Pretenders to Birthright, Heirs to Virtue: The Legitimacy of the Tudors and Shakespeare's Characters

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Pretenders to Birthright, Heirs to Virtue:

The Legitimacy of the Tudors and Shakespeare's Characters

While William Shakespeare himself lived and wrote in an era of peace and prosperity, the early and middle decades of the sixteenth century could not have been more different, with the government in turmoil as the monarchs of the Tudor dynasty struggled for a stable rule and succession thereafter. What made all of the Tudors, including Shakespeare's patron Queen Elizabeth I, so vulnerable was the need to rule and reproduce within the standard of legitimacy. Shakespeare as well as his audience recognized this vulnerability and, oddly enough, the issue of legitimacy crops up in certain of his plays, notably *King Lear*, *Richard III*, and *King John*. Just as Elizabeth and her sister Mary I who ruled before her had to come to terms with their questionable legitimacy in different ways, Shakespeare presented to his audiences in dramatic form the ways in which legitimacy or the lack thereof was confronted and dealt with and why certain efforts succeeded and failed. Shakespeare recreates the legitimacy battles of the Tudor dynasty in his plays to demonstrate that it is not bastardy that corrupts a person's character but overturning the natural order of birthright and family ties, and that legitimacy does not make a person good but virtue and loyalty to one's country does.

In his first soliloquy in *King Lear*, Edmund comments, “fine word;—legitimate!” (I,ii, l. 18). “Legitimate” is indeed a fine word, expressing an interesting concept of what a person is and has a right to do, have, and be. The Oxford English Dictionary lists multiple definitions for the term “legitimate.” The top definition listed reads, “Of a child: Having the status of one lawfully
begotten; entitled to full filial rights (OED Online “Legitimacy” A.1.a). A child is considered legitimate, particularly in Shakespeare's world, if they are conceived and born to two married parents. Legitimacy in Shakespeare's time in regard to manner of birth defines an individual's right to inheritance and, in the case of the monarchy, succession to a royal title. However, legitimate can also be used to mean, “conformable to law or rule, sanctioned or authorized by law or right.” or, “normal, regular; conformable to a recognized standard type” (A. 1. b.). Although in our time as well as in Shakespeare's the idea of illegitimacy has the connotation of being associated with immorality, “in the later Middle Ages... an allegation of bastardy was primarily a weapon in struggles over inheritance,” since inheritance laws favored children born within marriage (Niell 273). The Elizabethan attitude towards legitimacy and illegitimacy has much to do with what an individual inherits from a parent, particularly from father to son. “The whole idea of nobility rests on the assumption that men inherit at least an inclination toward virtue or vice” from their fathers that naturally makes them worthy of a physical inheritance. “If noble birth signifies potential virtue, bastardy as a violation of natural order implies moral degeneration” (Pierce 7-9). Legitimacy is not merely a label associated with birth but a stigma assigned by others in regard to one's legal and moral status, and this is clearly the case in both the Tudor dynasty and certain of Shakespeare's plays.

The history of the Tudor dynasty is a narrative of the long struggle of each member of that ruling family to secure their claim to the English throne by securing their legitimacy. The second Tudor monarch, Henry VIII, is remembered for his six wives. His constant concern for his marital status was, although profoundly affected by his romantic interests, driven by his desire for a legal heir, especially a male heir, to inherit the throne after his death and continue the family line. His first two marriages to Catherine of Aragon and Anne Boylen each produced a healthy daughter, Mary and Elizabeth respectively, but no surviving sons. It was his third wife,
Jane Seymour, who gave him the son he so desired, the future Edward VI. In order to secure the succession for Elizabeth and any of his future sons by Anne Boylen, Henry altered Mary's official legitimacy when he divorced her mother so she could not legally inherit the throne (Hunt 118). When Anne Boylen failed to produce a healthy male heir, she was arrested and executed for “purportedly for having committed adultery with five men,” making it appear that “Elizabeth was not only a bastard but was most likely not even a royal bastard.” An “Act of Succession of July 1536 legally bastardized Elizabeth and Mary, chiefly so that the expected children of Henry and Jane Seymour would have no rival claimants to the monarchy” (120-121). Mary and Elizabeth's legitimacy was not purely a question of their father's actual marriages to their respective mothers but Henry's need to protect the rights of the heir he eventually chose—he could not legitimize one of his children without bastardizing the other two. By the betrayal of his ties to Mary and Elizabeth, Henry VIII divided his family, and the two sisters judged themselves and each other by their superficial labels of legitimacy.

The works of Shakespeare suggest that legitimacy should not be taken at purely face value. In *King Lear*, legitimacy is not merely a matter of political opinion and legal procedure but of how society defines individual worth and character. The play opens with a dialogue between the Earls of Gloucester and Kent as Gloucester introduces his illegitimate son Edmund to Kent. Of Edmund, Gloucester says, “this knave came something saucily into the world before he was sent for, / yet was his mother fair; there was good sport at his making,”(I, i, ll. 21-23).

The term “saucily” describes a child who is “impudent” or “‘cheeky’”; however there is also a connotation for “saucily” applying to someone who is “wanton” or lascivious.” (OED Online “Saucy” 2.a,b.). Gloucester says he enjoyed his brief affair with Edmund's mother, but it was her fault for getting pregnant and that Edmund was an unwelcome surprise. Kent remarks, “I cannot wish the fault undone, the issue of it being so proper.” Michael Niell comments that Kent's
“banter turns on a cruel pun, since to be a 'proper' person in seventeenth-century England (as James Calder wood has pointed out) is 'to be propertied [...]to possess', while Edmund's alienation from what Lear calls 'propinquity and property of blood' (I. i, l. 14) renders him an 'unpossessing bastard' (283). At their meeting Edmund appears to Kent to be as well-mannered as a nobleman. Kent thinks it is a pity that Edmund is illegitimate, as though if Edmund were lawfully-begotten and titled he would be entitled to Kent's complete rather than partial regard. To Kent and Gloucester, Edmund's illegitimacy devalues his worth as a person.

Although he does not say much in the first scene, it becomes clear that Edmund disagrees with this view. He says of himself, “my dimensions are as well compact, / My mind as generous, and my shape as true, / As honest madam's issue” (I, ii, ll. 7-9) He can be just as good a person in character as the other members of the royal court. However, other people refuse to acknowledge that because of his birth. “Why brand they us /With base? with baseness? bastardy? base, base?” (ll. 9-10). To Edgar, legitimacy is only a label. Edgar sees himself as equal to his noble peers, but they can only see the “brand” of his illegitimacy that prevents him from having a formal title and equal legal status. Edmund's “brand” is not literal but cultural. In Shakespeare's world and in the world he creates, the “begetting” of bastards “constitutes an act of polluting mixture which renders the offspring in some sense unnatural or unclean” (Niell 277). Bastards are viewed as unclean because their origins do not conform to the standard of being conceived within marriage but instead being the offspring of two people who are not legally joined. Marriages are sanctioned by the same laws that also govern inheritance and nobility, therefore a child born outside of marriage cannot benefit from those laws. A person who does not enjoy the benefits of being born within the law is seen by those who are as a social unequal because he or she is a material unequal. Edmund's goal, then, is to legitimize himself and then gain the noble label required for his social acceptance. Shakespeare therefore points to the idea that a bastard has no
innate abnormality but the stigma of others assigns him an abnormal relation to society.

On the other hand, a similar violation of the natural order is to reduce something legitimate to being base, and to make a thing that is naturally base legitimate or acceptable. Since this violates the natural, divinely sanctioned order, this raises the need for divine retribution. Thematically as well as historically, an individual cannot legitimize himself or herself without destroying the reputation of others in their family. As was the case with some of the Tudors, Shakespeare characters seeking to overcome their illegitimacy become corrupt as they reject the natural order, and this corruption is rewarded with destruction at the hands of divine justice.

*Richard III* demonstrates a case of figurative illegitimacy through the character of Richard, who becomes a usurping tyrant that slanders the legitimacy of others to get what he wants. In the play, Richard is physically deformed and considers himself “not shaped for sportive tricks” that other people enjoy, “rudely stamped” by his deformity, “And that so lamely and unfashionable / That dogs bark at me as I halt by them,” as if the dogs sensed something unnatural in him (I,i, ll. 13,15, 22-23). Maurice Hunt claims, “Physically twisted, resembling the shape of neither his mother nor his father, Richard feels like a bastard, even though he is by all accounts legitimately born. Self-disgustedly, Richard feels himself to be illegitimately legitimate (or legitimately illegitimate)” (133). To Richard, his physical impairments are a label distinguishing him as a freak of nature that Hunt suggests is similar to the cultural abnormality of the bastard. Like Edmund, Richard's goal is a piece of property and a noble title to ensure his legitimacy in the eyes of others: specifically, a crown, since “coronation, as the sign of free acclamation by the secular and religious authorities of the realm” supposedly “cuts off any competing claims” and proves a monarch's right to rule (Lane 474). Behind all of his other relatives in the succession, his ascendancy is unnatural, and so Richard commits the unnatural deed of the betrayal of kin in order to become king, and he betrays his kin by attacking their
legitimacy: the morally illegitimate Richard turns his legitimate relatives into bastards.

In attacking his relatives' legal eligibility for the throne, Richard not only suggests the legal implications of allowing bastard kin to rule but also implies that his relatives' bastardy makes them inhuman and unworthy. Richard becomes king of England after the death of his brother Edward IV by proclaiming to the people that Edward and his two sons, the eldest of which being Edward's successor, are all illegitimate. Richard tells Buckingham to inform the people of Edward's “hateful luxury / And bestial appetite in change of lust” in spite of his betrothals to other women, therefore disqualifying his two sons as legal heirs (III, v, 80-81; vii, l. 5). At a later assembly, Buckingham dramatically tells Richard, “it is your fault that you resign / The supreme seat, the throne majestical, […] To the corruption of a blemished stock” and he must become king to preserve the legal as well as moral integrity of the throne from the inhuman designs of Edward's bastard heirs (vii, ll.117-118, 122). Once he has the approval of the people, Richard orders the assassination of his nephews who are at that time imprisoned in the Tower of London. He summons an assassin, Tyrrel, and informs him that

two deep enemies,

Foes to my rest and my sweet sleep's disturbers

Are they that I would have thee deal upon:

Tyrrel, I mean those bastards in the Tower (IV, ii,l. 72-75).

Richard may likely be referring to his two nephews as “bastards” to keep in line with his own story. However, in the rest of the line he refers to them indirectly as “two deep enemies” and “Foes to my rest” because he is more concerned about how they threaten his claim to the throne. Richard is so absorbed by the idea of his nephews being bastards that he has dehumanized them and distanced himself from them as a relative: having disavowed all familial ties and obligations, he seeks to kill them as he would kill thieves threatening to steal his property. What makes
Richard a unique villain is that he “thrives by an ironic detachment from all the standards of traditional morality, including the claims of the family” by undermining “the bonds of natural love by his plots. Richard shares with the Vice his consummate hypocrisy and his demonic sense of humor, both of which exploit the morality of the family” (Price 90) Shakespeare's presentation of Richard III is a commentary on the legal brutality of sixteenth-century European politics: if someone wanted to steal something, all a person had to do was prove a rival's illegitimacy. Maurice Hunt comments that by the time of the Tudors, “this legislative method for 'proving' (or 'disproving') legitimacy had transparently become the tool of political opportunists, often of the crassest stripe” (119). As the conclusion of Richard III unfolds, Shakespeare makes it clear that Richard's falsifying of legitimacy and illegitimacy is a perversion of the natural order, an order which must be restored.

After becoming king, Richard continues this practice of slandering the legitimacy of rivals, this time to counter the threat of Henry, the earl of Richmond, who would later become Henry VII and founder of the Tudor dynasty. While Richmond's claim to the throne comes from a line of marriages and births of questionable validity, according to Shakespeare it is Richard who is illegitimate as in being outside of a moral standard, being an enemy of morality and an usurper who murders his own family. Richmond's speech to his troops alludes to this, as he refers to Richard as “A base foul stone, made precious by the foil / Of England's chair, where he is falsely set ” (V, iii, ll. 250-251). Hunt states that “In this pejorative context, the word 'base' catches the overtones of figurative bastardy inherent in Richard's own dehumanized conduct and his tacit self-appraisals and condenses them in the mouth of his adversary” (136). According to Hunt, then, Henry knows that Richard has not validated himself by his immoral or illegitimate behavior but he has proven his own bestiality. However, there is additional evidence of Richard's moral illegitimacy in the following lines, as Henry also calls Richard “One that hath ever been
God's enemy.” He tells his soldiers, “Then, if you fight against God's enemy, / God will in justice ward you as his soldiers” (ll. 2520-254). Richard, because of his murderous behavior, has bereft himself of divine favor, and so there is a divine sanction for Richmond, a man of more questionable literal legitimacy than Richard's, to overthrow someone of moral illegitimacy.

In this examples from Shakespeare's works, it is clearly demonstrated that artificial legitimacy is clearly corrupt and easily exposed. The historical basis for these ideas can be traced back not only to cultural perspectives on legitimacy but to the life of Mary I, who was the next successor to Henry VIII after her brother Edward. Mary was the daughter of Henry's first wife, Catherine of Aragon, who had been divorced in favor of Anne Boylen. When Mary ascended the throne as England's first female monarch, she made herself legally legitimate (Hunt 121), but then she smeared the legitimacy of her half-sister Elizabeth to prevent her from threatening her own right to rule. Mary was suspicious of Elizabeth since she represented a security threat, considering at least one rebellion during her rule was intended to depose her for Elizabeth (Loades 201). Undoubtedly, memories of the cruelty shown towards her and her mother, Catherine of Aragon, as well as jealousy poisoned her relationship with Elizabeth. Being the only “legitimate” daughter of Henry VIII, Mary saw Elizabeth as a reminder of her father's and Anne Boylen's sins, and she would not have such “blemished stock” take the throne away from her:

Mary had said some time before – even before her own marriage – that she did not want to contemplate Elizabeth as her heir 'for certain respects in which she resembled her mother (Anne Boylen).’ By 1557 it seems that she had convinced herself that Elizabeth was not really her father's daughter at all but the child of one of Anne's alleged lovers. [A potential noble husband] was far too good for such a bastard' (204).

Mary was so estranged from her sister that she convinced herself that Elizabeth was not related
to her at all and, not being Henry VIII's child, as she believed, she did not have the right to rule because she did not have the sanction of royal blood. Elizabeth was held captive in the Tower of London during part of Mary's reign and later banished to remote country estates. Although she was well past childbearing age, Mary married Philip of Spain in the hopes that she would produce an heir to prevent Elizabeth from becoming queen after her. By banishing Elizabeth and trying to exclude her from the throne, Mary disassociated herself from the trauma of her past but unknowingly sought to pervert the decreed order of her succession.

While Mary succeeded in taking the throne, her efforts to prevent Elizabeth from becoming queen failed, and over time her own subjects began to doubt Mary's legitimacy. Mary's marriage to Philip complicated the politics of her reign and increased rather than relieved the stress of her personal life. In 1555 and 1557, her womb appeared to swell with what appeared to be a pregnancy, but no child ever appeared (200, 204). When she died in November 1558, “the most likely explanation is that she died of cancer of the womb, a disease of which her false pregnancies had been advance warnings (206-207).” In addition, “the harvest failures of 1555 and 1556 had been followed by food shortages, and then by epidemic disease.” The European war that Philip had started went “from bad to worse and, in January 1558, the ancient English enclave of Calais fell to a surprise French attack” (204-205). In her increased affliction, Mary acquired “a fierce determination to exterminate [religious] heresy” which would remedy “all the ills that had afflicted England” (205). However, her religious extremism only compounded her increasingly unpopular rule. Mary's false pregnancies and the harvest failures may have been a sign to her subjects of divine retribution against her strongly Catholic rule, making it both literally and spiritually fruitless. It may also have been a sign that Elizabeth had the divine sanction to be England's next ruler, since Mary had committed the crimes of betraying her own kin and also forcing England to return to the rejected Catholic faith. Although Mary gave
everything to prevent her hated half-sister from becoming queen, “...towards the end she had recognized the inevitable – her people would have no one but Elizabeth. So her life ended in bitter failure...” (207). Like Richard III, she was a “legitimately illegitimate” ruler who failed to supplant the next rightful monarch.

Since an individual's betrayal of the natural order to prove legitimacy is a manifestation of corruption, therefore loyalty to one's country and family is the manifestation of moral legitimacy or virtue. A legal birthright is not necessary to being a good person, just as Elizabeth I realized that her own legitimacy had nothing to do with her capability as a monarch. During her childhood, Elizabeth was dismissed as a bastard because of the nature of her parents' relationship, Henry having courted Anne Boylen while still married to Catherine of Aragon. Her legal bastardization was only a confirmation of public opinion (Hunt 120). Towards the end of his life, Henry VIII wrote a will declaring that if his son Edward died without heirs, then he would be succeeded by Mary, who in turn would be followed by Elizabeth. It was the right of this will that gave Elizabeth the right to succeed her sister in the eyes of the people. On her ascension after Mary's death, “Elizabeth's counselors advised her not to repeal the Act of 1536 which bastardized her, or to proclaim her biological legitimacy” and claim the right to rule instead on the basis of her father's will. “In effect, this decision made at the beginning of Elizabeth's long rule kept her bastardization official throughout her lifetime” (121). So how did a technically “illegitimate” monarch become one of England's greatest rulers? After her sister's chaotic reign, Elizabeth restored the Protestant faith, and she defended Protestantism and the security of her homeland from invasion by the defeat of the Spanish Armada. Furthermore, Elizabeth cultivated an image of virtue that overrode her literal illegitimacy.

Part of the image of virtue that Elizabeth projected to her subjects was her refusal to marry to protect the integrity of the nation. Whereas Mary's marriage to Philip of Spain made the
domestic and foreign policy during her rule much more complicated, Elizabeth's refusal to marry, particularly to enter into a foreign marital alliance, was far more beneficial (Loades 209). There was also spiritual message that she wanted to send to her subjects:

> When the House of Commons petitioned her to marry in the spring of 1559, at which time she had been on the throne barely six months, she replied ...'I am already bound unto a husband, which is the kingdom of England, and that may suffice you'... She then showed her coronation ring, as the pledge of that marriage, and concluded 'reproach me so no more that I have no children, for every one of you, and as many as are English, are my children and kinsfolks' (210). Elizabeth used the image of her being married to the kingdom throughout her reign, and these and other measures did much to secure the approval of her subjects, making her, in their eyes, legitimate. Loyalty to this metaphorical “husband” and “family” – her kingdom and subjects – made up for the literal family that had preceded her in death. It was not Elizabeth's background that gave her the right to rule but the wisdom and strength with which she governed. Elizabeth created for herself the identity of a “Virgin Queen” who found figurative virtue in devoting herself to her country, and hence she legitimized herself in the eyes of her subjects.

Shakespeare's play *King John* was written towards the end of Elizabeth's rule, the thematic focus of it being the struggle for legitimacy as the right to secure the succession as Elizabeth's death was drawing near and the question of who would rule in her place was gaining interest (Lane 462-3). While King John and his relatives destroy each other in the fight for legitimacy, the illegitimate Faulconbridge comes out alive and on top in a manner comparable to Elizabeth outliving her overly-burdened sister Mary. Just as Elizabeth had more to gain for her kingdom by not marrying, Faulconbridge embraces his illegitimacy because he has more to gain
from a bastard identity. What Elizabeth and Faulconbridge have in common, giving them the moral legitimacy to survive, is acceptance of family ties and virtuous devotion to England.

While Elizabeth may have downplayed the questionable legitimacy of her conception, Philip Faulconbridge chooses to embrace his bastard identity. He and his half-brother Robert enter King John's court to resolve an inheritance dispute because, although Robert is younger, he has inherited his late father Sir Robert Faulconbridge's estate because he is the legitimate son. King John and his mother Eleanor see “a trick of Couer-de-Lion's [Richard I's] face” in Philip and, to save him from the consequences of being dispossessed by the family that raised him, offer to elevate him to the noble status of being “the reputed son of Coeur-de-lion, / Lord of thy presence and no land beside,” which he accepts (I,i, ll. 85,135-6). The Bastard is pleased with this change in fortune because being an illegitimate royal still apparently makes him royalty. Says he to Elinor's recognition of Richard's features, the Bastard says, “I would give it every foot to have this face; I would not be sir Nob [Sir Robert Faulconbridge] in any case” (ll.146-7).

Robert Pierce notes that “His decision in the first scene can be viewed in quite a different light. After all, Richard I was in fact his father, and so in taking his name, he is really accepting his parentage, not denying it.” Furthermore, “Eleanor tests his moral inheritance before accepting him as her grandson and ally, and he passes the test when he displays the cavalier boldness of his father. He completes the proof that he is heir to Richard's courage” and goes on “to become the mainstay of the English army and John's rule” (142). By accepting his illegitimate ties, he shows his devotion to his birth father's family, and that devotion earns him a type of moral legitimacy.

Shakespeare plays up Faulconbridge's embracing of his illegitimacy to heroic (and not to mention comic) effect. On the battlefield in France, Philip meets the Duke of Austria, who killed his father Richard I. When the duke sees him and asks, “What the devil art thou?” , Philip retorts, “One that will play the devil, sir, with you,” or in other words send him to the devil (II, i, 134-
Faulconbridge's constant reference to his father's lion-like qualities (Richard I was known as “Couer-de-lion” or “the Lionheart”) makes it obvious that he wants to follow in the footsteps of his heroic parent. As he is taunting the Duke, he says, “I would set an ox-head to your lion's hide, / And make a monster of you.” (l. 292-293). Instead of the fault being with Richard I for begetting an illegitimate son, Austria is a monster for killing the noble king, and it is the illegitimate son who delivers justice. Ultimately, Faulconbridge avenges his father's death, and in a later battle with the French he is also a heroic leader and described as “valiant” (V,iii, l. 5). The Bastard finds personal as well as moral legitimacy in serving his country and destroying the immoral villains that fight against England. Price writes that Philip's “acceptance of a tainted descent from Richard I may imply that virtu is more important than a formally correct title” (131). Like Elizabeth I, who ruled as the daughter of Henry VIII, Faulconbridge may carry the stigma of illegitimacy but he wants to be remembered for emulating his royal father and upholding English realm. Deeds, not birth, determine legitimacy.

William Shakespeare used his plays as a venue for demonstrating how the Tudor monarchy's struggle for legitimacy succeeded in proclaiming legitimacy through virtue and patriotism, and failed in the family's internal betrayal and the falsified legitimacy of its members. What ultimately mattered to Shakespeare's audience was that Queen Elizabeth I, although technically and legally a bastard, was a virtuous leader and that England was safe in her hands. When she died and was replaced by James Stuart her legacy of moral legitimacy would continue. In Shakespeare's works as it was in his day, being of legitimate birth is hardly a stable definition of character. Rather, legitimacy is a complex element of the complex identities of his heroes and villains alike, just as it was for his royal patron.
Works Cited


Hunt, Maurice. "Shakespeare's King Richard III And The Problematics Of Tudor Bastardy."


"legitimate, adj. and n.". *OED Online*. March 2013. Oxford University Press. 5 April 2013.


Web. 1 April 2013.

