> There is another great mainteyner of the *Flower,* and that is the goodly grace of obedience. For reason it is that we obey our Husbandes. God commaundeth it, and we are bounde so to doe.
>
> I know not, quoth the Lady *Isabella,* what we are bound to do, but as meete is it, that the husband obey the wife, as the wife the husband, or at the least that there be no superioritie betwene them, as the auncient philosophers have defended. For women have soules as wel as men, they have wit as wel as men, and more apt for procreation of children than men. What reason is it then, that they shall be bound, whom nature hath made free? (133)

"For women have soules as wel as men" is a powerful — and irrefutable — claim, and yet in Tilney's fictional dialogue the young woman who makes this assertion is overruled. In fact, the statement of male superiority cited earlier is Lady Julia's refutation of her daughter's protofeminist claims. But the characters' dispute is especially useful in exposing the contradictions inherent in early modern thinking about gender and power. These conflicts seem particularly meaningful when we consider that Tilney's dialogue on female submission is dedicated "To the Noble and most Vertuous Princesse, Elizabeth, by the Grace of God, of England, Fraunce, and Irelande, Queene, defender of the Faith. Etc." and was published in London in 1568, at a point when the question of Elizabeth's marriageability was a topic of national concern.

The early humanists had developed the ideal of companionate marriage, and Puritan pressure on English thought magnified its importance. Reformed theology promoted not only the doctrine of Grace as given indiscriminately to men and women but also the supremacy of the individual conscience in matters of salvation; both of these principles served to elevate the status of women in relation to all mortal creatures, even their husbands. Moreover, the increasingly forceful emphasis among Puritan preachers on the Christian's freedom from the unjust control of secular authority, a tenet that would receive its strongest literary expression in the writings of John Milton, tended to complicate the traditional hierarchy, civilly sanctioned and enforced, between husband and wife. If, as radical Protestants believed, the individual soul was to be governed only by its perception of the divine will, then this principle posed a contradiction to the dominion of the spouse and cleared the way for the doctrine of companionate marriage. The same contradiction could be seen in the larger political arena. In other words, Milton's antiroyalism is perfectly consistent with his endorsement of divorce. While these generalizations are not meant to suggest anything as improbable as Miltonic feminism, it is nevertheless true that the Puritan devotion to conscience and individual salvation conflicted with the ideology of subjection that linked the family and the state in discussions of domestic and political order and obedience. The ideal of companionate marriage based on conjugal sympathy and even equality developed slowly throughout the seventeenth century and came to fruition in the eighteenth, but its origins can be heard resounding from the Reformed pulpit and Protestant pamphlets as early as Elizabeth's reign. Further, a version of it is both audible and visible in at least some of Shakespeare's comedies. Despite the traditions of masculine authority in the family, it seems quite clear at the end of *Much Ado about Nothing* that Benedick will not succeed in dominating Beatrice.

Primogeniture

In the second scene of *King Lear,* the illegitimate son of the Earl of Gloucester confides to the audience his conviction that he deserves to inherit his father's property and title because he is more capable than his legitimate older brother.

> Wherefore should I
> Stand in the plague of custom, and permit
> The curiosity of nations to deprive me,
> For that I am some twelve or fourteen moonshines
> Lag of a brother? (1.2.2–6)

Edmund's argument proceeds from his belief in his own strength. He considers himself smarter and more aggressive than Edgar, attributing these qualities to the passion that stimulated the liaison in which he was conceived. His contempt for the niceties of social convention expresses itself in his wordplay, his toying with the various forms of *bastard* and particularly his mockery of the word *legitimate.*

> Well then,
> Legitimate Edgar, I must have your land.
> Our father's love is to the bastard Edmund
> As to th' legitimate. Fine word, "legitimate."
> Well, my legitimate, if this letter speed
> And my invention thrive, Edmund the base
> Shall top th' legitimate. (1.2.15–21)

Legitimate comes from the Latin for *law (lex, legis),* and Edmund's worrying of the word calls attention to its pertinence to the subject of the speech, the rights of heredity that customarily belong to the legally recognized eldest son. In seeking to substitute a biological or natural privilege — "Now, gods, stanc up for bastards!" (1.2.22) — Edmund assails one of the foundations of English law, the convention of primogeniture. The passage from Sir Thomas Smith or page 292 provides a sixteenth-century justification of the practice.

Primogeniture (first-born) refers to the right of the eldest son to inherit th family property, and some of the early modern writers on politics and econom ics associate it specifically with the patriarchal transmission of governmenta authority from tribal leaders down to contemporary rulers, whether of king doms or households. Taking hold as it did in the feudal practices of Englan in the Middle Ages, primogeniture was calculated to protect the property c large families, to keep estates from being dismantled or divided into a numb of small and therefore weaker units. In the Renaissance the head of an impo tant household was normally regarded as a caretaker of the family propert

one to whom the ancestors had entrusted the health and prosperity of the family holdings. Thus the well-being of the group took precedence over that of any individual member, including the heir himself. Even when primogeniture worked as it was supposed to do, keeping estates from being broken up and land from being dispersed into smaller parcels, the price of the system could be ruinous for virtually all members of the family.

The eldest son, despite his apparent advantage, was in a sense trapped, having no real option but to await the death of his father so that he could succeed to guardianship of the estate. The younger children fared much worse, dependent as they were on the goodwill of their father to provide for them. In the case of daughters, this meant money for a dowry with which to attract a husband; in the case of younger sons, an education or a living, or at least the means to marry well. But sometimes goodwill was hindered by a lack of resources. Owing to financial hardships or entails (legal restrictions deriving from earlier wills that controlled the use of property or income), some apparently wealthy fathers were unable to provide for their younger children. A younger son was sometimes regarded as insurance against the death of the eldest son — Lawrence Stone compares such a boy to "a kind of walking sperm bank" — and many of these young men attended the university and became clergymen. But the problem was pervasive enough in England in the 1590s for Falstaff to joke about drafting the "younger sons of younger brothers," men who were at the bottom of the economic ladder and hadn't a shilling to give in the way of a bribe to escape military service.

The system of inheritance was complicated to start with and grew more so in the Renaissance. Even now English property laws are notoriously complex, one source being the movement from the feudal system, by which *land*-lords (the word needs defamiliarizing) held Crown properties in tenancy, to the modern system, by which a larger number of individuals own outright or hold in tenancy smaller units of land. (In England today, much of the land is still legally held by aristocratic estates rather than by the people who own houses or flats on that property.) The sixteenth century saw the beginnings of this shift, but it also introduced a host of other problems. The transformation of England's state religion from Catholicism to Protestantism, for example, led to the dissolution of religious houses such as monasteries and convents; one effect of this policy was a rise in the number of marriageable women, daughters who might have gone (cheaply) into convents but who now had to be provided for. Next, the significant increase in population between 1500 and 1600, with twice as many people occupying the same finite amount of land, created major economic and social dislocation. And the expansion of commerce produced cash that merchants and others wished to secure by investing in land. Shakespeare himself turned his London theatrical earnings into real estate investments in his hometown.

The social tensions inherent in the system of primogeniture find expression not only in diaries and court records but also in the theater of the period, where familial anxiety becomes the basis for dramatic conflict. In Thomas Middleton's *Your Five Gallants,* a character encounters a group of fashionable young men and greets them with, "Why so merry, gentlemen, are your fathers dead?" Such rivalry existed not only between fathers and children but also between widowed mothers and sons and among some siblings. One historian has suggested that the familial relationship least likely to suffer damage from the problems of inheritance was that between brother and sister, because the female's secondary legal status meant that property was not an issue. It was certainly an issue between brothers. At the beginning of *As You Like It,* Orlando bitterly complains of being misused by his elder brother, Oliver, and cheated of his small inheritance:

OLIVER: Know you where you are, sir?
ORLANDO: O, sir, very well; here in your orchard.
OLIVER: Know you before whom, sir?
ORLANDO: Ay, better than him I am before knows me. I know you are my eldest brother, and in the gentle condition of blood you should so know me. The courtesy of nations allows you my better, in that you are the first born, but the same tradition takes not away my blood, were there twenty brothers betwixt us. I have as much of my father in me as you. . . . (1.1.40–50)

This is different from Edmund's mockery of primogeniture. Orlando objects not to the system of inheritance ("the courtesy of nations") but to his brother's abuse of it in failing to honor their dead father's provision for Orlando. The drama of the period contains a sufficient number of such scenes and references to intimate that inheritance was becoming a widespread social concern. Indeed, on a national scale, the question of succession was of paramount importance at the turn of the seventeenth century, since Queen Elizabeth had no firstborn to inherit her throne. In the Shakespeare family, William, as the eldest son, was the beneficiary of primogeniture, inheriting in 1601 the Henley Street property, where his aunt Joan continued to live. We may remark in passing that he had a younger (legitimate) brother, also an actor, named Edmund.

Marriage and Money

Early modern matrimonial customs may seem cold-blooded, but it is important that we study them from a sixteenth-century point of view. Social historians such as Lawrence Stone and Ann Jennalie Cook have demonstrated that the ideas about romantic love and personal choice that govern our concepts of marriage are effects of social and attitudinal changes that took place in the eighteenth and nineteenth centuries. Stone urges that we "rid ourselves of three modern Western culture-bound preconceptions": (1) that marriage for love or personal attraction is morally superior to marriage for money or power, and that the categories are easily separable; (2) that authentic union must be underwritten by emotional attachment, or else the resulting marriage is the equivalent of commerce or prostitution; and (3) that personal autonomy or