen of Scots*, John Leslie's *Defence of the Honour of . . . Marie*, and Adam Blackwood's *History of Mary Queen of Scots* have all been altered accordingly, albeit at no expense to the sense and syntax of the original.