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SODOMY, EQUALITY, FRATERNITY:
BODILY PRACTICE AND THE RISE OF MODERN DEMOCRACY

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To My Friends

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Abstract

During the eighteenth century, Western Europe underwent a revolutionary transformation. In place of a hierarchical political order organized around hereditary privilege, citizens increasingly pledged fidelity to democratic principles of equality and recast “The People” as a new source of sovereignty. How did individuals become attached to these political ideals and develop a new democratic common sense? This dissertation argues that democratic principles are not (simply) concepts that we have in our heads or that are found in constitutions and ballot boxes. Rather, they are lived practices immanent in the ordinary ways citizens interact with and relate to one another. All political relations are constituted in and through distinct forms of bodily movement and comportment. Every political society presents different forms of conduct and habitus, such as bowing, kneeling, kowtowing, curtsying, genuflecting, handshaking, hat-doffing, hugging, kissing, and even ways of having sex. I argue that the institutionalization of revolutionary changes in forms of embodiment and the displacement of certain practices in favor of others help explain how a political order predicated on status hierarchies transformed into one purportedly rooted in equality and how subjects mired in relations of subordination became newly attached to democratic principles.

The dissertation explores how individuals became attached to democratic principles by interrogating fraternity as a central part of the democratic heritage. Across six chapters, I chart a historical arc from the mid sixteenth-century royal courts of Western Europe to the associational world of clubs, societies, and social movements of the eighteenth century to explore the historical formation of fraternity as a hegemonic symbolic idea, bodily practice, and affective relation of political equality. Focusing on England (and later Britain), I investigate how gender and sexuality, especially heterosexual manhood, became political categories capable of overturning entrenched relations of hierarchy and giving rise to new forms of equality and domination. I show how ordinary and everyday forms of

conduct organized an aristocratic and monarchical society committed to naturalized hierarchies of class and the sovereign power of the king. I illustrate how the emergence of novel practices of gender and sexuality at the turn of the eighteenth century challenged and displaced dominant forms of political embodiment and gave rise to new egalitarian relations. The exercise of these bodily practices generated new kinds of feelings and sensations that invested them with political meaning and revealed how masculine subjects became attached to fraternity as a symbolic ideal of a democratic society. The historical process in which these bodily practices materialized fraternity as a dominant figure of equality was neither linear nor uncontested. I demonstrate how the history and theory of male citizenship is inseparable from concerns about sodomy. Political struggles over developing gendered and sexualized forms of bodily comportment produced plural and sometimes opposing meanings of freedom and equality. These conflicts reveal how the hegemony of a hetero-patriarchal vision of fraternity underpinning an emerging democratic society in eighteenth-century Britain was neither inevitable nor unavoidable but the contingent result of ongoing corporeal conflicts.

Introduction: The Repressive Hypothesis of Democracy

For a long time, the story goes, we believed that citizens of modern liberal democracies should be treated equally regardless of bodily difference, and we continue to be dominated by this belief even today. Thus the Enlightenment image of the disembodied subject of Reason adorns the ideal of democracy and is at the foundation of current debates about the decline of universalism and the rise of identity politics.

During the sixteenth and seventeenth centuries, the body was still the focal point of the social and political world. In the absolutist monarchies of Europe, sovereignty was vested in a single ruler who embodied political power. State rituals and ceremonies identified the king's body with the body politic. Whether speaking in parliament, attending church, entertaining visitors, dining at court, touching the sick, or parading through the kingdom, the monarch's life was organized to ensure that every subject knew in whose body power and authority resided. But it was not just the king who was obsessed with the pomp and pageantry of the body. Throughout the aristocratic society of the *ancien régime*, codes of etiquette and decorum displayed one's rank and status. Whether to look someone in the face when speaking, where to stand in a room or sit at a table, whether to walk in front, behind, or parallel with others, whether to bow or curtsy, and if so, how often and how low, these and other forms of conduct exhibited a subject's place in the social and political order. In the hierarchical society of early modern Europe, the ways one moved, gestured, dressed, spoke, and acted made present one's position and status in the world.

But this inegalitarian society soon came to end during the Age of the Democratic Revolutions. In the late eighteenth and early nineteenth centuries, political struggles taking place across the Atlantic challenged existing hierarchies and overthrew the sovereign rule of kings. Vertical chains of deference

and subordination based on blood, lineage, and ancestry gave way to a new democratic order made up of free and equal individuals. Political power no longer belonged to the monarch but to “the People.” As a result, one could no longer point to the physical locus of state authority. In contrast to the concrete person of the king, “the People” is an abstract and intangible category, or what Claude Lefort once called, “an empty place.” Sovereignty is not identified with the king’s body but everybody, which is to say, no body at all. Authority is expressed in and through institutions and events, such as elections and mass protests, that give voice to the People. Indeed, voice rather than body now serves as the paradigmatic figure of political society. In contrast to the bodily displays of pomp and status organizing the aristocratic world, democratic societies celebrate free speech, rational debate, and public deliberation. No longer an object of public concern, the body has become a private and seemingly unpolitical matter. As such, citizenship has become disembodied and politics the exercise of the People’s voice.

Readers familiar with Michel Foucault’s work will notice a certain similarity with this story and the one he calls “the repressive hypothesis.” In the opening pages of *The History of Sexuality, Vol. 1.*, Foucault outlines a hypothesis about the genesis of bourgeois societies in the eighteenth century and their supposed repression of sex. According to the hypothesis, “a certain frankness was still common” in the seventeenth century. One could speak about sex “without undue reticence” and “sexual practices had little need of secrecy.” “It was a time of direct gestures” and “shameless discourse,” “a period when bodies ‘made a display of themselves.’” However, a new age of sexual repression began in the eighteenth century when sex “was carefully confined,” “moved into the home,” and “silence became the rule.”¹ Sex was rendered unspeakable and invisible, and so the eighteenth century is said to mark the repression of both discourse and the body. As part of this historical narrative, Foucault argues, the repressive hypothesis also describes a theory of power as a negative force of denial, prohibition,

¹ Michel Foucault. *The History of Sexuality, Vol. 1* (New York: Random House, 1978), 3.

limitation, and constraint.² Repression operated as “an injunction to silence” speech and as “a sentence to disappear” the body.³

According to Foucault, the repressive hypothesis is historically inaccurate and a reductive way to think about power. He argues that the eighteenth century does not herald an age of silence but an incitement to discourse about sex. Moreover, these discourses had generative effects, thus revealing how power does not operate mainly through repressive prohibitions but through discursive productions. Forty-five years after the publication of *The History of Sexuality, Vol. 1*, the repressive hypothesis is no longer in vogue. Power’s discursive productivity is commonly acknowledged, and it has become almost entirely banal to claim that the subject or the body is a social construction, a product of power. Attention in recent decades to categories of race, gender, class, sexuality, and disability has further highlighted the political significance of material bodies, and political theorists are increasingly attending to the politics of the body in contemporary democracy.⁴ It seems then that we have liberated ourselves from an Enlightenment somatophobia in which the history of democracy is seen as the victory of universal Reason and the disembodiment of political power.

While many readers take up Foucault’s claim that the eighteenth century does not herald an age of repression that silenced discourse, I argue that his opening account of the repressive hypothesis as a story about the body’s disappearance from public life still structures how we think about modern democracy. Political theorists and historians commonly present democracy as a political system

² Foucault’s use of repression conveys three dictionary senses of the term: “the act of subduing something by force”; “the restraint, prohibition, or inhibition of a feeling”; and, more psychoanalytically, “the process of suppressing a thought or desire in oneself so that it remains unconscious.” See, Lisa Wedeen’s forthcoming essay in *The Oxford Handbook of Engaged Methodological Pluralism in Political Science*, eds. Janet Box-Steffensmeier, Valeria Sinclair-Chapman, and Dino Christenson (Oxford, 2024).

³ Foucault. *The History of Sexuality, Vol. 1*, 4.

⁴ Iris Marion Young, *On Female Body Experience: ‘Throwing Like a Girl’ and Other Essays* (Oxford University Press, 2005); Pierre Bourdieu and *Democratic Politics: The Mystery of Ministry*, ed. Loic Wacquant (Polity Press, 2005); Linda Alcoff, *Visible Identities: Race, Gender, and the Self* (Oxford University Press, 2006); Sara Ahmed, *Queer Phenomenology: Orientations, Objects, Others* (Duke University Press, 2006); *New Materialisms: Ontology, Agency and Politics*, eds. Diana Coole and Samantha Frost (Duke University Press, 2010); Sharon Krause, “Bodies in Action: Corporeal Agency and Democratic Politics,” *Political Theory* 39, 3 (2011): 299-324; Stacy Clifford, “Making Disability Public in Deliberative Democracy,” *Contemporary Political Theory*, 11, 2 (2012): 211-228; Banu Bargu, *Starve and Immolate: The Politics of Human Weapons* (Columbia University Press, 2014); Mary Hawkesworth, *Embodied Power: Demystifying Disembodied Politics* (Routledge, 2016); Amanda Machin, *Bodies of Democracy: Modes and Moments of Embodied Politics* (Transcript Press, 2022).

centered around speech and discourse because democracy is understood to reject an embodied structure of power associated with kingship. Even those critics who wish to center the body in political analysis often take for granted this historical narrative of power's disembodiment. By uncritically accepting a narrative of the body's repression, we cannot adequately attend to the activities and practices of democracy. Rather than direct us to questions of embodiment, our focus on "the body" as a central character of this story has led us to misunderstand what we do as democratic citizens and how we came to be democratic citizens in the first place.

Rethinking the repressive hypothesis of the body in democracy, this dissertation puts forward a counternarrative of the rise of modern democracy. This is not an argument for "the body" in politics but rather bodily conduct and comportment. Whereas "the body" points to a static object, the latter directs our attention to action and movement across space and time. This subtle difference between the body and bodily practice is often occluded in attempts to theorize "the body" as an object of inquiry. Instead of focusing on an idea or substance we call "the body," a thing that becomes abstracted from the actual activities of democracy, this dissertation investigates bodily practice as a site of democratization. I explore how people come to embody democratic values of freedom and equality in the way they gesture, move, and interact with others. I show how changes in ordinary forms of embodiment enabled individuals to develop a felt relation and affective attachment to democracy as a political ideal.

Historical and social scientific work on the rise of modern democracy has tended to focus on institutional transformations in the state, economy, and society. Historians, sociologists, political scientists, and economists have highlighted how the formation of centralized armies, bureaucracies, capitalist markets, and civil associations explain the shift away from a sovereign state identified with

the king's personal rule.⁵ These developments, they argue, challenged the institution of kingship by producing impersonal and egalitarian structures that were not governed by a hierarchical logic of status and rank. The reduction of subjective transformation to institutional change in much of this scholarship has resulted in difficulties when it comes to explaining how subjects disinvested from the rule of kings and came to pledge commitment to new political concepts of equality and "The People."⁶ While changes in social and political institutions provide the necessary conditions for democracy, they alone cannot explain how ordinary people came to see themselves as members of a democratic society. After all, the aristocratic world of the *ancien régime* was thoroughly suffused by vertical chains of subordination and submission. Born into a hierarchical political order organized according to principles of hereditary privilege and rank, few people perceived themselves to be equal to the nobility, let alone the king. How did individuals embedded in such asymmetrical structures of power come to develop a new and democratic common sense?

The study of the rise and spread of democratic beliefs has traditionally been the terrain of political theorists and intellectual historians. Regularly centering extra-institutional explanations, intellectual histories of democracy highlight the productive role of ideas in history by analyzing texts and their discursive effects on how actors make sense of and interpret the world.⁷ Yet, the story of

⁵ The literature on the state formation in Europe is vast, but some key include: Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton University Press, 1975); Tilly, *Coercion, Capital and European States, A.D. 990-1990* (Oxford: Basil Blackwell, 1990); Douglass North and Robert Paul Thomas, *The Rise of the Western World* (Cambridge University Press, 1973); Gianfranco Poggi, *The Development of the Modern State: A Sociological Introduction* (Stanford University Press, 1978); Brian Downing, *The Military Revolution and Political Change: Origins of Democracy and Autocracy in Early Modern Europe* (Princeton University Press, 1992); Hendrik Spruyt, *The Sovereign State and its Competitors: An Analysis of Systems Change* (Princeton University Press, 1994); Perry Anderson, *Lineages of the Absolutist State* (Verso, 2013); Peter Evans, Dietrich Rueschemeyer, and Theda Skocpol (eds.), *Bringing the State Back in* (Cambridge University Press, 1985); Theda Skocpol, *State and Social Revolutions: A Comparative Analysis of France, Russia and China* (Cambridge University Press, 2014).

⁶ A recent exception is William Sewell Jr, *Capitalism and the Emergence of Civic Equality in Eighteenth-Century France* (University of Chicago Press, 2021), who argues that that the development of capitalist social relations in 18th century France made it possible to imagine and establish civic equality. Sewell's work represents an important step in theorizing how social experiences can lead people to form attachments to political ideals. However, the limitations of his emphasis on market relations as an explanatory variable emerge when we consider women's exclusion from juridical equality even though, as Sewell shows, women participated in commercial relations. Sewell does not explore why a gendered figure such as fraternity (in contrast to a less gendered figure like friendship) would emerge as a hegemonic symbol of equality against the backdrop of market relations of abstraction.

⁷ Recent studies of democracy include: Richard Tuck, *The Sleeping Sovereign: The Invention of Modern Democracy* (Cambridge, 2016); James Kloppenberg, *Toward Democracy: The Struggle for Self-Rule in European and American Thought* (Oxford, 2016); *Democracy in Modern Europe: A Conceptual History*, eds. Henk te Velde, Jeppe Nevers, and Jussi Kurunmäki (Berghahn Books, 2018); *Democracy and Anti-Democracy in Early Modern England 1603–1689*, eds. Cesare Cuttica and Markku Peltonen (Brill, 2019); Annelien De Dijn, *Freedom: An Unruly History*

historical change we get from much of this literature often appears like the fantasy of professional writers: texts are written, circulate in public, and they either persuade their readers of their arguments or, if the conditions are right, they generate new horizons of meaning within which specific ideas become possible. Such mentally reductive conceptions of political meaning-making struggle to explain how individuals accustomed to deferential modes of thinking and acting became invested in new democratic ideas. Questions of attachment cannot be studied in a purely ideational manner, as if ideas were divorced from everyday forms of bodily practice. How did ordinary people become attached to and invested in democratic ideas of equality and self-rule?

Challenging these dominant approaches, this dissertation argues that democratic principles are not (simply) concepts that we have in our heads or that are found in constitutions and ballot boxes. Rather, they are lived practices immanent in the ordinary ways citizens interact with and relate to one another. All political relations are constituted in and through distinct forms of bodily movement and comportment. Every political society presents different forms of conduct and habitus, such as bowing, kneeling, kowtowing, curtsying, genuflecting, handshaking, hat-doffing, hugging, kissing, and even ways of having sex. I argue that the institutionalization of revolutionary changes in forms of embodiment and the displacement of certain practices in favor of others help explain how a political order predicated on status hierarchies transformed into one purportedly rooted in equality and how subjects mired in relations of subordination became newly attached to democratic principles. By attending to struggles over these seemingly mundane bodily practices, this dissertation reveals how liberty and equality, as abstract principles, cannot grip and take hold of us unless they are corporeally lived on the terrain of everyday life.

(Harvard, 2020); Devin Vartija, *The Color of Equality: Race and Common Humanity in Enlightenment Thought* (University of Pennsylvania Press, 2021); Darrin McMahon, *Equality: The History of an Elusive Idea* (Basic Books, 2023).

I. The Repressive Hypothesis: Making Sense of the Democratic Revolution⁸

We are currently held captive by a discursive image of democracy deriving from the kinds of stories we've inherited about the transition from an embodied to a disembodied form of power. These stories leave us ill-equipped to appreciate bodily conduct as a site of and resource for democratic politics. To study democratic societies, political scientists read texts, analyze speeches, conduct interviews, and survey public opinion. We engage in a kind of disembodied analysis of politics in part because we take the story of the body's repression in democracy at face value and proceed from that vantage point. This dissertation proposes a historical revision of the democratic revolution centered on bodily practice. In doing so, I elaborate new methodological insights for the study of democracy that are not confined to the study of discourse. I show how bodily practices can generate symbolic meaning, create new kinds of political norms, and attach individuals to seemingly abstract philosophical concepts and ideas.

In this section, I show how several influential political theorists and historians, such as Jürgen Habermas, Claude Lefort, Carole Pateman, and Lynn Hunt, articulate a repressive hypothesis of the body in democracy. This historiography of modern democracy reveals how a narrative of the body's repression has resulted in an artificial conflict between those theorists who prioritize language, deliberation, and discourse and those who wish to liberate "the body" and center it in political thought. Studies of the democratic revolution commonly invoke familiar binaries of the body vs. discourse, physical vs. ideational, and material vs. symbolic. Caught in these oppositions, we are unable to understand how bodily practice can produce meanings and ideas that cannot be conveyed simply by words. Rather than refuse these accounts entirely, however, I excavate a few key critical insights to elaborate a new theoretical framework for studying the embodied politics of democracy.

⁸ Although "the democratic revolution" is often used to mark a certain moment or event of rupture, I use the term to describe a general historical shift from a monarchical society to a democratic society. This shift need not occur in a single event but can take place slowly over time. I employ both evental and gradual conceptions of revolutionary transformation in this dissertation.

Deliberative Democracy

In *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft*, published in 1962 and translated into English in 1989 as *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, Jürgen Habermas presented an interpretation of the shift from a monarchical to a democratic society that would be foundational for scholarly work in the tradition of deliberative democracy.⁹ According to Habermas, the emergence of the bourgeois public sphere in the 18th century involved the disappearance of the body as an organizing principle of political power in what he calls the *repräsentative Öffentlichkeit* (representative public) of the royal courts.¹⁰ The “English king enjoy[ed] ‘publicness,’” he argues, because “lordship was something publicly represented. This *publicness* (or *publicity*) of representation [*repräsentative Öffentlichkeit*] was not constituted as a social realm, that is, as a public sphere; rather, it was something like a status attribute.”¹¹ For Habermas, it was not the communicative exchange of speakers that organized the public at the royal court but rather the aesthetic features of the aristocratic body. The *repräsentative Öffentlichkeit* is “inseparable from the lord’s concrete existence,” that is, from bodily signifiers such as “insignia,” “dress,” “demeanor,” and “rhetoric” – “in a word, to a strict code of ‘noble’ conduct” that signified status and power.¹²

Habermas’s attention to corporeal aesthetics at the heart of the royal court belies any simple reading that he ignores or overlooks the body. In this early work, the body is not neglected so much as rendered politically irrelevant due to the eventual “disintegration” of the *repräsentative Öffentlichkeit*.¹³

⁹ Jürgen Habermas, *Strukturwandel der Öffentlichkeit* (Darmstadt: Luchterhand, 1962); Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (MIT Press, 1989). Antonio Florida, “The Origins of the Deliberative Turn,” in *The Oxford Handbook of Deliberative Democracy*, (eds.) André Bächtiger, John S. Dryzek, Jane Mansbridge, Mark E. Warren (Oxford University Press, 2018), 35–54.

¹⁰ Though translated into English as representative publicness or the publicity of representation, the terms ‘publicness’, ‘publicity’ and ‘public’ all correspond to the same object of investigation, namely, the *Öffentlichkeit*. As such, the adjectives ‘representative’ and ‘bourgeois’/‘civil’ (*bürgerlich*) describe two different historical configurations of the public.

¹¹ Habermas, *Structural Transformation of the Public Sphere*, 7.

¹² *Ibid.*, 7, 8.

¹³ *Ibid.*, 14. Though these transformations are not typically understood to be the structural transformations referenced by the book’s title, which refer to the public sphere’s later degradation, they are nonetheless structurally integral to Habermas’s account, since they set the conditions for the emergence of the bourgeois public sphere.

The development of mercantile capitalism in the 17th century led European states to establish new bureaucratic apparatuses to meet new demands for capital. According to Habermas, this process led to a separation between the “prince’s personal holdings and what belonged to the state,”¹⁴ a split that ultimately “depersonalized [the] state” and produced a new disembodied sphere of public authority.¹⁵ Anticipating later financial accounts of state development, Habermas argues that the formation of permanent bureaucracies depersonalized political power as public authority became increasingly identified with the state’s abstract administrative sphere.¹⁶ The public thus “no longer referred to the representative ‘court’ of a person endowed with authority but instead to the functioning of an apparatus with regulated spheres of jurisdiction.”¹⁷ As such, political authority was severed not just from the king’s body but, Habermas infers, from any body whatsoever.

According to Habermas, economic restructuring undermined the representative public at court by separating public authority from the king’s representative body. As the king’s body lost its capacity to signify power, an emerging bourgeoisie “whose decisive mark was the published word” claimed a right to discuss public affairs and eventually became “the real carrier of the public, which from the outset was a reading public.”¹⁸ No longer tethered to the publicity of the king’s body, public authority thus transferred from the king’s body to the bourgeoisie’s discourse. As a result, “bourgeois forms of social intercourse” gave rise to new egalitarian relations because bourgeois modes of communication took place “in accord with firm rules of equality.”¹⁹ In other words, participants of the public sphere wrote and spoke as equals and therefore became equal.

¹⁴ Ibid., 17.

¹⁵ Ibid., 17, 18.

¹⁶ In *State Formation in Early Modern England* (Cambridge, 2000), Michael Braddick, argues that the “1660s saw something of a still-born financial revolution. This implied a *reduction in the personal authority of the monarch in that it appeared to transform the royal debt into a public debt*.... The power of the monarch, as medievalists would surely point out, was not ‘personal’ in a literal sense, and had been tied to a sense of the public good for some time. But here, the location of this *political authority was abstracted still further* – the security of the debt increasingly dissociated from the word of any individual. It lay, instead, with the state” (264, emphasis added).

¹⁷ Habermas, *Structural Transformation of the Public Sphere*, 18.

¹⁸ Ibid., 16, 23.

¹⁹ Ibid., 36, 131.

In Habermas's account, the rise of the bourgeois public sphere tracks a shift from a political regime centered around the royal body to one in which speech and deliberation take center stage. This early work provides the historical backdrop of his later attention to how the pragmatic structure of language in an ideal speech situation can give rise to democratic forms of unity and consensus.²⁰ This historiography of the body's disappearance as an organizing principle of authority thus seems to underly what scholars have argued is the tendency of Habermas and other deliberative democrats to ignore or exclude the body in their accounts of democracy.²¹ Since speech and communication provide the defining features of an ideal democratic public, it has become taken for granted that "democracy depends on trustful talk among strangers."²² Indeed, contemporary democratic theory has come to prioritize deliberation to such an extent that Carole Pateman devoted her 2012 Presidential Address to the American Political Science Association to caution against "present[ing] deliberation as if it were synonymous with democracy itself."²³

Radical Democracy

One of the central points of Pateman's address was to highlight how the deliberative conception of democratic politics tends to repudiate the importance of conflict in democracy. Unlike deliberative democrats, theorists of radical democracy center questions of conflict, agonism, and dissensus at the heart of democratic politics. Yet, despite major differences between these traditions, many accounts of radical democracy also privilege a linguistic conception of politics. Like their deliberative counterparts, they posit the body's disappearance in transitioning from a monarchical to a

²⁰ Habermas, *The Theory of Communicative Action, vol I: Reason and the Rationalization of Society* (Boston: Beacon, 1982); *The Theory of Communicative Action, vol. II: Lifeworld and System* (Boston: Beacon, 1987).

²¹ On Habermas's exclusion of the body from his later discourse ethics, see Iris Marion Young, "Communication and the Other: Beyond Deliberative Democracy," in *Democracy and Difference*, ed. Seyla Benhabib (Princeton University Press, 1996), 120–135; Young, *Inclusion and Democracy*, Ch. 2; Amanda Machin, "Deliberating Bodies: Democracy, Identification, and Embodiment," *Democratic Theory*, 2 (2015): 42–62.

²² Danielle Allen, *Talking to Strangers*, xii.

²³ Carole Pateman, "APSA Presidential Address: Participatory Democracy Revisited," *Perspectives on Politics*, 10, 1 (2012): 7–19, quote is from page 9. In 2007, John Dryzek noted that "deliberative democracy now constitutes the most active area of political theory in its entirety (not just democratic theory)." John Dryzek, "Theory, Evidence and the Tasks of Deliberation," in *Deliberation, Participation and Democracy: Can the People Govern?*, (ed.) Shawn W. Rosenberg (New York: Palgrave, 2007), 237.

democratic society. I contend that this historiography of democracy derives from a certain reading of the influential theorist, Claude Lefort, and his account of the democratic revolution. Against this prevailing interpretation, I argue that Lefort offers another way of theorizing democracy that does not reduce it to a politics of discursive signification.

In a series of essays published in the 1970s, Lefort developed a method of historical and political analysis that emphasized the symbolic dimensions of society. According to Lefort, every political society is organized according to a particular symbolic form that determines its basic political structure, which Lefort calls the political (*le politique*), and that defines the kinds of political activities its members can undertake. Drawing on Ernst Kantorowicz's *The King's Two Bodies*, Lefort argues that the symbolic form of the European monarchies centered on the king's body. "The society of the *ancien régime* represented its unity and its identity to itself as that of a body – a body which found its figuration in the body of the king."²⁴ Indeed, as Kantorowicz explains, 16th and 17th-century jurists conceived of the body politic as inseparable from the king's organic body. The body politic and body natural were "one unit indivisible, each being fully contained in the other."²⁵ The unitary symbol of the king's body structured the monarchical society. Sovereignty was invested in a single ruler because his natural body incorporated the power and authority of the body politic.

In contrast to Habermas, Lefort's attention to symbolic forms enables him to attend to and explain the disjuncture separating democracy from monarchy.²⁶ For Lefort, the political developments that Habermas identifies with an emerging public sphere eventually pass a critical threshold and result in what Lefort calls a "symbolic mutation" in the political form of society.²⁷ "The democratic

²⁴ Claude Lefort, "The Image of the Body and Totalitarianism," in *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism* (MIT Press, 1986), 292-306, quote is from page 302.

²⁵ Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton University Press, 2016), 9.

²⁶ Habermas's argument that changes in linguistic forms of communication enabled the bourgeoisie to become equal subjects who only felt moved by the force of the better argument presumes a prior transformation in bourgeois sensibilities, namely, that the bourgeoisie learned to prioritize their linguistic exchange above the aesthetic differences that defined their relations of status in the aristocratic world. Habermas does not attend to this transformation, however, because his accounts definitionally opposes the bourgeois discourse to the nobility's concern with corporeality.

²⁷ Lefort, "The Question of Democracy", in *Democracy and Political Theory* (Polity Press, 1988), 9-20, Quote is from page 13.

revolution, for so long subterranean, burst out when the body of the king was destroyed, when the body politic was decapitated and when, at the same time, the corporeality of the social was dissolved – There then occurred what I would call a ‘dis-incorporation’ of individuals.”²⁸ Whereas the monarchy conceived political power as a unity of the king’s two bodies, the democratic revolution ruptured this symbolic form and destroyed the body as the figure of power. The democratic revolution meant “the destruction of the architecture of bodies,” such that the “figure of power in its materiality and its substantiality disappears.”²⁹ In its place emerges a new symbolic form of society that presents power, as Lefort famously stated, to be “an empty place, impossible to occupy.”³⁰ In a democratic society, “there is no power linked to a body,” and so no body can claim to embody and incorporate political power.³¹

According to Lefort, the democratic revolution entails an ontological fissure between the material domain of the body and the symbolic domain of power. Democracy is the only political regime, he writes, “to have represented power in such a way as to show that power is an empty place and to have thereby maintained a gap between the symbolic and the real,” a gap, that is, between “symbolic power” and “its empirical determinations.”³² The material domain previously identified with the king’s natural body becomes ontologically distinct from what Lefort calls the “purely symbolic” domain of democratic power.³³ Unlike monarchical rulers, no democratic citizen can claim to incarnate or incorporate political power. A fundamental gap exists between the empirical actions of any citizen and

²⁸ Lefort, “Image of the body,” 303.

²⁹ Lefort, “Image of the body,” 304; Lefort, “Question of Democracy,” 17.

³⁰ Lefort, “Image of the body,” 304; Lefort, “The Logic of Totalitarianism,” in *The Political Forms of Modern Society* (MIT Press, 1986), 273-291, quote is from page 279.

³¹ Lefort, “Image of the body,” 303.

³² Lefort, “The Permanence of the Theologico-Political?” in *Democracy and Political Theory* (Polity Press, 1988), 213-255, quote is from page 225. See also, Warren Breckman, “Lefort and the Symbolic Dimension,” in *Claude Lefort: Thinker of the Political*, (ed.) Martin Plot (Palgrave, 2013), 176-185.

³³ Lefort, “Question of Democracy,” 17. In Lefort’s conception of a monarchical society, Carlo Accetti explains, “the king’s body was not perceived as a ‘symbolic’ representation, distinct from the ‘real’ of society: the specific mode of social organization that prevailed depended on the fusion of these dimensions. This is precisely what changed with the passage to democracy.” Carlo Invernizzi Accetti, “Claude Lefort: Democracy as the Empty Place of Power,” in *Thinking Radical Democracy: The Return to Politics in Post-war France*, (eds.) Martin Breugh, Christopher Holman, Rachel Magnusson, Paul Mazzocchi, and Devin Penner (University of Toronto Press, 2015), 121-140, quote is from page 128.

the symbolic figure of the People in whose name they act. The People thus remain ontologically indeterminate and always open to re-figuration.

For many readers of Lefort, the democratic rupture of the king's two bodies and the destruction of a corporeal figuration of society entails a flight away from the material domain of the body in favor of the symbolic activities of discourse as the constitutive feature of democratic politics. As Bernard Flynn writes in his study of Lefort, since no body "can claim legitimacy in virtue of a special relationship to the divine [body politic,] ... legitimacy can be established only *discursively* and always tentatively."³⁴ Drawing on Lefort's work, Chantal Mouffe and Ernesto Laclau similarly argue that the democratic revolution established "the discursive conditions which made it possible to propose the different forms of inequality as illegitimate and anti-natural," thus unleashing "the profound subversive power of the democratic discourse."³⁵ Accordingly, their elaboration of hegemony mainly involves articulatory practices of discursive signification organized around language, speech, and text.³⁶ This emphasis on discourse in much radical democratic thought has led some critics to charge its theorists with a "linguistic or semiotic fundamentalism."³⁷ Far from attending to the worldly activity of politics, they argue, this one-sided focus on language has produced an "abstract way of thinking about the world that is so far removed from the actual practices and dynamics of everyday life."³⁸

³⁴ Bernard Flynn, "Lefort as Phenomenologist of the Political," in *Claude Lefort: Thinker of the Political*, (ed.) Martín Plot (London: Palgrave, 2013), 30.

³⁵ Ernesto Laclau, and Chantal Mouffe. *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics* (Verso, 1985), 155. On Lefort's influence on and relationship to the work of Laclau and Mouffe, see Jeremy Valentine, "Lefort and the Fate of Radical Democracy," in *Claude Lefort: Thinker of the Political*, (ed.) Martín Plot (Palgrave, 2013), 203-217.

³⁶ A prioritization of textual discourse is evident in Mouffe and Laclau's account of feminism's origins. "Our thesis is that it is only from the moment when the democratic discourse becomes available to articulate the different forms of resistance to subordination that the conditions will exist to make possible the struggle against different types of inequality. In the case of women we may cite as an example the role played in England by Mary Wollstonecraft, whose book *Vindication of the Rights of Women*, published in 1792, *determined the birth of feminism through the use made in it of the democratic discourse*" (154), emphasis added.

³⁷ Jason Frank, *The Democratic Sublime: On Aesthetics and Popular Assembly* (Oxford University Press, 2021), xii; See also, Kevin Olson, *Imagined Sovereignities: The Power of the People and other Myths of the Modern Age* (Cambridge University Press, 2016), 21-25.

³⁸ Lois McNay, *The Misguided Search for the Political* (Polity Press, 2014), 4.

The amount of attention given to linguistic signification in much radical democratic theory suggests that readers of Lefort have often conceived of the democratic rupture to necessitate a choice between the material domain of the body and the symbolic domain of discourse. Owing to the body's centrality in a monarchical society, suspicion of the body seems to have led many theorists to turn away from questions of embodiment in favor of discourse as the proper political activity of a democratic society. However, we need not read Lefort's account of the democratic revolution to result in such polarizing oppositions between the material and the symbolic, the body and discourse. I suggest that Lefort's work presents an alternative line of inquiry that can better attend to the embodied dimensions of the symbolic form of political societies.

Much of Lefort's noted suspicion of attempts to embody political power concerns what he describes as the totalitarian effort to fill the empty place of power. According to Lefort, totalitarianism resurrects a royalist logic of "incorporation" by claiming to incarnate "the People-as-One."³⁹ By incorporating power in a single unified body, whether the body of the communist party or of the fascist leader, totalitarianism destroys democratic plurality (the People-as-Many). The problem of totalitarian embodiment is not the body as such, but rather, the symbolic reduction of division and plurality to unity and singularity. Lefort's focus on plurality suggests that the body does not disappear in democracy so much as multiplies. In other words, the democratic revolution entails a shift not from "the body" to no body, but rather, from one body to many, from the singular body of the king to the plural albeit anonymous bodies of the people. Totalitarianism thus represents a *specific* form of embodiment, which suggests that non-totalitarian forms exist that do not threaten but materialize the plurality of The People. Although neither Lefort nor other radical democratic theorists pursued what democratic forms

³⁹ Lefort, "logic of totalitarianism," 287, 290. As Accetti, "Claude Lefort," 137 argues, totalitarianism in Lefort's work may be understood "as an attempt to reconstitute the intellectual and political framework of the *Ancien Régime* within the context of modernity: society acquires a 'body' once more, and the various 'spheres' of human endeavour are 're-incorporated' in the absolute principle of legitimacy."

of embodiment might look like, Lefort's work suggests that the logic of embodiment does not disappear in democracy but changes along with the symbolic mutations resulting from the democratic revolution.⁴⁰

Feminist and Queer Interpretations of the Democratic Revolution

While Lefort's work aims to theorize the political embodiment of a democratic society's symbolic forms, few of his readers have taken him up on these lines of inquiry, and the radical democratic picture of political power remains linguistic and disembodied.⁴¹ Beginning in the late 1980s, feminist and queer political theorists and historians developed a new interpretation of the democratic revolution showing that the body did not disappear but was displaced as part of the exclusion of women and sexual minorities from public life. According to scholars such as Joan Landes, Carole Pateman, Lynn Hunt, and Shane Phelan, theoretical inattention to the body resulted from larger inattention to gender and sexuality in the study of democracy. By centering gender and sexuality, they argue, we can better attend to questions of embodiment. Still, as I show, historiographical reliance on the repressive hypothesis has made such endeavors difficult, if not impossible, to meet. Nonetheless, queer and feminist critics provide critical insights for approaching the question of how citizens become attached to and embody the democratic ideal.

In 1988, two landmark studies of feminist political thought demonstrated how women's exclusion from political life was not accidental to the construction of new democratic ideas of equality

⁴⁰ In *On Populist Reason* (Verso, 2005), 166, Laclau argues that "the logic of embodiment continues to operate under democratic conditions" because the choice between the emptiness and fullness of power is a false binary. "Even the most democratic of societies would have symbolic limits to determine who can occupy the place of power. Between total embodiment and total emptiness there is a gradation of situations involving partial embodiments." Despite the similarity of our claims, Laclau's objects of analysis are thoroughly linguistic. His discussion of "partial embodiments" does not refer to embodied practices but to the fact that real bodies will have to occupy the place of power and that such occupation is unavoidable. Laclau does not seem take the "logic of embodiment" seriously enough and fails to analyze how forms of bodily practice materialize the symbolic order.

⁴¹ Recent studies of Merleau-Ponty's phenomenological influence on Lefort's work suggest that scholars are beginning to attend to the relationship between symbolic forms and the embodied experience of the world. Salih Emre Gerçek, "From body to flesh: Lefort, Merleau-Ponty, and democratic indeterminacy," *European Journal of Political Theory* 19, 4 (2017): 571-592. Claire Dodeman, "Claude Lefort, reader of Merleau-Ponty: from 'the proletarian experience' to the 'flesh of the social,'" *Journal of the Collège international de Philosophie*, 96, 2 (2019): 108-116. My thanks to Niklas Pläetzer for discussion on this point.

in the 18th century. In *Women and the Public Sphere in the Age of the French Revolution*, Joan Landes elaborates on Habermas's work to show how gender was central to the transformation of a "visually absorbed absolutist public sphere" centered on the king's body into a bourgeois public sphere "oriented around language."⁴² According to Landes, the royal court's spectacles of the body were "associated in the public mind with a distinctly feminized sensibility."⁴³ The symbolic identity between women and the body meant that republican critics coded aristocratic concerns with bodily conduct and display as feminine.⁴⁴ As such, Landes argues, the construction of a disembodied public of reason in opposition to the corporeality of the royal court relied on excluding women as representatives of the "worst sides of absolutist life."⁴⁵

Complementing Landes's study, Carole Pateman's *The Sexual Contract* similarly demonstrated how women's exclusion played a constitutive role in disembodied conceptions of democracy. Focusing on the history and theory of the social contract, Pateman argued that the concept of the free and equal individual elaborated in the 17th and 18th centuries relied on a fraternal contract granting men patriarchal control over women by splitting society into a public sphere of civic freedom accessible only to men and a private familial sphere to which women were relegated. Within the social contract tradition, she writes, "only masculine beings are endowed with the attributes and capacities necessary to enter into contracts ... only men, that is to say, are 'individual'."⁴⁶ Pateman revealed how the universal or, to use Lefort's parlance, empty category of the 'individual' was a gendered category predicated on women's exclusion as its condition of possibility. Like Landes, she claimed that the constitution of the individual

⁴² Joan Landes, *Women and the Public Sphere in the Age of the French Revolution* (Cornell University Press, 1988), 40.

⁴³ *Ibid.*, 47.

⁴⁴ Women's public role in the *salons* was a critical part of their symbolic association with the body. The salons were "schools for assimilation into aristocratic manners," and it was women who taught men who had recently entered the ranks of the nobility "the appropriate style, dress, manner, language, art and literature" (25, 24). Bourgeois critiques of the aristocratic world of the court and salon were thus articulated as critiques of women. The "secret power of bourgeois formalist and universalist rhetoric," Landes argues, "derive[s] from the way it promised to empty out the feminine connotations (and ultimately, the women as well) of absolutist public life" (40). See also, Lynn Hunt, *The Family Romance of the French Revolution* (New York: Routledge, 1992), 96-97.

⁴⁵ Landes, *Women and the Public Sphere in the Age of the French Revolution*, 49.

⁴⁶ Carole Pateman, *The Sexual Contract* (Stanford University Press, 1988), 5-6.

as a disembodied subject of reason only accessible to men draws on equivalences between women and the body. The subject of contract “has been conceptualized in opposition to the mundane world of necessity, the body, the sexual passions and birth: in short, in opposition to women.”⁴⁷ Not just in the social contract tradition but in democratic theory more broadly, Pateman contends, there exists a constitutive “opposition between women, bodies, passion, and men, reason, rational advantage, [which] is repressed” and which feminists must excavate and critique.⁴⁸

Centering gender in their work, feminist scholars highlighted fraternity as a historically hegemonic symbol for articulating political equality. In the following decade, queer political theorists developed these accounts by attending to questions of sexuality. In her 2001 *Sexual Strangers*, Shane Phelan argued that women’s subordination in democratic societies has “a corollary in the exclusion of overt same-sex desire” from public life.⁴⁹ Social contract theorists did not eliminate passion or relegate it to the private sphere as feminists often claimed but instead made it central to the bonds of the fraternal contract. “Homosocial passions . . . are required as an element of fraternity,” Phelan writes.⁵⁰ What threatens a fraternal model of citizenship is not passion as such, but rather a “particular love for another, especially romantic love,” that disturbs the universal civic love meant to bind citizens.⁵¹ To secure the political order, Phelan argues that the state seeks to purify men’s affective relations of their disruptive potential by organizing public life according to principles of gender and sexuality. On the one hand, women’s exclusion from the public sphere contains heterosexual passion in the family and ensures the fraternity of civic love. On the other hand, excluding same-sex intimacy in public denies any possibly erotic elements of fraternal love, thus ensuring its heterosexuality.

⁴⁷ Carole Pateman, *The Disorder of Women* (Stanford University Press, 1989), 45.

⁴⁸ Pateman, *Disorder of Women*, 48.

⁴⁹ Shane Phelan, *Sexual Strangers: Gays, Lesbians, and Dilemmas of Citizenship* (Temple University Press, 2001), 33.

⁵⁰ *Ibid.*, 48.

⁵¹ *Ibid.*, 47.

Feminist and queer critics illustrated how gender and sexuality were not incidental but formative of the democratic ideal. As they rightly show, we cannot understand modern democracy without centering the study of gender and sexuality. Like many radical democrats, they portrayed the democratic revolution as rejecting a monarchical regime identified with the body. Still, they went one step further and elaborated how fraternity was a critical symbolic figure for constituting a new political society predicated on principles of freedom and equality. As Lynn Hunt succinctly puts it, political authority in the *ancien régime* was “located quite precisely in the king’s body, and ... the ceremonial and political life of the country revolved around that body. The French Revolution attacked this notion and replaced it with another, in which charisma was displaced and dispersed, to be located in language, symbols, and ... in the collective representations of revolutionary fraternity.”⁵² For feminist and queer critics, the democratic revolution resulted in a disembodied conception of politics. Indeed, even as queer theorists attended to fraternity’s affective elements, they too articulated an immaterial account of fraternity. Civic love is an “abstract” passion, Phelan writes, “a love for the *idea* of one’s fellow citizens” that “erased the fact of their bodies.”⁵³

Notwithstanding their important critiques, these feminist and queer accounts share with deliberative and radical democrats a vision of the body as democracy’s outside. Whereas Habermas and many readers of Lefort claim that the shift from a monarchical to a democratic society entails a wholesale rejection of the structure of corporeality that defined the monarchy, queer and feminist critics largely embrace this narrative as a matter of historical fact and highlight how the disembodiment of political power relied on hetero-patriarchal exclusions that identified the body with women and sexual minorities. These diverse and even conflicting traditions of political thought all put forward a

⁵² Hunt, *The Family Romance of the French Revolution*, 197. See also, Adriana Cavarero, *Stately bodies: Literature, Philosophy, and the Question of Gender* (University of Michigan Press, 2002).

⁵³ Phelan, *Sexual Strangers*, 47, 97. Michael Warner similarly argues in *Publics and Counterpublics* (Zone Books, 2002) that “the bourgeois public sphere claimed to have no relation to body image at all” (67). Participation in the public sphere thus required citizens to adopt what Warner calls, echoing Lefort, “specific rhetorics of disincorporation” that render them bodiless (166).

repressive hypothesis of the body in democracy. This does not suggest that they construe power negatively, as if it had no productive effects. Instead, the body exists in a relation of constitutive exclusion to democracy. A common conception of power among many political theorists, Sina Kramer explains that constitutive exclusions occur when a group excluded from the political body “remains within the system or body that has excluded it” as something “repressed or disavowed.”⁵⁴ Conceived through the framework of constitutive exclusion, repression has generative effects. Ongoing exclusions based on gender and sexuality constitute a disembodied category of democratic citizenship symbolized by the figure of fraternity. Despite the monarchy’s abolition and the body’s repression, there is a return of the repressed, so to speak, as the excluded body continues to play a politically central and productive role in democratic society.

Read through the disjuncture of the king’s two bodies and the ontological split between the symbolic domain of power and the material domain of the body, queer and feminist scholars are undoubtedly correct to argue that, as a symbolic figure of democratic citizenship, fraternity is devoid of bodily content. Yet, in arguing that “the body” is displaced in the emergence of a democratic society, they present the body as a static object that is either present or absent, something one group (women and queers) “has” and another group (heterosexual men) does not. “The body” thus becomes sedimented as a conceptual object divorced from the embodied political actions of subjects. As a result, calls to center “the body” in political thought fall short of properly attending to how forms of embodiment can generate political signification and end up replicating oppositional binaries between the symbolic and the material, mind and body.

Feminist and queer scholars have rightly foregrounded the role of gender and sexuality in forming the democratic citizen. Still, they have not explained how masculine individuals became attached to the symbolic figure of fraternity, such that it became a hegemonic form of life embodied

⁵⁴ Sina Kramer, *Excluded Within: The (Un)intelligibility of Radical Political Actors* (Oxford University Press, 2017), 5.

in ordinary and everyday practices. When considered alongside Lefort's suggestion that every political society materializes its symbolic forms, fraternity comes to appear not as a disembodied symbol of democracy so much as a historically dominant form of political embodiment. As such, a feminist political analysis of fraternity suggests that the development of new symbolic forms of equality and domination in the 18th century took place in and through embodied forms of gender. Moreover, a queer political analysis attentive to fraternity's affective dynamics suggests that the production of new forms of political embodiment turned on the production of new embodied forms of feeling. Wedding together queer, feminist, and radical democratic thinking thus gestures to an alternative way of theorizing democracy beyond the terms of the repressive hypothesis. What kind of story can we tell about the rise of democracy if we shift attention from "the body" and its inclusion or exclusion to focus on bodily practice and struggles around new political forms of embodiment?

From the Repression of "The Body" to the Production of Bodily Practices

To answer this question, this dissertation takes up and develops a critical insight of Foucault's work, namely, that the development of a formally egalitarian bourgeois society in the 18th century involved not the repression but the cultivation of bodies. Like Lefort, Foucault turns to Kantorowicz's *The King's Two Bodies* to provide a conceptual model for theorizing the *ancien régime* and its transformations. In *Discipline and Punish*, Foucault writes that his study of the history of penal power aims to "analyse what might be called, in homage to Kantorowitz [sic.], 'the least body of the condemned man.'"⁵⁵ Foucault deploys and inverts the figure of the king's two bodies to investigate how the development of punitive and disciplinary mechanisms targeting the physical bodies of those condemned by the law was co-constitutive with the formation of new juridical subjects of equality. As Foucault writes, "the establishment of an explicit, coded and formally egalitarian juridical framework ... was supported by these tiny, everyday, physical mechanisms that are essentially non-

⁵⁵ Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage, 1995), 29.

egalitarian and asymmetrical that we call the disciplines.”⁵⁶ According to Foucault, the creation of new juridical subjects, formally equal before the law, involved not the disincorporation of subjects so much as their subjection to new techniques of corporeal discipline.

Discipline and Punish might give the impression that new power mechanisms emerged mainly targeting the poor as if the dominant classes did not consider their bodies politically significant.⁵⁷ However, as Foucault describes in *History of Sexuality, Vol 1*, the establishment of bourgeois hegemony involved the production and cultivation of their class bodies. According to Foucault, the increasing importance granted to sex over the course of the 17th and 18th centuries was inseparable from new forms of class power. Where blood previously signified the aristocracy’s value, honor, and right to rule, sex represented the symbolic worth of the middle classes. The bourgeoisie “made [sex] identical with its body, or at least subordinated the latter to the former by attributing to it a mysterious and undefined power; it staked its life and its death on sex by making it responsible for its future welfare.”⁵⁸ The development of new techniques of disciplining, observing, exciting, regulating, and ultimately producing middle-class bodies and their desires are intimately linked for Foucault to the shift from an aristocratic society to a new class order. The bourgeoisie’s formation and rise to political dominance involved “creating its own sexuality and forming a specific body based on it, a ‘class’ body,” he writes.⁵⁹ “There is little question that one of the primordial forms of class consciousness is the affirmation of the body.”⁶⁰

⁵⁶ Ibid., 222.

⁵⁷ “Historically, the process by which the bourgeoisie became in the course of the eighteenth century the politically dominant class was masked by the establishment of an explicit, coded and formally egalitarian juridical framework made possible by the organization of a parliamentary, representative regime. But the development and generalization of disciplinary mechanisms constituted the other, dark side of these Processes.” Foucault, *Discipline and Punish*, 222.

⁵⁸ Michel Foucault, *History of Sexuality, vol. 1*, 124.

⁵⁹ Ibid.,

⁶⁰ Ibid., 126.

Foucault rarely theorizes or even uses the category of democracy in his work.⁶¹ Still, his attention to the centrality of the body in the growth of bourgeois hegemony offers an alternative starting point from which to theorize the rise of a novel social order in the 18th century that we could call bourgeois democracy. This dissertation thus draws on Foucault's work but it also departs from his methodological approach. Perhaps owing to what Christopher Chitty describes as Foucault's "indifference toward dedifferentiating the ontological from the epistemic," *History of Sexuality, Vol. 1* does not focus on questions of embodiment so much as the production of knowledge and new categories of sexual and social meaning.⁶² As such, Foucault's account has difficulty explaining how subjects became attached to new categories of meaning, such as homosexuality. By shifting attention to the ontological domain of bodily practice, I illustrate how individuals became invested in new figures of meaning and ways of thinking. Ultimately, then, I draw together Foucault's insights on the centrality of sex and the body to new forms of class power, feminist and queer political theory's attention to the constitutive role of gender and sexuality in the democratic imaginary, and Lefort's suggestive comments about political embodiment to show how the emergence of novel ideas and practices of the male body constituted a democratic society committed to equality but organized according to new relations of subordination and domination.

II. The Argument: Sodomy, Equality, Fraternity

For the last two centuries, most, if not all, social and political movements committed to democracy have articulated their goals in the language of equality.⁶³ Despite the contested nature of

⁶¹ The word "democracy" appears neither in *Discipline and Punish* nor *History of Sexuality, Vol. I*. Rather than investigate the formation of The People as a new category of sovereignty in the 18th century, Foucault opts instead to study the development of 'the population' as a category of demography. One of few places where Foucault discusses democracy is in a lecture at the Collège de France in 1976, where he claims that "the democratization of sovereignty" was a reaction to the spread of disciplinary mechanisms of control. See, Michel Foucault, *Society Must be Defended: Lectures at the Collège de France, 1975-1976* (Picador, 2004), 37. My thanks to Lucile Richard for this insight and for discussions on the topic of democracy in Foucault's work.

⁶² Christopher Chitty, *Sexual Hegemony: Statecraft, Sodomy, and Capital in the Rise of the World System* (Duke University Press, 2020), 154.

⁶³ Fascism seems to provide the obvious counterexample. Yet, even fascist movements have historically resorted to publicly articulating their demands in the language of equality, arguing that the races and sexes are "equal but different" and thus deserve different (and what amounts to unequal) treatment. See, Kevin Passmore, *Fascism: A Very Short Introduction* (Oxford, 2002).

the concept and the many meanings signified by the word, equality is readily understood as an ideal of a democratic society. But how did equality become a central part of our political common sense? How did individuals become attached and committed to the democratic ideal of equality? In other words, how did so many people become democrats in the 18th century?

This dissertation proposes to answer these questions by interrogating fraternity as a central part of the democratic heritage. In the hierarchal world of the *ancien regime*, equality was an elusive idea, an incomprehensible way of relating for people entrenched in an asymmetrical political structure. Yet, in the late 17th century, brotherhood became a critical rallying cry for political equality, as struggles for inclusion into democratic citizenship were and still often are waged over inclusion into the category of manhood.⁶⁴ Fraternity was not (just) a metaphorical symbol or philosophical concept articulated in speeches and law, but a charged feeling experienced and material practice expressed in and through men's bodies. I argue that fraternity made sensible and gave shape to the abstract notion of equality. Bodily practices of fraternity habituated people into new egalitarian ways of thinking, acting, and feeling. Fraternity was not the only way of giving flesh to equality, however, as figures such as sorority gave form to alternative configurations of equality and materialized less exclusive democratic relations among individuals.

Over the course of six chapters, I chart a historical arc from the mid-16th century royal courts of Western Europe to the associational world of clubs, societies, and social movements of the 18th century to explore the historical formation of fraternity as a hegemonic symbolic idea, bodily practice, and affective relation of political equality. I show how ordinary and everyday forms of conduct organized an aristocratic and monarchical society committed to naturalized hierarchies of class and the

⁶⁴ Fraternity was not a novel way of organizing collective life in the 18th century, as notions of brotherhood can be traced back to guild, chivalric, and monastic traditions of the medieval period. However, guild laborers, knights, and monks did not conceive of fraternity as an alternative model of *political* community but a relational form of life subordinate either to the monarchy or church. See, Maurice Keen, "Brotherhood in Arms," *History* 47, 159 (1962): 1-17; John Henderson, *Piety and Charity in Late Medieval Florence* (University of Chicago Press, 1994), 13-32; Louis-Georges Tin, *The Invention of Heterosexual Culture* (MIT Press, 2012), 1-93; Claudia Rapp, *Brother - Making in Late Antiquity and Byzantium: Monks, Laymen, and Christian Ritual* (Oxford University Press, 2016).

sovereign power of the king. I illustrate how the emergence of novel practices of gender and sexuality at the turn of the 18th century challenged and displaced dominant forms of political embodiment and gave rise to new egalitarian relations. I argue that the exercise of these bodily practices generated new kinds of feelings and sensations that invested them with political meaning and revealed how subjects became attached to fraternity as a symbolic ideal of a democratic society. The historical process in which these bodily practices materialized fraternity as a dominant figure of equality was neither linear nor uncontested. Struggles over developing gendered and sexualized forms of bodily comportment produced plural and sometimes opposing meanings of equality. These conflicts reveal how the hegemony of a hetero-patriarchal vision of fraternity underpinning emerging democratic societies in the 18th century was neither inevitable nor unavoidable but the contingent result of ongoing corporeal conflicts taking place on the terrain of everyday life.

This dissertation focuses on England (and later Britain) and its international relationship with France, Holland, and the British colonies, but the historical trajectory I describe is not exceptionally English (or British). The democratization phenomenon occurred across the European and Atlantic world in the 18th century. Much of the literature on the age of the democratic revolutions focuses on the period from the 1760s to the early 1800s and tends to center the American and French revolutions. In contrast, this dissertation argues that the rise of democracy begins much earlier at the turn of the 18th century in England. The account I chart is therefore not exceptionally British, but it is precociously British. I argue that the 1688 Revolution set off a wave of political transformations in England that had effects throughout Europe and the British colonies of North America. New bodily practices of fraternity initially formed in London's early 18th century public sphere were taken up across the Atlantic. I suggest that these practices helped set the conditions for the democratic upheavals that took place later in the century.

The story I tell begins by turning to the king's two bodies as a conceptual model to analyze the body in its material and symbolic dimensions. In Chapter One, I examine the political grammar of "incorporation" used by royalists in the 16th and 17th centuries to speak about the unity of the king's two bodies and show how royalists did not split the material practices of the king's body from the symbolic power of the body politic. Focusing on spectacular ceremonies of kingship, such as the ritual of the royal touch, and everyday forms of conduct like bowing and kneeling, I show how bodily practices revolving around the king materialized royal authority and incorporated the body politic in the king's natural body. These rituals and practices illustrate how the corporeal architecture of the monarchy was organized according to two geographical axes: degrees of distance and proximity on the one hand and angles of vertical elevation on the other. By regulating physical distance between subjects and rulers and enforcing hierarchical etiquette practices, the monarchy generated an atmosphere of reverence that constituted the king as a sacred object with the unique right and capacity to rule. The embodied sensations of reverence generated by these practices reveal how the monarchy produced and secured relations of obedience and attachment.

Chapter Two explores how this corporeal and affective structure of royal power underwent a dramatic transformation during the English Revolution of 1688. I claim that the events of 1688 initiated a democratic revolution by rupturing the link between the king's natural body and the body politic. Rather than destroy the model of the body as the symbolic form of society, the revolution multiplied the number of bodies that could be linked to the body politic, replacing the singularity of the king with the plurality of the people. I argue that the English nation emerges as a new symbolic body of political authority and supplants the sovereign body of the king, as Parliament becomes the dominant representative institution of the state. A distinctive shift thus occurs in the relationship between the body politic and the natural bodies of its members, as a monarchical structure of incorporation transforms into a democratic structure of representation. In contrast to kingship, no

singular member of a democratic state can claim to incorporate political power and rule over others. Yet, some members claim the right to speak and act in the people's name as their political representatives. How do citizens learn to trust an elected few with the power to represent them and act in their name but not threaten their newfound equality? And, more importantly, how do subjects related to each other in hierarchical chains of subordination and domination come to see themselves as free and equal individuals in the first place?

To respond to these problems, I show how political theorists and actors in the late 17th and early 18th century proposed fraternity as a new model of political community. Against the status hierarchies that historically grounded the aristocratic world, I document how gender, especially manhood, emerges as a new foundation of democratic equality. Not just a metaphor or philosophical trope in democracy's revolutionary heritage, fraternity among men *as men* describes an embodied way of moving, acting, and feeling with others in the world. By attending to canonical texts of political theory (Chapter Three), international republican social movements (Chapters Four and Five), and working-class communities of sodomites (Chapter Six), I show how new ideas and practices of the male body both constructed *and* contested fraternity as a new organizing principle underpinning an emerging bourgeois society formally committed to democratic equality.

In the aftermath of the 1688 Revolution, an emerging public sphere of clubs and societies provided the institutional support to realize and give flesh to symbolic ideas of fraternity. Structured on principles of gender and sexuality rather than class, novel spaces of political assembly produced new forms of bodily conduct and feeling that shaped new political relations of equality. Women's active exclusion from an emerging public sphere did not displace "the body" so much as set the conditions for new embodied forms of fraternity. I argue that the development of novel bodily practices of touch among men, such as shaking hands, hugging, and kissing, created egalitarian relations of homosociality among strangers. Queer theorists have often claimed that queer counterpublics display a structure of

affiliation in which “intimate relations and the sexual body can be understood as projects for transformation among strangers.”⁶⁵ I show how affectively and, at times, erotically charged forms of stranger intimacy are not unique to homosexual communities but are a constitutive feature of the early 18th-century public sphere. The intimacy of a manly and felt brotherhood among men played a critical role in constituting and attaching men to new political principles of fraternal equality, revealing how gender became the naturalized ground of a democratic society.

To illustrate the development of embodied practices of egalitarian intimacy among men, Chapter Four focuses on Europe’s largest republican organization in the 18th century, Freemasonry, a social movement that Mikhail Bakunin described as “nothing less than the universal conspiracy of the revolutionary bourgeoisie against the feudal, monarchical and divine tyranny. It was the International of the bourgeoisie.”⁶⁶ Established in London in the early 1700s and quickly spreading across Europe and the British colonies, freemasonry brought together men of various backgrounds under the banner of fraternal love and equality. By analyzing masonic rituals of initiation and practices of identification, I show how masons challenged aristocratic norms of bodily conduct and institutionalized new kinds of intimate touch between members. The chapter provides a historically thick and phenomenologically attuned account of the intersubjective practices taking shape in masonic lodges. It shows how these practices elicited new feelings and sensations among men, generating what Alexis de Tocqueville described as the democratic citizen’s “manly and legitimate passion for equality.”⁶⁷ The affective bonds of brotherhood created by these rituals illuminate how men became attached to fraternity as a symbolic figure of democratic equality. I show how masculinity is constituted in relationship to democratic ideals

⁶⁵ Warner, *Publics and Counterpublics*, 122. See also, Phelan, *Sexual Strangers*, 160.

⁶⁶ Mikhail Bakunin, “To The Comrades Of The International Workingmen’s Association Of Locle And Chauv-De-Fonds” (1869), Accessed from <https://www.marxists.org/reference/archive/bakunin/works/1869/program-letters.html> [December 2020].

⁶⁷ Alexis de Tocqueville, *Democracy in America* (University of Chicago, 2000), 52.

and how gender is not a pre-existing natural category but created through embodied political practices in public space.

As masonic lodges spread across Europe in the early 18th century and fraternity became an increasingly popular symbol and practice of political equality, another kind of fraternal love became subject to suspicion and attack. In the 1720s and 30s, across the major urban and modernizing cities of London, Paris, and the Hague, unprecedented campaigns emerged to persecute men for the crime of sodomy.⁶⁸ As homosexual communities were raided and men arrested, pilloried, and executed for their criminal intimacies, rumors circulated across Europe and North America that fraternal societies such as the freemasons promoted and engaged in perverse sexual activities.⁶⁹ In 1738, the Catholic Church issued a papal bull banning all involvement with the freemasons on account of the “greatest suspicion” that they were “depraved and perverted” men.⁷⁰ By 1740, lodges had been restricted or outlawed in several European cities and states.⁷¹

The historical coincidence of a developing fraternal public sphere with attempts to police and dismantle communities of sodomites suggests that we cannot make sense of the political significance accorded to gender and fraternity as a symbolic category of democracy without also attending to sex and sexuality as a field of political contestation. Inseparable from the historical arc of fraternity’s

⁶⁸ Arend H Huussen. "Sodomy in the Dutch Republic During the Eighteenth Century," in *Hidden from History: Reclaiming the Gay and Lesbian Past*, (eds.) Martin Duberman, Martha Vicinus and George Chauncey (New York: Meridian, 1989), 141-49; Dirk Jaap Noordam, "Sodomy in the Dutch Republic, 1600-1725," in *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe*, (eds.) Kent Gerard and Gert Hekma (New York: Routledge, 1989), 207-228; Randolph Trumbach, "Sodomitical Subcultures, Sodomitical Roles, and the Gender Revolution of the Eighteenth Century: The Recent Historiography" in *'Tis Nature's Fault: Unauthorized Sexuality During the Enlightenment*, (ed.) Robert Maccubbin (Cambridge University Press, 1987), 109-21; Randolph Trumbach, "Sodomitical Assaults, Gender Role, and Sexual Development in Eighteenth-Century London," in *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe* (eds.) Kent Gerard and Gert Hekman (Harrington Park Press, 1989), 408-409; Trumbach, Randolph. *Sex and the Gender Revolution, Vol 1: Heterosexuality and the Third Gender in Enlightenment London* (University of Chicago Press, 1998); Rey, Michel. "Parisian Homosexuals Create a Lifestyle, 1700-1750: The Police Archives." In *'Tis Nature's Fault: Unauthorized Sexuality During the Enlightenment*, (ed.) Robert Maccubbin (Cambridge University Press, 1985), 179-91. Rictor Norton, *Mother Clap's Molly House: The gay Subculture in England, 1700-1830* (Gay Men's Press, 1992).

⁶⁹ Thomas Foster. "Antimasonic Satire, Sodomy, and Eighteenth-Century Masculinity in the 'Boston Evening-Post,'" *The William and Mary Quarterly* 60, 1 (2003): 171-184; Kenneth Loiselle, *Brotherly Love: Freemasonry and Male Friendship in Enlightenment France* (Cornell University Press, 2014).

⁷⁰ Pope Clement XII, "In Eminenti: Papal Bull dealing with the condemnation of Freemasonry (1738)" *Papal Encyclicals Online*, <https://www.papalencyclicals.net/Clem12/c12inemengl.htm> [Accessed March 2021]. For discussion on the ban, see Chapter Five.

⁷¹ These include Holland, Frisia, Geneva, Tuscany, France, Sweden, Hamburg, Italy, Austrian Netherlands, Poland, and Spain.

development is a story of sodomy, and the meeting point of these two accounts is the politics of men's bodily relations. Like fraternity, sodomy describes a highly charged symbolic metaphor and bodily practice, neither timeless nor stable. I argue that changes in sodomy's meaning and practice over the 17th and 18th centuries played a vital role in the downfall of an aristocratic world and the rise of a bourgeois society purportedly committed to democratic principles of equality. The emergence of fraternity as a hegemonic figure of equality involved conflict and contestation of new embodied forms of gender and sexuality, as suspicion of men's intimate bodily practices engendered an ambiguity between the manly love of brothers and the illicit love of sodomites. Superimposed on this dissertation's account of fraternity is a history of sodomy that details how fraternity *becomes* heterosexual. I argue that fraternity and sodomy, as both symbols and practice, are co-constitutive elements in the rise of democracy. By attending to the development of new forms of conduct and feeling in the historical struggle to establish equality, I illuminate sodomy to be a central but often overlooked category of politics and show how gender and sexuality are crucial analytic categories in the study of democracy.

In Medieval Europe, sodomy described a category of political theology. As the apocalyptic symbol for the city of sin destroyed by God, sodomy was associated with religious blasphemy, political sedition, and satanic figures like demons and witches.⁷² Yet, sodomy also described a category of sex that involved the abuse of the body for unnatural ends. Juridically, it designated a crime of phallic penetration (often including emission) for non-reproductive purposes, denoting acts like anal sex or bestiality.⁷³ Sodomy was thus an 'unnatural' sexual practice and a politico-theological symbol of

⁷² Alan Bray *Homosexuality in Renaissance England* (London: Gay Men's Press, 1982); George S Rousseau. "The Pursuit of Homosexuality in the Eighteenth Century: 'Utterly Confused Category' and/or Rich Repository?" in *'Tis Nature's Fault: Unauthorized Sexuality During the Enlightenment*, (ed.) Robert Purks Maccubbin (University of Cambridge Press, 1985), 132-68; H. G. Cocks, *Visions of Sodom: Religion, Homoerotic Desire, and the End of The World in England, C. 1550-1850* (University of Chicago Press, 2017); Jonathan Goldberg, *Sodometries: Renaissance Texts, Modern Sexualities* (Fordham University Press, 2010); Mark Jordan, *The Invention of Sodomy in Christian Theology* (University of Chicago Press, 1997); Louis Crompton, *Homosexuality and Civilization* (Harvard University Press, 2003).

⁷³ Caroline Bingham. "Seventeenth-Century Attitudes Toward Deviant Sex," *Journal of Interdisciplinary History* 1, 3 (1971): 447-468; Leslie Moran, *The Homosexual(ity) of Law* (New York: Routledge, 1996); Cynthia Herrup. *A House in Gross Disorder: Sex, Law, and the 2nd Earl of Castlehaven* (Oxford University Press, 1999).

disorder. Yet, sex between men was not always understood to be sodomy. In the 16th and 17th centuries, alternative symbolic categories, such as patriarchy, patronage, marriage, and friendship, could be used to describe and make sense of same-sex erotic intimacies.⁷⁴ As Alan Bray famously demonstrated, homosocial relations of intimacy in early modern England were often recoded as sodomy when they seemed to threaten hierarchies of rank and status.⁷⁵ When and under what conditions accusations of sodomy became weaponized to refigure men's homosociality as dangerous to the social order is an eminently political and historical question.

In the years following the 1688 Revolution, widespread rumors circulated across England and Europe alleging that the newly elected Dutch king of England, William III, practiced sodomy with his foreign favorites. Given a monarchical structure of incorporation in which the king's natural body incarnated the body politic, the kinds of ungodly and illicit activities the king did with the royal body could have grave consequences for the state. In Chapter Two, I show how rumors of sodomy against the king unsettled political attachments to the monarchy. Discourses of sodomy disrupted the unity of the king's two bodies and made way for new configurations of popular rule, giving shape to nationalist conceptions of the body politic. Sodomy's role in the world-historical shift from the body of the king to the body of the nation as a new site of sovereign authority reveals how allegations of sodomy were critical in the attack against the symbolic order of the monarchy. In short, I show how sodomy played a constitutive role in the democratic revolution.

As the political form of society underwent a symbolic mutation, so too did sodomy's meaning drastically change. Historically, sodomy signified a danger to naturalized hierarchies of status by

⁷⁴ George E. Haggerty *Men in Love: Masculinity and Sexuality in the Eighteenth Century* (Columbia University Press, 1999); Paull Hammond *Figuring Sex Between Men from Shakespeare to Rochester* (Oxford University Press, 2002); Alan Bray, *The Friend* (Chicago, 2003); Michael Rocke, *Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence* (Oxford University Press, 1996); Michael Young, *James VI and I and the History of Homosexuality* (Basingstoke: Macmillan, 2000); Thomas King, *The Gendering of Men, 1600-1750, vol 1: The English Phallus* (University of Wisconsin Press, 2004).

⁷⁵ Alan Bray, "Homosexuality and the Signs of Male Friendship in Elizabethan England," *History Workshop Journal* 29, 1 (1990): 1-19. See also, Valerie Traub, *The Renaissance of lesbianism in Early Modern England*. University of Cambridge Press, 2002

threatening to level relations of inequality between men. As part of the democratic revolution, however, sodomy increasingly came to describe a danger to relations of equality by threatening to impose rather than subvert relations of asymmetrical domination. Sodomy's meaning thus inverted with the emergence of a democratic form of society symbolically organized according to political relations of fraternal equality rather than patriarchal hierarchy. I document this shift by analyzing how canonical political thinkers (Chapter Three), members of the aristocracy and middle classes (Chapter Five), and working-class sodomites (Chapter Six) deployed discourses of sodomy both for and against an emerging bourgeois society committed to equality and new forms of class domination.

In Chapter Three, I turn to a critical text of the revolutionary heritage of 1688, the *Two Treatises of Government*, and show how John Locke employs a rhetoric of fraternity and sodomy to reorder the symbolic terms of 17th-century politics.⁷⁶ Contrary to atomistic and rationalist interpretations, I argue that the *Two Treatises* employs a discourse of fraternal love to bind the male subjects of contract together in interdependent egalitarian relations of feeling. While fraternal love promises to create new bonds of unity among men, it also poses a danger. Fraternal love risks binding the contractors such that their unity becomes a fusion, and they lose their newly gained masculine autonomy and independence. To respond to this dilemma, I argue that Locke articulates a conception of sodomy as the symbolic limit point of men's contractual equality. Sodomy marks the border between men's autonomous relations of self-ownership on the one hand and patriarchal relations of possession on the other. Attention to sodomy thus reveals how the social contract is not just a sexual contract but a heterosexual one, as sodomy signifies the patriarchal threat that brothers to the contract relate to and treat other men's bodies like they do their wives at home.

⁷⁶ Where Chapters One and Two study the political *grammars* of incorporation and representation, Chapter Three examines the *rhetoric* of fraternity. I use the term "political grammar" to indicate a certain way of thinking and speaking about politics (What Wittgenstein called the rule for the use of a word). In contrast, when I speak about the rhetoric of fraternity, I use the term "rhetoric" to denote the intentional deployment of figurative language (i.e. fraternity) within a political grammar for specific ends. A political grammar is thus prior to and conditions the possibility of a figure's rhetorical use.

Moving beyond this canonical text, I examine how the fraternity-sodomy dyad manifests in the emerging public sphere of the early 18th century and show how discourses of sodomy served as weapons of political struggle for and against new forms of equality and class rule. Building on the analysis presented in Chapter Four of masonic efforts to create new relations of equality by cultivating new embodied forms of intimacy among men, Chapter Five investigates how members of the aristocracy and middle-classes deployed rumors of sodomy to limit fraternity's radical implications of class leveling. Claims of homosexuality taking place in the masonic lodges formed part of wider attempts to secure class differences among men by domesticating emergent forms of fraternal affection and intimacy. Accusations that fraternal love transformed brothers into sodomites drew men away from an excessive attachment to new relations of equality forming in the fraternal public sphere and re-invested them in the private domain of the conjugal family as the proper sphere of love and intimacy. Rumors of sodomy contained the radical potential of fraternal love and constructed heterosexuality as a normative form of intimacy sedimented in the private sphere of the marital couple. These rumors thus transformed fraternity's meaning and revealed how men became attached to heterosexuality as a category of democratic citizenship.

Sexual suspicions of fraternity's embodied practices indicate that sodomy is not fraternity's constitutive outside so much as its immanent potential. Sodomy signified an intimacy that had become too intimate, an equality that had become too equal, and thus gone awry. Immanent to democratic forms of male homosociality was a latent homosexual potentiality.⁷⁷ In Chapter Six, I show how some men pursued these homosexual potentials and produced new meanings of equality. Taking up an

⁷⁷ Prior to Pateman's influential reading of fraternity, intellectual histories sometimes noted, with discomfort, fraternity's erotic potential. In *The Idea of Fraternity in America* (University of California Press, 1973), Wilson Carey McWilliams warns that eroticism between civic brothers can undermine their political autonomy. "Erotic desires certainly presuppose the need for something outside the self.... But the whole object of such desires is to eliminate that distinction, to make the object 'one' with the subject" (35). Given the erotic dream of creating a fusion out of a separation, one soul out of two bodies, McWilliams claims that "only when the erotic dream of completion is desolated can man fully recognize his fellows, see himself and them alike as [separate and autonomous] parts of a whole" (46). As I show, sodomy has historically served to mediate this tension between separation and fusion, autonomy and dependence, posed by the affective forces of fraternity.

emerging ideology of fraternity to justify their sexual practices, some men employed Lockean claims about bodily ownership and self-possession to argue that sodomy was not a violation of the body but an expression of its freedom. I argue that the principle of equality evident in their defenses was not an abstract intellectual concept but an embodied idea realized in changes to the practice of sex itself. Disrupting historically hierarchical patterns of sex, the popularization of reciprocal practices of penetration between men in the early 18th century illustrate how new ideas of equality materialized in the intimate domain of sex. These sexual practices challenged emerging heterosexual forms of fraternity, as the bodily pleasures they generated invested men in alternative visions of equality.

While some sodomites turned to the category of manhood and notions of masculine self-possession to defend their sexual practices, others resisted manhood altogether and elaborated an alternative vision of equality organized around the symbolic figure of sorority. In the dissertation's final chapter, I explore the rise of an underground network of working-class clubs and societies of sodomites in London that contemporaries called molly houses. Like the masonic lodge, members of the molly houses engaged in embodied rituals and practices, but unlike most institutions of the public sphere, they included both men and women. Attending to the bodily practices of gender and sexuality cultivated in these spaces, I show how mollies contested fraternity as an organizing principle of an emerging bourgeois society by giving flesh to anti-patriarchal and anti-homophobic visions of democracy. I argue that feminized forms of embodiment produced in the molly houses rendered working-class homosexuality a threat to naturalized ideas of gender underpinning hegemonic conceptions of equality. The repression of the molly houses demonstrates how sexual threats posed by working-class forms of sodomy operated in and through embodied forms of gender, as the excesses of fraternal love and intimacy seemed to exceed the very bonds of fraternity itself. The molly houses thus reveal how heterosexuality is constituted in relationship to emerging democratic ideals of freedom

and equality, illuminating how sexuality comes into being through the political organization of bodily practices in public and private space.

III. The Archive

Fraternity is a key conceptual idea and symbolic figure of the democratic imaginary, but such figures are not mental constructs that can be understood separately from the world. Imagination is not a space of thought but a worldly activity. As when children ‘play pretend’ and bring the fiction of their imagination to life, the democratic imaginary entails specific ways of acting in the world, which includes but also surpasses the activities of speech. The forms of social practice that can signify political ideas are broad reaching. This dissertation draws on a wide body of work that sometimes falls outside the disciplinary boundaries of political theory (e.g. historical sociology) and sometimes sits uneasily within it (e.g. feminist and queer theory). Some of the sources I turn to will be familiar to political theorists, such as parliamentary legislation, philosophical texts, novels, speeches, and political pamphlets, of which the most well-known is the subject of Chapter Three, the *Two Treatises*. Apart from these, many of the sources I use are not the conventional ones with which political theorists tend to think about politics. These include etiquette and courtesy manuals, medical treatises, court proceedings, leaked exposures of initiation rituals, clippings of journals and newspapers, satirical poetry, autobiographies, travel accounts, personal correspondences, theatrical plays, paintings, and engravings. Often overlooked by political theorists, who tend to privilege more abstract philosophical and cognitive forms of argumentation, I show how this material can serve as a rich resource for political thinking. Given the seemingly eclectic mix of materials that constitute this dissertation’s sources of evidence, a few words about its archive are in order.

“Historians of the quotidian have to be patient detectives who put together many scraps of evidence to form a big picture,” writes Penelope Corfield, “there are no large central archives that

collect material on fleeting matters, such as gestures and interpersonal greetings.”⁷⁸ The diversity of material I use provides a wide-ranging account of ideas and practices of the body from the mid-16th to the latter half of the 18th century. Some of these sources present fictional accounts of bodily practices. For instance, etiquette books and plays (especially stage directions) present idealized forms of comportment, providing insight into the norms of proper and improper conduct. Other sources, such as personal correspondences and court testimonies, provide more empirical records. Though the accuracy of their claims remains open to question, they enable the analyst to see if and how ordinary practices aligned with or contested their idealized forms. Moreover, these empirical records also help one to chart the development of certain practices (e.g., sodomy), which often were not publicly discussed. Still other sources, such as published exposures of masonic rituals, provide a mix of idealized and possibly empirical actions. These materials provide a snapshot of both dominant and minor, normative and transgressive, forms of embodiment and their changes over time.

This dissertation’s attention to ordinary practices of conduct draws on the insights of historical sociologists such as Norbert Elias, whose work investigated how everyday conduct “corresponds to a quite definite social structure.”⁷⁹ According to Elias, the meaning of a bodily gesture is not found outside its action but is revealed in what a gesture communicatively signals to others in social interaction. For instance, accounts of men of different ranks kissing will communicate different forms of meaning depending on the context of their interaction, such as whether their intimacy takes place at the royal court, inside a masonic lodge, or outside in the open street. Additionally, the form of the source material bears great weight on its content, as public portraits of intimacy between men carry different connotations from rumors of intimacy reported in newspapers. While extending Elias’s

⁷⁸ For this reason, she argues, studies of ordinary gestures “are not suitable for doctorates, which these days are expected to be completed in a finite number of years.” Penelope J. Corfield, “Fleeting gestures and changing styles of greeting: researching daily life in British towns in the long eighteenth century,” *Urban History* 49 (2022): 555–567, quotes on pages 555 and 565.

⁷⁹ Norbert Elias, *The Civilizing Process: Sociogenetic and Psychogenetic Investigations* (Oxford: Blackwell Publishing, 1994), 59.

approach to questions of gender and sexuality, I depart from his understanding of bodily comportment.⁸⁰ By drawing together archives of bodily practice with contemporary political debates, I analyze how forms of embodiment materialized and/or challenged more abstractly intellectual discussions concerning sovereignty, freedom, and equality. In this way, the dissertation shows how patterned ways of moving, acting, speaking, and conducting oneself embody the symbolic forms of a political society.

How do such bodily practices help explain the attachment that certain symbolic figures hold over individuals? How do they illuminate the development of new democratic sensibilities that ultimately came to supplant expected ways of relating in an aristocratic world? As I discuss further in the dissertation's conclusion, I methodologically highlight the role of affect as a force in and through which bodily conduct gains meaning and attaches individuals to symbolic figures of the imagination. Gestures such as bowing, hugging, kissing, and even fucking carry differently charged sensations, the intensity and feelings of which are neither stable nor pre-determined. Conduct books, political pamphlets, plays, lectures, and other sources often explicitly state the sensations subjects ought to experience when performing certain gestures, such as reverence when bowing before a superior or love when hugging a brother. While such discourses aim to teach individuals how to feel and render their experiences emotionally intelligible, other sources, such as private letters, autobiographies, and trial testimonies, provide clues as to how individuals may have actually reacted to these practices. In both cases, the archive discloses the kinds of idealized and observed sensations elicited by various bodily practices and indicates how subjects became invested in different forms of embodiment.

While new rituals and practices of the body disrupted and transformed sedimented ways of acting by imparting new feelings and sensations on their participants, the forms of feeling generated by these practices could exceed the political purposes for which they were initially evoked. Journals,

⁸⁰ An extended critical discussion of Elias's work can be found in the conclusion to the dissertation.

newspapers, and sermons expressed alarm that the feelings of fraternity engendered by new practices of public sociality among men could spill over into relations of sodomy. Trial records and witness testimonies reveal that such concerns were not simply paranoid fantasies, as new forms of homosociality could and sometimes did become homosexual. As I argue in Chapters Five and Six, state and civil campaigns to curtail illicit forms of male homosociality emerged as a part of efforts to foreclose alternative forms of democracy that endangered bourgeois male supremacy. The spectacle of sodomy thus did important affective work to organize new relations of gender and sexuality, and its threat mainly manifested in rumors. Not all discussions of sodomy happened by way of rumor, as testimonies of witnesses, criminals, sodomites, constables, and undercover informants provide insight, perhaps as close as we can get, as to what sodomy looked like in the 17th and 18th centuries. Nonetheless, much of the historical archive of sodomy appears in the form of gossip and rumors.

Rumors are a strange piece of evidence since they operate by equivocation – is it true? did it happen? Historians have often studied rumors of sodomy by attempting to dispel or prove the allegations, approaching them to set the record straight, so to speak, and decide on their truth or falsity. However, we misunderstand the political power of rumors and their potential as historical evidence when we focus on trying to answer the question of a rumor's truth. A rumor is a specific form of claims-making that traffics in its ambiguous truth status. Neither fact nor falsehood but something in between, rumors can affect the communities in which they circulate not because they are true but because they might be. Just as a blink could be read as a wink, rumors can render ordinary practices into the threatening sign of sodomy. Targeting the body and symbolically reconfiguring its relations, rumors of sodomy generated new forms of meaning and new ways of acting by eliciting negative affects, such as terror, horror, disgust, shame, ridicule, and mockery. I show how accusations of sodomy taking place inside the royal courts, masonic lodges, molly houses, city streets and parks restructured emerging styles of sociality between men and constituted new bodily practices of gender and sexuality.

As a highly charged discursive form, an archive of rumors illustrates the entanglement of discourse, affect, and bodily practice. It reveals the political role that sodomy played in constituting hegemonic forms of democratic embodiment in the 18th century. By attending to the development of certain forms of bodily intimacy and touch and the elimination of others, I show how symbolic figures such as fraternity resonated with an increasing number of people and took hold as the hegemonic organizing principle of democracy. Assembling a diverse set of sources documenting various forms of bodily practice and feeling, this dissertation's archive shows how new democratic sensibilities emerged out of struggles over the symbolic meanings and affective sensations of the body's ordinary practice

Part I: Monarchy

1. Incorporating the Corporeal:

Reverence, the King's Two Bodies, and the Choreographies of Royal Power

Roughly in the mid-16th century, European monarchs began to centralize power in their royal courts and concentrate political authority in their own persons. The rise of absolutism meant that political power and authority became vested in a single ruler, who was above all human laws and accountable to God alone. Until a series of revolutions put an end to their reigns, kings and queens made law and governed on their own, and they did so without consulting their subjects. Beginning in the 1970s and 80s, several historians challenged this orthodox account of absolutism in a historiographical movement that became known as Revisionism.¹ Focusing on England, they argued that monarchs frequently consulted with their subjects, made use of the advice of parliament, and collaborated with judges to make law. Lacking a standing army, monarchs had to rely on the gentry's support to mobilize armed forces. In order to enforce good government they also had to cooperate with numerous officials. "[B]ound by customary and practical constraints to consult traditional institutions and important social groups," these supposedly omnipotent rulers were exposed by Revisionists to be "frauds who disguised their lack of real power with a lot of showy display."²

Despite what proponents of royal authority argued, monarchs could not and did not govern alone. They relied on the joint action of many throughout the kingdom, and pointing to such cooperation, Revisionists claimed that absolutism was more an aspirational theory than a lived reality. Against these challenges to the historiography of absolutism, Johann Sommerville has recently charged

¹ Some key revisionist works include Kevin Sharpe, ed., *Faction and Parliament: Essays on Early Stuart History* (Oxford University Press, 1978); Conrad Russell, *Unrevolutionary England, 1604-1642* (London: Bloomsbury Academic, 1990); Glenn Burgess, *Absolute Monarchy and the Stuart Constitution* (Yale University Press, 2015).

² Peter Wilson, *Absolutism in Central Europe* (London: Routledge, 2000), 1.

Revisionists with misconstruing theories of absolutism.³ Surveying a wide array of thinkers, Sommerville illustrated how proponents of absolutism regularly argued that the king should not only rule within the law's bounds (even if he can subvert the law in cases of necessity) but that he should do so with his subjects' advice (even if he alone holds legislative authority). According to Sommerville, then, the reality of collaboration and cooperation upheld by Revisionists as a trump card against absolutism was in no sense contrary to absolutist theories of sovereignty.

Given this theoretical fit between absolutism and collaboration, how should we understand the reality of royal power during the so-called Age of Absolutism? How did monarchs use their relationships with others to reproduce their authority, such that the subjects involved in cooperation understood the king to be the authoritative partner in the relationship? To explore how individuals made sense of monarchical power, political theorists and historians will often turn to the study of ideas, investigating how the written and spoken word, and to a lesser extent image, constructed the mental world of early modern men and women.⁴ There is much reason in focusing on language and discourse as the infrastructure of royal power, especially since speaking or publishing too harshly against the king could land one in prison, or worse, sentenced to death. Yet, guiding many studies of monarchism is, I suggest, an approach that could be called a hermeneutics of the head, which conceptualizes power as revolving around the head and its primary organs of the eyes, ears, and mouth. Scholars will often focus on activities such as reading, listening, speaking, and seeing as the primary mechanisms through which ideas of authority and beliefs about royal power are accepted or challenged. In this, political analysis follows a certain representation of power propounded by some theorists of absolutism. As

³ Johann Sommerville, "Early Modern Absolutism in Practice and Theory," in *Monarchism and Absolutism in Early Modern Europe* (eds.), Cesare Cuttica and Glenn Burgess (Routledge, 2012), 117-130; Sommerville, *Royalists and Patriots: Politics and Ideology in England 1603-1640* (Routledge, 2014).

⁴ See, for instance, the essays in *The Mental World of the Jacobean Court*, ed. Linda Peck (Cambridge, 1991). The classic study on the ideological role of imagery, centering on Louis XIV, is Louis Marin, *the Portrait of the King* (London, 1988). See also, Nicholas Mirzoeff, *Bodyscape: Art Modernity and the Ideal Figure* (Routledge, 1995), 53-88; S. Wilentz (ed.), *Rites of Power: Symbolism, Ritual and Politics Since the Middle Ages* (Univ. of Pennsylvania, 1985); Stephanie Koscak, *Monarchy, Print Culture, and Reverence in Early Modern England: Picturing Royal Subjects* (Routledge, 2020).

Michael Walzer explains, the king was understood to be the head of the body politic, and as such, he was “the only thinking part of the body.... The king’s plans determined the actions of the state: state policy, one might say, was in the mind of the prince.”⁵ Though scholarship has moved past the narrow study of the mind of the prince to focus on the mental world of all his subjects, it has not challenged the image of the head as the site in and through which power operates. One could say, in the words of Foucault, that this “representation of power has remained under the spell of monarchy. In political thought and analysis, we still have not cut off the head of the king.”⁶

But rather than cut the king’s head off, I argue that political thought and analysis should attend more seriously to the king’s body. “We Princes, I tell you, are set on stages, in the sight and view of all the world duly observed,” Elizabeth I explained before Parliament.⁷ On the stage of the monarch’s daily life was an ostentatious exhibition of the royal body. As King James VI & I wrote in the opening of his treatise on government, “Kings being publike persons, by reason of their office and authority, are as it were set (as it was said of old) upon a publike stage, in the sight of all the people”⁸ Constantly displaying what we might consider their most ‘private’ bodily moments, a monarch was, as Gianfranco Poggi puts it, “thoroughly, without residue, a ‘public’ personage”:

His mother gave birth to him in public, and from that moment his existence, down to its most trivial moments, was acted out before the eyes of attendants who were holders of dignified office. He ate in public, went to bed in public, woke up and was clothed and groomed in public, urinated and defecated in public.... When he died (in public), his body was promptly and messily chopped up in public, and its severed parts ceremoniously handed out to the most exalted among the personages who had been attending him throughout his mortal existence.⁹

⁵ Michael Walzer, *Regicide and Revolution: Speeches at the Trial of Louis XVI* (Columbia University Press, 1993), 23.

⁶ Michel Foucault, *History of Sexuality*, 88-89.

⁷ “Speech 17, version 2,” in *Elizabeth I: Collected Works*, (eds.) Leah Marcus, Janel Mueller, and Mary Rose (University of Chicago Press, 2000), 194

⁸ James I, *Basiliikon Doron* (1603) in *The Political Works of James I*, (ed.) Charles H. Mc Ilwain (Harvard University Press, 1918), 5.

⁹ Gianfranco Poggi, *The Development of the Modern State: A sociological Introduction* (Stanford, 1978), 68-69. Though Poggi is describing the 17th century French court, Sergio Bertelli, *The King’s Body: Sacred Rituals of Power in Medieval and Early Modern Europe* (Penn State University Press, 2001), documents similarities across the European monarchies.

Why would the ordinary exercise of monarchical rule entail that little if anything of the royal body, from its base biological functions to its most dignified conduct, escape public gaze? Did this ‘showy display’ disguise a lack of power or rather serve as the very medium of its exercise? And what, if anything, does this theater of the royal body have to do with the king’s political claims to sovereignty?

Despite invocations of the king as the head of the body politic, contemporaries did not locate royal power in the mind of the monarch so much as in his entire physical body. As Ernst Kantorowicz demonstrated in his influential work *The King’s Two Bodies*, 16th and 17th century jurists of the court frequently argued that the authority of the body politic was inseparable from the organic body of the king. The king’s two bodies were, as Kantorowicz puts it, “one unit indivisible, each being fully contained in the other.”¹⁰ Neither a minor intellectual doctrine nor an ideological belief held in the heads of subjects, the framework of the king’s two bodies makes possible a political analysis of absolutism that includes the whole body as an apparatus of sense and sense-making. I argue that attending to this doubled body of the king in both its material and metaphysical dimensions will enable students of the monarchy to move beyond limited conceptions of power highlighted by the hermeneutics of the head to better understand how a whole series of concrete bodily practices and relations involving both rulers and subjects produced royal authority.

Though many political commentators on the monarchy acknowledge the royalist claim that incorporated in the king’s person is one body, simultaneously natural and political, discussions of the king’s two bodies tend to methodologically split the two bodies and emphasize the monarch’s supernatural body politic over and above the body natural.¹¹ Scholars have highlighted how the body

¹⁰ Ernst Kantorowicz, *The King’s Two Bodies: A Study in Medieval Political Theology* (Princeton University Press, 1957/2016), 9.

¹¹ In Stephen Greenblatt’s review of *The King’s Two Bodies*, he writes that aside from its display in royal funerals, “the material body in its insistent, peculiar specificity is only modestly present.” Greenblatt, “Introduction: Fifty Years of The King’s Two Bodies,” *Representations*, 106 (2009), quote is from page 64. For similar assessments, see Jussen, “King’s Two Bodies Today,” *Representations*, 106 (2009), 104. A recent exception is Lorna Hutson, “On the Knees of the Body Politic,” *Representations* 152 (2020): 25-54, where Hutson argues that Plowden exploits ceremonies of homage and their bodily practices of genuflection to render Scotland’s territorial sovereignty unimaginable in the British body politic.

politic swept aside problems afflicting the natural body, such of age, illness, disability, and even death, and work attentive to gender and patriarchal theories of kingship has shown how the doctrine of the king's two bodies matured in the reign of queens in order to overcome the problems posed by the sex of their natural bodies.¹² As Marie Axton demonstrated, when faced with the unprecedented problem of a virgin queen with no immediate heir to the throne, common lawyers and playwrights during Elizabeth's reign developed the concept of the king's two bodies to argue that the virgin queen's reproductive failures in no way threatened the body politic, which was, they claimed, perpetual and immortal.¹³ Elizabeth I and her supporters also turned to the king's two bodies doctrine in response to critics who questioned her capacity to govern as a woman, arguing that the body politic superseded any gendered frailties that resulted from the queen's natural body: though naturally a woman, politically, she governed as a king.¹⁴ The unity of the two bodies thus meant that the body politic could compensate for and solve whatever problems that the natural body posed to the monarch's rule.

According to these and other accounts of the king's two bodies, the natural body is overwhelmingly if not exclusively figured as an impediment to rule, a physical remnant to be overcome by the metaphysics of the body politic. But since monarchs in no way sought to diminish or conceal their natural bodies in the daily rituals of the state, it remains unclear what positive role the natural body played in the politics of royal power. To better understand how the natural body served as a rich resource for producing political authority, I argue that scholars must attend more carefully to the

¹² On patriarchal theories of kingship in the English context, see Gordon Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes, Especially in Seventeenth-Century England* (Oxford, 1975); Sommerville, *Royalists and Patriots*, 29-37. For the French context, see Jeffrey Merrick; "Patriarchalism and Constitutionalism in Eighteenth-Century Parliamentary Discourse," *Studies in Eighteenth-Century Culture* 20 (1990): 317-30; "Fathers and Kings: Patriarchalism and Absolutism in Eighteenth-Century French Politics," *Studies on Voltaire and the Eighteenth Century* 308 (1993): 599-614.

¹³ Marie Axton, *The Queen's Two Bodies*, 11-25. See also, Leonard Tennenhouse, *Power on Display: The Politics of Shakespeare's Genres* (St Edmundsbury's Press, 1986), 72-101.

¹⁴ Leah Marcus, "Shakespeare's Comic Heroines, Elizabeth I, and the Political Uses of Androgyny." *Women in the Middle Ages and the Renaissance: Literary and Historical Perspectives* (1986): 135-153; Carole Levin, *The Heart and Stomach of a King: Elizabeth I and the Politics of Sex and Power* (University of Pennsylvania Press, 2013), 121-148. For a similar argument concerning Mary I, see Constance Jordan, "Woman's Rule in Sixteenth-Century British Political Thought," *Renaissance Quarterly* 40, 3 (1987): 421- 451. For a challenge to interpretations that the body politic was inherently masculine, see Cynthia Herrup, "The King's Two Genders," *Journal of British Studies* 45, 3 (2006): 493-510.

language we use to explain the relationship between the king's two bodies. To explain the conjunction of the king's body natural and body politic, many political theorists and historians will employ the concept of representation, arguing that the king's natural body *represented* the power and authority of the body politic. As a concept intimately attached to democracy, however, representation tends to obscure the operations of monarchical power. Turning to Jürgen Habermas's work as an influential example that uses representation to discuss the relationship between political authority and the king's body, I show how the political grammar of representation presents conceptual difficulties for analyzing the king's two bodies. Habermas thus serves as an exemplary instance of a democratic theorist importing concepts more suitable to democracy to analyze non-democratic politics and, in doing so, sets up problems for theorizing the political shift from monarchy to democracy.

In contrast to representation, this chapter attends to the politico-theological concept of incorporation used by jurists in the 16th and 17th centuries. I argue that the grammar of incorporation presents a certain way of thinking, speaking, and making sense of the royal body politic that does not lose track of the natural body's constitutive role. Attending to the incorporation of the king's two bodies requires us to think more carefully not just about the king's material body but also the various bodies that surrounded it and in relation to which the king's body gained its meaning. After laying out this conceptual framework, the chapter turns to analyze how political relations of obedience were organized through embodied forms of attachment to the king's two bodies. I focus on an English and French archive of bodily rituals and practices revolving around the king's body, as evidenced in royal ceremonies, conduct books, treatises on etiquette, and art history, to elucidate how bodily relations between rulers and subjects produced royal authority in early modern England.¹⁵ Often overlooked by

¹⁵ On the influence of French theories of absolutism on English political thinking, see Johann Sommerville, "English and European Political Ideas in the Early Seventeenth Century: Revisionism and the Case of Absolutism," *Journal of British Studies* 35, 2 (1996): 168-194. Monod, *Power of Kings*, 217-8, 228; Pincus, *1688*, 121-2, 480; Meyer, "On the Road to 1534: The Occupation of Tournai and Henry VIII's theory of sovereignty." On the influence of French models of etiquette, see Anna Keay, *The Magnificent Monarch: Charles II and the Ceremonies of Power* (Continuum, 2008); Wildeblood, *The Polite World*, 59-62, 140.

political theorists, who tend to privilege more abstract philosophical and cognitive forms of argumentation, I show how this material can serve as a rich resource for political theorizing. Whereas much historical scholarship on manners and etiquette tends to focus on what contemporaries called the art of “civil conversation,”¹⁶ this chapter argues that such discursive practices formed one part of a larger world of bodily action and feeling that constituted the king as a sacred being with the unique right to rule. I contend that failure to attend to these corporeal practices and the sensations they triggered means that scholars misunderstand the apparatuses of power that produced royal authority.

To account for the relationship between the king’s physical body and the metaphysics of his divine authority, I investigate a specific dynamic of feeling that contemporaries called reverence. A key emotional concept in early modern Europe, reverence names a “whole range of non-reciprocal emotions subordinates are obliged to express towards persons of parental authority,” whether the father in the household or the patriarchal-king at court.¹⁷ According to Paul Woodruff, reverence describes an affective sensibility that “keeps human beings from trying to act like gods.”¹⁸ As the physical vessel for the sacred body politic, however, the king was no ordinary human being and the belief that the king drew his power and authority from God was “the central plank on which absolutist theory rested.”¹⁹ While scholars have focused on how deferential forms of address expressed the kinds of respect and honor that rulers demanded of their subjects, this chapter shows how the larger embodied world of etiquette and comportment cultivated an atmosphere of reverence around the

¹⁶ Sidney Anglo, “The Courtier: The Renaissance and Changing Ideals,” in A. G. Dickens ed., *The Courts of Europe: Politics, Patronage and Royalty, 1400-1800* (London, 1977), pp. 33-53; Norbert Elias, *The Court Society* (Hermann Luchterhand Verlag, Darmstadt and Neuwied, 1969), see especially chapter 5, pages 104-116; Peter Burke, “A Civil Tongue: Language and Politeness in Early Modern Europe,” in Peter Burke, Brian Harrison, and Paul Slack eds. *Civil Histories: Essays presented to Sir Keith Thomas* (Oxford, 2000), 31-48; Anna Bryson, *From Courtesy to Civility: Changing Codes of Conduct in Early Modern England* (Oxford, 1998); Edward Muir, *Ritual in Early Modern Europe* (Cambridge University Press, 2005). A notable exception is Thomas King, *The Gendering of Men, 1600-1750, vol 1: The English Phallus*.

¹⁷ Jonas Liliequist, “Reverence, Shame, and Guilty in Early Modern European Cultures,” in *The Routledge Companion to Cultural History in the Western World* (eds.) Alessandro Arcangeli, Jörg Rogge and Hannu Salmi (Routledge, 2020), 240-255, quote is from pg 242.

¹⁸ Woodruff, *Reverence: Renewing a Forgotten Virtue*, 4. See also Walzer’s comments on reverence in *Revolution of the Saints*, 159. On the culture of reverence in the Tudor court, see J. L. McIntosh, *From Heads of Household to Heads of State: The Preaccession Households of Mary and Elizabeth Tudor, 1516-1558*, ch. 2.

¹⁹ Sommerville, *Royalists and Patriots*, 13.

monarch.²⁰ I argue that forms of conduct surrounding the king's body and exercised by subjects produced a particular relation of feeling between subjects and their rulers. This affective circuit linked subjects to their monarch and had the effect of constituting the king's natural body as a divine object of reverence that ultimately sustained and reproduced royal power.

In his *Reflections on the Revolution in France*, Edmund Burke claimed that "Good order is the foundation of all good things. ... The magistrate must have his reverence, the laws their authority."²¹ Echoing Burke's sentiments a century later, Horace Egmont argued that "reverence ... is the true centripetal force that holds [the state's] elements in obedience and order." A "spirit of reverence," he writes, "reared a wall of sanctity around the monarch's throne."²² Burke's and Egmont's comments direct us to consider the political force of affect and in particular reverence as a structure of feeling organizing relations of obedience and attachment between subjects and their rulers.²³ Neither conscious belief nor violent coercion alone determined obedience to the king's authority. Rather, the affective force generated by everyday rituals and practices shored up attachment to royal power. Attention to reverence shows how incorporation was not simply a grammar through which to speak about the king's two bodies but a felt reality that gave meaning to the king as divinely authorized ruler.

I. Representing the King's Two Bodies

How do we account for and describe the connection between the king's two bodies? What language should we employ to make sense of the relationship between the body natural and body

²⁰ Jeri McIntosh, "A Culture of Reverence: Princess Mary's Household 1525-27" in *Tudor Queenship: The Reigns of Mary and Elizabeth* (eds.) Alice Hunt and Anna Whitelock (Palgrave Macmillan, 2010), 113 – 126.

²¹ Edmund Burke, *Reflections on the Revolution in France, And on the Proceedings in Certain Societies in London Relative to that Even* (London: Printed for J. Dodlsey, 1790), 351.

²² Horace, Egmont, "National Reverence", *The Phrenological Journal and Science of Health*, 75, 4 (1882), 192.

²³ On the role of emotions in Burke's political theory, see Lauren Hall, "Rights and the Heart: Emotions and Rights Claims in the Political Theory of Edmund Burke," *The Review of Politics*, 73, 4 (2011): 609-631; David Dwan, "Edmund Burke and the Emotions," *Journal of the History of Ideas* 72, 4 (2011): 571-593; Jason Frank, *The Democratic Sublime: On Aesthetics and Popular Assembly* (Oxford University Press, 2021), 97-122. While the term 'structure of feeling' alludes to Raymond Williams, *Marxism and Literature*, 128-135 development of the concept, which I engage in the following chapter, my use of the term here departs from Williams's in a key aspect. Whereas for Williams a structure of feeling describes a nascent and emerging social formation that is not yet fully articulated, I use 'structure of feeling' to describe the operation of the political structure itself. In other words, the structure of feeling I explore here *is* a central component of the structure of monarchism, not its precursor.

political? In this section, I turn to the influential early work of Jürgen Habermas to investigate a common grammar used in speaking about the king's two bodies and show why it obscures the operations of power at the royal court. As we saw in the dissertation's introduction, Habermas describes the royal court as a particular structure of power organized around the public display and conduct of the aristocratic body. In the famous etiquette book *The Compleat Gentleman* (1634), for instance, Henry Peacham argues that "There is no one thing that setteth a fairer stampe upon Nobility then evenesse of Carriage, and care of our Reputation ... for hereupon as on the frontispice of a magnificent Pallace, are fixed the eyes of all passengers."²⁴ Like a palace, the noble body's conduct, dress, and decorum made its status present before "the eyes of all." In early modern English, "habite" signified both clothes, dress, and habiliments and also one's deportment, demeanour, and way of acting, and it was in both senses of the word that the nobility's *habites* situated them within the hierarchal orders of rank defining the aristocratic world.²⁵ Publicity at court was thus rooted in the embodied display and performance of noble status – a performance that the state heavily regulated.²⁶ Accordingly, Habermas names the public of the royal court the *repräsentative Öffentlichkeit* because the aristocratic lord "displayed himself, [re]presented himself [*stellt sich dar*] as an *embodiment* of some sort of 'higher' power."²⁷ As the lord of all lords, the king embodied sovereign power in the sense that the king's physical body publicly represented the metaphysical power of the body politic.

²⁴ Henry Peacham, *The Compleat Gentleman* (Oxford: Clarendon Press, 1906), 21. Anna Bryson describes *The Compleat Gentleman* as the "most famous of a whole genre of books devoted to describing the proper characteristics, duties and education of the nobleman or gentleman" (Bryson, "The Rhetoric of Status", 137).

²⁵ On 'habite,' see Jeffrey Masten, *Textual Intercourse: Collaboration, Authorship, and Sexualities in Renaissance Drama* (1997), 76.

²⁶ For example, certain fabrics could only be worn by men and women of a particular social status (e.g. silk and satin were noble fabrics; fur and gold cloth were restricted to the royal family). Throughout the 16th and 17th centuries parliament passed a series of sumptuary laws finetuning these aesthetic regulations and it also empowered officers to arrest anyone who transgressed these stratified dress codes. Harte, "State Control of Dress and Social Change in Pre-Industrial England." David Kuchta, "The Semiotics of Masculinity In Renaissance England," persuasively illustrates the state's role in "socially naturalizing" status via clothing.

²⁷ Habermas, *Structural Transformation of the Public Sphere*, 7, emphasis added. Alongside *repräsentation*, German has two words for "representation": *vertretung*, which has more of a sense of speaking for another, and *darstellung*, which is more aesthetically inclined in the sense of display. That Habermas uses *darstellung* underscores the reliance of publicity on the aesthetic rather than verbal realm. On the distinction between *vertreten* and *darstellen*, see Gayatri Spivak, *A Critique of Postcolonial Reason*, 256.

In Habermas's account, the rise of capitalism severed the semiotic link uniting the king's body as a public signifier to the significations of state power and authority. The development of the state's financial apparatus depersonalized political power and so public authority was no longer identified with the king's body but with the state's administrative sphere.²⁸ For Habermas, the representative public at court disintegrated when the king's representative body could no longer embody public authority. But how exactly do these economic changes explain shifting investments in and attachments to the king's personal authority? Why would the emergence of a bureaucratic apparatus mean that the king's magisterial body ceased to dazzle its onlookers at court? As historians have subjected such institutional accounts to critique, arguing that "in spite of its growing bureaucratic structures, ... the state remained intimately attached to the person of the ruler,"²⁹ the ease with which Habermas abstracts authority from the king's body suggests a problem not just with the explanatory potential of economic change alone but also the grammar used to account for the body in the first place.

As the name he uses to periodize the early modern public (the *repräsentative Öffentlichkeit*) indicates, Habermas conceives of the monarch's power through the concept of representation, and he is not alone in doing so. Kantorowicz also writes that "the king could *represent* (as in the language of Tudor jurists) that strange being which, like the angels, was immortal, invisible, ubiquitous, never underage, never sick, and never senile."³⁰ Yet, Kantorowicz's own archive indicates that the language of the Tudor jurists was not that of representation. They did not claim that the king's natural body *represented* the body politic, but that "these two Bodies are *incorporated* in one Person."³¹ As Kantorowicz himself argues, when the "English judges in the sixteenth century tried to conjoin again what they had separated" they specifically employed the Christological language of incorporation, "declar[ing] that

²⁸ Habermas, *Structural Transformation*, 17-18. See introduction, pages

²⁹ Monod, *The power of Kings*, 290. Monod gestures at the difficulty of grasping power when it is not embodied. The quoted passage continues: "The responsible subject did not bow down to an administrative apparatus, the mechanical limbs of the artificial man; rather, he owed allegiance to its living sign, a human ruler in whom he could still recognize an idealization of his own virtues."

³⁰ Kantorowicz, *The King's Two Bodies*, 71, emphasis added.

³¹ Plowden, *Reports*, 213, emphasis added, quoted in Kantorowicz, *King's Two Bodies*, 438.

the body politic was *incorporated* with the body natural.”³² Why would jurists, and royalists more generally, use the language of incorporation rather than representation to think about the relationship between the monarch’s natural and political bodies? What is specific to incorporation as a grammar of thinking the king’s two bodies that representation fails to denote?

Like all concepts in political history, the king’s two bodies doctrine was propagated for political use. Royalists did not have a monopoly on the discourse of corporeality, and the image of the body could be employed to both augment and limit the monarch’s power.³³ Incorporation named a particular relationship between the body politic and the body natural, but it was also not the only way to articulate and make sense of this relationship. Around the same time as the popularization of the king’s two bodies doctrine in the later sixteenth century, ‘representation’ emerged as an alternative political grammar to discuss not the king’s so much as Parliament’s relationship to the body politic.³⁴ According to Hanna Pitkin, the usage of ‘representation’ to describe a specific kind of political activity tracks developments in parliamentary history, as the knights and burgesses who traditionally met with the king and lords in Parliament to assent to taxes began to think of themselves as a “unified body” with the power to act “as servants or agents of their communities.”³⁵

One of the earliest political uses of representation to describe parliament’s relationship to the kingdom occurs in Sir Thomas Smith’s 1583 *De Republica Anglorum*.³⁶ In a chapter outlining

³² Kantorowicz, *The King’s Two Bodies*, 441, emphasis added.

³³ For uses of the body metaphor to limit the king’s power, see Kantorowicz, *King’s Two Bodies*, 21-23; Cavarero, *Stately Bodies*, 103-113; Antoine de Baecque, *The Body Politic: Corporeal Metaphor in Revolutionary France, 1770-1800* (Stanford University Press). For absolutist uses of the body to augment royal power, see Walzer, *Regicide and Revolution*, 22-24; Norbrook, “The Emperor’s New Body”; Cavarero, *Stately Bodies*, 117-119.

³⁴ The first juridical references to the king’s two bodies began in *Hill v Grange* (1555), *Dutchy of Lancaster* (1561), and *Willion v Berkeley* (1562). On the spread of the doctrine, see Marie Axton, “The Influence of Edmund Plowden’s Succession Treatise,” *Huntington Library Quarterly*, 37, 3 (1974): 209-226”; Axton, *Queen’s Two Bodies*.

³⁵ Pitkin, *Concept of Representation*, 245, 244. See also Elton, “‘The Body of the Whole Realm’: Parliament and Representation in Medieval and Tudor England”; Charles Beard and John Lewis, “Representative Government in Evolution,” *The American Political Science Review* 26, 2 (1932): 223-240.

³⁶ While Geoffrey Elton documents a few earlier uses of ‘representation,’ he argues that it was not until the sixteenth century Reformation Parliament that the grammar of representation became “the ordinary and universal justification for the claims to obedience made by Parliament”; indeed, “hardly anyone concerned with political thought before 1530 had anything, or anything much, to say about Parliament.” Elton, “The Body of the Whole Realm”, 25, 23. Similarly, Cary Nederman argues that “political representation as a theoretical precept was not present in the writings of medieval authors, at least through the late fifteenth century.” Nederman, “The Theory of Political Representation,” 43.

parliamentary authority, Smith writes that parliament “representeth & hath the power of the whole realme both the head and the bodie. For euerie Englishman is entended to bee there present, either in person or by procuracy and attornies ... from the Prince (be he King or Quéene) to the lowest person of Englande.”³⁷ According to Smith, parliament represents the realm because in its houses are present every Englishman. These men are either literally present in their own person (Lords, Bishops, and Prince) or they are made present “by procuracy and attornies” (Commons).³⁸ Smith’s use of representation describes Parliament’s power to make present the entirety of the body politic in its houses, and so renders Parliament’s claim to act as and for the whole kingdom intelligible.

Central to the grammar of political representation is a logic of absence: Parliament makes present those who are otherwise absent.³⁹ Since the king could not be present everywhere and others had to act in his place, so too were the king’s agents said to re-present, i.e. make present again, the absent monarch and his authority.⁴⁰ Two years after the publication of Smith’s text, Thomas Bilson published a defense of absolutism, arguing that

Princes can expect no more but a sober reuerence due to their states, expressed by some decent gestures of the bodie, that others may behold it; and that to be yeilded chiefly to their persons, and secondly to their deputies, vicegerents and messengers, yea to their ensignes, armes and recognisances, such as they shall vse or allow to *represent their power*.⁴¹

³⁷ Thomas Smith, *De republica Anglorum: The maner of gouernement or policie of the realme of England* (London: Printed by Henrie Midleton, 1583).

³⁸ According to Alan Watson, Roman law did not use the language of representation (*representatio*) but rather procuracy (*procurator ad litem*) to describe someone who acts on behalf of another in court (Watson, “*Representatio* in classical Latin”, in *REPRÆSENTATIO: Mapping a Keyword for Churches and Governance*, 15-19).

³⁹ Hanna Pitkin elucidates representation’s paradoxical logic of making present constituents who must otherwise remain in some sense absent in “The Paradox of Representation” in *Nomos X: Representation*, (eds.) J.R. Pennock and J.W. Chapman (New York: Atherton Press, 1968), 38-42. On the theological history of representing the absent divinity of Christ in the Latin Church, see the essays collected in *REPRÆSENTATIO: Mapping a Keyword for Churches and Governance, Proceedings of the San Miniato International Workshop, October 13-16, 2004*, (eds.) Massimo Faggioli and Alberto Melloni (Berlin: LIT, 2006).

⁴⁰ See, David Starkey, “Representation Through Intimacy.” Starkey notes, however, that the notion of representation as monarchical delegation was undeveloped in the sixteenth century (195-6). On representation in the French Monarchy, see, Peter Burke, *The Fabrication of Louis XIV*, 8-9.

⁴¹ Thomas Bilson, *The True Difference Betweene Christian Subjection and Unchristian Rebellion* (Oxford, 1585), 560. On the publication history of the Bilson’s text, see W. D. J. Cargill Thompson, “The two editions of Thomas Bilson’s *True Difference between Christian Subjection and Un-Christian Rebellion*,” *Transactions of the Cambridge Bibliographical Society* 2, 2 (1955): 199-203.

According to Bilson, not only is the Prince owed bodily acts of “re[v]erence” but so too are his agents (deputies, vicegerents and messengers) and even his images (ensignes, armes and recognisances), since these agents and objects represent the absent monarch. Consequently, Bilson writes, “the image of any Prince is then to bee honoured when the Person is absent, but in the presence of the Emperour himselfe to turne to his image were apparant madness.”⁴² In the presence of the king, a subject can no longer revere the king’s representations, and so the political logic of representation itself dissolves into a kind of madness. The logic of absence so central to representation fails to adequately capture the relationship of the king’s two bodies because the king does not make present an otherwise absent body politic.⁴³ Unlike for the king’s images or his agents or for those in Parliament, the body politic is never absent from the king’s natural body.

II. Incorporating the King’s Two Bodies

In contrast to defenders of parliamentary sovereignty, royalists did not view the king’s two bodies as separable.⁴⁴ Rather, as various scholars have phrased it, the king’s two bodies are “indivisible,” “indissolub[le]” and “fused” together “in the actual person of the king.”⁴⁵ Royalists preferred the term ‘incorporated’ and the concept underwent much elaboration at the start of the reign of James I. After the death of the childless Queen Elizabeth I, the crown passed on to her cousin King James VI of Scotland according to English inheritance laws, and with his crowning in 1603, James VI became James VI & I as he came to rule over two kingdoms. According to Brian Levack, the union of the crowns was “a strictly dynastic, regal, and personal union, not an incorporating union of the two kingdoms,” since James’s accession to the throne did not unify the laws, parliaments, councils, churches or

⁴² Thomas Bilson, *The True Difference Betweene Christian Subjection and Unchristian Rebellion* (1585), 560

⁴³ For a reading of Plowden as a parliamentary critic who viewed the king “as always already absent” and thus “requiring hypothetical resurrection”, see Hutson, “Imagining Justice”, 134 and Lorna Hutson, “Not the King’s Two Bodies: Reading the ‘Body Politic’ in Shakespeare’s *Henry IV*, Parts 1 and 2” in *Rhetoric and Law in Early Modern Europe*, eds. Victoria Kahn and Lorna Hutson (New Haven: Yale University Press, 2001), 166-198.

⁴⁴ Except in the event of death when the body politic immediately transfers over to the next body natural in line for the throne.

⁴⁵ Kantorowicz, *The King’s Two Bodies*, 9; Norbrook, “The Emperor’s New Body”, 344; Starkey, “Representation Through Intimacy”, 188, respectively.

economies of the two realms nor did it guarantee that succession would follow the same line in each country.⁴⁶ This was a project that James and his supporters would pursue in the following years, and it would only come to fruition with the Treaty of Union in 1707. Contrary to Levack's claim that the union of crowns was not an "incorporating" union, however, I argue that defenders of James deployed the concept of the king's two bodies and its grammar of incorporation to make sense of and to justify the initial unity of the kingdoms. In doing so, I suggest that these arguments set the conditions for imagining the possibility of the full incorporation of the two kingdoms a century later.⁴⁷

Upon receiving news that James VI of Scotland would inherit the crown of England, contemporaries worried that James's accession would create a dual monarchy, "two civil or politic bodies, his two kingdoms Scotland and England."⁴⁸ Confronting the problem of how to make sense of the union, the jurist Francis Bacon dedicated to the new king on the eve of his coronation a work on the "Happy Union of the Kingdoms of England and Scotland."⁴⁹ In his attempt to show the juridical feasibility of the sovereign's bid to unite the two realms, Bacon argued that in nature we find substances such as oil and water that can be mixed together but over time will separate, revealing "how weakly and rudely they doe incorporate," but we can also find substances that when mixed together "are so vnited ... they cannot bee seperated and reduced into the same simple bodyes againe." Just as in nature, he argues, so too in politics do we find examples of successful "incorporation," which he describes as the "[j]oyning or putting together of bodies, vnder a new Forme," such that they will not separate again. Pointing to the "Romaines and the Sabines" as a successful case in which two distinct

⁴⁶ Brian Levack, *The Formation of the British State: England, Scotland, and the Union 1603-1707* (Clarendon Press, 1987), 1.

⁴⁷ On the history of thinking union by incorporation, see John Robertson, "Empire and Union: Two Concepts of the Early Modern European Political Order" in *Theories of Empire, 1450-1800*, (ed.) David Armitage (Routledge, 1998), 11-44, and in particular pgs 17-18, where Robertson notes but does not fully explore the importance of body imagery for justifying union.

⁴⁸ Quoted in Levack, *The Formation of the British State*, 7.

⁴⁹ Francis Bacon, *A briefe discourse, touching the happie vnion of the kingdomes of England, and Scotland* (London: Printed for Fœlix Norton, and are to be sold by William Aspley, 1603). The text is unnumbered.

people “mingled vppon equall termes” and became one, Bacon reassures the King against his detractors that so too can the kingdoms of Scotland and England be incorporated together as one.⁵⁰

Others did not share Bacon’s enthusiasm on the possibility of uniting the two kingdoms. They worried that the mixture would not hold and instead would fall apart into dissension. To “joyne the bodys of the realms ... by incorporation,” argued one Scotsman, means to be “in uniformitie or equal communication of one name, language, laws, religion and habilites of two sortes of estate, and naturalization in one common societie”; however, it is doubtful, he claimed, whether “such a perfect incorporation” can take place because neither kingdom seems “willing or able to suffer such a great and hastie alteration of their different laws and customs” and to compel them otherwise risks rebellion.⁵¹ Notwithstanding their disagreements, both Bacon and the Scotsman describe incorporation not as the simultaneous co-presence of two bodies, but rather, their indivisible imbrication in a new form. The question of union was, as John Hayward put it in 1604, how the two kingdoms “may bee reduced to an inseparable imbracement, ... by incorporating the people into one politicke body,”⁵² but the process of uniting the two kingdoms was by no means easy or guaranteed.

There were several ways of achieving incorporation and one method to which the Scotsman points to and which neatly illustrates the symbolic and juridical significance of the king’s natural body was the naturalization of the subjects of each kingdom into one common society. The question of naturalization was the topic of Calvin’s Case (1608), where English judges debated whether a child born in Scotland after the union of crowns ought to be considered under common law an English subject. In his role as the king’s solicitor-general, Bacon stated that the case of the Post-Nati of Scotland “is simple and plain: that is sufficeth to naturalization, that there be one king.” According to

⁵⁰ For a more extensive discussion of incorporation in Bacon’s work, see Turner, *Corporate Commonwealth*, ch. 7.

⁵¹ “A treatise about the Union of England and Scotland,” in *The Jacobean Union: Six tracts of 1604*, (eds.) Bruce Galloway and Brian Levack (Edinburgh: Scottish History Society, 1985), 57, 58, 59. On the authorship of the treatise, see pgs. l-lii.

⁵² John Hayward, *A Treatise of Vnion of the Two Realmes of England and Scotland* (London: Imprinted by F.K. for C.B, 1604), 8.

Bacon, a subject's allegiance was not owed to any law or land but rather "to the person of the king." Given that sovereignty was vested in one king, an "Alien" can only be one who "is born out of the allegiance of our lord the king."⁵³ Yet, as critics of the union alleged, the king governed two political bodies and so allegiance was necessarily split between the two kingdoms. In response, Bacon acknowledged that "his body politic of King of England and his body politic King of Scotland, be several and distinct," but he argued that the king's "natural person, which is one, hath an operation upon both, and createth a privity between them." According to Bacon, it was not only that the body politic has effects on the body natural, but so too does the "the natural body of the king hath an operation and influence on his body politic."⁵⁴ The unity of the king's natural body thus made possible and constituted a unity of the two kingdoms into one body politic to which subjects owed allegiance.⁵⁵

In his judgment on Calvin's case, Thomas Egerton, the Lord Chancellor of England, appeared to agree with Bacon's reasoning. Touching the question of naturalization, Egerton noted that the case of the Post-Nati was a "Matter of great import and consequence, as being a special and principall part of the blessed and happy Union of great *Britaine*."⁵⁶ According to Egerton's judgment, the claim that there exists separate and distinct allegiances to the kingdoms of Scotland and England was an argument "so strange" because it presumes "that the king is a king divided in himself."⁵⁷ The distinction between "the King and the kingdome," between the king's natural and political bodies, "is the only *Basis* and

⁵³ Francis Bacon, *The Works of Francis Bacon, Lord Chancellor of England*. Vol II. (Philadelphia: Carey and Hart, 1842), 176.

⁵⁴ *Ibid.*, 177.

⁵⁵ The political importance that Bacon ascribes to the king's natural body for unifying the disparate kingdoms was not an innovation on his part. James made similar statements before his first Parliament on 22 March 1603/4: the "great Blessing, that God hath, with my Person, sent unto you, is Peace within; and that in a double Form: First, by My Descent lineally out of the Loins of Henry the Seventh, is reunited and confirmed in Me the Union of the Two princely Roses of the Two Houses of Lancaster and York.... But the Union of these Two princely Houses is nothing comparable to the Union of Two ancient and famous Kingdoms; which is *the other inward Peace annexed to My Person*. And here I must crave your Patiences for a little Space, to give me Leave to discourse more particularly of the Benefits that do arise of *that Union, which is made in My Blood*." House of Commons Journal Volume 1: 22 March 1604" in *Journal of the House of Commons: Volume 1, 1547-1629* (London, 1802), 142-3. Similarly, in his arguments on Calvin's case, Edward Coke argued that the legal unity of England and Scotland rested on the claim that, ever since the time of King Arthur, Scottish allegiance had been sworn to the king's body natural. See Axton, *The Queen's Two Bodies*, 75.

⁵⁶ Sir Thomas Egerton, *The speech of the Lord Chancellor of England, in the Eschequer Chamber, touching the post-nati* (London: Printed for the Societie of Stationers, An. 1609), preface.

⁵⁷ *Ibid.*, 98.

fundamentall maine reason to disable the Plaintife, and all *Post-nati*,” but it is a reason of gross “absurdities.”⁵⁸ After all, he argues, there cannot be a “Distinction of Faith and Allegiance due to the King, and of Faith and Allegiance due to the Crowne, and to the Kingdome” because “there is but one king, and soveraigne to whome this faith and allegiance is due by al his subiects of *England* and *Scotland*.”⁵⁹ Like Bacon, the Lord Chancellor’s reasoning hinged on the king’s body natural. Its singularity meant that there could not exist two separate bodies politic and so no division in a subject’s political allegiance. Incorporated in the king’s person was both a natural and political body, and it was the unity of his natural body that ensured the unity of the political bodies.

To make sense of the controversies surrounding the union, jurists turned to the king’s natural body and highlighted its political significance. Critiquing those who “do in effect destroy the whole force of the king’s natural capacity, as if it were drowned and swallowed up by his body politic,”⁶⁰ Bacon argued that theorists of the king’s two bodies must not lose sight of the natural body and its constitutive role in political affairs. According to Bacon, we can understand neither the body politic nor the body natural except in and through the other. “There is in the king not a Body natural alone, nor a Body politic alone, but a body natural and politic together: *corpus incorporatum in corpore naturali, et corpus naturale in corpore incorporato*.”⁶¹ Incorporation discloses how the corporate body of the crown is in the king’s natural body just as the king’s corporeal body is in the corporate. As Henry Turner’s argues in his study of the corporate state in early modern England, the material body is not “a substitute figure that stands for the corporation in the way of a delegate or a representative but rather that it supports the corporation in a structural fashion, like a frame or a beam – it has been integrated *materially and*

⁵⁸ *Ibid.*, 99, 100.

⁵⁹ *Ibid.*, 100, 101.

⁶⁰ Bacon, *The Works of Francis Bacon*, 177.

⁶¹ *Ibid.* Bacon appears to be paraphrasing the following passage from Plowden’s commentaries on the *Duchy of Lancaster*: “So that he has a Body natural adorned and invested with the Estate and Dignity royal, and he has not a Body natural distinct and divided by itself from the Office and Dignity royal, but a Body natural and a Body politic together indivisible, and these two Bodies are incorporated in one Person, and make one Body and not divers, that is the Body corporate in the Body natural, *et e contra* the Body natural in the Body corporate.” Edmund Plowden, *The Commentaries, or Reports of Edmund Plowden* (London: 1761). British Library shelfmark 1242.h.15., pp. 213–14.

functionally.”⁶² The grammar of incorporation entails that we cannot speak about the body politic and the political authority with which the king ruled without also attending to the materiality of his natural body. Rooted within a Christian political theology, the grammar of incorporation more accurately articulates the natural body incarnating the invisible body politic.⁶³ As Richard II is often attributed with saying, perhaps more literally than commonly considered, the “laws are in the King’s mouth, or sometimes in his breast.”⁶⁴

According to theorists of incorporation, the body politic may have been invisible but it was neither absent nor separate from (as in parliamentary representation) the natural body of the king. In her analysis of *The King’s Two Bodies*, Victoria Kahn notes that “the body” figured prominently in Kantorowicz’s work “was the symbolic body, the charismatic royal body constituted by discourse,” and that “the [material] body falls away to be replaced, ultimately, by fiction.”⁶⁵ Kantorowicz’s lapse into the grammar of representation may partly account for why his otherwise brilliant analysis leaves us with an impoverished conception of the material body and its relationship to the symbolic body of the king. Unlike incorporation, representation puts forward an already existing disjuncture between the two bodies, and so perhaps Kantorowicz mistakenly substitutes representation for incorporation to better serve his overall argument that parliamentary sovereignty emerges from the split between the two bodies.⁶⁶ After all, as David Norbrook and Adriana Cavarero have both argued, the doctrine of the king’s two bodies was far more suitable for absolutist defenses of the crown’s power than its limitation.⁶⁷ Absent a logic of representation, not only does the transformation of absolutist to constitutional monarchy become a more complicated story than the smooth transition Kantorowicz

⁶² Turner, *The Corporate Commonwealth*, 23, emphasis in original.

⁶³ On the relationship between incarnation and incorporation, see Thomas Berns and Benoît Frydman. 2005. “Généalogie de l’esprit de corps” in *L’esprit de corps, démocratie et espace public*, (eds.) Gilles Guglielmi & Claudine Haroche, Presses Universitaires de France: pp. 157-181; Henry Turner, *Corporate Commonwealth*, 70-71; Santner, *The Royal Remains*.

⁶⁴ Quoted in Kantorowicz, *The King’s Two Bodies*, 28.

⁶⁵ Victoria Kahn, *The Future of Illusion: Political Theology and Early Modern Texts* (University of Chicago Press, 2014), 205n9, 81.

⁶⁶ On Kantorowicz’s parliamentary and constitutional aims, see Norbrook, “The Emperor’s New Body”; Kahn, “Political Theology and Fiction”; Halpern, “The King’s Two Buckets”, 67.

⁶⁷ Norbrook, “The Emperor’s New Body”; Cavarero, *Stately Bodies*, 117-119.

describes, but so too does the king's body become a more fraught site of political contention. If, as Bacon puts it, the body politic does not swallow up and drown the material body in its symbolic operations, then there is more at stake in the materiality of the king's natural body than previously considered in the ongoing production and reproduction of the king's sovereign power.

Whatever the reasons for Kantorowicz's careless substitution of representation for incorporation, his error nonetheless continues to structure most contemporary discussions on the king's two bodies.⁶⁸ Far from simply a matter of semantics, this conceptual language has far-reaching implications for how we make sense of the structure of monarchical authority, since the political grammars we employ (representation vs incorporation) change the kinds of propositional statements we can make about the king's two bodies.⁶⁹ Given the widespread use of representation to discuss royal power, it seems that we have yet to adequately attend to the co-constitution of the material and symbolic dimensions of political authority entailed by the two bodies doctrine and its grammar of incorporation. The rest of this chapter explores these dimensions and investigates the imbrication of the king's divine metaphysical authority with the material practices and relations of his body.

III. The Sovereign Is Untouchable

Marking the establishment of the Bourbon dynasty and the end of the wars of religion, Henry IV entered Paris in 1594 and was greeted with an address in the *Parlement* by the leading jurist Antoine Loisel, who exclaimed, "DO NOT TOUCH THE KING NOR THE FUNDAMENTAL LAW OF

⁶⁸ A notable exception is Cynthia Herrup, "The King's Two Genders," 494, who writes that the history of the king's two bodies is one "in which kings were no longer seen as literally having two bodies, but instead as bodies natural who represented but did not incorporate the community of the body politic."

⁶⁹ In this regard, Hobbes is a fascinating and complicated figure for mixing both representation and incorporation. On the one hand, as Quentin Skinner, "Hobbes on Representation," *European Journal of Philosophy*, 13, 2 (2005): 155-184 argues, Hobbes's *Leviathan* responds to a certain parliamentary tradition of thought and, operating within tradition, uses the grammar of representation for absolutist ends. On the other hand, Hobbes retains a grammar of incorporation and a corporate conception of the state throughout his work. For discussion on Hobbes's theory of incorporation, see Patricia Springborg, "Leviathan, the Christian Commonwealth Incorporated," *Political Studies* 24, 2 (1976): 171-83; Sean Fleming, "The two faces of personhood: Hobbes, corporate agency and the personality of the state," *European Journal of Political Theory*, 20, 1 (2021): 5-26; Johan Olsthoorn, "Leviathan Inc.: Hobbes on the nature and person of the state," *History of European Ideas*, 47, 1 (2021): 17-32.

THE KINGDOM.”⁷⁰ For absolutist proponents of the king’s two bodies, Loisel’s “NOR” was an inclusive disjunction: to transgress the kingdom’s laws or touch the sacred body of the king were one and the same violation. As Michel Foucault argued in *Discipline and Punish*, any violation to the doubled body of the king required a mirrored injury on the body of the condemned, a corporeal punishment that restored a wounded legal order incorporated in the king’s body.⁷¹ Foucault’s influential analysis of power at the scaffold, like Kantorowicz’s treatment of the royal funeral, suggests that sovereign power largely revolved around these irregular spectacles of death.⁷² Yet, as Cynthia Herrup reminds us, “most English subjects understood the king’s two bodies not as something restricted to a moment of transition, but as a concept that shaped an entire reign, a fact enduring and quotidian.”⁷³ Rather than focus on these episodic events of death, I attend to the more ordinary but nonetheless spectacular forms of everyday practice that generated royal authority. Focusing on the routine affairs of the king’s relationship with his subjects, I show how bodily practices, both mundane and miraculous, served to constitute and sustain the king’s sovereign power.

If the untouchability of the royal body is tied in some sense to the king’s sovereignty, then viewed from the distance of the scaffold far away from the chambers of the royal court, it would appear as if subjects had little to no access to their untouchable rulers. However, as R. O. Bucholz notes, “it is a singularly and largely unexplored fact that at the courts of the *ancien régime* Europe, it was possible for any reasonably prosperous looking individual to wander the halls of his sovereign’s abode ... and, if properly introduced, engage him in conversation.”⁷⁴ It was not only the prosperous looking, however, who had opportunities to enter the palace and encounter the king. Inside the Palace, across Westminster Hall where the Common Bench sat and debated legal cases stood the Marculf Chamber,

⁷⁰ “NE TOUCHEZ POINT AU ROY NY A LA LOY FONDAMENTALE DU ROYAUME” (Quoted in Yves Cazaux, *Henri IV Ou La Grande Victoire*, 375). See, Monod, *Power of Kings*, 74.

⁷¹ Foucault, *Discipline and Punish*, 25.

⁷² Cf. Halpern, “The King’s Two Buckets”, 70

⁷³ Cynthia Herrup, “The King’s Two Genders,” 496.

⁷⁴ Bucholz, “Going to Court in 1700,” 181.

a room where both the prosperous and the poor would come from across kingdom to be publicly touched by the divine hands of their rulers and be cured of an ailment commonly known as the King's Evil (scrofula), a disease now believed to be pulmonary tuberculosis.⁷⁵ Throughout the 16th and 17th centuries, kings and queens touched and ostensibly healed thousands of subjects annually. During the Restoration, more people were touched for scrofula than at any other time in English history, suggesting that monarchs exercised their divine gifts with especial vigor when their political authority was most uncertain.⁷⁶ The newly restored Charles II touched over 7,000 people within the first six months of his return to London, and he eventually went on to touch almost 100,000 people over the course of his reign, more than any other monarch.⁷⁷

Playing an important role in both the precarious moments of re-founding the monarchy and in the ongoing activities of monarchical life, the ritual of touching staged the royalist claim that the ruler was ordained of God. Like the coronation ceremony, the ritual of the royal touch manifested an aura of sanctity around the king. As Anna Keay puts it, "Its message was unequivocal: the king was not as other men, but a priestly, quasi-divine being."⁷⁸ Healing the sick with the touch of the monarch's bare hands, the ritual provided material evidence (the literal bodies of the healed) for the claim made by defenders of the king's two bodies doctrine that the divinity of the body politic fundamentally transformed the organic body with which it was incorporated. After all, the symptoms of scrofula went

⁷⁵ R. Crawford, *The King's Evil* (Oxford, 1911); Marc Bloch, *The Royal Touch: Monarchy and Miracles in France and England* (Routledge & K. Paul, 1973). Whereas Foucault's analysis of corporeal punishment led him to describe sovereignty as the power "to take life or let live" (*History of Sexuality*, 138), the ritual of the royal touch showcases the sovereign using his healing hands to end his subjects' misery. In this, sovereignty is more akin to what Foucault identified as the later and modern biopolitical "power to foster life." Despite the publication of Bloch's *Les Rois Thaumatourges* in 1924, I have not found any reference to the phenomenon in Foucault's work.

⁷⁶ Stephen Brogan, *The Royal Touch in Early Modern England: Politics, Medicine and Sin* (London: Royal Historical Society, 2015); David J. Sturdy, "The Royal Touch in England," in *European monarchy: its evolution and practice from Roman antiquity to modern times* (eds.) Heinz Duchhardt, Richard A. Jackson, & David Sturdy (Stuttgart: Franz Steiner Verlag, 1992), 171-184. Consider also that Charles I, who frequently cancelled the ceremonies of touching, was very eager to perform the ritual during his captivity. See Judith Richards, "'His Nowe Majestie' and the English Monarchy: The Kingship of Charles I before 1640," *Past & Present*, 113, 1 (1986): 70-96.

⁷⁷ Anna Keay, *The Magnificent Monarch: Charles II and the Ceremonies of Power* (Continuum, 2008), 70, 112-119. David J. Sturdy, "The Royal Touch in England," 173 puts the figure at 92,000.

⁷⁸ Keay, *The Magnificent Monarch*, 118. See also, Carole Levin, *The Heart and Stomach of a King: Elizabeth I and the Politics of Sex and Power* (University of Pennsylvania Press, 2013), 16-38; Annette Finley-Crosswhite, "Henry IV and the Diseased Body Politic", in *Princes and Princely Culture: 1450-1650*, (eds.) M. Gosman, A Macdonald, M Vanderjagt (Leiden: Brill, 2003), 131-146.

into remission, people did heal and, what's more miraculous, they briefly encountered the skin of the untouchable royal body that did this healing. As subjects would not only travel to the royal household to receive the king's touch but also share stories of their miraculous healing to their neighbours, family, and friends, the ritual of the royal touch served as an important mechanism for circulating ideas of the king's doubled and divine body.

Can we read the ceremony of the royal touch through the grammar of representation and claim that these rituals enabled the king's natural body to represent the invisible power of the divine body politic? Doing so would imply that during these spectacles the king's natural body made present a prior and already existing symbolic system of divine authority, one that subjects already believed in and which the ritual displayed before them. The logic of separation central to representation suggests a split between the metaphysics of kingship from the king's physical body. The body thus serves as the medium for the presentation of this metaphysics but not so much its construction since the king's metaphysical power is understood to pre-exist its representation. Though seeking to attend to the material body, the grammar of representation deflates the productive power of the body and its practices. In contrast, the grammar of incorporation articulates a co-constitutive relationship between the king's natural and political bodies, elucidating how the monarch's sacred status was not separate from but in fact fundamentally dependent on the repetitious performances of the material body. In other words, incorporation denotes how the king's divinity is not prior to but rather always already imbricated in the organic body's healing touch. Ongoing corporeal practices of touching established the king's healing powers and secured the metaphysical claims of divinity from which the monarchy derived its authority to rule.

In John Browne's *The Royal Gift of Healing* (1684), readers encounter the story of one Robert Cole who sought out the king's healing hands. Finding himself in the same room as the king, the "poor distressed Man, on bended knees ... pressed nearer to the King that he might procure notice from

him” but was denied access by the king’s attendants: “They strook him, removed him, and allowed him no opportunity to come within the good Kings reach.”⁷⁹ As the grammar of the encounter indicates, Cole did not seek to touch the king’s magical body so much as to be within the “Kings reach” so that he may be touched. Like the king’s hierarchy of rule then, so too are his bodily relations asymmetrical: just as the king could rule but not be ruled, so too could he touch but not be touched. The royal prerogative to touch and heal subjects was therefore co-constitutive with claims of sovereign untouchability. In contrast to democratic interpretations of touch,⁸⁰ royalist accounts of kingship show how touching can be an asymmetrical, hierarchical, and non-reciprocal practice. Yet, as Cole’s desperate actions indicate, kings always risked a touch initiated by their subjects. As suggested by “the good Kings reach,” the question of bodily contact leads to the problem of proximity between the king and his subjects. How, then, did monarchs organize and manage these relations of proximity, and what does their governance reveal about the structure of royal power?

IV. The Sovereign is Distant

One “fruite” of the nobility “out of the vulgar reach,” Henry Peacham writes in *The Compleat Gentleman* (1622), is “to be admitted neere, and about the person of the Prince.”⁸¹ The nobility’s right to be near the king was by no means guaranteed, but Peacham’s claim for it nonetheless reveals an important insight for the politics of monarchism. The incorporation of the body politic in the natural body of king indicates that the power and prestige accorded to the body politic was also granted to the king’s organic body. Subjects gravitated toward the body of the king and demanded to be close to it. A subject’s relation of proximity to the king’s body could not only determine their status and prominence in the body politic but also shape their ability to influence its political affairs. As such, I

⁷⁹ John Browne, *The Royal Gift of Healing*, 134, 135.

⁸⁰ See, for instance, Erin Manning, *The Politics of Touch: Sense, Movement, Sovereignty* (University of Minnesota Press, 2007).

⁸¹ Henry Peacham, *The compleat gentleman fashions him absolute in the most necessary & commendable qualities concerning minde or bodie that may be required in a noble gentleman* (London, 1622), 13

argue that the governance of spatial relations of distance to the king's body served as a central mechanism through which the monarchy generated and upheld the king's divinity, and in doing so, reproduced royal power.

One event that neatly encapsulates this struggle for proximity to the king's body and reveals how it created and marked hierarchical gradations of status was the royal levée. By the end of the 16th century in France, the awakening and rising of the king had become a formal event requiring invitation and in the court of Louis XIV turned into a daily ceremonial custom, where six different groups of people would enter the royal bedchamber in turns after the king's awakening and assist him in his dressing. The French nobility bitterly competed for this opportunity to attend to the king, since the king used the levée, as Norbert Elias explains, "to establish differences of rank and to distribute distinctions" among his subjects.⁸² While the rising of the English king did not achieve the ceremonial nuance of the French court, by the latter half of the 17th century the English levée became a formalized event and, influenced by the French custom, was even referred to by the English using the French term *levée*.⁸³ Grandees, diplomats, courtiers, and members of the parliament were regularly found at the king's levée and, as with the French practice, admittance to the royal bedchamber signified a subject's favor with the king and so shaped their position and influence in the court hierarchy.

As the royal levée shows, proximity to the king's natural body established a subject's status and authority in the body politic. Historians of the Tudor and Stuart courts have demonstrated how those men and women who were not just near the monarch but served them in the intimacy of their bodily functions, such as assist in dressing (Grooms/Ladies of the Bedchamber) or aid in defecation (Groom of the Stool), rose in rank and status and exercised significant power.⁸⁴ Indeed, as David Starkey has

⁸² Elias, *The Court Society*, 83-85, quote is from page 84.

⁸³ Keay, *The Magnificent Monarch*, 172, 194-6. Keay's work serves as an important corrective to a long-held view that Charles II dismissed ceremonial practices.

⁸⁴ David Starkey, "Representation Through Intimacy"; Anna Whitelock, *Elizabeth's Bedfellows: An Intimate History of Elizabeth's Court* (London: Bloomsbury, 2014); Neil Cuddy, "The Revival of the Entourage: The Bedchamber of James I, 1603-1625"; "Anglo-Scottish Union and the Court of James I, 1603-1625"; Kevin Sharpe, "The Image of Virtue: the court and household of Charles I".

argued, the Privy Chamber itself as the locus of monarchical power has its origins in the Groomship of the Stool, as the man who attended the king on his toilet and put on his royal undergarments came to control his signature and money.⁸⁵ These attendants to the royal body controlled access to meetings with the monarch, served as his or her advisors and confidants, and influenced dynastic futures by negotiating royal marriages, and so greatly impacted the political workings of the monarchy.⁸⁶

Given that proximity to the king mediated relations of status and that intimacy with the monarch could determine a subject's political authority in the kingdom, monarchs would strategically use their bodies to display and bestow political favor. At the court of James I, for instance, the king would frequently clasp the Duke of Lennox, First Gentleman of the Bedchamber, "about the neck with his arms and kiss him" publicly before others in order to signal the duke's favoritism and high status.⁸⁷ Similarly, at Charles II's court, the king would invite those whom he granted an audience to kiss his hand, and to demonstrate a high regard, the king would sometimes embrace them.⁸⁸ The types of gestures that monarchs employed to express favor and the degrees and forms of intimacy they shared with their subjects varied with each monarch.⁸⁹ Notwithstanding these differences, the royal body of the Tudor and Stuart courts was an instrument of political signification, as a subject's proximity to and intimacy with the royal body situated them within the royal court's hierarchy of status and conditioned their ability to exert political influence.

To control ambitions for intimacy and proximity to the royal body, monarchs asserted spatial distance between themselves and their subjects. As Kevin Sharpe and Neil Cuddy have both documented, ordinances at the 17th century Stuart courts demanded "the preservation of distance from

⁸⁵ David Starkey, "Intimacy and Innovation: The Rise of the Privy Chamber, 1485-1547," in David Starkey, ed., *The English Court*.

⁸⁶ According to Starkey, "Representation through intimacy," such relations of touch between Henry VIII and the gentlemen of his Privy Chamber authorized these men to represent the king in political affairs.

⁸⁷ Young, *King James and the History of Homosexuality*, 54, 23

⁸⁸ Keay, *The Magnificent Monarch*, 108, 174.

⁸⁹ At Elizabeth's court, for instance, pathways for patronage frequently involved eroticized submission to the queen, who would use the display of her own body, such as exposing her breasts, to express royal prerogative. Valerie Traub, *The Renaissance of lesbianism in Early Modern England*, 140-152.

the king's person": "Gentlemen Ushers were ordered 'to see that no man of whatsoever degree he be of be so hardy to come to the king's chair, nor stand under the cloth of state ... nor to lean upon the king's bed, nor to approach the cupboard where the king's cushion is laid, nor to stand upon his carpet.'" ⁹⁰ Whether waking in bed, governing from the throne, eating at the dining table, or travelling throughout the kingdom, monarchs instituted an exacting set of rules to govern the relations of proximity between their bodies and their subjects, regardless of their status. ⁹¹ Comparative studies of the architectural development of the royal courts indicate a general trend toward increasing distance between monarchs and their subjects, as the site of political power moved from Privy Council to Privy Chamber in the 16th century and then to the newly established Privy Bedchamber in the early 17th century. ⁹² Despite these changes, it appears that all monarchs demanded some element of distance between their natural bodies and the subjects who constantly vied for intimacy and access. While relations of access certainly fluctuated across the courts and even within the same court, ⁹³ it nonetheless appears to be a structural feature of the monarchy that political relations between ruler and subject operated along a spatial axis of distance and proximity to the natural body of the king.

Just as with the ritual of the royal touch, these relations of distance vis-à-vis the royal body served to generate the king's divinity by constituting the king as an untouchable taboo object. Incessantly drawn to the magisterial body of the king, subjects risked coming too near and profaning the sacred body politic. "One of the simplest forms of profanation," Giorgio Agamben argues, "occurs through contact (*contagione*)... a touch that disenchant" the sacred object and returns it to the profane

⁹⁰ The quote is from Kevin Sharpe, "The Image of Virtue", 242-3. Similarly, Neil Cuddy, "The Revival of the Entourage", 179 argues that the English court was "designed for the preservation and manipulation of distance." On the court of Charles II, see Brian Weiser, *Charles II and the Politics of Access* and Keay, *The Magnificent Monarch*. For an account of the ongoing emphasis on distance outside the king's court, see Vallance, "Captivity of James II," 855.

⁹¹ On relations of proximity during the king's dining, see Bertelli, *The King's Body*, 193-200.

⁹² John Adamson, "The Tudor and Stuart Courts 1609-1714," 95-117; Neil Cuddy, "Anglo-Scottish Union and the Court of James I, 1603-1625," *Transactions of the Royal Historical Society* 39 (1989): 107-124.

⁹³ On the changes to the degrees of access and availability to Charles II during his reign, see Brian Weiser, *Charles II and the Politics of Access* (Woodbridge, Boydell and Brewer, 2004); Keay, *The Magnificent Monarch*.

world.⁹⁴ As Sergio Bertelli writes on the ritual of coronation, “once anointed, [the king] became a sacred person: ‘Nolite tangere christos meos!’ (Do not touch my anointed ones).”⁹⁵ The king’s sacred status thus reveals the theological element inherent in Loisel’s claim before Henry IV: do not touch the king nor the fundamental laws of the kingdom because both belong to the realm of the divine. Indeed, when the stability of the English monarchy was most at stake, royalists urged the defense of the king’s untouchable body: “Touch not the Lord’s anointed” was, as Robert Zaller explains, “the watchword of royalist pamphleteers during the [English] civil war.”⁹⁶ The everyday reproduction of the king’s divinity involved a geographical organization of the monarch’s natural body and its relations of proximity to its subjects. In regulating these spatial relations of distance, monarchs produced and sustained the royal body’s divine status as a sacred and thus untouchable object.

V. The Sovereign is on Top

Monarchs regulated but did not refuse access to their persons, especially since the enforcement of good government required ongoing relations of cooperation and collaboration. When subjects were granted an audience with the monarch and drew nearer to his or her body, there emerged a second principle of corporeal governance: as the line of horizontal distance diminishes, a logic of verticality comes to organize the geography of the royal body. For example, it was common practice for a subject to bow three times when approaching the monarch: “the first just inside the entrance hall or room, the second midway, and the third close by the king.”⁹⁷ As the physical distance between unequals decreased, subjects would reinforce their symbolic distance by displaying their subordinate status in and through

⁹⁴ Giorgio Agamben, *Profanations* (Zone Books, 2007), 74.

⁹⁵ Bertelli, *The King’s Body*, 22. The question of whether ecclesiastical consecration produced the king’s sacredness or reaffirmed an already existent sacredness was the subject of struggle between the church and the monarchy. See, Kantorowicz, *The King’s Two Bodies*, 328. On the early 17th century coronation oath as supportive of absolutist rule, see Sommerville, *Royalists and Patriots*, 64.

⁹⁶ Zaller, “Breaking the Vessels”, 757. On royalist defenses of the king’s two bodies during the civil war, see Norbrook, “The Emperor’s New Body,” 343-7.

⁹⁷ Wildeblood, *The Polite World*, 47, 57-58.

their lowered bodies. Before the royal body, subjects dropped their gaze, bowed to the ground, and prostrated themselves on the floor.⁹⁸

Such exhibitions of asymmetry were especially important in cases of contact with the royal body. On the cover of John Browne’s 1684 medical treatise on the King’s Evil is an engraving with the title “The Royal Gift of Healing” (fig. 1).⁹⁹ In the center of the frontispiece sits Charles II surrounded by noblemen and noblewomen. Before the king is a subject bent down in double



genuflection with his knees on the floor receiving the royal touch. Beside the king are two courtiers, who are also lowering their bodies but slightly higher than the man receiving the king’s touch. Beyond them, down the center line of the image, are two hunched figures with sticks, and beyond them, two even shorter figures, a dog and a small child, standing at the darkened bottom of the engraving. Through these figures, the frontispiece forms a kind of pyramidal design at the peak of which sits the king’s body. It depicts subjects’ bodies diminishing in both physical size and social status as the distance

Fig. 1. “The Royal Gift of Healing,” print made by Robert White. Frontispiece to John Browne, *Adenochoiradelogia* (London: 1684); British Museum, 1872,1012.5141.

⁹⁸ On lowering the eyes, see Bertelli, *The King’s Body*, 29; Ranum “Absolutism, and the Rise of the French State,” 427. On bending the knee and bowing, see Kantorowicz, *King’s Two Bodies*, 29; Wildeblood, *The Polite World*, 46-7, 79, 110-112.

⁹⁹ John Browne, *Adenochoiradelogia, or, An anatomick-chirurgicall treatise of glandules and strumaes* (London, Thomas Newcomb for Samuel Lowndes, 1684). On the engraver, see “White, Robert,” *Dictionary of national biography*, vol. 61 (ed.) Sidney Lee (London, 1900), 73.

from the royal body increases, while the subject directly in contact with the king is displayed as the most bent over and twisted downward.

Bodily gestures and practices lowering a subject's body and subordinating it in various degrees of vertical alignment with the king's body extended beyond the royal body proper and even to the objects with which the king interacted. Consider, for instance, the king's dining ritual, which was, like the ceremony of the *levée*, a theater for the display of favor and distinction. In Tudor and Stuart England, monarchs began their dining rituals by washing their hands and drying them with a towel. The noblemen of the highest rank present would have the honor to receive the king's towel while the second highest ranked nobleman had the privilege of holding the basin under the king's hands. When the king's lavation came to a close, the used towel was returned to a gentleman usher, who made "obeysance" to the king and placed the folded towel on his shoulder except for that part "in which the king hath wiped he shall bear in his hands above his head."¹⁰⁰ Having come in contact with the king's body and acquired some of its magical divinity, reverence to the king and by extension the king's towel demanded that the usher keep the towel *above* his body.¹⁰¹ That the dining ritual demanded ushers raise above their heads the part of the towel which had been in contact with the king reveals in intimate detail a common royalist motif: in an asymmetrical world, subjects could not stand as equals to the king, and so must display the hierarchy of the body politic in the very physicality of their bodies.

As social anthropologists have often noted, across many animal species "relative posture and gesture, as displayed in degree of bodily elevation, are used widely to indicate symbolically the relative status of the parties engaged."¹⁰² Such gestures are part of the common and quotidian stock of actions through which humans and non-humans live out and perform their social status. As a particular

¹⁰⁰ Quoted in David Mitchell, "one Coverpane of Fine Diaper of the Salutacion of our Ladie': Napery for Tabela and Linens for Beds," in *The Inventory of King Henry VIII: Textiles and Dress*, (eds.) Maria Hayward & Philip Ward (Brepols, 2012), 203. For similar regulations at the court of Charles I, see Kevin Sharpe, "The Image of Virtue," 243.

¹⁰¹ The king's divinity could also become invested in coins and rings, thus giving them healing properties. See Bloch, *Royal Touch*.

¹⁰² Raymond Firth, "Verbal and Bodily Rituals of Greeting and Parting".

structure of power, the royal courts of England mobilized an entire gamut of seemingly mundane bodily gestures and made them a central part of the complex machinery that granted the monarch sovereign authority. In Kantorowicz's discussion of the king's two bodies in Shakespeare's *Richard II*, he quotes but does not comment on the following lines spoken by the king when the Earl of Northumberland does not genuflect before him:

We are amazed, thus long have we stood
To watch the fearful bending of thy knee,
Because we thought ourselves thy lawful king:
And if we be, how dare thy joints forget
To pay their awful duty to our presence?"¹⁰³

The relationship between the king's natural body and the authority of his body politic was not just a metaphysical debate among the jurists of the king's court but, as Shakespeare reveals, a relationship that took place at the level of a subject's body at his very "joints." Richard waiting for Northumberland to bend his knee, amazed that his subject does not subordinate his body before him, causes the king to cast doubt on his own status as "thy lawful king" – the absence of a bend seeming to put, if only for a moment, the king's authority in question.

Created in the early years of the restored monarchy when sovereign power was still fragile, an engraving published by Peter Stent depicts Charles II sitting elevated on a chair at the center of the image (fig. 2). Before him is the Archbishop of Canterbury, bending his knees, and behind him the lowered body of the Archbishop of Yorke. With the beheading of the former Archbishop of Canterbury William Laud in 1645 and the abolition of episcopacy in 1646, the image portrays a monarchical balance between the newly resorted political and ecclesiastical powers. In the engraving, the geographic arrangement of the bodies of the sovereign and churchmen form a line slopping upwards from the shaded darkened corner of the churchmen in the lower right to the higher and whiter king in the center. These aesthetic contrasts (black and white), spatial arrangements of the bodies (high

¹⁰³ *Richard II*, III.iii.73ff quoted in Kantorowicz, *The King's Two Bodies*, 31.



Fig. 2. Engraving of Charles II. Published by Peter Stent, 1663-1665. Department of Prints and Drawings, British Museum, G,3.54 and low), and the physical acts of genuflection all portray the church's submission and obedience to the restored monarchy and the king's claim to earthly sovereignty.

According to Kantorowicz, in the Christian iconography of late antiquity, artists commonly represented the king as “elevated unto heaven... all earthly powers inferior to his, and he himself nearest to God.”¹⁰⁴ Sitting at court on the chair of estate, raised on a dais, and under the cloth of estate, the king dramatized his elevated status as nearer to God by demanding that subjects bend before him, lower their bodies, and descend closer to the profane earth.¹⁰⁵ Located within a tradition of political theology, the signification of these bodily gestures draw from practices of Christian prayer, where

¹⁰⁴ Kantorowicz, *The King's Two Bodies*, 63-64.

¹⁰⁵ The appropriation of religious practices of reverence for the worship of mortal men did not go unnoticed by contemporaries: “those solemnities that church men doe use at their Altars, and in their divine service bothe to God and his holy things, are properly called Ceremonies: but after, men did begin, to reverence eche other with curious entertainments, more then were convenient, and would be called masters and Lords, amongst them selves, yelding bending, and bowing their bodies, in token of reverence one to another ... as if they were hollye things.” Giovanni Della Casa, *A Renaissance Courtesy-Book: Galateo of Manners & Behaviours* (London: Grant Richards, 1914), 47.

individuals would bend in abasement before God, and also from feudal oaths of fealty and ceremonies of homage, where knights would descend to the ground and kneel before their lords.¹⁰⁶ Invested with meaning from various theological and feudal histories, the action of genuflecting before the king figured the monarch as a divine being, the lord of all earthly lords. Such gestures of subordination formed a key part in producing a monarchical authority that demanded the very kinds of supplication and respect these gestures enacted. Between the metaphysics of the monarch's divine authority and the physics of his body was, in other words, a circular reproduction of power: such bodily gestures performatively produced the divine authority that monarchs cited as the reason for these actions to occur in the first place.

Vertical spatial relations between the natural body of the king and its subjects were, then, not just isomorphic with the sovereign's legal claim to power over the law but in some sense constitutive of it. The "*persona publica*" of the king, explains Kantorowicz, means that "as a public person he, the Prince" is both "under the Law, *legibus alligatu*," and "above the Law, *legibus solutus*."¹⁰⁷ All humans are under natural or divine law and so subject to its command, but the absolutist king, as a divine being, could also claim to incarnate the law. Unlike their subjects, monarchs could command the law, abrogating it in times of necessity, and as such were considered above the law. These spatial terms – "above" and "below" – are part of the geography of language used by the court's jurists to make sense of the king's relationship to the law and these symbolic terms found visual display in the everyday rituals and practices of the court. While emphasis on verticality and the degrees of corporeal submission varied across and within the royal courts, the comparative study of which deserves closer attention, I contend that this spatial geography of verticality was a structural feature of monarchical authority. As with relations of distance, the vertical choreographies of kingship distinguished the

¹⁰⁶ Wildeblood, *The Polite World*, 41-42; Mrozowski, "Genuflection in Medieval Western Culture"; Zakharine, "Medieval perspectives in Europe"; Hutson, "On the Knees of the Body Politic," 30-32; Homsí, "Genuflection and Empire."

¹⁰⁷ Kantorowicz, *The King's Two Bodies*, 96

monarch's body from his or her subjects. They elevated the monarch's body above them and so dramatized the political power that rulers held over them.

Bowing downwards, descending towards the ground, or placing themselves spatially below those of superior status, the subordinate bodies of subjects phenomenologically enact their placement in the early modern hierarchy of the aristocratic world, at the earthly peak of which sat a semi-divine being. By performing their submission and by treating the king's body as the untouchable sacred object it claimed to be, subjects made manifest the king's sacred status as a divine object. These material practices of the body thus appear to materialize the symbolic domain of royal power. They staged the claim that the king's natural body made flesh the divinity of the body politic. In claiming that the natural body enacts the king's divine authority, how are we to understand the meeting point between the metaphysical and physical domains of royal power? That is, how do we make sense of the incorporation of the body politic and body natural without losing sight of either the symbolic or material registers of the king's two bodies? And, more importantly, how do subjects become invested in and attached to the king's doubled body such that they come to understand, not just mentally but somehow in and through the very fibers and joints of their bodies, that the monarch is a separate type of being with the unique capacity and right to rule?

VI. Atmospheres of Reverence

In the religious world of early modern Europe, a subject's faith in God made it more likely for them to believe in the claims of divinity underpinning the king's authority. To explain how subjects accepted or challenged this authority, scholars might set out to study popular texts, plays, or images in order to construct an archive of mental beliefs and ideas about kingship. Yet, as political studies of authoritarian regimes have shown, a ruler's power need not rely on their subjects' beliefs. Regardless of whether they do or do not believe in a ruler's right to rule, when subjects "are required to act *as if*

they did” believe then their action still “enforces obedience” and “induces complicity” in the regime.¹⁰⁸ In other words, when individuals comply with the rule of kings, they act ‘as if’ they believed in their authority, and so they continue to reproduce royal power, regardless of whatever dissenting beliefs they may hold. How then might we account for the ways in which royal power is resisted or reproduced if an historiographical archive focusing on mental beliefs does not provide a clear answer?

An alternative hermeneutics that centers not the mental world of the head but the entire body as an apparatus of sense-making is proposed by Ben Jonson’s early 17th century masque, *Oberon, The Faery Prince*. As the palace gates open and the audience is set to encounter the prince, Silenus exclaims:

For this indeed is he,
My boys, whom you must quake at when you see.
He is above your reach; and neither doth,
Nor can he think, within a Satyrs tooth:
Before his presence you must fall, or fly.
He is the matter of virtue, and plac’d high.¹⁰⁹

According to Silenus, the prince is metaphorically elevated and beyond the reaching-touch of his subjects, who, in classically patriarchal fashion, are figured as boys. When they encounter the father-king, Silenus explains that they “must quake” and before his presence they “must fall.” This ‘must’ and the boys’ compulsion to act ‘as if’ subtly reveals how the monarchy required its subjects to act in ways that revered the king’s sacred status. The reference to the boys’ quaking and falling bodies highlights the body’s capacity to affect and be affected and suggests attending to the body’s affective capacities to account for a subject’s attachment and obedience to royal power.

To introduce the theoretical upshot of attending to bodily questions of affect, consider the following compact episode of political obedience in George Orwell’s *1984*. In his account of the daily ritual called the Two Minutes Hate, Orwell describes how participants see projected before them the face of a regime enemy as they hear his crimes being detailed. Regardless of whatever mood preceded

¹⁰⁸ Lisa Wedeen, *Ambiguities of Domination: Politics, Rhetoric, and Symbols in Contemporary Syria* (University of Chicago Press, 2015), 76, 84.

¹⁰⁹ Ben Jonson: *The Complete Masques*, (ed.) Stephen Orgel (Yale University Press, 1969), 169, lines 253 – 258.

the ritual, Orwell's protagonist Winston explains that within thirty seconds "uncontrollable exclamations of rage were breaking out from half the people in the room," and he soon finds himself joining the crowd, "leaping up and down in their places and shouting at the tops of their voices."¹¹⁰ Despite Winston's skepticism of the regime's authority, Orwell illustrates how the atmosphere engendered by the thrashing bodies nonetheless takes hold of him.

The horrible thing about the Two Minutes Hate was not that one was obliged to act a part, but, on the contrary, that it was impossible to avoid joining in. Within thirty seconds any pretence was always unnecessary. A hideous ecstasy of fear and vindictiveness, a desire to kill, to torture, to smash faces in with a sledgehammer, seemed to flow through the whole group of people like an electric current, turning one even against one's will into a grimacing, screaming lunatic.¹¹¹

Catalyzed by the image projected before them, the crowd's leaping, kicking, and shouting cultivated a collectively felt "ecstasy of fear and vindictiveness" among the ritual's participants. Against his own 'private' will, Winston admits that the charged atmosphere flowing throughout the group "like an electric current" enveloped him, affecting his body such that was "impossible" to resist participation.

Like the force of coercion, the force of collective feeling can compel action regardless of mental belief. Unlike coercion, the force of affect does not move the body through the violence of its beatings but rather sweeps it away in the pull of its currents. This sweeping does not suggest that action occurs despite or against internal mental resistance. There is indeed a cognitive component to physical action. Rather, the focus on internal belief versus external action is itself a misguided framing for thinking about the reproduction of practical relations of rule, as it relies on a mind-body dualism that suggests concepts such as authority are things floating inside people's minds rather than a part of their practice in the world.¹¹² By focusing on the place of affect, we can sidestep mentalist accounts of action and the philosophical baggage of their mind-body dualism.¹¹³ In doing so, we can better attend to how certain

¹¹⁰ Orwell, *1984*, 17, 18.

¹¹¹ Orwell, *1984*, 18-19.

¹¹² See, John Gunnell, *Conventional Realism and Political Inquiry: Channelling Wittgenstein* (University of Chicago Press, 2020), 34-52.

¹¹³ An affective account of power does not invert the mind-body dualism to center the body as prior to belief, as suggested by Louis Althusser's misquote of Pascal's *Pensées*: "Kneel down, move your lips in prayer, and you will believe." Despite its emphasis on

bodily practices become invested with meanings such as submission and subordination and also how bodily feeling attaches subjects to structures of monarchical rule.

Neither persuading the skeptical nor breaking the disobedient, the rituals and practices of kingship employ the bodies of their participants with the effect of generating a felt atmosphere of reverence, enfolding subjects into relations of awe that ultimately reproduce hierarchical relations of rule. Consider how Thomas Elyot makes recourse to the affective power of ceremonies to solve the problem of obstinate subjects in his popular 16th century treatise on how to train statesmen, *The Booke Named the Governour*. Just as the bible presents stories of “sturдые harted jues [who] coulede neuer haue ben gouerned by any wisdome, if they had nat ben bridaled with ceremonies,” so too, Elyot writes, in “our owne experience”:

For what purpose was it ordayned that christen kynges (all though they by inheritaunce succeeded their progenitours kynges) shulde in an open and stately place before all their subjectes receyve their crowne and other Regalities, but that by reason of the honorable circumstaunces than used shulde be *impressed in the hartes of the beholders perpetuall reverence, whiche (as I before sayde) is fountayne of obedience.*¹¹⁴

As with the biblical Jews whom wisdom could not govern, a ruler will confront obstinate subjects who will not listen to reason and understand that kings inherit their divine right to rule. To solve this problem, Elyot turns to ceremonies. He argues that the king’s coronation ceremony must take place in public “before all their subjectes” so that a “perpetuall reverence” for the king will be “impressed in the[ir] hartes.” According to Elyot, the feelings of reverence generated by the coronation ceremony will teach subjects not only the true principles of sovereignty but also how to obey their kings.

A senior clerk of the king’s council in the 1520s and later an ambassador to the emperor Charles V, Elyot was well acquainted with court ceremonies and the reverential atmospheres they produced. Pointing to the “honorable circumstances” of the coronation, which centered around the king’s body

practical activity, this Pascalian re-orientation remains captive to a mentalist view of belief as distinct from the body. See, Althusser, *On the Reproduction of Capitalism: Ideology and Ideological State Apparatuses* (Verso, 2014), the discussion on Pascal is on pages 260-1.

¹¹⁴ Sir Thomas Elyot, *The Booke Named the Governour* (London, 1537), III. II, 163, emphasis added, and some spelling modernized.

adorned in its glittering and magisterial “Regalities,” Elyot writes that such spectacles should “impress[...] the hartes of the beholders.” Noting the semantic relationship between impression and pressure, Sara Ahmed argues that events that impress the body’s senses “can feel like a physical ‘press’ on the surface of the body” and induce a felt “social pressure to follow a certain course,” such as obedience or submission.¹¹⁵ Spectacles such as the coronation or the royal touch “impress” in the dual meanings of exciting the body’s senses and of swaying and moving it to act. They impress spectators and participants by affectively enveloping them within a reverential atmosphere that presses them to treat the king’s body as an object of reverence. Organized around the king’s body as an awe-inspiring object, these rituals sensorially affect subjects and draw them into dynamics of feeling that constitutes the king’s body as sacred. Within an atmosphere of reverence, in other words, subjects experience the king’s body to be divine and so it is.

Beyond the spectacles at court, Elyot’s work reveals how a whole range of ordinary bodily practices can teach their practitioners how to understand and internalize seemingly abstract ideas. In a chapter devoted to teaching children virtue, Elyot argues that the “exercise of the body” is of “excellent utilitie comprehending in it wonderfull fygures[,] whiche the grekes do call *Idea*, of vertues and noble qualities.”¹¹⁶ Rather than leave the education of the mind to philosophy tutors, Elyot’s remarks provide insight into why the nobility and gentry of the 16th and 17th centuries frequently provided their children with dancing instructors.¹¹⁷ As a purely intellectual practice, reason is unable to teach children virtue, and so Elyot argues that children can learn philosophical Ideas through the kinaesthetic techniques of dance.¹¹⁸ The “first meuing [movement] in every daunse is called honour, which is a reverent inclinatio[n] or curtesie.... By that may be signified, that at the begynning of all our actes, we shulde

¹¹⁵ Ahmed, *Queer Phenomenology*, 17.

¹¹⁶ Sir Thomas Elyot, *The Boke Named the Governour* (London: 1537), I. XXII, 80.

¹¹⁷ On dancing tutors, see Wildeblood, *The Polite World*, 93-4, 106.

¹¹⁸ Elyot was not unique in articulating an understanding of practical reason that surpassed a mind-body dualism. As Samantha Frost, *Lessons from a Materialist Thinker: Hobbesian Reflections on Ethics and Politics* (Stanford University Press, 2008) argues, Thomas Hobbes’s materialist philosophy also refuses an intellectualist concept of reason that portrays bodily activities as driven by prior mental causes.

do due honour to god.”¹¹⁹ In naming the “reverent inclinatio[n] or curtesie” that begins every dance honor, Elyot indicates that such downward bodily gestures do not represent honor as an abstract concept but are in themselves its practical signification. In the context of the royal court, where the king’s divinity demanded the same honor due to God, bowing before the royal body instilled in the performer the knowledge of how to properly honor and revere the king as a sacred being.

Accordingly, a relation of reverence is not a mental relationship of ideas so much as a material relationship in and of bodies in vertical relation to one another. In the widely popular 1671 French courtesy manual *Nouveau Traité de la Civilité*, translated into English as *The Rules of Civility* that same year, Antoine de Courtin writes that if at court we find ourselves in the chamber of “a Prince, or Great Person” and wish to sit down, we must “place our selves beneath him towards the lower end of the room.”¹²⁰ Concerned with the body’s spatial relations, de Courtin goes on to write that whenever we encounter someone of superior rank, “our reverence must be performed with low and decent inclination of the body.”¹²¹ Like Elyot, de Courtin’s comments suggest that we understand ‘reverence’ as a non-linguistic illocutionary act. It is a downward movement of the body that performatively enacts reverence. Indeed, in Middle English, to ‘reverence’ someone “commonly meant to bow to them,” such that subordinates were advised to do or make a reverence before the king.¹²² By aesthetically organizing their bodily relations along the vertical axis of the aristocratic hierarchy, subjects affirm their subordination and display reverence to the superior body before them. Repeated over time, these bodily inclinations would seem to incline subjects towards their superiors, and so cultivate a predisposition (an inclination) to submit to the hierarchical rule of the king.

¹¹⁹ Sir Thomas Elyot, *The Boke Named the Governour* (London: 1537), I. XXII, 81.

¹²⁰ Antoine de Courtin, *The Rules of Civility; or, Certain Ways of Deportment Observed in France; amongst All Persons of Quality, upon Several Occasions. Transted out of French* (London, 1671), 51-52. See Heltzel “The Rules of Civility (1671) and its French Source,” *Modern Language Notes*, 43, 1 (1928): 17-22; Wildeblood, *The Polite World*, 97.

¹²¹ de Courtin, *The Rules of Civility* 21, 78-9.

¹²² Burrow, *Gestures and Looks in Medieval Narrative* (2002), 20. For examples of reverence meaning ‘to bow’ in the sixteenth century, see Wildeblood, *The Polite World*, 81-2, 86-7, 201-203.

Historically, the aristocracy was a military order that prided itself on martial virtues and physical displays of violence, such as dueling, but such forms of life threatened the monarchy's demands for deference. In the 16th and 17th centuries, the royal courts of England and France instituted new ideals of courtesy "as a device to coerce all the king's subjects to enhanced obedience" and so transform the knightly warrior into a more pacified courtier.¹²³ Antoine de Courtin's *The Rules of Civility* formed one part of a larger European literature of 'courtesy' that taught young gentlemen how to navigate the hierarchical world of the court by learning how to properly conduct and comport their bodies.¹²⁴ These manuals situated increasingly dominant practices of etiquette within a world of subordination and submission to the king. They helped reinforce the political meanings of these gestures while simultaneously underlining the necessity of their physical performance for their realization. Taking the royal courts as the proper model and guide for manners, these manuals helped constitute relations of hierarchy throughout the larger world of the nobility. Like the king, members of the aristocracy also organized the geography of space surrounding their bodies. They too asserted physical distance from subordinates and demanded that inferiors vertically display their subordination.¹²⁵ Performed according to the various ranks and statuses organizing the early modern world, the ordinary exercise of such practices of distance and verticality had the effect of reifying the kingdom's pyramidal hierarchy at the peak of which was the king.

While subjects were not situated equally in relation to the king's body, as those higher in the great chain of being were deemed closer to the king's honor, the monarch claimed a special distinction from the rest of the nobility in being a divine being with the unique right and capacity to rule.

¹²³ Ranum, "Absolutism, and the Rise of the French State", 432. On the English Court, see Michael Curtin, "A Question of Manners" (1985). On the French court, see Norbert Elias, *Court Society*, especially chapters 7 and 8. On the difference between the image of a pacified aristocracy and its actual practices, see Gillingham, "From Civilitas to Civility" (2002).

¹²⁴ Anna Bryson, "The Rhetoric of Status," 141, 144-5; Norbert Elias, *The Civilizing Process, Vol. 1: The History of Manners* (New York: Pantheon Books, 1982). On conduct books as evidence for historical practice, see Armstrong and Tennenhouse, "The Literature of Conduct, the Conduct of Literature, and the Politics of Desire" (1987).

¹²⁵ By forming the *noli me tangere* gesture (👉) and "waggl[ing]" the wrist, a superior "warned off one of less rank who perhaps had not seen the gesture and so had approached too close and become too familiar." Alfred Siemon Golding, *Classical Acting: Two Centuries of a Performance Tradition at the Amsterdam Schouwburg* (University Press of America, 1984), 95. See also, Bryson, *From Courtesy to Civility*, 98.

Distinguishing the king as sacred and thus separate from all other subjects, the embodied spectacles and practices of royalty generated atmospheres of feeling that viscerally affected the bodies of subjects both near and far from the king. In a letter to Sir Anthony Browne, master of the king's horse, John Hales tries to convince Brown to present his treatise *An Oration in Commendation of Lams* to Henry VIII and explains his decision not to approach the king as follows:

Albeit the King's majesty be a Prince of so fatherly love toward his subjects that *he forbiddeth none of them to come to his presence at time and place meet*, ... yet there ought to be in men a certain *reverence mixt with gentle fear* to pull them back again, remembering that they have not to do with man but with a more excellent and divine estate.... Although [subjects] have prepared themselves both earnestly and reverently to speak to their ruler and head; yet they have been, when they should have most drawn courage to them, so *astonished and abashed, so trembling and quaking, utterly in a manner muet*, as if they had been taken with the palsy, such is the majesty of a prince.¹²⁶

While he affirms Henry VIII's accessibility, writing that the fatherly king does not "forbiddeth" any subject to "come to his presence," Hales explains that he could not approach the king because Henry is no ordinary "man" but of a "divine estate." Although he had mustered up "courage" to speak to the king, Hales finds himself "trembling and quaking," unable to speak, as if he were struck "with the palsy." Reverence, he explains, "pull[ed]" him back. It this affective force felt by Hales, which mediated his possible encounter and linked his body to the king's, that prevented him from approaching the king directly. In organizing their bodily relations, the feeling of reverence both signifies and confirms the king's divinity. It shows how this divinity was not an abstract idea located in Hales's mind so much as an affective sensation materialized in and throughout his entire body.

By the 17th century, opportunities for writers like Hales to personally hand the monarch their manuscripts were decreasing, as ushers "were ordered to see that none pressed too close to the king in his presence ... [in order] to keep the reverence and distance which it was the duty of their office to

¹²⁶ BL/BM?, Harleian MS 4990, quoted in Starkey, David. "Representation Through Intimacy: A Study in the symbolism of monarchy and court office in early-modern England", 193, emphasis added. According to John Adamson, "The Tudor and Stuart Courts, 1509-1714," 99, the master of the horse was the officer who, after the groom of the stool, enjoyed the most frequent and intimate access to the monarch because he "was responsible for the two most important aspects of the monarch's life outside the court. He arranged the king's (and the court's) travels and provided the hunters that the king rode in the principal courtly recreation."

safeguard.”¹²⁷ This constant administration of space surrounding the king’s body performatively produced the very reverence that the ushers were meant to protect, and as Hales’s letter indicates, it is not the threat of the ushers’ coercion so much as the affective atmosphere they help generate that structured a subject’s relationship to the king. “[L]yke as the sonne doth his beames,” Elyot wrote, “so dothe [the king’s majesty] caste on the beholders and herers a pleasaunt and terrible reuerence.”¹²⁸ Hearing of its divine feats of healing, struggling to get near the material body of power, only to descend before the royal body adorned in gold, fur and jewels, subjects would be hard pressed to feel that the king’s body was of the same flesh as their own. As a Counsellor from Florence remarked upon first meeting king Charles II in Paris, “when I observed His Physiognomy, and the Lineaments of his face, I seemed to discern in it something extraordinary above vulgar countenances, and that he carryed a Majesty in His very looks, . . . he seemed to be cut out for a King.”¹²⁹ The unity of the body politic and body natural seemed to transform the physical makeup and appearance of the king’s material body, granting him a dignity that shone in the king’s “very looks” and distinguished him from all other mortals. United with the body politic and thus partaking of its divinity, the king’s natural body took on a character and quality distinct from any other organic matter.

The affective sensibility of “reverence” that Hales, Elyot and the Florentine counsellor experience before the king is a politico-theological relation of feeling that reproduced the king’s divine authority. The ceremonies and choreographies of royal power generate atmospheres of reverence that envelop subjects and impress upon their bodies a visceral relation of subjection to the king. Written shortly after the death of Queen Anne, the last British monarch that practiced the royal touch, William

¹²⁷ Sharpe, “The Image of Virtue”, 232-3.

¹²⁸ Sir Thomas Elyot, *The Boke Named the Governour*, II. II, 100.

¹²⁹ James Howell, *Divers historical discourses of the late popular insurrections in Great Britain and Ireland tending all, to the asserting of the truth, in vindication of Their Majesties* (London: Printed by J. Grismond, 1661), 402.

Becket proposed to study the royal touch from a scientific and non-religious perspective. After refuting the reigning religious theories, he explains the phenomenon as follows:

Can it be otherwise supposed, than that when a poor and miserable Creature, prepossess'd with the most eager Thoughts of Relief, shall see the *Royal Majesty* condescend to apply his Hands for the Cure of the Sores and Swellings he is diseas'd with, but that it must procure a fresh Turn to the Blood and Spirits, give the effete and languid Nerves fresh Vigour, excite the intestine Agitation of the Particles of the Blood, and produce an agreeable Alteration in the Whole Constitution.¹³⁰

In accounting for why the king's touch so often healed his subjects, Becket's explanation turns on the king's ability to stimulate and affect the subject's body. Witnessing the elevated king condescend to touch his lowly subject, the recipient's body, Becket argues, undergoes a physiological reaction that transform's the subject's entire constitution and heals their sickness. In his attempt to provide a strictly empirical explanation for the royal touch, Becket highlights an affective power that can be traced to the political theology of divine kingship, a power that he does not name but which his contemporaries called reverence. His interpretation thus lends support to the claim that the embodied rituals and practices of the monarchy produced political relations of hierarchy as embodied relations of feeling. As the monarch "inspir[es] purest zeale and reverence / Aswell vnto the person as the Power," reverence for the royal body natural meant reverence for the royal body politic.¹³¹ Reverence is, in other words, the affective glue that sticks together and incorporates the king's natural and political bodies, as subjects cannot help but feel touched by the sacred body that they long to but cannot touch.

Conclusion

Incorporated in the person of the king are two bodies: one body natural, physical and corporeal, and the other a body political, metaphysical and divine. The early modern state was, as Kantorowicz puts it a bit awkwardly, "not 'personified' – it was bodified."¹³² Despite the attempts by royalists to

¹³⁰ William Beckett, Surgeon, and F. R. S., *A Free and Impartial Inquiry into the Antiquity and Efficacy of Touching for the King's Evil* (London: 1722), 29-30.

¹³¹ The quotation is from the masque of Proteus by Henry Helmes, performed at court before Elizabeth in the late 16th century, and analyzed by Marie Axton, *The Queen's Two Bodies*, 85-87, the quotation is from pg. 86.

¹³² Kantorowicz, *The King's Two Bodies*, 270-1.

keep these two bodies united, over the course of the long 18th century the power of monarchs faltered and the two bodies were severed, not to be reunited again. Inattention to the royalist grammar of incorporation has meant that accounts which attempt to trace this rupture – whether in the story of the rise of parliamentary sovereignty (Kantorowicz) or the bourgeois public sphere (Habermas) – presume the very separation that must be explained. The use of a democratic grammar of representation has led theorists of the monarchy to take for granted an already existing disjuncture of the king's two bodies and, as a result, have tended to neglect the natural body and its historical imbrication with the body politic. The royalist grammar of incorporation effects a more radical challenge in thinking and articulating the relationship between the two bodies and how one singular body could incarnate sovereignty. Incorporation demands that we attend more carefully not just to the king's material body but to all the bodies that revolved around it, gravitated towards it, and performed a whole series of theatrical gestures before it.

Comprising a complex machinery from grand spectacles and ceremonies to minute forms of etiquette and comportment, I argued that the corporeal architecture of kingship operated on two spatio-geographical axes: the degrees of distance and the angles of elevation between the bodies of subjects and their monarchs. The geography of these seemingly superficial choreographies of royal power illustrates the theoretically sophisticated political logics of monarchical sovereignty. On the one hand, relations of distance between ruler and subject constituted the king as a sacred object that could touch but not be touched, while on the other hand, bodily activities that position subjects in vertical subordination when in the orbit of the king's body dramatized the king's authority as the highest in the kingdom, literally above all other subjects. These practices and relations not only materially displayed and exhibited, that is, symbolized the monarchy's hierarchical relations of power, but crucially helped produce and sustain the king as a unique being with the divine right and authority to rule by constituting atmospheres of reverence around their rulers. In conjunction with the coercive

power of the scaffold to break and beat the bodies of subjects into submission, kings and queens made use of the affective power of feeling to reproduce their sovereignty and their subjects' obedience. These affective sensations of reverence meant that subjects viscerally understood in and through their trembling and quaking bodies that their rulers were sacred creatures whose natural bodies contained the power and authority and the divine body politic.

In what sense did these theatrics surrounding the royal body serve as a vehicle for amplifying political authority and absolute power? In their critique of histories of absolutism, revisionists emphasized relations of collaboration and cooperation upholding monarchical regimes. Similarly, scholars of etiquette have cast doubt on the reality of absolutist power by highlighting how the rules and rituals of etiquette bound and constrained the king.¹³³ Yet, just as Sommerville emphasized how ideas of cooperation need not contradict theories of absolutism, neither does the king's dependence on others for prestige and status need to conflict with the production of royal power. Political authority was not created *ex nihilo* but emerged from within and out of intersubjective, embodied, and felt relations between subjects and rulers. Like the king on a chessboard, monarchs formed one part of a larger game, and so like all pieces, they too are necessarily ensnared in its rules and norms. What separated monarchs from other players, however, and marked them as distinct and divine beings with the capacity and right to rule, was the collectively felt atmospheres of reverence that were the effect of the choreographies of royal power, the sometimes spectacular and often ordinary practices and rituals of the body that distinguished the king from all other subjects.

While the degrees of formality and the intensity of these rituals and practices waxed and waned across and within the English royal courts of the 16th and 17th century, every royal court appeared to follow this basic corporeal structure of distance and verticality organizing the political geography of

¹³³ See, for instance, Elias, *Court Society*, 127-158; Laurie Shannon, "The Touch of Office: Supernumerary Economies and the Tudor Public Figure".

space surrounding their untouchable rulers: Henry VIII, Edward VI, Mary I, Elizabeth I, James I & VI, Charles I, Charles II and James II all held coronation ceremonies, touched for the king's evil,¹³⁴ dined, entertained, paraded, travelled and received guests with various degrees of elaborate ritual, upheld forms of etiquette and conduct involving hierarchical practices of bowing, curtsying, genuflection, and submission, and all demanded that their subjects revere their royal authority.¹³⁵ After the revolution of 1688, however, William III no longer practiced the royal touch, and despite its brief return with the reign of Queen Anne, the ritual did not survive her death. By the turn of the 18th century, less men and women flocked to the royal court and the sacredness of the monarchy began to disappear. The king's two bodies, it seems, had come undone as a new political subject – The People – would claim the mantle of sovereignty. How do we account for the growing disinvestment from the king's doubled body without losing sight of the king's material body and the structures of feeling in which it is embedded? As the following chapters argue, we cannot understand the emergence of popular sovereignty and the democratic figure of The People without attending to transformations to the field of bodily practice and its corresponding affective sensations.

When Renaissance legal thinkers resurrected the Roman legal principle of *Quod Omnes Tangit*, they used it to describe the domain of public affairs as that which “touches all must be approved by all.”¹³⁶ While public concerns of the body politic were understood to touch everyone, “things public” were also, as Kantorowicz notes, “*sacer*, ‘untouchable’.”¹³⁷ Incorporated with the body politic, the natural body of the king was sacred and untouchable, except for those servants and favorites who had intimate contact with the king's body. Their touch, it would seem, might pose a problem for the

¹³⁴ According to Sturdy, “The Royal Touch in England,” 173, there is no direct evidence that Edward VI performed the royal touch, “although he may have done so without the event having been recorded.”

¹³⁵ Even in the monarchy's abolition, such ceremonies and choreographies of royal power continued. See Roy Sherwood, *Oliver Cromwell: King in All but Name, 1653–1658* (New York: St. Martin's Press, 1997).

¹³⁶ Gaines Post, “A Romano-Canonical Maxim, ‘*Quod Omnes Tangit*,’ In Bracton,” *Traditio*, 4 (1946): 197-251, quote is from page 201. On the history of *Quod Omnes Tangit* in ecclesiastical institutions, see Kenneth Pennington, “Representation in Medieval Canon Law,” in *REPRÆSENTATIO: Mapping a Keyword for Churches and Governance*, 21-40.

¹³⁷ Kantorowicz, *The King's Two Bodies*, 189.

untouchable body of power. In the next chapter, I explore how relations of bodily intimacy between monarch and subject troubled attachments to the king's two bodies and helped disinvest subjects from his authority to make way for new understandings of the body politic.

2. From the Body of the King to the Body of the Nation: Sodomy, Sovereignty, and the Problem of Political Attachment

“[The nation] is imagined as a *community*, because, regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship. Ultimately, it is this fraternity that makes it possible over the last two centuries, for so many people, not so much to kill, as to willingly die for such limited imaginings” – Benedict Anderson¹

During the tumultuous decade inaugurated by the English Parliament’s radical break in 1688 with longstanding principles of hereditary succession, in what has been described as the first modern revolution,² an anonymous author decided to republish the account of a rape and sodomy trial that had taken place almost seventy years prior. The new preface that introduced the 1699 edition of the *Trial and Condemnation of Mervin, Lord Audely of Castlehaven, at Westminster, April the 5th 1631* explains the reason for revisiting the trial at the dawn of a new century as follows:

I thought it could not more oblige the Publick, than ... to publish it at this Juncture, that by Reading the Sin, so Tragically Delineated in its Horrid Shape, and ugly Visage, by the Grave and Learned Sages of the Law, and In the Death of a Noble Peer, other Men might be terrify’d, and fear’d from those Sins that are attended with nothing but Infamy and Death in this World, and Eternal Damnation in the next.

Seeing that the “Sin of Buggery ... now Reign among our English Debauche’s,” the anonymous author forces public attention to the dangers of sodomy by “Reading the Sin” and tracking its consequences: “Death in this World, and Eternal Damnation in the next.”³ That this reading might instil “fear” and “terrify” men into living differently suggests a belief in sodomy’s affective power, that unnamed force that the author wishes to generate when conjuring sodomy’s terror. Considering that sodomy was not, as Cynthia Herrup notes, a central theme in the trial’s initial accounts and only became “the narrative’s

¹ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 2006), 7.

² Steven Pincus, *1688: The First Modern Revolution* (Yale University Press, 2011).

³ Mervyn Touchet Castlehaven, *Trial and Condemnation of Mervin, Lord Audely of Castlehaven, at Westminster, April the 5th 1631* (London, 1699), preface.

pivot in the 1690s,”⁴ what terrible promise did this discourse of sodomy offer and why did “this Juncture” of the politically volatile 1690s compel its invocation? Less than two years following the republication of Castlehaven’s trial, Parliament passed the 1701 Act of Settlement, a monumental piece of legislation that not only barred Catholics from the English throne but all foreigners from official positions of power. Alongside the old criterion of religion, nationality seems to have become a new condition for political membership. In little over a decade then, English politics had been radically altered, and sodomy appears to have been just the right kind of terror this moment demanded.

In this chapter, I explore how circulating rumors of monarchical sodomy at the turn of the eighteenth century became entangled with newly emerging conceptions of the nation and nationalized spaces. This essay analyzes rumors of sodomy not as a category of truth and identity (was X homosexual?), but rather as a category of politics that concerns questions of authority and attachment to the body politic.⁵ After the 1688 Revolution, accusations of the sovereign’s sodomy increasingly mobilize spatial and territorial rather than theological understandings of sodomy’s danger – rendering sodomy’s terror from a satanic threat to the Christian kingdom to a public threat to the English nation. Focusing attention on affect, I show how this emergent discourse of national sodomy works to disrupt entrenched feelings of loyalty and allegiance to the monarch. Nationally inflected rumors of the king’s sodomy, I argue, help unsettle political attachment to monarchical rule, turning subjects away from the king’s body and towards the national body politic.

Despite ongoing debate on the topic of the particular elements that characterize “the nation,” many theorists generally agree that a defining feature of the nation is the idea of a distinct and bounded

⁴ Cynthia Herrup, *A House in Gross Disorder: Sex, Law, and the 2nd Earl of Castlehaven* (Oxford, 1999) xv.

⁵ On the overemphasis on identity in contemporary sexuality studies, see Lisa Jean Moore and Lara Rodriguez, “Identities without Bodies: the *New* Sexuality Studies” in *Corpus: An Interdisciplinary Reader on Bodies and Knowledge*, eds. Monica Casper and Paisley Currah (London: Palgrave, 2011), 109-126. For a recent study that focuses not on issues of identity so much as the contexts within which sodomy gained political meaning and use, see Charles Upchurch, *Beyond the Law: The Politics of Ending the Death Penalty for Sodomy* (Temple University Press, 2021).

territorialized collective with a political claim to territorial self-determination.⁶ “Modern states, nations and nationalism,” James Anderson argues, “are all *territorial* in that they explicitly claim, and are based on, particular geographical territories, as distinct from merely occupying geographical spaces.”⁷ While many individuals have historically been aware of themselves as part of a distinct group, which they might call a ‘people’ or ‘nation,’ nationalists identify nations with certain bounded territories and put forward the *political* claim that sovereignty over a particular territory can only be exercised by members of the nation with which the territory is identified. Though the sovereignty of the modern *nation*-state is a territorial sovereignty, the two have become so entwined in our political imaginary that social scientists commonly define sovereignty through territory.⁸ Though true for national understandings of sovereignty, such territorial conceptions are, as intellectual historians have noted, relatively novel in the history of political rule.⁹ How, then, do we account for the territorialization of sovereignty?

Historical explanations commonly focus on structural transformations to the state, highlighting some combination of developments in law, bureaucracy, warfare, and tax collection. In Perry Anderson’s account, for instance, the incorporation of Roman law alongside institutional innovations, such as the formation of standing armies and centralized bureaucracies, gave rise to the absolutist state as a territorial entity.¹⁰ Others point to the financial revolution of the mid-seventeenth century, where the monarch’s personal authority diminished with the growth of new systems of public credit and debt.¹¹ Though they account for territorial developments in state institutions, these explanations do

⁶ Even two widely opposing theorists of nationalism such as Benedict Anderson and David Miller agree on this point. Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 2006), 7. David Miller, *On Nationality* (Oxford, 1997), 27.

⁷ James Anderson, “Nationalism and Geography,” in *The Rise of the Modern State*, ed. James Anderson (Brighton, Sussex: Harvester Press, 1986), 117.

⁸ On the tendency to conflate nation and state in political science, see Lowell Barrington, “‘Nation’ and ‘Nationalism’: The Misuse of Key Concepts in Political Science,” *PS: Political Science and Politics*, 30, 4 (1997): 712- 716.

⁹ Jean Bethke Elshtain, *Sovereignty: God, State, and Self* (New York: Basic Books, 2008).

¹⁰ Perry Anderson, *Lineages of the Absolutist State* (London: Verso, 2013).

¹¹ Michael Braddick, *State Formation in Early Modern England c. 1500 – 1700* (Cambridge University Press, 2000), 264; P. G. M. Dickson, *The Financial Revolution in England: A Study in the Development of Public Credit* (London: Macmillan, 1967); John Miller, *The Glorious Revolution* (New York: Routledge, 1983).

not attend to transformations in political feeling, that is, shifting attachments from the king to the nation. After all, for centuries, people pledged loyalty to rulers who did not originate from the same territory as the ruled. Such foreign lineage was even a point of pride, as James Howell writes in 1661 of the newly restored monarchy of Charles II: “this King bears in his veines not onely that bloud [of the House of *Denmark*], but also the blouds of all the great Princes of Christendom, being nearly linked to the House of *Bourbon* and *France*, to the House of *Austria*, and consequently to the *Emperour*, and *Spaine*.”¹² How then did we enter an era of national sovereignty, where many people now find such ‘foreign’ rule contrary to the principle of self-determination?

Understanding the historical sedimentation of national sovereignty requires attending to the changing nature of political feeling, and in particular, the affective investment in the state as a limited and bounded space. As such, the literature on nationalism occupies a central place in the historiography of modern sovereignty. One enduring appeal of Benedict Anderson’s *Imagined Communities* is the extent to which he opened up the question of how nationalism commands “such profound emotional legitimacy.”¹³ “[I]t is doubtful,” he writes, “whether either social change or transformed consciousness, in themselves, do much to explain the *attachment* that people feel for the inventions of their imaginations.”¹⁴ Spurred by the turn to affect in recent decades, scholars of nationalism have devoted increased attention to feeling as a constitutive force mediating attachments to the nation-state.¹⁵ Situated within the nineteenth and twentieth centuries, however, these studies take place within an already formed global terrain of nation-states. As such, we have yet to locate the role of affect in the pivotal transition from monarchical to national forms of sovereignty in the eighteenth century. The

¹² James Howell, *Divers historical discourses of the late popular insurrections in Great Britain and Ireland tending all, to the asserting of the truth, in vindication of Their Majesties* (London: Printed by J. Grismond, 1661), 403.

¹³ Anderson, *Imagined Communities*, 4.

¹⁴ Anderson, *Imagined Communities*, 141.

¹⁵ Lauren Berlant, *The Queen of America Goes to Washington City: Essays on Sex and Citizenship* (Durham: Duke University Press, 1997); Lila Abu-Lughod, *Dramas of Nationhood: The Politics of Television in Egypt*, (University of Chicago Press, 2004); Joseph Masco, *The Theater of Operations: National Security Affect from the Cold War to the War on Terror*, (Duke University Press, 2014); Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham: Duke University Press, 2007); Lisa Wedeen, *Peripheral Visions: Publics, Power, and Performance in Yemen* (University of Chicago Press, 2008).

challenge is not only to explain how people become attached to a spatial understanding of the body politic. But also, to account for the displacement of centuries-long investments in and loyalties to the personal rule of monarchs. Focusing on the affective domain of politics, therefore, this chapter attends to the unmaking of this prior allegiance to monarchical rule.

Given the imbrication of the theological and the political in early modern Europe, analysis of political feeling suggests focusing on the affective life of religion. Indeed, discussions of nationalism's emergence on the world-historical stage commonly point to shifts from religiously to nationally mediated understandings of the state. In "Western Europe," Anderson writes, "the eighteenth century marks not only the dawn of the age of nationalism but the dusk of religious modes of thought."¹⁶ While nationalism by no means supplanted theology, and the contours of the relationship between nationalism and religion remain subject to debate, the eighteenth century certainly marks a certain frame shift in conceptions of sovereignty.¹⁷ Where (Christian) religious discourses figure their communities as potentially coterminous with humanity, nationalist discourses reject this universalism in favor of the particularity of the territorial state. In other words, the historical emergence of the idea of the nation necessitated a turn from universal to spatially bounded visions of political rule.

While many researchers have explored various transformations to the theological structure of sovereignty in Western Europe during the eighteenth century, this scholarship has largely overlooked the question of sodomy. Historically, sodomy had the distinction of being the satanic antithesis of the biblical injunction to be "fruitful and multiply" (Genesis 1:28). Given the structural centrality in medieval Christianity of the divine command to reproduce, sodomy signified the danger of "the erotic

¹⁶ Anderson, *Imagined Communities*, 11. The historiography of nationalism has long taken some form of secularization thesis as a necessary precondition for nationalism. See, Hans Kohn, *The Idea of Nationalism: A Study in Its Origins and Background* (London: Macmillan, 1944); Zohar Maor, "Hans Kohn: The Idea of Secularized Nationalism," *Nations and Nationalism* 23, 4 (2017): 665-685. For a more recent account on the turn away from theological kingship, see Paul Monod, *The Power of Kings* (Yale University Press, 1999).

¹⁷ For a complex discussion on the eighteenth-century schism between politics and theology, see Claude Lefort, "The Permanence of the Theologico-Political?" in *Democracy and Political Theory* (Polity Press, 1988), 213-255; Rogers Brubaker, "Religion and Nationalism: Four Approaches," *Nations and Nationalism* 18, 1 (2012): 2-20. For an historiographical account of secularization in England, see C. John Sommerville, *The Secularization of Early Modern England: From Religious Culture to Religious Faith* (Oxford University Press, 1992).

without connection to reproduction,” and as such represented *the* “unsurpassed example of divine retribution.”¹⁸ A sin that all people could theoretically commit due to humanity’s corrupt nature, terms such as “buggery” or “sodomy” could apply to various forms of non-reproductively oriented sex, such as anal, oral, bestiality, and sexual excess in general.¹⁹ In Protestant England, where “popery [Catholicism] was an anti-religion, a perfectly symmetrical negative image of true Christianity,” sodomy was “an archetypically popish sin ... since it involved the abuse of natural faculties and impulses for unnatural ends.”²⁰ Given this overlap between politics and theology, sodomy was hardly a matter of ‘private’ concern. As Sir Edward Coke declared, sodomy was “*Crimen laesae Majestatis*” – high treason against the sovereign, whether “King Celestial or Terrestrial.”²¹ As an eminently political problem, therefore, sodomy poses a fertile ground for studying shifting investments in relations of political rule.

This chapter thus joins the handful of scholars studying the relationship between sexuality and national belonging.²² In centering sodomy, however, I depart from analysis concerning homo/heterosexuality and already-existing nationalism to investigate the constitutive fear of sodomy in forming attachments to the emergent idea of the nation. Sodomy – that “utterly confused category” as Michel Foucault famously remarked – does not signify homosexuality, with its psychological, lifestyle-oriented, identity-conscious, and communitarian elements.²³ Historically prior to the

¹⁸ Mark D. Jordan, *The Invention of Sodomy in Christian Theology* (University of Chicago Press, 1997), 176, 32. See also H. G. Cocks, *Visions of Sodom: Religion, Homoerotic Desire, and the End of The World in England, C. 1550-1850* (University of Chicago Press, 2017), 64-65.

¹⁹ Alan Bray, *Homosexuality in Renaissance England* (London: Gay Men's Press, 1982), 14–8; Caroline Blingham, “Seventeenth-Century Attitudes Toward Deviant Sex,” *Journal of Interdisciplinary History* 1, 3 (1971): 447-468; Paul Hammond, *Figuring Sex Between Men from Shakespeare to Rochester* (Oxford University Press, 2002), 8-9. Despite the focus on non-reproductive activity possible by both sexes, sodomy was often, though not always, gendered male and many forms of women’s erotic intimacy escaped public censure and notice. See, Traub, *Renaissance of Lesbianism*.

²⁰ Peter Lake, “Anti-Popery: The Structure of a Prejudice,” in *Conflict in Early Stuart England: Studies in Religion and Politics 1603-1642*, ed. Richard Cust and Ann Hughes (London: Longman, 1989), 73, 75.

²¹ Edward Coke, *Twelfth Part of the Reports* (London, 1656), 37.

²² In addition to Berlant, *The Queen of America*, and Puar, *Terrorist Assemblages*, cited above, see Lisa Duggan, “The New Homonormativity: The Sexual Politics of Neoliberalism” in *Materializing Democracy: Toward a Revitalized Cultural Politics*, eds. Russ Castronovo and Dana Nelson (Duke University Press, 2002); George Mosse, *Nationalism and Sexuality: Respectability and Abnormal Sexuality in Modern Europe* (New York: Howard Fertig, 1985); *Nationalisms and Sexualities*, eds. Andrew Parker, Mary Russo, Doris Sommer, and Patricia Yaeger (New York: Routledge, 1992); Elizabeth Povinelli, *The Empire of Love: Toward a Theory of Intimacy, Genealogy, and Carnality* (Duke University Press, 2006); Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton University Press, 2011); Cynthia Weber, *Queer International Relations: Sovereignty, Sexuality and the Will to Knowledge* (Oxford University Press, 2016).

²³ Michel Foucault, *The History of Sexuality, Vol. 1: An Introduction* (New York: Random House, 1978), 101.

conceptual development of homosexuality, sodomy was a far more broadly reaching category, “designating religious blasphemy, political sedition, and even satanic activities including demonism, shamanism, and witchcraft.”²⁴ Given this range of signification, analysis must attend to how sodomy acquires its intelligible meaning not only from associated terms in a particular text, but also diachronically from a history of politico-theological terror. In other words, given that “sodomy” is a mobile term, attention to the semiotic background that constitutes its intelligibility will illuminate how modifications in the discourse of sodomy emerge alongside and with changes in sovereignty’s meaning. Tracing sodomy’s semiotic modifications while attending to its affective force will thus highlight the generative power of the discourse of sodomy to transform political attachments.²⁵

By following the specter of sodomy in early modern England, this chapter shows how a national framework of political power emerges at the turn of the eighteenth century in one Western European country. Attention to the sin of sodomy reveals how this new framework partly incorporates but also displaces a prior theological regime of authority. Examining a diverse archive of sodomy rumors spanning non-jurors, Tories, and Whigs, I reveal how changes in the discourse of sodomy had the effect of elaborating a novel image of the nation that transcends party lines. By highlighting the central role that gender and sexuality play in figuring and transforming political authority, this chapter also puts forward methodological innovations for the study of sovereignty. I argue that changing frames of interpreting the illicit practices of the king’s body shape how subjects make sense of the

²⁴ George Rousseau, “The Pursuit of Homosexuality in the Eighteenth Century: ‘Utterly Confused Category’ and/or Rich Repository?” in *'Tis Nature's Fault: Unauthorized Sexuality during the Enlightenment*, ed. Robert Maccubbin (University of Cambridge Press, 1985), 136. As H. G. Cocks elaborates, “Heretics, witches and sodomites were linked not by their actual equivalence, or by the fact that they were in some sense the same, but by the fact that they were all atheistical.... Sodomy belonged with them as the most obvious example of ‘practical’ atheism, in the sense that the effect of such lust was to overthrow all laws, moral and civil, in pursuit of perverse gratification.” Cocks, *Visions of Sodom*, 237, see also 12-24.

²⁵ Or, at least what writers *believed* to be the generative power of sodomy’s threat. Whether they succeeded in challenging or altering attachments is a separate question from what they aimed to accomplish. See Lisa Wedeen, “Conceptualizing Culture: Possibilities for Political Science,” *American Political Science Review* 96, 4 (2002): 713-28. To diminish some of these problems, I focus on texts that explicitly accuse rather than hint at sodomy. Nonetheless, there remains a gap between the feelings these texts *could* produce and what they did in fact produce. I address these concerns in the discussion on rumours and structures of feeling below. On the hermeneutic problem of seventeenth century sodomy, see Hammond, *Figuring Sex Between Men*, Ch. 1.

relationship between the king's natural body and the royal body politic and reveal shifting investments in and attachments to different figurations of sovereign power. Focusing on an affectively loaded concept such as sodomy brings to light the conceptual problem of political attachment and shows how these attachments can be altered in fundamental ways. The historiography of nationalism often aims to provide us with a better understanding of what moves people to feel as one united national body, but this literature rarely asks the question of how prior political loyalties to the monarch were *negated* in order to make space for new investments in the nation.²⁶ Consequently, we have a weaker grasp of why individuals tied to dynastic rulers for centuries would suddenly give up these allegiances. As this chapter argues, highlighting sodomy and its affective power sheds new light on the momentous shift in attachments from the physical body of the king to the territorial body of the nation.

I. Monarchical and Territorial Attachments

Whereas birthplace suggests a 'natural' or taken-for-granted space of political allegiance in the modern territorial state, in the pre-modern world, physical location did not define one's political horizon. In the feudal order, Hendrick Spruyt argues, "territory was not determinative of identity and loyalty."²⁷ Rather, sovereignties were split between personal bonds to lords and competing universal claims of the Church and the Holy Roman Empire over the Christian community of believers. In the feudal organizational structure, sovereignty entailed "rule over people rather than land."²⁸ Even as monarchies became increasingly territorially bounded, rulers still "claimed full authority over all inhabitants of the territory" rather than the territory as such.²⁹ By the end of the Thirty Years' War (1648), as Hans Morgenthau argues, "sovereignty as supreme power over a certain territory was a

²⁶ An important exception is Lynn Hunt, *The Family Romance of the French Revolution* (University of California Press, 1992). In contrast to Hunt, I do not employ a psychoanalytic framework of the collective unconscious. I argue that efforts to imagine a polity unhinged from monarchical authority took place through explicit political discourse rather than below its conscious but cloaked surface.

²⁷ Hendrik Spruyt, *The Sovereign State and Its Competitors: An Analysis of Systems Change* (Princeton University Press, 1994), 35. See also, Saskia Sassen, *Territory, Authority, Rights: From Medieval to Global Assemblages* (Princeton University Press, 2006), 35.

²⁸ Spruyt, *The Sovereign State and its Competitors*, 40.

²⁹ Sassen, *Territory, Authority, Rights*, 45. Thomas F. Mayer, "On the road to 1534: the Occupation of Tournai and Henry VIII's Theory of Sovereignty," in *Tudor Political Culture*, ed. Dale Hoak (Cambridge University Press, 1995), 11-30.

political fact, signifying the *victory of the territorial princes* over the universal authority of emperor and pope, on the one hand, and over the particularistic aspirations of the feudal barons, on the other.”³⁰ From the perspective of subjects, therefore, allegiance was owed not to the increasingly defined territories of the kingdom but rather to the monarch whose territories they inhabited.

As part of the absolutist development of territorial rule, monarchies sought to intensify their subjects’ political attachment to their particular and singular rulers. This meant evacuating the political landscape of other possible sources of loyalty that could vie for the subject’s political allegiance. In England, sodomy’s terror played a crucial role in consolidating absolutist rule by undermining the competing authority of the Catholic Pope. With the passage of the 1533 “Acte for the Punysshement of the vice of Buggerie,” sodomy became the first crime explicitly removed from the jurisdiction of ecclesiastic courts.³¹ The Act played a key role in Henry VIII’s split from Rome by enabling the king to prosecute Catholic clergymen, destroy monasteries, and confiscate church lands.³² As Leslie Moran argues, the horror of sodomy “played an important part . . . in the politics of the Protestant ascendancy” by synthesizing the dynastic state to the Protestant religion and juridically enforcing the theological stress of reforming Christians from Catholicism’s sinful ways.³³ “During the Jacobean period,” H. G. Cocks writes, “the prophetic language of sodomy . . . occupied a central place in attempts to establish a unified Protestant platform.”³⁴ Sodomy was associated with the evil of papists and otherworldly

³⁰ Hans Morgenthau, “The Problem of Sovereignty Reconsidered,” *Columbia Law Review*, 48, 3 (1948): 341-365, quote is from page 341, emphasis added.

³¹ Herrup, *House in Gross Disorder*, 34.

³² Louis Crompton, *Homosexuality and Civilization* (Harvard University Press, 2003), 361-3; Cocks, *Visions of Sodom*, 31; Sophie Murray, “Dissolving into Laughter: Anti-Monastic Satire in the Reign of Henry VIII” in *The power of laughter and satire in early modern Britain: Political and Religious Culture, 1500-1820*, (ed.) Mark Knights (Boydell Press, 2017), 27-47; Alan Stewart, “A Society of Sodomites: Religion and Homosexuality in Renaissance England,” 88-109.

³³ Leslie J. Moran, *The Homosexual(ity) of Law* (New York: Routledge, 1996), 71; Tony Claydon, *William III and the Godly Revolution* (Cambridge University Press, 1996), 38-9.

³⁴ Cocks, *Visions of Sodom*, 42.

threats such as devils and witches,³⁵ and so discourse and legislation against the sin played a strategic role in molding allegiances to the political theology of the Protestant state.

In early modern England, political allegiance did not mean devotion to an abstract entity like ‘the nation.’ Rather, fidelity to the body politic meant quite literally loyalty to the material body of the king. Allegiance to the monarch in his or her flesh enabled subjects to express their commitment to the divine and metaphysical Royal Body of the kingdom, which was, as Ernst Kantorowicz famously demonstrated, incorporated in the king’s organic body.³⁶ As I showed in the previous chapter, the unification of both the body natural and body politic in the person of the king meant that courtiers competed to gain proximity to the king’s person, since intimacy with the king’s natural body facilitated a courtier’s ability to influence the body politic.³⁷ Indeed, the most coveted positions at the English court were those offices that dealt with the intimacy of the king’s bodily maintenance, such as the Grooms/Ladies of the Bedchamber, who aided in the monarch’s dressing, or the Groom of the Stool, who assisted in the king’s defecation and controlled his signature and money. Given this loyalty to the body politic through the material body of the king, we need to explain the loosening and unraveling of subjects’ fidelity to the royal body in order to make way for their reinvestment in the territorial sovereignty of the nation.³⁸

Though any world-historical dating serves as a metonym for transformations that both precede and exceed a singular year, 1701 represents a pivot point in the history of sovereignty. Following the

³⁵ John Marshall, *John Locke, Toleration, and Early Enlightenment Culture: Religious Intolerance and Arguments for Religious Toleration in Early Modern and ‘Early Enlightenment’ Europe* (Cambridge University Press, 2006), 212-243, 286; Hammond, *Figuring Sex*, 22; Bray, *Homosexuality in Renaissance England*, 19–20; George Rousseau, “The Pursuit of Homosexuality”; Caroline Bingham, “Seventeenth-Century Attitudes toward Deviant Sex,” *The Journal of Interdisciplinary History* 1, 3 (1971): 447-68.

³⁶ Ernst Kantorowicz, *The King’s Two Bodies: A Study in Mediaeval Political Theology* (Princeton University Press, 1957).

³⁷ On the English court, see David Starkey, “Representation Through Intimacy: A Study in the Symbolism of Monarchy and Court Office in Early Modern England,” in *Symbols and Sentiments: Cross-Cultural Studies in Symbolism*, ed. Ioan Lewis (London: Academic Press, 1977), 187-224; Neil Cuddy, “The Revival of the Entourage: the Bedchamber of James I, 1603-1625,” in *The English Court: from the Wars of the Roses to the Civil War*, ed. David Starkey et al. (London: Longman, 1987), 173-225; Kevin Sharpe, “The Image of Virtue: the Court and Household of Charles I, 1625-1642,” in *The English Court: From the Wars of the Roses to the Civil War*, 226-60. On the French court, see Norbert Elias, *The Court Society* (New York: Pantheon Books, 1983).

³⁸ Despite whatever slackening has taken place, this bond has not been entirely broken. On the continuing appeal of and attachment to the British monarchy, see Mark Easton, “Why does the UK Love the Monarchy,” *BBC News* 29 May 2012. [accessed 28 March 2020]: <https://www.bbc.com/news/uk-18237280>.

death of the Duke of Gloucester and next heir to the throne in 1700, Parliament passed what has been described as “the most significant statute in English history, [second only to the Magna Carta].”³⁹ The 1701 Act of Settlement guaranteed continuity of the crown to a Protestant line by legislating that any Catholic “be excluded, and ... made for ever incapable to inherit, possess the crown and government of this realm.”⁴⁰ Passing over the Catholic James Francis Stuart as the next possible heir-in-waiting, the Act stipulated that the crown should pass to the “princess Anne of Denmark,” but given the death of her only surviving child, it should succeed to “Sophia, electress and dutchess dowager of Hanover” and “the heirs of her body, being Protestant.”⁴¹ Although Jacobitism and the restoration of a Catholic monarchy remained threats throughout the century, the 1701 Act marked a momentous juridical break in the monarchy’s history and seemed to put an end to the religious struggles over the crown inaugurated by Henry VIII’s split from Rome.

Between the English James, Danish Anne, and Dutch-born Hanoverian Sophia, the struggle over succession tracked theological and not national concerns. Yet, occluded by a strictly religious focus is the Act’s role in juridically consolidating emergent fantasies of the nation. Alongside prohibiting Catholics to the throne, the 1701 Act excluded all foreigners from formal political power:

No person born out of the Kingdom of England, Scotland, or Ireland, or the Dominions thereunto belonging (although he be naturalised or made a denizen, except such as are born of English parents) shall be capable to be of the privy council, or a member of either house of parliament, or to enjoy any office or place of trust, either civil or military, or to have any grant of lands, tenements, or hereditament from the crown, to himself or to any other or others in trust for him.⁴²

Foreigners (any person born outside the British Kingdom), even those who *became* part of the kingdom via naturalization, can no longer hold political office, sit in Parliament or privy council, or receive land

³⁹ I. Naamani Tarkow, “The Significance of the Act of Settlement in the Evolution of English Democracy,” *Political Science Quarterly* 58, 4 (1943): 561.

⁴⁰ Danby Pickering, *The Statutes at Large, from the Eighth Year of King William III to the Second Year of Queen Anne*, Vol. X (Cambridge, 1764), 357.

⁴¹ Pickering, *The Statutes at Large*, 357, 358-9.

⁴² Pickering, *The Statutes at Large*, 359-60.

from the crown.⁴³ Although the monarch could be foreign born, all other political members of the body politic could not. A split thus appears to have emerged between the monarch and the rest of the state, as proximity to the nation's borders rather than the king's body marked the threshold for participating in the body politic.

The 1701 Act was not the first time that parliament limited the rights of foreigners, however. The 1544 Act for the Marriage of Queen Mary to Philip of Spain (1 Mary, sess. 3 c. 2.) stipulated that Philip “shall not promote, admit, or receive to any office, administration or benefice in the said realm of England, and the dominions thereunto belonging, any stranger or person not born under the dominion and subjection of the said most noble queen of England.”⁴⁴ Although the 1544 Marriage Act appears at first to prohibit foreigners in much the same way as the 1701 Act, the “stranger” of 1544 is not the foreign national of 1701. The Marriage Act excludes from political office any person “not born under” the queen's dominion and subjection, and so a “stranger” is someone who owes political allegiance to a foreign monarch, *not* to a foreign nation. As Edward Coke put it in 1608, “no man will affirm, that England itself, taking it for the continent thereof, doth owe any ligeance or faith, or that any faith or ligeance should be due to it: but it manifestly appeareth, that the ligeance or faith of the subject is *proprium quarto modo* to the King.”⁴⁵ In contrast, the 1701 Act excludes any person “born out of the Kingdom,” highlighting foreign territory and not foreign monarchs as the category of inclusion. The 1701 Act thus signals a change in understandings of sovereign allegiance, as it was no longer the king but place of birth that served as the site of loyalty and allegiance.

Although the end of the eighteenth century often serves as a more common starting point to herald the nation's arrival, in recent decades, historians, most notably Steve Pincus, have argued that

⁴³ That those born in British “dominions” are not considered foreign and thus suspect suggests that we are not yet in a vision of national belonging that views colonial subjects as a distinct people, as in the popular nationalisms that Anderson describes of creole communities in the Americas. Anderson, *Imagined Communities*, 53-65.

⁴⁴ *Select Document of English Constitutional History*, (eds.) George Adams and H. Morse Stephens (New York: Macmillan, 1901), 286.

⁴⁵ Sir Edward Coke, *The Reports of Sir Edward Coke, Knt. in Thirteen Parts, Vol. IV* (London, 1826), 20.

conditions in the late seventeenth century England were ripe for emerging ideas of the nation.⁴⁶ A burgeoning press, a national and accessible postal system, and a growing public sphere of coffeehouses and clubs provided the conditions in which anonymous strangers could imagine themselves as a community within a bounded and limited space.⁴⁷ The same year as the Act of Settlement's passage, Daniel Defoe remarked on the novelty of English concern with foreigners. A response to John Tutchin's *The Foreigner* (1700), Defoe's satirical *The True Born Englishman* (1701) notes "Tis worth observing, that we ne'er complain'd / of foreigners" until there arose a fascination with this bizarre subject called the True Englishman.⁴⁸ By 1738, Viscount Bolingbroke could write confidently that "the spring from which this legal reverence [for governors] ... arises is national, not personal."⁴⁹

Though categorically targeting foreigners, the 1701 Act did not emerge from concerns about foreigners as an abstract category. Rather, as historians have noted, the article excluding foreigners "was clearly a result of the jealousy with which William's foreign favorites were regarded," and in particular two men, William Bentinck, Earl of Portland and Arnold van Keppel, Earl of Albemarle.⁵⁰ Both favorites received considerable tracts of land from the king, enjoyed civil and political office, and were elevated into peerage, which enabled them to take seats in the House of Lords – all that which the Act of Settlement subsequently barred to foreigners. Notably, both men were also the subjects of sodomy rumors.

⁴⁶ Steven Pincus, "'To protect English Liberties': The English Nationalist Revolution of 1688-1689" in *Protestantism and National Identity: Britain and Ireland, c.1650–c.1850*, eds. Tony Claydon and Ian McBride (Cambridge, 1998), 75-104; Steven Pincus, From Butterboxes to Wooden Shoes: The Shift in English Popular Sentiment from Anti Dutch to Anti-French in the 1670s, *The Historical Journal* 38, 2 (1995): 333-361; Pincus, *1688*, 210, 294-348; Anderson, "Nationalism and Geography", 125-126. For a review of this early scholarship, see Roy Porter, "The New Eighteenth-Century Social History" in *Culture and Society In Britain, 1660-1800*, ed. J. Black, (Manchester University Press, 1997), 29-50.

⁴⁷ Paul Hammond, "Anonymity in Restoration Poetry," *The Seventeenth Century* 8 (1993): 123-42; Steve Pincus, "Coffee Politicians Does Create: Coffeehouses and Restoration Political Culture," *Journal of Modern History* 67, 4 (1995): 807-34; Pincus, *1688*, 68-72, 308; Brian Cowan, *The Social Life of Coffee: The Emergence of the British Coffeehouse* (Yale University Press, 2005); Peter Lake and Steve Pincus, "Rethinking the Public Sphere in Early Modern England," *Journal of British Studies* 45, 2 (2006): 270-292; Dan Bogart, "Did the Glorious Revolution contribute to the transport revolution? Evidence from investments in roads and rivers," *Economic History Review* 64, 4 (2011): 1073-1112; Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (MIT Press, 1989).

⁴⁸ Daniel Defoe, *The true-Born Englishman. A satyr* (London: 1701), 17.

⁴⁹ Bolingbroke, *The Miscellaneous Works of the Right Honourable Henry St. John, Lord Viscount Bolingbroke*, vol. 14 (Edinburgh, 1768), 224.

⁵⁰ Tarkow, "The Significance of the Act of Settlement in the Evolution of English Democracy," 551.

Public attention and critique of the monarch's relationship with his favorites played a central role in reconfiguring ideas of sovereignty. As Curtis Perry argues, the "discourse of corrupt favoritism is this period's most important unofficial vehicle for exploring constitutional unease concerning the nature and limits of personal monarchy."⁵¹ Given that the sovereignty of the body politic was vested in the king's natural body, sexual slander regarding the king and those who had intimate access to his body could articulate political critiques of the monarchical organization of authority and power.⁵² To what extent did rumors of courtly sodomy fuel feelings of animosity towards these foreign favorites and motivate politicians to pass the Act of Settlement barring foreigners from participating in the official politics of the state? What is the relationship between the discourse of sodomy, its affective power, and the constellation of ideas and laws shaping the nascent English nation? Unfortunately, scholars of English nationalism have largely remained silent on these sodomy accusations, and where the topic does arise, discussion often centers on whether the king was really a homosexual.⁵³ Concerned with questions of identity, then, the *political* implications of sodomy have gone unremarked.

For the European aristocrats of the seventeenth century, illicit sex was something of an open secret. As long as they kept their houses in order, the nobility largely tolerated the sexual escapades of its more libertine members, who were by no means limited solely to 'heterosexual' pursuits.⁵⁴ At the

⁵¹ Perry Curtis, *Literature and Favoritism in Early Modern England* (Cambridge, 2006), 1. Battles over sovereign power in the seventeenth century commonly pitted parliament against the minister-favourite. Linda Peck, "Monopolizing Favour: Structures of Power in the Early Seventeenth-Century English Court" in *The World of the Favourite*, ed. J. Elliot and L.W.B. Brockliss, (Yale University Press, 1999), 66-7; David Onnekink, "'Mynheer Benting now rules over us': The 1st Earl of Portland and the Re-emergence of the English Favourite, 1689-99," *English Historical Review* 492 (2006): 693-713.

⁵² As Paul Hammond, "The King's Two Bodies: Representations of Charles II," in Jeremy Black and Jeremy Gregory, eds., *Culture, Politics, and Society in Britain, 1660-1800* (Manchester, 1991), 13-48 argues, sexual slander against Charles II chipped away at royalist claims of divine rule and began a process of monarchical disenchantment at the end of the seventeenth century.

⁵³ That is, whether he practiced some form of genital intimacy with his favourites. For discussions on Williams III's sexuality, which are often quick to discount the possibility of William's sodomy, see Baxter, *William III and the defense of European Liberty, 1650-1702* (New York: Harcourt, Brace & World, 1966), 348-52; Montague Summers, *The Playhouse of Pepys* (London: Kegan Paul, Trench, Trubner & Co., 1935), 331; John van der Kiste, *William and Mary: Heroes of the Glorious Revolution*, (Stroud: Sutton Publishing Ltd, 2008), 201-8; William Speck, "William III and the Three Kingdoms" in *Redefining William III: The Impact of the King-Stadholder in International Context*, eds. Esther Mijers and David Onnekink (Burlington, VT: Ashgate Publishing Company, 2007), 46; Claydon, *William III and the Godly Revolution*, (Cambridge University Press, 2004), 92.

⁵⁴ Randolph Trumbach, *Sex and the Gender Revolution, Vol 1: Heterosexuality and the Third Gender in Enlightenment London* (University of Chicago Press, 1998), 69-110; Bray, *Homosexuality in Renaissance England*, 34. James Turner, "The Properties of Libertinism," in *'Tis Nature's Fault: Unauthorized Sexuality during the Enlightenment*, ed. Robert Maccubbin (Cambridge University Press, 1985), 75-88.

royal courts, pathways for patronage and favouritism frequently involved eroticized forms of submission and subjection to superiors.⁵⁵ Sexual scandals, sometimes involving kings and queens, were therefore a common feature of court life.⁵⁶ The pressing historiographical question is not whether sex did or did not take place, but rather why the question of sex becomes a relevant and urgent matter at *this* rather than that particular juncture. As such, I do not attempt to settle the rumours concerning the king's sodomy, as if to reveal the truth of the king's sexuality.⁵⁷ What requires explanation is not the act of having sex but its meaning; when and under what conditions does sex become figured as a politically relevant problem in the first place. By attending to the king's body, the kinds of liaisons it shared with the bodies of its favourites, and the implications these entailed for the body politic, I show "how mortal matter," to speak with Adriana Cavarero, "drags political matter into its own fate."⁵⁸

Sodomy was often portrayed as both a symptom and cause of disorder, and so Alan Bray suggests that accusations of sodomy were particularly prevalent in events of social disturbance, where political relations were put under stress and affective attachments may become less durable and thus liable to shift.⁵⁹ A focus on sodomy in times of crisis can reveal the political potential of sodomy accusations to re-orient and re-align investments in different figures of authority and also show how political debates about sovereign power give new meaning to the category of sodomy itself. Accordingly, this chapter takes up Rogers Brubaker's recommendation to explore "nationness as an event, as something that suddenly crystallizes rather than gradually develops, as a contingent,

⁵⁵ Alan Bray, "Homosexuality and the Signs of Male Friendship in Elizabethan England," *History Workshop Journal* 29, 1 (1990): 1–19; Thomas King, *The Gendering of Men, 1600-1750, vol 1: The English Phallus* (Wisconsin, 2004), 20–63; Laura Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (Yale University Press, 2003), 66–68.

⁵⁶ Goldberg, *Sodometries*, 47–8. Valerie Traub, *The Renaissance of Lesbianism in Early Modern England*, 125–157; Carole Levin, "Power, Politics, and Sexuality: Images of Elizabeth I," in *The Politics of Gender in Early Modern Europe*, eds. Jean R. Brink, Allison P. Coudert, and Maryanne C. Horowitz (Kirksville, MO: Sixteenth Century Journal Publishers, 1989), 97–100; Michael Young, *King James and the History of Homosexuality* (New York University Press, 2000); Jean-Pierre Guicciardi, "Between the Licit and the Illicit: The Sexuality of the King," in *'Tis Nature's Fault: Unauthorized Sexuality during the Enlightenment*, ed. Robert P. Maccubbin (Cambridge University Press, 1985), 88–97; Paul Hammond, *The Making of Restoration Poetry* (Cambridge: D.S. Brewer, 2006), ch. 6.

⁵⁷ As theorists of sexuality have argued, the drive to expose the so-called truth of sex reflects a modern bourgeois sensibility. See, Foucault, *History of Sexuality, vol 1*, 51–77; Christopher Chitty, "Historicizing the History of Sexuality" in *Sexual Hegemony: Statecraft, Sodomy, and Capital in the Rise of the World System* (Duke University Press, 2020), 141–166.

⁵⁸ Adriana Cavarero, *Stately Bodies*, 138.

⁵⁹ Bray, *Homosexuality in Renaissance England*, 72.

conjuncturally fluctuating, and precarious frame of vision and basis for individual and collective action.”⁶⁰ The 1688 Revolution marks just such an event of political turmoil, where in the span of thirteen years attachment to dominant configurations of sovereignty altered as the structure of political membership fundamentally changed. The revolution’s disruption to the structure of sovereign power not only opened an occasion for the extensive use of sodomy as a tactic of struggle shaping reactions and responses to the crisis of political authority, but the disorder of the revolution was itself exacerbated by the widespread rumors of the king’s sodomy circulating throughout the kingdom.

II. The Sovereignty Crisis of 1688

In November 1688, William of Orange landed in England, ousted James II from his seat of power, and was soon thereafter installed as a joint sovereign with his wife Mary. The reign of hereditary monarchy seemed to be in crisis, as parliament *avowedly* broke with principles of hereditary succession by electing a new sovereign, thus engendering turmoil over the principles undergirding political authority.⁶¹ Debates raged over the proper language to use regarding the throne: was it “usurped,” such that James remained the rightful heir, or “abdicated,” such that a new monarch needed to fill the empty seat?⁶² In deciding who should be king, however, it was neither William nor Mary who occupied political power so much as Parliament. As one broadside put it, in electing a new monarch, Parliament violated the royal body politic: “And made a mere whore, by a vote of our state / ‘Cause she freely her maidenhead did abdicate.”⁶³ The language of voting, symbolized as an act of rape,⁶⁴ emphasizes the

⁶⁰ Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Cambridge University Press, 1996), 19.

⁶¹ I emphasise “avowedly” because the restoration parliament attempted to erase the problems posed by the Interregnum by proclaiming that King Charles II had been the lawful monarch since Charles I’s execution. “House of Commons Journal Volume 8: 8 May 1660” in *Journal of the House of Commons: Volume 8, 1660-1667* (London, 1802), 6-18. On the revolutionary debates over sovereignty, see Mark Goldie, “The Political Thought of the Anglican Revolution” in *The Revolution of 1688*, ed. Robert Beddard (Oxford University Press, 1991), 103-36. On the historiography of 1688 more broadly, see Pincus, *1688*, ch. 1.

⁶² Richard Kay, *The Glorious Revolution and the Continuity of Law* (Catholic University of America Press, 2014), 55-124; Mark Goldie, “The Revolution of 1689 and the Structure of Political Argument,” *Bulletin of Research in the Humanities* 83 (1980): 473-564.

⁶³ “The Reflection” in *Poems on Affairs of State: Augustan Satirical Verse, 1660-1714*, vol. 5, ed. William J. Cameron (Yale University Press, 1971), 59.

⁶⁴ On the imagery of rape in the aftermath of 1688, see Jennifer Airy, *The Politics of Rape: Sexual Atrocity, Propaganda Wars, and the Restoration Stage*, (Newark, DE: University of Delaware, 2012), 189-216.

anxiety regarding the (un)intelligibility of regime succession: did England forego its hereditary tradition in favor of democracy?⁶⁵ Far from simply a change of monarchs then, the revolution sparked a crisis in the principles of government.

As a part of this tumultuous event, different visions of political power competed to capture the newly disjointed feelings of allegiance. There were not simply opposing accounts of who should be sovereign (James, William, or Parliament) but also conflicting visions of how to conceive of sovereignty altogether, whether theological-universal or nationally bounded. Within the terrain of Williamite propaganda, there emerged on the one hand a *theological* discourse that portrayed William as God's warrior in an international Protestant crusade against Catholicism,⁶⁶ and on the other hand, a *nationalist* discourse that figured William as protecting the English nation from a tyrannical monarch.⁶⁷ While debate on whether 1688 was a religious or nationalist affair largely centers attention on Williamite propaganda, anti-monarchical tracts contesting the court as the source of sovereignty also circulated. For instance, *State of the Parties* (1692) argues that the "purpose of this government" is to "rescu[e] us from the power in the crown ... to be superior to all *our* laws; to secure *us* from such an insatiableness of prerogative as would swallow liberty and property, ... to free us even from such a disposition of a court *as could not but tend to this effect*."⁶⁸ Figuring the court as inherently disposed against "us," defenders of parliamentary sovereignty challenged the dynastic model of political power. They framed Parliament

⁶⁵ On the democratic principles underlying 1688, see Richard Ashcraft, *Revolutionary Politics and Locke's Two Treatises of Government* (Princeton University Press, 1986); Martin van Gelderen, "In Defence of William III: Eric Walter and the Justification of the Glorious Revolution" in *Redefining William III: The Impact of the King- Stadholder in International Context*, eds. Esther Mijers and David Onnekink (Burlington, VT.: Ashgate Publishing, 2007), 143-156; Hannah Dawson, "The Place of Democracy in Late Stuart England," in *Democracy and Anti-democracy in Early Modern England 1603– 1689*, (eds.) Cesare Cuttica & Markku Peltonen (Brill, 2019), 88-109; Richard Price, *A Discourse on the Love of Our Country* (London: Edward Powars, Court Street, 1789).

⁶⁶ Claydon, *The Godly Revolution*; Linda Colley, *Britons: Forging the Nation 1707-1837*, (Yale University Press, 1992), ch. 1; Craig Rose, *England in the 1690s: Revolution, Religion, and War* (Oxford: Blackwell Publishers, 1999), ch. 2; van der Kiste, *William and Mary*, 147.

⁶⁷ This monarch could either be understood as James II or Louis XIV. Steven Pincus, "Nationalism, Universal Monarch, and the Glorious Revolution" in *State/Culture: State-Formation After the Cultural Turn*, ed. George Steinmetz (Cornell University Press, 1999) 182-210; Pincus, "The English Nationalist Revolution of 1688-1689"; Pincus, *1688*, 210, 294-5, 322-349.

⁶⁸ "State of the Parties" in *Poems on Affairs of State: Augustan Satirical Verse, 1660-1714*, vol. 5, ed. William J. Cameron (Yale University Press, 1971), 160, emphasis added.

as the nation's spokesperson and representative, defending "us" and "our laws" not just from this particular court but from the court as such.⁶⁹

In this anti-courtly terrain of conflict, sodomy served as a key political metaphor to give conceptual meaning and emotional force to the nascent idea of the English nation. Long figured as an unnatural and illicit form of penetration, sodomy was a symbolically available and affectively rich metaphor to signify threats to the nationally bounded body politic.⁷⁰ While the Whigs are more often identified as initially articulating nascent ideas of nationalism against their Tory rivals, who are often considered adherents to classic conceptions of embodied royal sovereignty, attention to sodomy accusations against the king reveals a nationalist discourse in anti-Williamite literature. Though targeting William, this archive is not simply Jacobite propaganda. As Esther Mijers and David Onnekink note, "William's enemies are still largely dismissed as 'Jacobites', without actually identifying or differentiating between the members of this group."⁷¹ The majority of the texts I analyze circulated anonymously in manuscript form, and the two published accounts I examine ("The Coronation Ballad" and "The Foreigners") both led to the arrest of their authors. Though primarily anonymous, this archive contains texts from non-jurors, Tories, and even Whigs. This political range demonstrates how nationalist portrayals of courtly sodomy could originate across the political spectrum. Moreover, this archive conceptually expands Toryism as a political tendency by showing how non-Jacobite Tories took up and transformed critiques of the monarchy often associated with the Whigs. By tracing the discursive shifts in sodomy attacks against the king and his court, I show how a diverse set of texts not only monitor and help transform affective investments in the body politic but also give new meaning

⁶⁹ Consider also the phenomenon of Whig Jacobitism, which advocated for the devolution of executive power and the restoration of a tradition of local self-government. Mark Goldie and Clare Jackson, "Williamite Tyranny and the Whig Jacobites" in *Redefining William III: The Impact of the King-Stadholder in International Context*, eds. Esther Mijers and David Onnekink, (Ashgate Publishing, 2007), 194.

⁷⁰ According to common law, sodomy required 'penetration, res in re.' Cocks, *Visions of Sodom*, 108-116. On the dominance of penetration in understandings of sex, see Tim Hitchcock, *English Sexualities, 1700-1800* (London: Macmillan Press, 1997), 34-36.

⁷¹ David Onnekink and Esther Mijers, "Introduction" in *Redefining William III: The Impact of the King-Stadholder in International Context*, eds. Esther Mijers and David Onnekink, (Burlington, VT.: Ashgate Publishing, 2007), 11. On the ambiguity of Jacobitism as a political category, see Toni Bowers, "Jacobite Difference and the Poetry of Jane Barker," *English Literary History* 64, 4 (1997): 857-69.

to the category of sodomy itself. Sodomy and sovereignty are co-constitutive, as discourses of sodomy alter understandings of political power just as struggles around sovereignty reconfigure the kinds of political and theological threats that sodomy can present.

III. Rumors of Sodomy

With the emergence of new forms of literary production untethered from sovereign control, the circulation of libel and rumours by the latter half of the seventeenth century occurred “at a rate and intensity that was completely unprecedented.”⁷² Royalists worried that these rumours risked inciting the populace against the crown, and so in 1675 Charles II issued a “A Proclamation for the Suppression of Coffee-Houses,” charging these new sites of sociability of being spaces where “divers false, Malitious and Scandalous Reports are devised and spread abroad, to the Defamation of His Majesties Government, and to the Disturbance of the Peace and Quiet of the Realm.”⁷³ The proclamation’s enforcement was unsuccessful and, with the end of pre-publication licensing in 1695, cheap prints, broadsides, and poetry circulated during the reign of William III attacking the king for the intimacy he shared with his favorites, namely, his childhood friend of thirty-three years, William Bentinck, Earl of Portland and the young and handsome Arnold van Keppel, Earl of Albemarle.

Rumours of the king’s sodomy frequently found expression in the form of satire, a fitting genre through which to discuss the vulgar activities said to be taking place at court. Many contemporaries believed satire to etymologically derive from the Greek *satyr*, a part-human part-beast trickster with an insatiable sexual appetite who was often represented with an exaggerated and permanent erection.⁷⁴ Satires of the king’s sodomy mocked the intimacy he shared with his favourites, sometimes going so far as to ridicule the whole structure of favouritism organizing relations of patronage. Accordingly,

⁷² Peter Lake and Steve Pincus, “Rethinking The Public Sphere in Early Modern England,” 280.

⁷³ *A Proclamation for the Suppression of Coffee-Houses* (London: Printed by the assigns of John Bill, and Christopher Barker, printers to the Kings most excellent Majesty, 1675).

⁷⁴ Writers who sought to improve satire’s reputation claimed that it etymologically derived from the Roman *lanx satura* (full or mixed platter). Ashley Marshall, *The Practice of Satire in England, 1658-1770* (John Hopkins University Press, 2013), 40-41.

Edward Coke and Francis Bacon identified satirical libels against the king as seditious for undermining the admiration and reverence owed to persons of state, and authors and publishers frequently faced arrest for producing such material.⁷⁵ Coke's and Bacon's fears about the effects of these rumours were not unfounded. In a letter written "at *Exeter*, in a drinking Club" and then published in London at the turn of the eighteenth century, club members openly debated whether political "Addresses promoted by Sodomites and Bardashes, ought to have [the] most Reverence" traditionally owed to the monarchy.⁷⁶ Contemptuous laughter against the king for the illicit activities he conducted with the royal body threatened to deflate feelings of reverence for the monarchy and unravel the affective relations of obedience and attachment to the royal body politic that the court sought to instill in its subjects.

Whatever their truth, rumours and gossip about the king's sodomy did not need to be accurate to affect the communities in which they circulate. Indeed, rumours often derive their affective force not from the truth of their claims but rather from the mere fact of their circulation.⁷⁷ While traveling to the Hague, Portland confessed that he "was thunderstruck" when he heard the "malicious gossip" spreading throughout the city and the army: the "kindness which your Majesty has for a young man, and the way in which you seem to authorize his liberties and impertinences make the world say things that I am ashamed to hear." Although Portland believed "it was the malicious in England who fabricated these things" and that he thought William "far removed" from such rumors, he was taken aback at the reach they had acquired. These accusations, Portland finally admitted to the king, "made my life unbearable," and so he felt compelled to leave the king's inner circle.⁷⁸ Although Portland

⁷⁵ Mark Knights and Adam Morton, "Laughter and Satire in Early Modern Britain 1500-1800" in *The Power of Laughter and Satire in Early Modern Britain: Political and Religious Culture, 1500-1820*, eds. Mark Knights and Adam Morton (Woodbridge, UK: Boydell & Brewer, 2017), 1-26.

⁷⁶ E.C. *The Taunton-Dean Letter, from E.C. to J.F. at the Grecian Coffee-House* (London: 1701), 5, 8.

⁷⁷ On the potent force of rumors in revolutionary contexts, see Wim Klooster, "Slave Revolts, Royal Justice, and a Ubiquitous Rumor in the Age of Revolutions," *The William and Mary Quarterly* 71, 3 (2014): 401-424; James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (Yale University Press, 1990), 144-148.

⁷⁸ This exchange is from Marion Grew, *William Bentinck and William III (Prince of Orange): The Life of Bentinck Earl of Portland From the Welbeck Correspondence* (London: John Murray, 1924), 279-280.

dismissed the sodomy accusations, he nonetheless admits that his life had become unbearably affected by the malicious gossip. His departure from the intimate relations of favoritism reveals how rumors can affect their recipients and impel action regardless of their truth status or their recipients' subjective belief. Whether and how Portland acknowledges these rumors in his public actions is, politically speaking, of greater concern than his personal knowledge or opinion about them. The historiographical question this archive poses is not whether the rumors are true, but rather, what do they do? How do rumors of the king's sodomy affect subjects' attachments not only to William as sovereign but to an entire structure of sovereignty more generally?

Whether sodomy rumors trouble relations of attachment to a *particular* king or to kingship *as such* depends on the meaning that the discourse of sodomy accrues as it circulates throughout the kingdom. In this section, I explore this historical accumulation of meaning and chart out two genres of sodomy accusations. The first is an older and established genre that targets particular kings and their courts but does not trouble the larger theological structure of monarchical sovereignty. The second is a novel genre that takes hold in the context of the 1688 revolution and plays a decisive role in disrupting the relationship of the king's two bodies, challenging the very institution of kingship and making way for new national figurations of sovereignty. While the exact audiences of these genres are difficult to identify, the following texts document a larger culture of gossip not only in the aristocratic world of the court but also in the army, tavern, and social club. The ubiquity of these rumors points to shared ways of rendering sodomy intelligible. As such, they provide a snapshot of the dominant grammars through which diverse subjects made sense of the lingering rumors concerning their king's sodomy.

Ungodly Sodomy

The first genre of sodomy accusations, what I call ungodly sodomy, draws its affective power from association with *theological* signifiers of the beastly, the monstrous, and the deformed. Exemplary of this discourse is a poem besmirching William and Mary's coronation, titled "The Coronation Ballad,

11th April 1689” and written by the nonjuring priest Ralph Gray, who was sentenced to the pillory for the poem’s publication.⁷⁹

Descended he is from an Orange tree,
But if I can read his destiny,
He’ll once more descend from another tree.
A dainty fine King indeed.

...
He has gotten in part the shape of a man
But more of a *monkey* deny it who can;
He has the tread of a *goose* and the legs of a
swan
A dainty fine King indeed.

...
A *carcass* supported by a rotten stump,
Plastered about the back and the rump,
Put all together ‘tis a hopeful lump
A dainty fine King indeed....

He is not qualified for his wife
Because of the cruel midwife’s knife,
Yet *buggering of Benting doth please to the life*.
A dainty fine King indeed

...
An *unnatural beast* to his father and uncle;
A churl to his wife without e’er a pintle [penis];
But excuse me in this for I hate to dissemble
A dainty fine King indeed

...
Then may the *confusion* they hither have
brought us
Always attend them until it hath wrought us
To bring back great James as loyalty taught us.
Our gracious good King again.

Playing on the double entendre of Bentinck with the word ‘bent,’ suggesting unnatural (and non-straight) sexual proclivities,⁸⁰ the “Ballad” openly accuses William of sodomy: “buggering of Benting doth please to the life.” Immediately before, the poem suggests the king’s castration at the “cruel midwife’s knife,” thus evacuating William of political virility. Together, these images of buggery and impotence contribute to the poem’s overall figuration of William as a deformed man: a “carcass,” “lump,” and “rotten stump.” Elsewhere, he is reduced to his basest biological functions: “they smelt out his laxative plight”; “At Crowning the Orange the juice flew out. / They that like not the smell, let them hold their snout.” While proponents of the king’s two bodies doctrine argued that “the Body politic wipes away every imperfection of the other [natural] Body,”⁸¹ the Coronation Ballad remains within the logic of the two bodies but reverses its terms. In exaggerating the king’s biological failures,

⁷⁹ Ralph Gray, “Coronation Ballad, 11th April 1689” in *Poems on Affairs of State*, vol. 5, ed. William J. Cameron (Yale University Press, 1971), 41-44, emphasis added. On Gray’s punishment, see *Poems on Affairs of State*, vol. 5, 39.

⁸⁰ Dennis Rubini, “Sexuality and Augustan England: Sodomy, Politics, Elite Circles and Society,” in *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe*, ed. K. Gerd and G. Hekma (Bingham, NY: Harrington Park Press, 1989), 365.

⁸¹ Edmund Plowden quoted in Kantorowicz, *The King’s Two Bodies*, 11.

the Ballad renders the king's natural body so grotesque that it overwhelms and undermines the king's body politic.

Moving beyond these biological failures, however, the Ballad suggests that William's natural body is anything but natural. Resembling "more of a monkey" with "the head of a goose and the legs of a swan," the king is a chaotic chimera. Portrayed as "an unnatural beast," the royal body inverts the politico-theological order's properties. Not simply un-sovereign but anti-sovereign, William's arrival is a "monster's invasion" that guarantees "confusion" in the kingdom. The king's unnatural body ensures chaos both in and of the body politic with which it is united. Undermining the sacred body of the king upholding the political order, the deformed and beastly body provides the terms in which sodomy gains its meaning in order to redirect any affective ties away from William and toward James.

These elements of ungodly sodomy – the beastly, monstrous, deformed, and hellish body of the king – find expression in a series of poems following William's coronation.⁸²

His Head is large; His neck awry,
His ears are long, and squints with Eye,
A Sparrow Mouth, a dumb Jack's Chin
A crooked Snout which denteth in;
His Back and Breast do both combine
To make his beastly Parts more fine;
For like a Dove he pouts his Breast,
His Back the same I do protest;
His Body's Round, if you regard;
His A-- sticks out almost a yard:
'Tis mighty handy for a Kick,
But very limber is his ---
Which will I doubt breed some Disgust
With those who search the Monster first.⁸³

William's monstrous and (un)natural body is elevated over and above his royal body, undermining the right proportions and natural order of the body politic. Though critical of the king, the discourse of

⁸² See also "The Rivalls" in Hammond, *Figuring Sex*, 174; "Jenny Cromwell's Complaint Against Sodomy" in Rubini, "Sexuality and Augustan England", 381; "The Five Monsters," Beinecke Rare Book and Manuscript Library, Yale University Library, Ms Osborn b 111, p. 439.

⁸³ *The Disappointed Marriage, or an Hue and Cry after an Outlandish Monster* (London: Printed for S. Gardiner, 1733).

ungodly sodomy ultimately shares the same theological framework of much Williamite propaganda. Official texts and sermons defended the revolution by portraying William as God's warrior-king striking a blow against Protestantism's satanic foe.⁸⁴ Both discourses equate sin with treason, whether James's promotion of Catholicism or William's usurpation of the throne.⁸⁵ They both mobilize a shared politico-theological critique of sin and portray allegiance to the king as identical with loyalty to God.

Not unique to William's reign, this discourse of ungodly sodomy drew on 16th and 17th century religious conventions that figured the sodomite as disfigured, nonhuman, and otherworldly.⁸⁶ During the reign of Charles II, for instance, a broadside titled *A Hue and a Cry After Dr. T. O.* attacked Titus Oates for fabricating the myth of the Popish Plot to assassinate the king and portrayed Oates as follows:

The off Leg behind something shorter than the other, and cloven Foot on the nether side;... He has a natural Bob-tail, because he was never dock'd nor gelded; He seldom frequents the Company of Women, but keeps private Communication with four *Bums*, to make good the old Proverb, *Lying together makes Swine to love*; ... He is one that has sworn it to be his duty to the Devil to make the K—to prosecute the Qu—, and to dis-inherit his Royal Brother, and to make the Son rebel against the Father...⁸⁷

Witness the same degradation of the human body (ill-proportioned legs) to a nonhuman devilish body (bob-tail and cloven foot) as the signs of the unholy sodomite, who “keeps private Communication with four *Bums*.” Oates's sodomy is not simply a theological sin but also a sign and cause of his political infamy: he threatens hereditary succession (“dis-inherit his Royal Brother”) and the politico-theological order of patriarchal kingship (“Son rebel against the Father”). Following this literary tradition, accusations of sodomy against William III attempt to disinvest political allegiance in the king by calling

⁸⁴ Claydon, *William III and Godly Revolution*, 47-50, 130-134.

⁸⁵ On the equivalence of sin as treason, see Claydon, *William III and the Godly Revolution*, 131-3.

⁸⁶ Marshall, *John Locke, Toleration, and Early Enlightenment Culture*, 411-413, 430-432, 453-461; Hammond, *Figuring Sex*, 119, 127, 132; Rubini, “Sexuality and Augustan England,” 350; Bray, *Homosexuality in Renaissance England*, 13-33; Norton, *Mother Clap's Molly House*, 29. See also Herrup, *A House in Gross Disorder*, appendix B, 160-2.

⁸⁷ Roger L'Estrange, *A Hue and Cry After Dr. T. O.* (London, 1681). For an overview of the popish plot, see John Kenyon, *The Popish Plot* (Harmondsworth: Phoenix Press, 1974). For a reading of Oates' sodomy accusations in the context of the plot, see Hammond, “Titus Oates and ‘Sodomy’” in *Culture and Society in Britain 1660-1800*, ed. Jeremy Black (Manchester University Press, 1997), 39-62.

forth terrifying affects sourced from religious conventions. These poems portray William's sovereign body as bent, beastly, and hellish, but none mark the king as nationally foreign.

National Sodomy

It has become something of a consensus among historians of sexuality that around the turn of the eighteenth century a dramatic shift or, some might say, rupture took place in the history of sodomy. As H. G. Cocks writes, "Homoerotic desires appear to come into focus at the end of the seventeenth century as a particular problem distinct from their usual placement within transgressions of the seventh commandment. A new, secular figure of homoerotic lust seems to have emerged, apparently representing the beginnings of the process by which sexual desires are used to individuate and classify people."⁸⁸ Where an ungodly discourse of sodomy constellated together images of the sodomite as a popish devil, beast, and monstrous creature, there began to take shape a newly secularized discourse that portrayed the sodomite as an identifiable figure with its own gestures, demeanors, spaces, and subculture.⁸⁹ Accordingly, a shift in the discourse of sodomy accusations against the monarch during the volatile 1690s marks an unexplored but politically significant event. Unlike the genre of ungodly sodomy, there exists a second genre of rumors that forego references to devils, monsters, beasts, and debased bodies. Abandoning these phantasmatic figures, sodomy is portrayed in more earthly, concrete, and territorial terms. William's sodomy comes to represent a foreign body out of joint with the English body politic, and rather than a strictly theological issue, his sodomy becomes a national concern.

In altering the structure of sodomy's threat, I argue that the discourse of national sodomy not only reworks the relationship of the king's two bodies but in fact tears them apart. Whereas the

⁸⁸ H. G. Cocks *Visions of Sodomy: 1550-1850*, 239.

⁸⁹ Bray, *Homosexuality in Renaissance England*, 81-114; Randolph Trumbach, "Sodomitical Subcultures, Sodomitical Roles, and the Gender Revolution of the Eighteenth Century: The Recent Historiography" in *'Tis Nature's Fault: Unauthorized Sexuality During the Enlightenment*, ed. Robert Maccubbin (Cambridge University Press, 1987), 109-21; Trumbach, *Sex and the Gender Revolution: Volume One: Heterosexuality and the Third Gender in Enlightenment London* (University of Chicago, 1998); Rictor Norton, *Mother Clap's Molly House: The gay Subculture in England, 1700-1830* (Gay Men's Press, 1992); Rousseau, "The Pursuit of Homosexuality in the Eighteenth Century"; Jeffrey Weeks, *Sex, Politics and Society: The Regulation of Sexuality Since 1800* (Longman Group, 1989), 123

sodomite king's ungodly body poses an 'interior' risk to the body politic given the incorporation of the two bodies in the king's person, the sodomite king's foreign body no longer bears any internal relation to the body politic at all. The king's sodomy comes to invade the nation from outside its borders and the courtly body associated with it becomes foreign to the new national body politic. The genre of national sodomy reveals how sodomy is not a category with a stable and timeless set of significations that impinge on and affect the more tumultuous terrain of politics. The category of sodomy is not outside the political domain but is itself being resignified and newly constructed in relation to struggles around the authority of the court, as political actors alter and modify how sodomy is understood as a threat in order to deploy and mobilize its terror for different purposes in their fight for power.

Emblematic of a transformation in the symbolic structure of sovereignty, a national genre of sodomy accusations indexes a shift in what Raymond Williams called "structures of feelings." According to Williams, qualitative changes in systems of thought or institutional arrangements are often preceded by "a kind of feeling and thinking which is indeed social and material, but each in an embryonic phase before it can become fully articulate."⁹⁰ Marking a difference in how subjects articulate concern about the corporeal structure of the royal court, modifications in the style and form of sodomy rumors disclose emergent transformations in how subjects affectively relate to structures of political rule. Such changes are not meant to serve as causal explanations, as if shifts in the genre of sodomy attacks are somehow responsible for the royal court's loss of sovereign power or the constitution of the English nation. Rather, the genre of national sodomy dramatizes an emergent atmosphere in which certain ideas of authority become increasingly attractive and others lose their plausibility. In other words, they index changes in "meanings and values as they are actively lived and

⁹⁰ Raymond Williams, *Marxism and Literature* (Oxford University Press, 1977), 131.

felt,”⁹¹ revealing the affective history of fluctuating investments in sovereign forms (monarchical vs. national) prior to their explicit articulation or institutionalization.

Take, for example, “A Litany For the Reducing of Ireland” (1690), which describes the libertine court as nationally foreign:

In a Court full of vice may Shrewsbury lay Molly on,
Whilst Nanny enjoys her episcopal stallion
And Billy with Benting does play the Italian
 We beseech thee to hear us
‘Mist such blessed pairs, succession prevails,
and if Nan of Denmark or Dutch Molly fails
May pregnant Mynheer spawn a true Prince of Wales
 We beseech thee to hear us.⁹²

The stanza begins with a list of sexual sins: Queen Mary’s (“Molly”) and Princess Anne’s (“Nanny”) infidelities; William’s (“Billy”) sodomy with Portland (“Playing the Italian” = practicing sodomy).⁹³ Having listed these sins, the following stanza goes on to figure the court’s sexual excess as foreign. The phrase “Nan of Denmark or Dutch Molly” portrays the queen and princess as Dutch, even though both Mary and Anne were born in London and grew up in England. The following line then nationalizes sodomy in its image of Portland spawning an heir. Mobilizing the term “Mynheer,” a Dutch form of address equivalent to “Sir,” the author represents Portland as a Dutchman.⁹⁴ Rather than state “Mynheer Benting,” however, the usage of “Mynheer” alone suggests an anonymous collective address, linking sodomy to Dutchness as such rather than Portland in particular. Furthermore, the poem refers to claims regarding the illegitimacy of James II’s son (“true Prince of

⁹¹ Williams, *Marxism and Literature*, 132.

⁹² “A Litany For the Reducing of Ireland” in *Poems on Affairs of State*, vol. 5, ed. William J. Cameron (Yale University Press, 1971), 221.

⁹³ Gordon Williams, *A Dictionary of Sexual Language and Imagery in Shakespearean and Stuart Literature*, vol. II (London: Athlone Press, 1994), 720-2.

⁹⁴ “mynheer, n.”. OED Online. March 2019. Oxford University Press.

<http://www.oed.com.proxy.uchicago.edu/view/Entry/124492?redirectedFrom=mynheer> [accessed April 05, 2019].

Wales”),⁹⁵ and suggests that sodomy with a Dutchman will birth a “true” successor. As such, royal succession will be truly Dutch and sodomitical, in line with the “true” nature of William’s reign.

The poem further nationalizes the court by coding the king’s army as foreign. When listing a series of “unnatural rebellion[s],” the author alludes to those soldiers who refused to fight William as “From an army that lost England for want of fighting.”⁹⁶ No longer English since they “lost England,” the defecting army is now part of a Dutch regime. The poem portrays 1688 not as a monarchical conflict but rather as a national struggle. As the Whig Sir Peter Colleton echoed a year later:

I think it is not consistent with the interest of this kingdom for [sic.] to have foreign officers over an English army when we have so many brave, courageous men amongst us. The Englishman can have no interest but the good of his own country; what foreigners may have I cannot tell.⁹⁷

With the passage of the 1689 Bill of Rights, Parliament prohibited the king from keeping a standing army in England without Parliament’s approval. Over the next decade, Parliament reduced the king’s standing army to its lowest possible size and insisted that every soldier be a native-born Englishman.⁹⁸ In the background of these challenges to monarchical power was William’s military exploits in the Low Countries surrounding the Dutch Republic and in North America. Following eight years of a financially exhausting war, William Stephens reinforced a growing attachment to English soil against the foreign monarch’s wars, preaching in his 1696 Thanksgiving day sermon that “Passive Obedience to the Law of the Land, is the Doctrine of *Jesus*; Passive Obedience to the will of the Prince, is the Doctrine of *Judas*.”⁹⁹ Just a few years later, the Act of Settlement formalized this nationalist antipathy and declared that the English will not fight for a foreign leader’s wars: if “the crown and imperial dignity of this realm shall hereafter come to any person, not being a native of this kingdom of England, this nation

⁹⁵ Rumor was that an imposter’s child was smuggled into the royal chamber in a warming pan. Rachel Weil, *Political Passions: Gender, the Family, and Political Argument in England, 1680-1714* (Manchester University Press, 1999), 86-105.

⁹⁶ “A Litany For the Reducing of Ireland,” 219, 220.

⁹⁷ Quoted in Rose, *England in the 1690s*, 40.

⁹⁸ van der Kiste, *William and Mary*, 228.

⁹⁹ William Stephens, *Thanksgiving Sermon Preach'd before the Right Honourable the Lord Mayor, Court of Aldermen, Sheriffs and Companies of the City of London, at St. Mary-le- Bow, April 16, 1696* (London, 1696), 24.

be not obliged to engage in any war for the defense of any dominions or territories which do not belong to the crown of England.”¹⁰⁰ No longer seemingly invested in the corporeal body of the king, the loyalty and obedience of subjects was now tied to the geographical body of the nation.

Representations of the monarch as Dutch and therefore outside the nationalized space of England also occur in poetry targeting his advisors.¹⁰¹ In “Satire on Bent[in]g” (1689),¹⁰² the narrator describes Portland as “that topping favorite at Court / (The King, though, has some private reasons for’t),” suggesting that Bentinck is the active penetrating partner and the king is the ‘bottom’ passive partner. In mobilizing dominant gender norms tying masculinity to penetration, the poem lobbies a political critique. No longer the top of the hierarchy, the penetrated monarch is now passively subservient to his advisors, to whom, the next line reads, “all for preferment now resort.” As such, it would be “fitter” to send Portland to the land of sodomy, that is, “To Italy ... / Than nose his master with his buttocks here.” Neither beastly nor deformed, Portland uses his enticing “buttocks” to get his “nose” in royal affairs.

Yet, what kind of undesirable advice does Portland offer and, in so doing, threaten the sovereign’s body politic with his sodomitical body? Portland, the poem reveals, “like a coxcomb [dandy], made blunt Grafton wait / To show’s Dutch breeding in his English state.” Famously defecting to William during the revolution, the Duke of Grafton was the illegitimate son of Charles II. That Grafton was not part of debates over royal succession suggests that we read the possessive “his English state” as indicative of national rather than dynastic possession. Indeed, as this line makes clear, it is nationality that makes intelligible the meaning of Portland’s betrayal of Grafton and his fellow

¹⁰⁰ *The Statutes at Large*, 359. Such parliamentary endeavours did not go unopposed, however, as an anonymous petition to parliament declared that “deserting the Dutch, when the French are at their doors, till it be almost too late to help them; is unjust to our Treaties, and unkind to our Confederates, dishonourable to the English Nation, and shews you very negligent of the Safety of England, and of our Protestant Neighbours.” “The fifth parliament of King William: First session,” in *The History and Proceedings of the House of Commons: Volume 3, 1695-1706*, (London: Chandler, 1742), 127-183. *British History Online*, accessed March 28, 2022, <http://www.british-history.ac.uk/commons-hist-proceedings/vol3/pp127-183>.

¹⁰¹ Critiques of William were often voiced through sexualized attacks on his favourites. David Onnekink, *The Anglo-Dutch Favourite: The Career of Hans Willem Bentinck, 1st Earl of Portland* (Aldershot: Ashgate, 2007), 175-197.

¹⁰² “Satire on Bent[in]g” in *Court Satires of the Restoration*, ed. J. Wilson (Ohio State University Press, 1976), 218.

English revolutionaries. Portland only revealed his “Dutch breeding” once William secured the crown. Portland’s body and the sodomy for which he puts it to use is thus represented spatially through national markers opposed to the English nation. The allure of Portland’s buttocks grants him access to the sovereign, and this intimacy is dangerous precisely because this ass belongs to a foreigner’s body.

Some poets illustrate the danger that foreigners pose by associating royal sodomy with sexualized violence against the nation.

If a wily Dutch boor for a rape of a girl
Was hanged by the law’s approbation,
Then what does he merit that Buggers an Earl
And ravishes the whole nation?¹⁰³

On one reading, William is not the “Dutch boor.” Since the law did not grant English men clemency for rape, explicit reference to the boor’s Dutchness is striking. The poem suggests that the boor’s rape is significantly linked to the boor being Dutch, thus aligning sexualized violence with foreign nationality. On another reading, the word choice of “ravishes” indicates a sexual relationship between William and “the whole nation.” Here, William is the “Dutch boor” who rapes the “nation,” which stands in for the “girl,” as his buggery is made equivalent to rape. Associating the violation of sodomy and rape with the national particularity of Dutch rule, these anti-monarchical tracts targeting the king as a “Dutch boor” unnerved the court. William Anderton, for instance, was executed for high treason “against the King in his own Royal Person” for printing *Remarks on the Present Confederacy* (1693), a text that decried England’s present “Yoke as none but a *Dutch Bore* could ever have fixed upon English Necks.”¹⁰⁴

Two noteworthy features differentiate this series of texts from the discourse of ungodly sodomy. First, they distinctly lack imagery that disfigures, debases, or animalizes the sodomite’s body, associating it with witchcraft or devilry. Second, having abandoned such theological images, they

¹⁰³ Quoted in *Poems on Affairs of State*, vol. 5, ed. William J. Cameron (Yale University Press, 1971), 59.

¹⁰⁴ William Anderton, *Remarks upon the present confederacy, and late revolution in England* (London, 1693), 28. Details of Anderton’s arrest and execution can be found in *An Account of the conversation, behaviour and execution of William Anderton* (London, 1693).

instead depict the royal sodomite's body as a nationally foreign body.¹⁰⁵ Drawing from the reservoir of horror classically associated with sodomy, these texts cathect this politico-theological terror to nationality. Nationalism, as Ernest Gellner argues, insists that rulers and ruled share the same national identity: "if the rulers of the political unit belong to a nation other than that of the majority of the ruled, this, for nationalists, constitutes a quite outstandingly intolerable breach of political propriety."¹⁰⁶ As the discourse of national sodomy illustrates, the affective history of gender and sex shapes what, to borrow Gellner's evocative language, this "breach" might feel like. Reigning over the nation, foreign rule not only dominates the national body politic but also risks tearing it apart, which is to say, to be governed by foreigners is to be sodomized by them.

IV. Theological and National Foreigners

Long predating William's rumors, discourses of sodomy sometimes portrayed the sin as originating in foreign lands and entering England through the arrival of some foreign group. Ideas of what it meant for sodomy to be 'foreign' were not static, however. The meaning of sodomy's 'foreignness' underwent change and territorialization at the end of the seventeenth century, as sodomy came to signify a national and not just strictly theological threat. To better understand how the signification of sodomy transformed as part of an emergent nationalism, consider the following two cases of sexual slander targeting 'foreigners' at the royal court in the seventeenth century.

Although a descendant of the Tudors, King James VI & I was a Scottish and not an English king and, like William, he too was the subject of rumors of sodomy. Pointing to the intimacy he shared with his Scottish and English favourites, critics mobilized charges of sodomy to critique the king of moral corruption, military weakness, promoting social upstarts, and giving away lucrative offices.¹⁰⁷

¹⁰⁵ Occasionally in the archive, one crosses texts that use both the older conventions of ungodly sodomy and the newer forms of national sodomy. See, for instance, "The Reflection" (1689) in *Poems on Affairs of State*, vol. 5, 60.

¹⁰⁶ Ernest Gellner, *Nations and Nationalism* (Cornell University Press, 1983), 1.

¹⁰⁷ Michael Young, *King James and the History of Homosexuality* (New York University Press, 2000); Robert Shephard, "Sexual Rumours in English Politics: The Cases of Elizabeth I and James I" in *Desire and Discipline: Sex and Sexuality in the Premodern West*, (eds.) Konrad Eisenbichler & Jacqueline Murray (University of Toronto Press, 1996), 101- 122.

Yet, unlike in the case of William, James's accusations strikingly lack reference to his or his favorites' foreign origins. As Michael Young explains, critics "did not associate [James's] homosexuality with his foreignness. They did *not* portray it as a Scottish practice that he brought with him to England."¹⁰⁸ Rather, critics represented sodomy in theological terms. Worried that James's "darling Sinne ... be the cause of more Mischiefe in *Christendome*," the author of *Tom Tell-Troath* argues that a "Protestant King" should not be "so notoriously wicked in his person."¹⁰⁹ Similarly, the author of *Corona Regia* sardonically writes that "it is almost divine" how the king devotes such "unceasing effort to your religious love affairs. You enjoy an Alcibiades and you can philosophize; you are a king and you act like Socrates; you make love and you are pious."¹¹⁰ Making use of religious examples, critics described sodomy at James's court as "diabolical" and "devilish," with his favorites having "bewitched" the king and entering him into a "Diabolicall contract."¹¹¹ Although James's Scottishness was a source of a contention during his reign,¹¹² rumors of the king's sodomy did not refer to his Scottish origins and instead deployed a theological grammar of ungodly sodomy.¹¹³

A second illuminating example to consider is Charles II's French mistress, Louise de K rouaille, the Duchess of Portsmouth. Critics centered on Portsmouth's intimacy with Charles and charged her with controlling access to the king, monopolizing patronage, siphoning the realm's finances, and of

¹⁰⁸ Michael Young, personal communication, 1 March 2023.

¹⁰⁹ *Tom Tell Troath: Or, A free discourse touching the manners of the Tyme* ([London]: 1630), 8, 25.

¹¹⁰ *Corona Regia* (1615), translated by Tyler Fyotek and Winfried Schleiner (Gen ve, 2010), 89-91.

¹¹¹ Cited in Young, *King James*, 40, 42, 53, respectively. Young notes that contemporaries made use of other figures to allude to the king's sodomy (e.g. Jupiter and Ganymede; Tiberius and Sejanus), but these alternatives similarly do not center around nationality.

¹¹² Jenny Wormald, "James VI and I: Two Kings or One?" *History* 68, 223 (1983): 187-209. As I argued in the previous chapter, Calvin's Case naturalized children born in Scotland after the Union of Crowns as English subjects based on their allegiance to the king and not to the land. See also, Levack, *The Formation of the British State*, 183-4.

¹¹³ Similar cases of accusations where the accused did not originate from England but their charges lack any spatial signifiers can also be found beyond the court. In 1559, the Spanish Casiodoro de Reina travelled to London to serve as a pastor to protestant refugees and was charged in 1563 with embezzlement, heresy, indiscreet conduct with women in his congregation, and sodomy with his servant. His charges did not place any emphasis on his Spanish origins, and of the six ministers appointed as commissioners of the case, only two were English. See, Arthur Kinder, *Casiodoro de Reina: Spanish Reformer of the Sixteenth Century* (London: Tamesis Books, 1975), 27-36. A century after Reina's case, national origins still did not warrant comment, as suggested by a 1647 case in the *Order Book* of the western assizes. "Domingo Cassedon Drago," the entry reads, is "to stand trial ... on a charge of buggery." While his name suggests Spanish origins, Drago is marked out not for his national but racial difference. The *Order Book* often lists occupation and place of residence for the name of the accused, but in Drago's case the entry reads "Domingo Cassedon Drago, 'a negar'" and he is referred to throughout the entry as "the negro." *Western Circuit Assize Orders, 1629-1648: A Calendar*, ed. J. S. Cockburn (London: Offices of the Royal Historical Society, 1976), 1053, p. 247. Drago's case is discussed in Bray, *Homosexuality in Renaissance England*, 38-41.

being a French spy driving policy in support of France.¹¹⁴ In contrast to James, sexual slander against Portsmouth did refer to her foreign birth but it did not portray sex as a national problem. Providing insight into how critics viewed Portsmouth, the *Articles of High Treason and other High-Crimes and Misdemeanors Against the Dutches of Portsmouth* claimed that the king's mistress endangered the "Kings person, in whose preservation is bound up, the weal and happiness of the *Protestant Religion*."¹¹⁵ Accused of labouring "to introduce Popery and Tyranny" into the kingdom and the "subversion of the *Protestant Religion and Government*," Portsmouth threatened not a national so much as theological body politic. Charged with "promoting the *French Popish Interest*," her 'Frenchness' signified Catholic tyranny. She was the French king's agent in the sense that Louis XIV claimed to be, as Andrew Marvell put it, "the *Presumptive Monarch of Christendom*, the declared *Champion of Popery*."¹¹⁶ Insofar as the English opposed Portsmouth for being 'foreign,' then, they articulated this opposition primarily in theological terms. As Tim Harris argues, Francophobia in Restoration England "was not straightforward xenophobia, in the sense of an intense or irrational dislike or fear of the people of another country," but rather a hatred "of French religion and French tyranny."¹¹⁷ It is not coincidental that when a mob confronted Nell Gwyn's coach in 1681, suspecting Portsmouth to be inside, Charles's English mistress allegedly yelled, "good people, be civil: I am the Protestant whore," and not 'I am the English whore.'¹¹⁸

¹¹⁴ Nancy Maguire, "The Duchess of Portsmouth: English Royal Consort and French Politician, 1670-85" in *The Stuart Court and Europe: Essays in Politics and Political Culture*, (ed.) R. Smuts (Cambridge University Press, 1996), 247-273; Linda Porter, *Mistresses: Sex and Scandal at the Court of Charles II* (Picador, 2020), 171-208; Kevin Sharpe, *Reading Authority and Representing Rule in Early Modern England* (Bloomsbury Academic 2013), 209-228.

¹¹⁵ *Articles of High-Treason and other High-Crimes and misdemeanors against the Dutches of Portsmouth* [London?, 1680?], *Early English Books Online* [accessed march 2023]: <http://name.umdl.umich.edu/B17236.0001.001>. According to Maguire, "The Duchess of Portsmouth," 255, Anthony Ashley Cooper recycled the articles and presented them before the Middlesex Grand Jury in June 1680. See also, Porter, *Mistresses*, 202-3

¹¹⁶ Andrew Marvell, *An Account of the Growth of Popery and Arbitrary Government in England* (Amsterdam, 1677), 16. See, Conal Condren, "Andrew Marvell as Polemicist: his Account of the Growth of Popery and Arbitrary Government," in *The Political Identity of Andrew Marvell*, (eds.) Conal Condren and A. D. Cousins (Aldershot, 1990), 157-187.

¹¹⁷ Tim Harris, "Hibernophobia and Francophobia in Restoration England," *Restoration: Studies in English Literary Culture, 1660-1700* 41, 2 (2017): 5-32, quote is from pg. 14.

¹¹⁸ On the importance of Gwyn's Protestantism against Portsmouth's Catholicism, see Alison Conway, *The Protestant Whore: Courtesan Narrative and Religious Controversy in England, 1680-1750* (University of Toronto Press, 2010), 17-49.

For most of the seventeenth century, it seems that sexual slander against foreign rulers and favourites tended to deploy a theological and not a national grammar of political subversion. Sexual critiques of ‘foreigners’ did not always highlight questions of foreign birth, and when they did, they tended to center around the problem of belonging to a foreign religion rather than a foreign nation. Such critiques were not narrowly confessional, however. Popery signified both political and religious proclivities. As the popish sin, therefore, sodomy was perceived to be an inroad for Catholic despotism. As critics of James I argued, the king’s ungodly activities turned the king into “the pontiff in a royal persona” and enabled his “minions” to accrue “as much power and respect as Catholique Princes.”¹¹⁹ Accordingly, sodomy’s ‘foreignness’ was not marked by a national geography of territory but a political theology of rule.

Contemporaries in early modern England often pointed to Italy as the birthplace of sodomy, but as the home of the Roman Catholic Church, Italy did not designate a national so much as a religious origin.¹²⁰ Understanding Italy as a politico-theological site of sin clarifies how some satires against William took up and transformed the genre of ungodly sodomy into a critique of national sodomy.¹²¹

since Ladys were Ladys, I dare boldly say,
they ne’re had more reason to fast & to pray,
for our Holland Reformer to perfect the work
makes love like Italians, as He rules like a Turk.

“The Ladys complaint” draws from a grammar of ungodly sodomy and aligns the king’s popish sodomy with an oriental despotism to accuse the king of tyranny.¹²² The poem then goes on to nationalize the court by conjoining these theological terrors to the national danger of foreign rule.

¹¹⁹ *Corona Regia*, 83; *Tom Tell Troath*, 25.

¹²⁰ Hammond, *Figuring Sex*, 38-9; Crompton, *Homosexuality and Civilization*, 365; Peter Lake, “Anti-Popery,” 75; Cocks, *Visions of Sodom*, 25-40. It is not insignificant that, as Michael Rocke, *Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence* (Oxford University Press, 1996) shows, sex between men was common in Florence in the 15th century and that English contemporaries in the sixteenth and seventeenth centuries pointed to Catholicism as the reason to explain the widespread practice of sodomy in Italy.

¹²¹ The following satire is quoted from Hammond, *Figuring Sex Between Men*, 180-181. British Library MS Add 29497, fob. 101^{r-v}.

¹²² Whereas Italian sodomy was a popish inversion of the morally true universe of Protestantism, Turkish sodomy located the sin outside of Christendom and associated it with the despotism of Ottoman rule. See, Anna Suranyi, *The Genius of the English Nation: Travel Writing and National Identity in Early Modern England* (University of Delaware, 2008), 161-3; Hammond, *Figuring Sex Between Men*, 23-28; Cocks, *Visions of Sodom*, 144-5.

the two bodies. In the famous *Duchy of Lancaster* case, on which Edmund Plowden makes his oft-cited commentary on the king's two bodies, Queen Mary wanted lands leased by King Edward VI returned, since Edward, she argued, had never reached the age of majority during his reign and so could not lease the lands as king. Rejecting this claim, the judges ruled that "by the common Law no Act which the King does as King shall be defeated by his nonage. For the King has in him two Bodies, viz. a Body natural, and a Body politic ... and for this Cause what the King does in his Body politic cannot be invalidated or frustrated by any Disability in his natural Body."¹²⁶ The incorporation of the body politic and the body natural in the person of the king negated the natural body's disabilities, whether it be the problem of age, health, or even death. As such, the judges ruled, the natural body's particularities are irrelevant to the question of land ownership because the king acted in the capacity of his political body.

By the turn of the eighteenth century, land is no longer just a disputed object of possession as in the *Duchy of Lancaster* but a territorial site through which one pledges allegiance to the body politic. In the early 1690s, William gifted tracts of land in Ireland and Wales to Portland and Albemarle instead of selling them for public good as MPs expected.¹²⁷ As part of the hostility to the land grants, Robert Price told Parliament that he feared England now had a "Dutch Prince of Wales": "The Kings of England always Reigned best, when they had the Affections of their Subjects, and of that they were secure, when the People were sensible, that the King was entirely in their Interest, and loved the *English* Soil."¹²⁸ Whereas the doctrine of the king's two bodies dismissed the natural body's particularities when considering actions undertaken as King, the *national* particularity of the king's body now undermined his capacity to act in and as the body politic. As Price's comments about loving English soil indicate, kings must (now) display their investment in the natural territorial body of the nation, but William's

¹²⁶ Edmund Plowden, *The Commentaries, or Reports of Edmund Plowden* (London: 1761). British Library shelfmark 1242.h.15., pp. 213–14

¹²⁷ Rose, *England in the 1690s*, 54–55; Claydon, *William III and the Godly Revolution*, 216.

¹²⁸ Robert Price, *Gloria Cambriae; or the speech of a bold Britain in Parliament, against a Dutch prince of Wales* (London, 1702).

foreign body prevents him from doing just that. Accordingly, the Commons went on to declare that only a parliamentary act could bequeath public land, and in 1700 voted to re-appropriate the Irish land grants, the same year that Portland's name was included in a list of ministers for impeachment.¹²⁹ Parliament thus re-asserted control over its territorial body from the Dutch bodies at court whose foreignness nullifies any possible relationship they may have to the national body politic.

Within this emerging framework of the nation, the discourse of national sodomy showcases not only the separation of the foreign court from the sovereign nation but also the danger that foreign bodies pose to the territorial body of the nation. In "Advice to a painter" (1697), possibly written by Tory MP William Shippen, the author uses the grammar of national sodomy to portray Portland as the nation's enemy.¹³⁰

To black designs and Lust let him remain
A servile Favorite and Grants obtain
While antient Honours sacred to the Crown
Are lavishe'd to support the Minion.
Pale Envy rages in his canker'd Breast
And to the *British* Name a Foe profest.¹³¹

The Crown's "antient Honours," which the previous line suggests are the land "Grants" William gifted his favorites, are no longer the king's but the nation's honors. Having obtained them through "black designs and Lust," Portland is declared a "Foe" to the "*British* Name." The poem then hesitates midway, suggesting the painter not portray the inner-workings of the court for reasons of moral decency:

Artist retire, 'twere Insolence too great
T' expose the Secrets of the Cabinet;
Or tell how they their looser Minutes spend,
That guilty Scene would all chast Eyes offend.
For should you pry into the close Alcove,
And draw the Exercise of Royal Love,

¹²⁹ Van der Kiste, *William and Mary*, 192, 234, 241.

¹³⁰ "Advice to a Painter (11-26 December 1697)" in *Poems on Affairs of State: Augustan Satirical Verse, 1660-1714*, vol. 6, ed. Frank H. Ellis (Yale University Press, 1970), 15-25. Shippen's authorship is suggested by Paula Watson and Sonya Wynne, "Shippen, William (1673-1743), of Norfolk Street, London" in *The History of Parliament: the House of Commons 1690-1715*, ed. D. Hayton, E. Cruickshanks, S. Handley, 2002 accessed 11 August 2021: <https://www.historyofparliamentonline.org/volume/1690-1715/member/shippen-william-1673-1743>. On the 'advice to a painter' genre more generally, see Hammond, *The Making of Restoration Poetry*, 118-119.

¹³¹ "Advice to a Painter," 17.

K-pp-l and He are *Ganymede* and *Jove*.¹³²

Keppel (Albemarle) and William are like Ganymede, the beautiful boy, and Jove, who could not resist his love for Ganymede – a love, the poem suggests, that was sodomitical.¹³³ Keppel uses his body and its promise of sodomy to become the “Darling of the Throne” and gain access to the “Secrets of the Cabinet.”¹³⁴ Accordingly, the poem emphasizes the national threat of the king’s sodomy with his favorites: “Let English Rights all gasping round him [William] lie, / And native Freedom thrown neglected by.”¹³⁵

The foreigner’s use of sodomy to steal ‘national’ resources is also the topic of the radical Whig John Tutchin’s “The Foreigners” (1700), the publication of which led to his arrest on charges of seditious libel.¹³⁶ Referring to the “Lavish grants” William gifted Portland, Tutchin explains that what Portland got the “Nation lost.”¹³⁷ Why, he asks, should the Dutch “our Land engross, / And aggrandize their fortunes with our loss?”¹³⁸ Shifting to Albemarle, the poems speaks of both his and Portland’s sodomitical rise to power:

Mounted to Grandeur by the usual Course
of Whoring, Pimping, or a Crime that’s worse;
of Foreign Birth, and undescended too,
Yet he, like *Bentir*, mighty feats can do.
He robs our Treasure, to augment his State.

...

Was e’er a prudent People thus befool’d
By upstart Foreigners thus basely gull’d?¹³⁹

¹³² “Advice to a Painter,” 17-18.

¹³³ On Ganymede as a figure of same-sex desire, see David Orvis, *Queer Subjectivities in Early Modern England* (PhD Diss., University of Arizona, 2008), 8-16; James Saslow, *Ganymede in the Renaissance: Homosexuality in Art and Society* (Yale University Press, 1986).

¹³⁴ “Advice to a Painter,” 17-18.

¹³⁵ “Advice to a Painter,” 16.

¹³⁶ John Tutchin, “The Foreigners (6 August 1700)” in *Poems on Affairs of State: Augustan Satirical Verse, 1660-1714*, vol. 6, ed. Frank H. Ellis (Yale University Press, 1970). On Tutchin’s political beliefs and arrest, see J. A. Downie, “Tutchin, John (1660x64–1707), political writer,” *Oxford Dictionary of National Biography* (2004), accessed 11 August 2021:

<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-27899>.

¹³⁷ Tutchin, “The Foreigners,” 238, 236.

¹³⁸ *Ibid.*, 238. Compare “The Royal Buss” in *Poems on Affairs of State: Augustan Satirical Verse, 1660–1714*, vol. I: 1660–1678, (ed.) George deF. Lord. (Yale University Press, 1963), 263–4, in which anger at the money being spent to support the royal distress remained personally targeted against the Duchess of Portsmouth rather than framing her as a metonym for the french nation.

¹³⁹ *Ibid.*, 244-246.

A national rather than theological danger, sodomy enables “upstart Foreigners” to rob England of “our Treasure” and “our Land.” Their sodomy therefore endangers not the king’s body with which they are intimately associated but rather the nation’s body from which they are excluded, as repetitive use of the word “our” severs Albemarle, Portland, and the royal court in general from the “prudent People” of the English nation. Notably, Tutchin does not advocate death for their ungodly sins, but rather expulsion for their national crimes: “Let them in foreign States proudly command, / They have no Portion in the Promis’d Land.”¹⁴⁰ Nationalizing conventional religious imagery by reconfiguring England as the “Promis’d Land,” Tutchin suggests that the nation requires not the sodomite’s eradication (as in the universalist vision of sin) but rather exclusion from the nation’s borders.

Less than a year following the publication of “The Foreigners” (1700), Parliament would pass the Act of Settlement, banning foreigners from access to the nation’s land and political posts. By 1702 William had died and passed the throne onto Queen Anne, a direct heir of James II who had grown up in England. In her first speech to Parliament, Anne alludes to the national qualifications William lacked, explaining that “as I know My own Heart to be entirely English, I can sincerely assure you, there is not any Thing you can expect, or desire of Me, which I shall not be ready to do for the Happiness and Prosperity of England.”¹⁴¹ Anne’s speech heralds a new era of national politics, where an *English* heart in the monarch’s natural body was now necessary to display allegiance to the national body politic.¹⁴² Yet, in her attempts to reconstitute the relationship between the king’s two bodies by highlighting the national character of her natural body, Anne’s comments betray the deep transformation in the political structures of feeling that had been underway since the revolution. Indeed,

¹⁴⁰ *Ibid.*, 238.

¹⁴¹ William Cobbett, *The Parliamentary History of England, from the Earliest Period to the Year 1803*, vol. 6 (London: T. C. Hansard, 1810), 5.

¹⁴² Though Anne’s speech appears to echo Elizabeth’s 1588 speech at Tilbury, there are important differences. Whereas Anne emphasizes national distinction by claiming that her heart is “entirely English,” Elizabeth states that she has “the heart and stomach of a king, and of a king of England too,” which does not place emphasis on nationality so much as royalty, and in particular, a royal lineage dating back to her father, Henry VIII, as the king of England. The transcript of Elizabeth’s speech can be accessed at the British Library website [accessed: 14 March 2022]: “Elizabeth’s Tilbury speech, July 1588,” *British Library*, <https://www.bl.uk/learning/timeline/item102878.html>

that same year of her accession, the court abolished The Esquires of the Body, an institution formalized during Henry VIII's reign for the purposes of protecting the king's natural body in the vulnerability of its slumber.¹⁴³ With these attendants now gone, it appears as if it was no longer the monarch's but some other body that required protection.¹⁴⁴

Conclusion

At the turn of the eighteenth century in England, monarchs, poets, satirists, politicians, and political pamphleteers seemed to have found new political meaning in something they called 'England.' The English nation was not simply an imagined idea but a felt reality. Since the late seventeenth century, the royal household had begun to lose its political splendour, as the source of political power seemed to migrate to other sites. Allegiance to the sovereign body in the king's flesh waned as the English nation compelled newfound attachment. Neither natural nor inevitable, the disinvestment in the Royal Body requires explanation.

In the crisis of political sovereignty engendered by the Glorious Revolution, there circulated a diverse archive of sexual slander against the king targeting his political authority. Rumors and accusations of what the king did with and to his natural body deployed the specter of sodomy to shore up and reconfigure a subject's attachment to political authority. Those who believed that William transgressed divinely ordained principles of hereditary succession turned to the classic genre of ungodly sodomy. By associating sodomy with theological images of the monstrous, deformed, and inhuman, this discourse figured the king's sodomy as both a sign of and cause for the destruction of the body politic. Those who viewed the court's corruptions as an attack against the nation employed an alternative grammar of sodomy to render these national threats intelligible. Unlike the genre of the

¹⁴³ Robert Bucholz, "The Public Rooms: Privy Chamber," *The Database of Court Officers: 1660-1837* (2019), Accessed 27 October 2020: <http://courtofficers.ctsdh.luc.edu/CHAMBER2.list.pdf>.

¹⁴⁴ For further evidence of the diminishing importance of services rendered to the monarch's body politic through the body natural under the reign of Anne and George I, see Starkey, "Representation Through Intimacy," 215-217.

ungodly, national sodomy threatens not the apocalyptic undoing of the sovereign body of the king, but rather the domination and submission of the sovereign body of the nation. Figuring the court's sodomy as explicitly Dutch through the use of foreign idiom (Mynheer), adjectives (*Dutch King*, *Dutch advisors*, *Dutch Government*, *Dutch breeding*), geography (Denmark, Holland, Low Countries), this national grammar of sodomy is a political grammar of citizenship. As witnessed by the passage of the 1701 Act of Settlement banning foreigners from official positions of political power, this discourse both indexed and played a role in the revolutionary transformations taking place in and to the structures of feeling investing subjects in different structures of sovereignty.

As the circulation of a new discourse of national sodomy both signalled and helped enact a disinvestment from the body of the king and a reinvestment in the body of the nation, we see how sodomy played a vital role in the displacement of theological politics and the establishment of a spatial and territorial sovereign imaginary. The discourse of national sodomy forms a foundational pillar in what Lauren Berlant describes as the "National Symbolic": the entangled collection of texts that constitutes the idea of a national "public" and aims "to link regulation to desire, harnessing affect to political life through the production of 'national fantasy'."¹⁴⁵ In the fantasy of national sovereignty, self-determination means that (1) rulers must be of the same nation as the ruled, (2) political action should only benefit the public interest of the nation, and (3) only fellow co-nationals may obtain and use national resources. Terrorizing this fantasy, sodomy enables foreigners to obtain and thus steal national resources, to aggrandize foreign and thus private interests, and to rule over and thus oppress the people. Associated with a nationally suspect royal court, the monarch's foreign body became an abject body that threatens to sodomize and thus render subservient the nation. Robbed of its power,

¹⁴⁵ Lauren Berlant, *The Anatomy of National Fantasy: Hawthorne, Utopia, and Everyday Life* (University of Chicago Press, 1991), 5.

“the nation,” as David Hume suggestively writes in his history of England, “lie[s] prostrate at the feet of the monarch,” vulnerable to foreign invasion/penetration.¹⁴⁶

Shifting configurations of sodomy’s meaning reveal how the category of sodomy is not an already available repository of meaning from which political actors can simply draw. Struggles around political authority alter the meaning of same-sex intimacies, figuring them as different kinds of political threat and modifying sodomy’s historical significations.¹⁴⁷ As a transformation to the established genre of ungodly sodomy, the discourse of national sodomy forms a constituent part of the political dismemberment of the king’s divine and mortal body in the eighteenth century.

Despite Queen Anne’s claim to an English heart, her court did not escape rumors of illicit sex. In a satire on the queen titled *The Rival Dutchess*, a certain Madam M, likely Anne’s favourite Abigail Masham, reveals that “at *Court* I was taken for a more modish Lady, that addicted to another Sort of Passion, of having too great a Regard of my own Sex,” which some call “that Female Vice, which is the most detestable in Nature.”¹⁴⁸ Opponents accused the queen of undertaking “some dark Deeds at Night” with her favorite who, contemporaries claimed, “*Reign’d like a King.*”¹⁴⁹ Following Anne’s death in 1714, the accession of the very ‘un-English’ George I only seemed to further diminish the crown’s sovereign claim to the nation. Opponents of the Hanoverian king sang hymns declaring, “No more shall foreign scum pollute our Throne; / No longer under such We’ll blush & groan; / But Englishmen an English *King* will own / What, shall a German *Cuckold* & his Fool, An Ox & Ape ore generous

¹⁴⁶ David Hume, *The History of England*, vol. 6 (Oxford: Talboys and Wheeler, 1826), 278.

¹⁴⁷ Contemporaries did not view intense homosocial or even homoerotic relations as inherently problematic or dangerous, and the perception of sodomy as a threat turned on specific political circumstance and conditions. See, Michael Rocke, *Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence* (Oxford University Press, 1996); Bray, “Homosexuality and the Signs of Male Friendship in Elizabethan England”; Young, *King James and the History of Homosexuality*; Traub, *The Renaissance of Lesbianism*; Upchurch, *The Politics of Ending the Death Penalty for Sodomy*.

¹⁴⁸ *The Rival Dutches: Or, Court Incendiary. In a Dialogue Between Madam Maintenon, and Madam M.* (London: 1708), 10.

¹⁴⁹ “*A New Ballad*” (1709) and John Dunton, *King-Abigail: or, the secret reign of the she-favourite* (London, 1715), 15, respectively, quoted in Rictor Norton, ed. “Satire on Queen Anne and Her ‘She-Favourite’, 1708,” *Homosexuality in Eighteenth-Century England: A Sourcebook*, accessed September 2022: <http://rictornorton.co.uk/eighteen/abigail.htm>.

Britons rule.”¹⁵⁰ No longer the passive subjects of the theological politics of dynastic regimes, many felt themselves to be political members of a national body politic they called England.

Hence emerge the Societies for the Reformation of Manners shortly after the revolution. These voluntary organizations sought the nation’s moral regeneration by rooting out illicit sex and prosecuting adultery, prostitution, and sodomy.¹⁵¹ Organizing the first mass arrests of sodomites in England’s history, society leaders warned that “*Sodomites are Invading our Land.*”¹⁵² According to leading member Thomas Bray, sodomy endangered the whole nation, and so campaigns against it were “very *Beneficial* to all Ranks and Degrees of Persons... to the Nobility and Gentry, as well as Traders, Parents and Masters indifferently.”¹⁵³ Although their activities were sometimes resisted, the reformation societies had a broad appeal: one newspaper praised them for acting “from a Sense of their Duty, and Love of their Country.”¹⁵⁴ The societies advocated for popular participation in the fight against illicit sex. “You are engaged, you see, in a necessary War,” Bray argued, “and you must one Way or other, you see, be *Actively Engaged* in it.”¹⁵⁵ It was not just citizen-activists who promoted ideas of popular civic engagement. Commenting on the rising number of arrests for sodomy in 1726, chairman of the grand-jury Daniel Dolins encouraged citizens “to give proper Informations and duly to Prosecute and Convict” sodomites.¹⁵⁶ “[E]very Man in his Place and Station” should help as an informant, he argued,

¹⁵⁰ “A Prophetick Congratulatory Hymn to his Sacred Britannick Majesty King James the III” (1722?) National Archives SP 35/40 f179.

¹⁵¹ Andrew Gordon Craig, “The Movement for the Reformation of Manners, 1688-1715” (PhD diss. University of Edinburgh, 1980); Cocks, *Visions of Sodom*, 73-105; Faramerz Dabhoiwala, “Sex and the Societies for Moral Reform, 1688-1800,” *Journal of British Studies* 46, 2 (2007): 290-319.

¹⁵² Thomas Bray, *For God, or for Satan: being a sermon preached at St. Mary Le Bow, before the Societies for reformation of manners, December 27. 1708* (London: Printed and Sold by J. Downing in Bartholomew-close near West-Smithfield, 1709), 30.

¹⁵³ *Ibid.*, 27

¹⁵⁴ *Post Boy*, October 16 – 18, 1707, Issue: 1938. For resistance to the societies, see Dabhoiwala, “Sex and the Societies for Moral Reform, 1688-1800,” 313.

¹⁵⁵ Bray, *For God, or for Satan*, 30. Dabhoiwala, “Sex and the Societies for Moral Reform,” 306 argues that despite their grassroots rhetoric, the societies were not a grassroots movement because “most sympathizes simply gave cash” and most of their work “relied mainly upon a small group of regular informers and officers.” Far from a contradiction, however, I would argue that, when compared to many grassroots political campaigns today, institutionalized activism typically features a small core of primary volunteers with most supporters and members offering moral and financial support.

¹⁵⁶ Daniel Dolins, *The Second Charge of Sr. Daniel Dolins, Kt. to the grand-jury, and other juries of the county of Middlesex; At the general quarter-sessions of the peace held the eighteenth day of April, 1726. at Westminster-Hall. Printed at the desire of the justices of the peace for the county, and the jury of high-constables and constables* (London: Printed for Samuel Chandler, at the Cross-Keys in the Poultry, 1726) 39, 10.

because every “True Informer” is “to the Publick Body what Eyes and Ears are to the Natural Body, very serviceable Organs and Senses, to be valued.”¹⁵⁷ In Dolin’s account, the citizen-as-snitch comes to occupy a key part of the body politic traditionally reserved for the king. It was no longer just the king but any Englishman who could be at the head of the body politic.

By the 18th century, the fight against sodomy and other illicit sex had thus become a national problem and concern for all political subjects. For some, sodomy had become so widespread in the nation that “The *SODOMITE* is now an *English* Name.”¹⁵⁸ By the 1700s, the sodomite was longer an otherworldly and phantasmatic figure alongside witches, monsters, and devils. It started to become a concrete and identifiable form in the temporal world and the threat it posed to the political order demanded the active resistance of citizens and the state. Like the homosexuals of the early twentieth century, sodomites were always and already outside the political body of the nation.¹⁵⁹ Here perhaps begins then the violent imbrication of nationalism and heteronormativity that, by mid-century, would be taken for granted. “Go where we will, at ev’ry time and place, / *Sodom* confronts and stares us in the face,” complains one anonymous author in 1766, “*Britons*, for shame! be *male* and *female* still. / Banish this foreign vice; it grows not here.”¹⁶⁰

¹⁵⁷ *Ibid.*, 36, 40.

¹⁵⁸ John Dunton, *Bumography: Or, A Touch at the Lady’s Tails, Being a Lampoon (privately) dispers’d at Tumbridge-Wells, in the Year 1707* (London: 1707), 53.

¹⁵⁹ On the persecution of homosexuals as threats to national security in the United States, see David Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (University of Chicago Press, 2004).

¹⁶⁰ “The Unnaturalists, or Deserters of the Fruit Shop” in *Homosexuality in Eighteenth-Century England: A Sourcebook*, ed. Rictor Norton (2020): <http://rictornorton.co.uk/eigheten/1766frui.htm> [accessed: 28 October 2020].

Part II: Hinge

3. Brotherly Love, Cannibal Sodomites, and the Political Subject of Contract in John Locke's *Two Treatises of Government*

In 1606, representatives at the Convocations of York and Canterbury officially endorsed the king's divine right to rule and linked his regal power to his authority as a father. They declared that God gave "to *Adam* for his time, and to the rest of the Patriarchs ... Authority, Power and Dominion over their Children, and Off-spring, to rule and govern them." Tracing the king's ancestry back to the original biblical father of humanity, Adam, the representatives identified this original patriarchal power over children with the king's royal power over his subjects, stating that "in a right and true construction, *Potestas Regia* [Royal Power] may justly be called *Potestas Patria* [Patriarchal Power]."¹ Proponents of absolutism often described the king's subjects as children born into natural subjection to their father-kings, to whom they owed obedience and reverence.²

At the turn of the 18th century, William III still referred to himself as "the common Father of all My People." However, contesting understandings of political rule had already begun to emerge by the mid-1600s.³ Writers such as Algernon Sidney and John Locke turned to the metaphor of the social contract to argue that society was not a naturally hierarchical order of status and rank modeled on the patriarchal household, but rather, an artificial construction made by the agreement of free and equal individuals.

Against longstanding beliefs that the social contract's model of politics did away with the patriarchal ideal of government, feminist political theorists in the late 20th century argued that resistance

¹ John Overall, *Bishop Overall's Convocation Book, 1606 Concerning the Government of God's Catholic Church and the Kingdoms of the Whole World* (London, Printed for Walter Kettilby, at the Bishop's Head in St. Paul's Church-Yard, 1690), iii.

² For England, see Gordon Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes, Especially in Seventeenth-Century England* (Oxford, 1975); Sommerville, *Royalists and Patriots*, 29-37. For France, see Merrick; "Patriarchalism and Constitutionalism in Eighteenth-Century Parliamentary Discourse"; "Fathers and Kings".

³ *Journals of the House of Commons*, vol. 13, 1699-1702: 647.

to monarchical absolutism continued to mobilize gendered logics of the family.⁴ In her groundbreaking work *The Sexual Contract*, Carole Pateman showed how relations of freedom and equality elaborated by social contract theorists relied on a fraternal pact granting men patriarchal control over women by splitting society into a public sphere of civic freedom accessible only to men and a private familial sphere to which women were relegated. Rather than take for granted the modern public-private division, Pateman argued that the model of the social contract creates a private sphere of women's subordination in order to establish and structure the public realm. In contrast to many feminist readings of the social contract, Pateman did not interrogate questions of power in the private realm of the family separately from the juridical domain of sovereignty, but instead revealed how the social contract's account of political equality is itself founded on a gendered grammar of citizenship.⁵

Focused, then, not simply on the question of women's status as wives in the household but on the political subject of contract more broadly, the *Sexual Contract* is often forgotten as being, first and foremost, a feminist genealogy of the emergence of the modern 'individual' in liberal political thought. To critique a political structure where the family served as the basic unit of society and ancestry determined one's place in the social hierarchy, social contract theorists elaborated a concept of the free and equal individual as a revolutionary alternative to a political system based on noble lineage and bloodlines descending from the king. These thinkers did not merely divide society into a public and private sphere and allocate men and women accordingly but turned to the category of gender to construct a new political subject they called 'the individual.' According to many theorists of the social contract, "only masculine beings are endowed with the attributes and capacities necessary to enter into

⁴ On the historiography of the argument that the patriarchal and thus familial models of the state disappeared in the 18th century, see Carole Pateman, *The Sexual Contract* (Stanford, 1988), ch. 1. Early feminist accounts include Jean Bethke Elshtain, *Public Man, Private Woman: Women in Social and Political Thought* (Princeton University Press, 1981); Teresa Brennan and Carole Pateman, "Mere Auxiliaries to the Commonwealth: Women and the Origins of Liberalism," *Political Studies* 27 (1979): 183–200.

⁵ For feminist readings that primarily focus on the political status of wives in the household, see Lorene Clark "Women and John Locke, or, Who Owns the Apples in the Garden of Eden?" *Canadian Journal of Philosophy* 7 (1977): 699–724; Chris Nyland "John Locke and the Social Position of Women," *History of Political Economy* 25 (1990): 39–63; Mary Shanley, "Marriage Contract and Social Contract in Seventeenth-Century English Political Thought," in *Feminist Interpretations of John Locke*, ed. Nancy J. Hirschmann and Kristie M. McClure (Pennsylvania 2007), 17–37.

contracts,” Pateman writes, and “only men, that is to say, are ‘individual’.”⁶ According to Pateman, then, the ‘individual’ is by definition a gendered category, one that requires the exclusion of women as its condition of possibility.

Focusing on the work of John Locke, one of the most influential contract theorists writing at the turn of the 18th century, this chapter contests interpretations that were initially put forward by Pateman and have since been commonly taken for granted. Following Pateman’s reading of the social contract as a fraternity of individual men, it has become commonplace to argue that the concept of ‘the individual’ elaborated by contract theorists is a solitary atom, a free-standing subject ontologically prior to and independent of any social relations.⁷ While liberal readers argue that this atomism can serve as a valuable resource for a feminist defense of equality in a context of seemingly ‘natural’ gender hierarchies, many feminist critics contend that such individualism is a masculinist bias rooted in the denial of social relations of dependency and women’s domestic labor.⁸ Despite their disagreements about atomism’s political value, these accounts all share Pateman’s assessment that the subject of contract “is pictured as existing without any relationships with others.”⁹ The fraternity formed by the social contract is therefore not a unity of brothers but an aggregation of men – a strange kind of fraternity that seemingly lacks fraternal relation.¹⁰

Second, alongside readings of the subject of contract as an isolated atom, critics often claim that social contract theorists portray the contract as an act of pure reason, the outcome of rational

⁶ Pateman, *Sexual Contract*, 5-6.

⁷ See Charles Taylor, “Atomism” in *Philosophy and the Human Sciences: Philosophical Papers II* (Cambridge University Press, 1985), 187-210.

⁸ For a liberal defense of Locke, see Melissa Butler ‘Early Liberal Roots of Feminism: John Locke and the Attack on Patriarchy’, *American Political Science Review* 72 (1978): 135–50. Jeremy Waldron, *God, Locke, and Equality: Christian Foundations in Locke’s Political Thought* (Cambridge University Press, 2002). For readings of atomism and the denial of interdependency in the social contract tradition and liberalism more broadly, see Zillah Eisenstein, *The Radical Future of Liberal Feminism* (Boston: Northeastern University Press, 1986); Christine DiStefano, *Configurations of Masculinity: A Feminist Perspective on Modern Political Theory* (Cornell University Press, 1991), 66-104; Sibyl Schwarzenbach, *On Civic Friendship: Including Women in the State* (New York: Columbia University Press, 2009), 59-94.

⁹ Pateman, *Sexual Contract*, 55. Pateman, *The Disorder of Women*, 48 clarifies that bonds formed between contractors are not established for communal purposes: “The only ties between individuals of liberal contract theory are those of self-interest.... The liberal individual’s political bonds with other citizens are merely another expression of the pursuit of self-interest.”

¹⁰ As Pateman admits, “this view of the individual as citizen – as public or civil individual – systematically undermines one of the most significant expressions of fraternity.” Pateman, *Disorder of Women*, 48.

agreement among individuals. Liberal proponents argue that when viewed as a subject of reason, ‘the individual’ is abstracted from any concrete social location and thus universally open to all people regardless of their identities or social positions. In contrast, critics contend that the conceptual construction of the disembodied subject of reason relies on historical associations of the sensuous and unruly body with women and indigenous peoples, such that only a narrow subset of male European descendants can actually occupy the position of ‘the individual.’¹¹ Regardless of their disagreements, these readings all portray the subject of contract as lacking any of the affective and material features of the body, such that, as Pateman writes, only “through rational calculation of the mind, [can the individual] be made the subject of contract.”¹² United by the cold and disembodied ties of reason, then, the fraternity of contractors is devoid of any the passionate bonds of brotherhood.¹³

By attending to the work of John Locke, this chapter argues that the subject of the social contract is neither an isolated atom lacking in communal ties, nor a disembodied agent of reason lacking feeling and affection. While various commentators have argued that Locke’s social contract involves the organization of extensive social relations and, as part of that organization, the education of bodily passions and desires, these accounts rarely attend to political questions of gender and thus do not adequately engage with feminist readings of the emergence of the modern individual as a new category of politics.¹⁴ In contrast, this chapter critically builds on feminist scholarship and supplements

¹¹ On the exclusion of women, see Susan Moller Okin, “Reason and Feeling in Thinking about Justice,” *Ethics* 99 (1989): 229-249; Genevieve Lloyd, *The Man of Reason: “Male” and “Female” in Western Philosophy* (London: Routledge, 1993). On the exclusion of indigenous peoples, see Uday Mehta, “Liberal Strategies of Exclusion,” *Politics and Society* 18, 4 (1990): 427-454; Bhikhu Parekh, “Liberalism and Colonialism: A Critique of Locke and Mill,” in *The Decolonization of the Imagination*, (eds.) J. Pieterse and B. Parekh (London: Highlands, 1995), 81-98; James Tully, “Rediscovering America: the *Two Treatises* and Aboriginal Rights,” in *An Approach To Political Philosophy: Locke in Contexts* (Cambridge University Press, 1993), 137-178; Charles Mills, *The Racial Contract* (Cornell University Press, 1997).

¹² Pateman, *Disorder of Women*, 48.

¹³ Shane Phelan’s reading of the homosocial passions of social contract is an exception to many of these accounts, but she wrongly singles out Locke as a prototypical liberal theorist who “substitute[s] interest for passion,” where reason dominates the public sphere and love is “relegated to ‘private’ life, specifically the family.” Phelan, *Sexual Strangers*, 45.

¹⁴ Ruth Grant, “Locke’s Political Anthropology and Lockean Individualism,” *The Journal of Politics* 50, 1 (1988): 42-63; Uday Singh Mehta, *The Anxiety of Freedom: Imagination and Individuality in Locke’s Political Thought* (Cornell University Press, 1992); James Tully, *An Approach to Political Philosophy: Locke in Contexts*, (Cambridge, 1993), 179-262; Duncan Kelly, *The Propriety of Liberty: Persons, Passions and Judgement in Modern Political Thought* (Princeton, 2011), 20-59; Christopher Anderson, “Hobbes, Locke, and Hume on Trust and the Education of the Passions,” *New England Journal of Political Science* 1 (2005): 36–85. Although James Martel, *Love is a Sweet Chain* (Routledge, 2001), 54-59

it with a queer theoretical perspective. Centering the gendered category of fraternity and investigating Locke's affective rhetoric of brotherly love, I argue that Locke depoliticizes relations between fathers and sons and ascribes new political significance to relations between brothers. I show how the social contract is made up of thick interdependent relations of feeling organized horizontally between brothers rather than vertically between fathers and sons. With Pateman, I contend that these fraternal relations are premised on the exclusion of women and property in their bodies. Contra Pateman, I argue that the masculine individual is not a tightly bounded atom with fixed borders separating him from others. Rather, the rhetoric of fraternal love that Locke employs reveals a kind of permeability between individuals, an openness that secures a new if also fragile form of political attachment between men.

This chapter thus forms a pivot into the rest of the dissertation's focus on the embodied and affective politics of equality, fraternity, and sodomy in 18th century England. Taking aim at the reigning theory of patriarchal kingship circulating in the 17th century, Locke's *Two Treatises of Government* rejects notions of natural hierarchy meant to bind subjects together in subordination to the king and articulates a new understanding of political community premised on a novel principle of equality. Locke thus aims to re-think the relations organizing political life in order to envision new forms of affinity between men, but on what basis does he do so? Feminist critics tend to see the exchange of women as both necessary and sufficient for the construction of this new egalitarian bond. The "story of the sexual contract is," Pateman writes, "about (hetero)sexual relations," such that men do not have relations to other men except as private patriarchs ruling their households.¹⁵ Yet, as Pateman's parenthetical suggests, the contract's heterosexuality is simply assumed rather than explained, obscuring the

does engage with questions of gender, the account mainly focuses on women's role in constructing men's individualism and so overlooks relations of fraternity between men.

¹⁵ Pateman, *Sexual Contract*, 17. A notable exception is Laura Janara, "John Locke's Kindred Politics: Phantom Fatherhood, Vicious Brothers and Friendly Equal Brethren," *History of Political Thought* 33 (2012), 455-489. While exploring various forms of sociality that exist between the Lockean brothers, Janara's analysis does not attend to the affective relations of fraternal love that, I argue, are central to understanding the relational dynamics of fraternity.

entanglements of male-male desire in the construction of modern patriarchy. In presuming heterosexuality and so restricting the idea of fraternity to the hetero-patriarchal exchange of women, we therefore risk undertheorizing fraternity. I argue that the exchange of women is a necessary but not sufficient condition for establishing relations of political equality in the history of political theory. To men's property in women, certain relations of feeling must also exist if men, who are now considered brothers, are to be related in politically significant ways required by a polity based upon a social contract.

Inattention to the operation of gender *and* sexuality in a feminist analysis of men's sexual access to and control of women's bodies has unfortunately short-circuited a queer analysis of how the traffic in women mediates men's passionate and embodied relations to other men. Having focused over the last two chapters on the place of affect, attachment, and the body at the center of monarchical sovereignty and the patriarchal politics of absolutism, we are now better attuned to see the kinds of problems that concerned political thinkers like Locke in their attempts to envisage a new body politic and the kinds of relations required to sustain it. This chapter puts forward a queer-feminist analysis of the social contract by examining how Locke's conceptual reworking of the gendered relations of passion, desire, and affect in early modern England constitutes subjects of contract as individuals who are part of an emerging political category of brotherhood. Methodologically, this chapter shows how the type of queer-feminist political inquiry that is developed in this dissertation can help us reread and re-evaluate canonical political thinkers such as Locke. More historically, it demonstrates how in the aftermath of the 1688 Revolution, Locke's work raises key problems concerning the formation of new bonds of equality between men and seeks to solve some of these problems by ensuring that men love each other as their equal brothers. As I show over the next two chapters, these problems and Locke's attempted solutions will be taken up by Europe's largest republican movement in the 18th century, Freemasonry, which, as it happens, claimed that Locke was an early member and ideologue of the organization.

To excavate questions of attachment and affect at the heart of the *Two Treatises*, this chapter attends to the rhetorical figures of brothers and friends that Locke uses as a key source of meaning for rethinking and reordering the symbolic terms of 17th century political life. While Locke was once considered an enemy of rhetoric, Kirstie McClure, Joshua Foa Dienstag, and Torrey Shanks have highlighted how metaphorical and figural language plays a central role in Locke's project for generating a new political framework of judgment.¹⁶ Employing metaphors of God's architecture and figures such as fathers, indigenous peoples, and the biblical Eve, Locke presents familiar images of patriarchy in unsettling ways in order to create new ways of understanding political authority. While many of these accounts overlook the rhetoric of Christian brotherhood that populates Locke's text, scholars such as Laura Janara have investigated how the *Two Treatise's* various masculine figures organize Locke's juridical realm of equality.¹⁷ Building on this work but attending to the domains of theology, friendship, affect, and sodomy unexplored by these accounts, I show how Locke critiques hegemonic relations of filial subordination to the father-king and retheorizes the affective field of politics in 17th century England to elaborate a novel political theory of fraternal equality.

Throughout the *Two Treatises*, Locke invokes a series of figures of brotherhood to discuss key political questions. He mobilizes Adam's sons Cain, Seth, and Abel to analyze the origins and inheritance of paternal power (I §68, §75, §99, §133, §142) and to provide evidence for the natural right to possess land (II, §38) and execute natural law (II, §11). Locke cites Noah's sons Cham, Japhet, and Shem to analyze the inheritance of regal power (I §77, §139-142) and humanity's dominion over the earth (I, §27, §32-39, II, §25). He refers to the brothers Jacob and Esau to critique the naturalness of

¹⁶ Joshua Foa Dienstag, "Between History and Nature: Social Contract Theory in Locke and the Founders," *The Journal of Politics* 58 (1996): 985–1009; Kirstie McClure, *Judging Rights: Lockean Politics and the Limits of Consent* (Cornell University Press, 1996); Kirstie M. McClure, "Cato's Retreat: *Fabula, Historia* and the Question of Constitutionalism in Mr Locke's *Anonymous Essay on Government*," in Kevin Sharpe and Steven N. Zwicker (eds.), *Reading, Society and Politics in Early Modern England* (Cambridge: Cambridge University Press, 2003), 317–350; Torrey Shanks, *Authority Figures: Rhetoric and Experience in John Locke's Political Thought* (Penn State, 2014).

¹⁷ Janara, "John Locke's Kindred Politics". See also, Mark E. Kann, "John Locke's Political Economy of Masculinity," *International Journal of Social Economics* 19 (1992): 95–110; Terrell Carver "Gender and Narrative in Locke's *Two Treatises of Government*" in *Feminist Interpretations of John Locke*, ed. Nancy Hirschmann and Kristie M. McClure, (Pennsylvania, 2007), 187–212.

inheritance by primogeniture (I, §113-§116) and to provide an example of natural equality between men (I, §117-118). Locke even invokes Abraham and Lot, who were biologically uncle and nephew, to portray a relationship of equality and friendship between brothers (I, §135). Although I do not discuss every occurrence of fraternal imagery in the *Two Treatises*, these figures form the background context situating the episodes I examine in more depth.

By attending to Locke's rhetoric of brotherhood, I reveal how, alongside what Pateman excavated as the social contract's repressed account of men's property in women's bodies, there exists a second intertwined account concerning fraternal love and the threat posed by men's property in other men's bodies. Focusing on how Locke employs an affectively loaded rhetoric of fraternity to symbolize egalitarian relations between men, the first four sections show how Locke reconstructs the social bond as part of his critique of patriarchal absolutism. Contextualizing Locke's fraternal figures within a lineage of Greco-Roman conceptions of friendship, I will demonstrate the ways in which Locke's rhetoric of brotherhood enables him to innovate the tradition of natural law and place the individual within a network of communal obligations. I show how Locke uses these fraternal figures to reimagine the body politic and put forward a novel account of political representation as the organizing principle of political power. These sections outline the complex conceptual work of Locke's rhetoric of fraternal love for binding the social contract's subjects together in interdependent egalitarian relations of feeling. I argue that this new affective structure that Locke conceptualizes is crucial for binding otherwise unrelated men horizontally to each other as 'brothers' or equals in ways that contest the inequality given in a patriarchal society organized according to vertical relations of fathers and subordinates.

The final section asks how we are to revise our understandings of the conceptual emergence of 'the individual' in political theory in light of this chapter's critique of the unfeeling and atomistic agent of reason as the subject of contract. If Locke's discourse of fraternal love suggests a new way to bind men together as equals, then how does Locke establish relations of separation and autonomy that

are said to be defining features of the masculine individuals within the social contract? Un-earthing the figure of the indigenous sodomite from Locke's colonial archive, I argue that the threat of sodomy marks the border between men's autonomous relations of self-ownership on the one hand and patriarchal relations of possession and dependence on the other. As a metonym for the abuse that results from the absolute possession of another man's body, I show how sodomy signals the limit-point of fraternal love and obligation, the line beyond which the masculine individual loses propriety over his own body. A queer-feminist reading thus illuminates the threat of sodomy lurking in the colonial margins of Locke's work and shows how a racialized image of sodomy helps constitute the European category of 'the individual' and the corporeal boundaries of his autonomy. It demonstrates how the figure of the indigenous sodomite forms the horizon of meaning organizing an imperial brotherhood that claims ownership not only over their own bodies but also over the bodies of European women and colonized subjects.

I. The Protagonist Brothers of the *First Treatise*

In the *First Treatise*, Locke critiques the dominant patriarchal model of kingship as exemplified in Robert Filmer's *Patriarcha*, posthumously published in 1680 by Royalist defenders of Charles II. For much of its interpretative history, readers considered the *First Treatise* a tedious and repetitive text unworthy of serious consideration.¹⁸ In recent years, however, feminists have revisited the *First Treatise* to explore the place of women and in particular Locke's rhetorical use of Eve to critique Filmer's conception of patriarchy.¹⁹ While these reconsiderations have highlighted the importance of gender for Locke's criticisms, they continue to view the *First Treatise* primarily as a critical work negating the

¹⁸ On the 20th century reception of the *First Treatise*, see Charles Tarlton, "A Rope of Sand: Interpreting Locke's *First Treatise of Government*," *The Historical Journal* 21, 1 (1978): 43-73. On Locke's involvement in the editorial and printing history of the *Two Treatises*, see Peter Laslett's introduction to *Two Treatises of Government* (Cambridge, 1988), 3-15. While Laslett claims that Locke began working on the *First Treatise* only after the *Second*, other scholars, such as David Wootton, Introduction to *John Locke: Political Writings*, (Indianapolis, IN: Hackett, 2003) and J. R. Milton, "Dating Locke's 'Second Treatise'," *History of Political Thought*, 16, 3 (1995): 356-390, contend that Locke began the *Second* after having already completed a significant part of the *First*. Given Locke's editorial involvement in arranging the texts in a particular narrative arc, however, the exact dating of each treatise does not have any significant bearing on my argument.

¹⁹ For recent scholarly attention to the *First Treatise* and Locke's rhetorical tropes, see Shanks, *Authority Figures*, ch. 4.

theoretical tradition of patriarchal absolutism. In contrast, this section attends to the *First Treatise's* critically constructive elements, showing how Locke mobilizes tropes of brotherhood to provide a new way of symbolizing relations between men. Focusing on its narrative structure, I show how Locke reconfigures the problem-space of sovereignty from a patriarchal relationship where fathers naturally rule and sons must naturally obey to a fraternal relationship where male equals consent to ruling and being ruled.

In the first substantive chapters of the *First Treatise*, Locke primarily focuses on the original patriarchal father, Adam, and rejects various arguments Filmer makes to explain how Adam obtained his sovereign title: by God's creation (chapter 3); by God's donation (chapter 4); and by Eve's subjection (chapter 5). In the sixth chapter, Locke then turns to what he calls "the main Basis" of Filmer's argument: sovereignty by fatherhood (I, §50). Rejecting Filmer's interpretation of scripture, Locke argues that the act of begetting children cannot create sovereignty because *earthly* fathers cannot have sovereign power over that which they do not actually create. "They who say the *Father* gives Life to his Children ... do not, as they ought, remember God, who is *the Author and Giver of Life: 'Tis in him alone we live, move, and have our Being'* (I, §52). Locke does not refuse the patriarchal idea that only fathers have the reproductive power to produce life, and in fact concedes Filmer's claim that the "*Power which God himself exerciseth over Mankind is by Right of Father*" (I, §52).²⁰ Though remaining tethered to a patriarchal worldview that identifies sovereignty with fatherhood, Locke argues that the sovereignty of the divine father does not apply to earthlings. God's "fatherhood is such an one as utterly excludes all pretence of Title in Earthly Parents; for he is *King* because he is indeed Maker of us all, which no Parents can pretend to be of their Children" (I, §52). Locke thus splits apart divine and earthly sovereignty and relocates patriarchal sovereignty to the heavens above.

²⁰ Janara, "John Locke's Kindred Politics," 469-70, 481.

By making God the supreme father, Chapter Six begins to undermine the political significance of earthly fathers, which, up until now, were the primary subjects of Locke's narrative. In Chapter Seven, Locke returns to earlier topics of inheritance and reproduction but, notably, shifts the central characters: it is no longer fathers but brothers that are now the subject of debate. Discussing the law of primogeniture, Locke writes that the eldest son cannot inherit his father's power because "Paternal Power" is a "right that accrues to a Man only by *begetting* ... [and] a Man by his Birth cannot become a Subject to his Brother, who did not beget him" (I, §74). As the narrative continues, Locke reiterates this claim that brothers do not beget brothers and so cannot inherit their father's power (I, §96). Locke thus revisits earlier arguments concerning the origins of Adam's monarchical power in Chapters Three and Four but with an altered focus on the fraternity of Adam's sons. Why might Locke make such a figural shift midway through the *First Treatise*?

During the time of the *Two Treatises* composition sometime between 1679 and 1683, Locke's patron, the Third Earl of Shaftsbury, and soon-to-be-named Whigs made several attempts at passing a bill in Parliament to exclude Charles II's Catholic brother, James Duke of York, from becoming the new king of England in what is often referred to as the Exclusion Crisis. The Whigs wanted to alter the line of hereditary succession to favor Charles II's eldest yet out-of-wedlock son, the Protestant Duke of Monmouth and deprive James, the younger brother of Charles II, of his hereditary right to the throne. When exclusion did not succeed, Shaftsbury and other Whigs started to organize plans for armed resistance in what became known as the Rye House Plot, the failure of which led Locke to flee to Holland for five years until William and Mary had secured the throne in England.²¹ The Exclusion Crisis and its aftermath could thus be understood as revolving around competing primogeniture rights

²¹ According to the persuasive account in John Marshall, *John Locke: Resistance, Religion, and Responsibility* (Cambridge University Press, 1996), 220-265, Locke had likely written the First Treatise by 1681 and started composing the Second Treatise, notably its defense of armed resistance, in 1682 and had intended to publish the text when resistance to the king had commenced in 1683.

to the inheritance of the crown, pitting the political claims of men not as fathers but as eldest sons (Monmouth) and younger brothers (James).²²

Given that principles of primogeniture could support either Monmouth's or James's claims to the throne,²³ Locke criticizes the idea of primogeniture as a foundation for political authority. Though 'the Eldest Son ... is by the Law of *England* to have all his Fathers Land,' there is no scriptural evidence, he argues, to support the claim that "God ever appointed any such *Heir of the World*" (I, §37). Locke thus decouples questions of political power from property inheritance, but he goes on in Chapter Nine to attack the whole institution of primogeniture itself, claiming that this way of organizing property rights lacks any natural or divine justification. "In Countries where their particular Municipal Laws give the whole Possession of Land entirely to the First Born, and Descent of Power has gone so to Men by this Custom, some have been apt to be deceived into an Opinion, that there was a Natural or Divine Right of Primogeniture, to both *Estate* and *Power*" (I, §91). Given his project of defending a controversial theory of popular sovereignty, why would Locke risk alienating his readers by attacking a contentious institution of property inheritance that, as Locke himself suggests, seems to bear no relevance for determining the right of sovereign power?

In 17th century England, there circulated a vehement literature that critiqued primogeniture for depriving younger brothers of property and making them dependent on the eldest son.²⁴ According to Joan Thirsk, many contemporaries believed that post-Restoration political unrest "was much aggravated by the resentment of the gentry's younger sons," and by the late 1660s Parliament debated the topic of disinheritance via primogeniture.²⁵ Reading Locke's passages on primogeniture in the

²² A couple days before an Exclusion Bill was introduced in Parliament on 26 March 1681, Shaftsbury announced that he had received an anonymous letter arguing that the king would not have to alter the line of succession if he were to declare the Duke of Monmouth legitimate. See, Tim Harris, "Cooper, Anthony Ashley, first earl of Shaftesbury," in *Oxford Dictionary of National Biography* (2021), [accessed April 2023]: <https://doi.org/10.1093/ref:odnb/6208>

²³ For Tory and Whig usage of primogeniture rights, see Rachel Weil, *Political Passions: Gender, the Family, and Political Argument in England, 1680–1714* (Manchester, 1999), 37-43.

²⁴ Zouheir Jamoussi, *Primogeniture and Entail in England: A Survey of their History and Representation in Literature*, (Tunis, 1999).

²⁵ Joan Thirsk, "Younger Sons in the Seventeenth Century," *History* 54 (1969): 358–77, quote is from page 373.

context of these property struggles among the gentry suggests that Locke understood these issues of power and property to be a problem of fraternal relation. According to Locke, God established “no Privilege of his [Adam’s] *Heir* above his other Children, which could exclude them from an equal Right to the use of the Inferior Creatures, for the comfortable preservation of their Beings, which is all the *Property* Man hath in them” (I, §87). Self-preservation demands the ability to appropriate the natural earth, but primogeniture enables the eldest son to dispossess his younger brother’s natural right “to the use of those things, which were serviceable for his Subsistence, and given him as the means of his Preservation” (I, §86). Locke’s discussion on inheritance in the *First Treatise*’s penultimate chapter thus reframes the symbolic problem-space of sovereignty: relations of power no longer revolve, as they did for Filmer and the early chapters of the *First Treatise*, around fathers and sons but rather around brothers.

Locke’s discussion on primogeniture reveals that, despite whatever asymmetries of power the law or custom may create between brothers, fraternity or brotherhood itself must symbolize an originary relation of equality if it is to serve as an alternative figure for symbolizing political relations between men. Locke must therefore rewrite the patriarchal understanding of brotherhood, which is structured hierarchically according to the property law of primogeniture. Debates on the extent to which Locke challenged the hierarchical vision of the patriarchal family often center around the question of women’s equality and conceive of equality as a pre-given ideal to which the question is posed, are women included?²⁶ Yet, as Torrey Shanks shows, neither Locke nor we can make sense of equality without the use of rhetorical tropes in and through which to comprehend and make sense of

²⁶ Waldron, *God, Locke and Equality*, 22-37 is the most extensive defense of Lockean equality to date. Highlighting Locke’s foundational theology, Waldron argues that in Locke’s account both women and men are created in the image of God and thus are endowed with reason, which is a necessary criterion of Lockean equality. Waldron’s argument rests on the assumption that since God created both Adam and Eve in His image, he must have created them equally in His image. Yet, Locke does not make this additional claim nor is it clear whether he believed women were “created . . . in *full* possession of their Strength and Reason” like Adam since this difference ultimately justifies women’s marital subordination (II, §56, emphasis added). As Maryanne Horowitz, “The Image of God in Man – is Woman Included?” *Harvard Theological Review* 72 (1979): 175–206 shows, various Christian writers argued that women were made in the image of God and were also subordinate to men. Contra Waldron, then, Locke’s claim that women share in the *Imago Dei* does not necessarily mean that they were created *equally* in God’s image.

abstract ideas.²⁷ As such, the question is not whether women are or are not included in a prior and known ideal of equality, but rather, how do they become part of the symbolic apparatus that makes such an ideal intelligible in the first place and that renders their inclusion or exclusion even thinkable.

According to Shanks, Locke turns to the biblical figure of Eve and her role in the family to undercut Filmer's claims of Adam's patriarchalism.²⁸ Yet, as Shanks argues, Locke's use of Eve for largely critical and deconstructive purposes means that neither she nor women in general serve as positive alternative figurations of political authority in Locke's account.²⁹ Though Locke seems to abandon Eve as a symbolic resource shortly after using her for his critique, gender nonetheless remains central for Locke's refiguration of political rule. While readers attentive to Locke's gendered tropes often focus on his comments on Eve's subjection to Adam in Genesis 3:16 ('And thy desire shall be to thy Husband, and he should rule over thee'), they have altogether overlooked a key point of comparison in Locke's response to Filmer's use of Genesis 4:7 ('his desire shall be Subject unto thee, and though shalt Rule over him') to justify primogeniture claims to political power. Given the similarity of the two passages, disambiguating Locke's remarks will reveal how he differentially makes use of gender and the family to symbolize and make sense of relations of equality.

In the final (available) chapter of the *First Treatise*, Locke argues that Genesis 4:7 is too ambiguous to ground political power. "It is too much to build a Doctrine of so mighty consequent [i.e. sovereign authority] upon so doubtful and obscure a place of Scripture, which may be well, nay better, understood in a quite different Sense" (I, §112). That the passage allows for multiple interpretations and that this multiplicity cannot secure a basis for political authority parallels Locke's response to Eve's subjection. "*Thy desire shall be to thy Husband*," he writes, "is too doubtful an expression, of whose

²⁷ "Rhetoric moves the passions through vivid images and ingenious similarities where formless, abstract ideas and distant notions of the good cannot. The power of symbols and figural language was an essential means by which to make that which is absent feel present, and the distant and ineffable, accessible." Shanks, *Authority Figures*, 49.

²⁸ Shanks, *Authority Figures*, 75-77.

²⁹ "Locke's use of Eve as the missing mother does not secure a place for women as figures of political authority (1.48), but it has the effect of locating absence at the heart of the Fatherhood." Shanks, *Authority Figures*, 78.

signification Interpreters are not agreed, to build so confidently on [a matter of such] great and general Concernment” (I, §49). Despite this initial similarity, Locke’s readings of the two passages quickly part ways. If God’s commands in Genesis 4:7 were meant as a “Grant of Dominion to Elder Brothers in general as such, by Right of Inheritance, we might expect it should have included all his Brethren” (I, §112). But scripture does not include any other brothers, Locke argues, and so the command cannot be about elder brothers in general but only about Cain and Abel.

In Eve’s case, however, Locke equivocates. “If we will take [the commands] as they were directed to her, or in her, as their representative to all other Women, they will at most concern the Female Sex only” (I, §47). While the if-clause raises the possibility that Locke is making a conjectural argument, his response nonetheless suggests that relations of natural equality underpinning political rule only concern men. That is, even if Filmer is right that Eve represents all women, her subjection cannot ground political authority because it “concern[s] the Female Sex only.” Locke does not even entertain the idea that Abel may represent the subordination of all younger brothers. In contrast to marital matters, then, it appears that a theologically sanctioned subordination between brothers would prove too detrimental to Locke’s theory of natural equality.

Locke’s final comments go on to concern the different possible sources of inequality in fraternal and conjugal relations.

Whatever was meant by [the commands], it could not be, that *Cain* as Elder, had a natural dominion over *Abel*; for the words are conditional: *If thou dost well* and so personal to *Cain*, and whatever was signified by them, did depend on his Carriage and not follow his Birth-right, and therefore could by no means be an Establishment of the Dominion in the First-born in general (I, §112)

Cain’s power over Abel depends on Cain following God’s laws. Only if Cain ‘*dost well*’ would Abel be subject unto him. In contrast, Adam’s power is not conditional on his performance of his conjugal duties; rather, it has “a Foundation in Nature” (I, §47). As evidence, Locke claims that “the Laws of Mankind and customs of Nations have ordered it so” (I, §82). Despite acknowledging that

primogeniture also exists in law and custom (I, §91), Locke does not suggest that the institution has a foundation in nature. In contrast to the relations between the spouses, Locke refuses to suggest the possibility of a natural foundation of hierarchy between brothers.

Whatever the case may be regarding Locke's inconsistencies concerning conjugal equality, he displays great effort to ensure that fraternity is a relation of natural equality. Locke's discourse of the natural operates as the taken-for-granted ontological ground upon which different configurations of politics are understood to be possible. Locke employs the rhetoric of fraternity to construct an alternative framework for reconceptualizing natural relations between men and for making their equality thinkable in the first place. Fraternity thus serves as the 'natural' symbolic universe in and through which Locke provides the conditions of possibility for political relations of equality between men. Yet, as I will show, these relations of natural equality do not in and of themselves generate political ties that bind men together. According to Locke, this requires an affective structure of feeling that must be inculcated, embodied, and felt as a relation of *political* equality, albeit one that is necessarily grounded on and made possible by man's *natural* equality.

As the final chapter nears its (abrupt) ending, Locke goes on to explicitly name brotherhood as an alternative political order.

For it is still to be remember'd, that the great Question is ... what Persons have a Right to be obeyed, and not whether there be a Power in the World, which is to be called *Paternal*, without knowing in whom it resides: for so it be a Power, *i.e.* Right to Govern, it matters not, whether it be termed *Paternal*, or *Regal*, *Natural*, or *acquired*; whether you call it *Supreme Fatherhood*, or *Supreme Brotherhood*, will be all one, provided we know who has it (I, §122).

Notwithstanding his dismissal of nominalism, Locke's oppositional pairings in this passage are illuminating for his overall project. Against Filmer's confusion of "*Paternal*" for "*Regal*" government, Locke will claim that "these two Powers, *Political* and *Paternal*, are so perfectly distinct and separate" (II, §71). Against the supposed "*natural[ness]*" of absolute government, he will argue that the right to govern is "*acquired*" by consent. And finally, against Filmer's argument for sovereignty as "*Supreme Fatherhood*,"

Locke proposes what he calls “*Supreme Brotherhood*.” By refocusing debates on sovereignty away from fathers and sons and towards brothers, the narrative structure of the *First Treatise* establishes the symbolic primacy of this political brotherhood, and it concludes with an outline of the implications of Locke’s argument. Without a divine sanction for patriarchal kingship, he writes that political authority can only depend “on the Will of Man: and so where Human Institution gives it not, the First-born has no right at all above his Brethren; and Men may put Government in what hands, and under what form, they please’ (I, §140). Foreshadowing the theory of the social contract presented in the *Second Treatise*, Locke turns to the rhetoric of fraternity to argue that government can only be an artificial creation of free and equal brethren.

In response to the growing absolutism of father-kings in the 17th century, Locke’s social contract puts forward new symbolic figures to reimagine the organization of political life.³⁰ Turning away from father-son relations and towards brotherhood, the narrative structure of the *First Treatise* sets up fraternity as a new symbolic figuration of sovereignty and its political relations of rule. As the influential Richard Hooker put it, “Indeed the king is a brother; but such a brother as unto whom all the rest of the brethren are subject.”³¹ Refigured as a brother, the monarch was no longer *naturally* superior to his subjects. Any asymmetries of political power were therefore artificial, and so required both justification and consent. Locke’s *First Treatise* thus employs figures of fraternity to displace the taken-for-granted nature of patriarchal power and generate a different starting point from which to theorize relations of rule. Fraternity gives new shape to the formless and abstract idea of equality, making vivid and sensible an idea that was otherwise intangible and unintelligible in the hierarchical society of 17th century England. As such, fraternity provides readers with a concrete affective figure

³⁰ On the social contract as “an imaginative device that can be used to illuminate the past and aid us in ‘remembering’ our free origins,” see Linda Zerilli, “‘Philosophy’s Gaudy Dress’: Rhetoric and Fantasy in the Lockean Social Contract’ in *Feminist Interpretations of John Locke*, ed. Nancy Hirschmann and Kristie McClure (Pennsylvania, 2007), 297–318, quote is from page 316.

³¹ Richard Hooker, *The Works of that Learned and Judicious Divine, Mr. Richard Hooker*, vol II. (Clarendon Press, 1865), 575.

through which make to make sense of, think through, and newly analyze problems of authority and power between men.

II. Friendship, Love and Charity in the State of Nature

At the start of the *Second Treatise*, Locke begins to devise a theory of politics founded on men's natural equality and their corresponding duties.³² According to Richard Tuck and James Tully, Locke's theory marks a significant development in 17th century natural law thinking by extending the duty of self-preservation to others.³³ Many scholars argue that Locke bridges obligations of self-preservation to others by attending to what is called Locke's workmanship argument, the idea that humans are God's property and must preserve themselves accordingly.³⁴ Yet, interpreters have not properly grappled with the affective problems of motivation that move individuals to fulfill their obligations and preserve others as themselves.³⁵ In this section, I highlight Locke's rhetoric of fraternal love and show how he uses it to respond to conceptual issues poised by the problem of bridging obligations of self-preservation to others.

The *Second Treatise* begins with a description of natural equality upon which Locke establishes the natural duties of preservation. The state of nature is, he writes,

A *State also of Equality* wherein all the Power and Jurisdiction is reciprocal, no one having more than another: there being nothing more evident, than that Creatures of the same species and rank promiscuously born to all the same advantages of Nature and the use of the same faculties, should also be equal one amongst another without Subordination or Subjection, unless the Lord and Master of them all, should by any manifest Declaration of his Will set one above another, and confer on him ... an undoubted Right to Dominion and Sovereignty (§4).

³² Unless otherwise indicated, the following citations are from the second rather than first treatise.

³³ Richard Tuck, *Natural Rights Theories: Their Origin and Development* (University of Cambridge, 1979), 58-81; Tully, *An Approach to Political Philosophy*, 26. On medieval natural rights theories of self-preservation, see Brian Tierney, *The Idea of Natural Rights: Studies on Natural, Natural Law, and Church Law 1150-1625*, (Cambridge, 1997), 322.

³⁴ For a discussion of the workmanship model, see A. John Simmons, *The Lockean Theory of Rights* (Princeton, 1994), 256-262.

³⁵ On Locke's ongoing focus in his final years with the problem of the problem of men's motivation to perform their duties, see Marshall, *John Locke*, 295-6.

According to Locke, all members of the same species are naturally equal unless declared otherwise by God, and he locates this creaturely equality in the “use” that all members of the same species have of the “same faculties.” As critics have noted, the relevant faculty that establishes this categorical sameness for Locke is rationality.³⁶ Being made in God’s “*own Image after his own Likeness*,” man is made “an intellectual Creature” able to grasp God’s natural laws (I §30). On this basis, Locke goes on to ground the natural duty of self-preservation. Reason allows men to understand that they are God’s “property, whose workmanship they are made to last during His, not one another’s pleasure;” as such, Locke argues, natural law declares that every man is “*bound to preserve himself*” as the work of God (§6). Having presented the duty for self-preservation based on being God’s workmanship, Locke then writes that “by the like reason when his own Preservation comes not in competition, ought he, as much as he can, *to preserve the rest of Mankind*” (§6). Locke thus innovates natural law thinking by arguing that the duty to preserve others is not independent of the duty to preserve oneself.³⁷

According to Locke, men are obligated to preserve others “by the like reason” they must preserve themselves, but what exactly is the “like reason” that connects self- to other-preservation? Locke provides two mutually supporting reasons in II, §6 for bridging these obligations. First, rationality enables humans to understand they are “All the Servants of one Sovereign Master, sent into the World by his order and about his business.” While servitude establishes a likeness between men, it does not explain why men should preserve others as themselves so much as obligate them to do what God commands. Locke claims that reason enables men to understand that they are also God’s “Property,” and so recognizing others to also be God’s property would entail an

³⁶ Locke understands that humans are not identical, and so equality is a relational question of dominion over those beings belonging to the same species (II, §54). As both McClure and Waldron argue, creatures that share in the ability to know God’s law of nature are part of the same species and thus equal. McClure, *Judging Rights*, 27-51; Waldron, *God, Locke and Equality*, 44-82.

³⁷ As John Kilcullen, “Locke on Political Obligation,” *The Review of Politics* 45 (1983): 1–22 argues, this “like reason” means that self-preservation does not automatically take precedence over other-preservation.

obligation to preserve others like oneself. The combined ideas of property and servitude thus account for men's duties to themselves and others as servantly duties to care for God's worldly creations.³⁸

While scholars often point to the workmanship argument to explain how Locke bridges the obligations of self-preservation to others, the problem with this account is, as John Simmons argues, that men do not have duties to others so much as to God. Other people "exert no direct 'ethical pull' on us. Others are to be respected not so much for themselves, but for their status as God's property and parts of his plan."³⁹ By turning to Locke's rhetoric of fraternity, we can better account for this "pull" where men feel themselves affectively moved to preserve others as they do themselves. In the paragraph before the workmanship argument, Locke provides an alternative explanation for the motivation to fulfil one's natural law duties. "This *equality* of Men by Nature," he writes citing Richard Hooker, is "the Foundation of that Obligation to mutual love amongst Men, on which he [Hooker] Builds the Duties they owe one another, from whence he derives the great Maxims of *Justice* and *Charity*" (II, §5). Locke identifies love and not property or servitude as the compelling force that grounds men's obligations to mutual preservation.⁴⁰ To understand exactly how love alters Locke's argument, we must further unpack his claim that the "great Maxims of *Justice* and *Charity*" proceed from men's natural equality via the obligations of mutual love.

In defence of the claim that equality leads to the maxims of justice and charity, Locke quotes the following passage from Hooker, which is the longest citation in the *Two Treatises*:

The like natural inducement, hath brought Men to know that it is no less their Duty, to Love others than themselves, for seeing those things which are equal, must needs all have one measure; If I cannot but wish to receive good, even as much at every Man's hands, as any Man can wish unto his own Soul, how should I look to have any part of my desire herein satisfied, unless my self be careful to satisfie the like desire, which is undoubtedly in

³⁸ On the relationship between positive duties to preserve others and negative duties not to harm them, see Simmons, *Lockean Theory of Rights*, 336-52.

³⁹ Simmons, *The Lockean Theory of Rights*, 97.

⁴⁰ Although Martel, *Love is a Sweet Chain*, 36 notes the importance of love for Locke's argument, he ultimately falls back on the workmanship argument and does not underscore the role of fraternity Locke's conception of love.

Other Men, being of one and the same nature? To have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me, so that if I do harm, I must look to suffer there being no reason that others should shew greater measure of love to me, than they have by me shewed unto them; my desire therefore to be lov'd of my equals in nature, as much as possible may be, imposeth upon me a natural Duty of bearing to themward, fully the like affection; From which relation of equality between our selves and them, that are as our selves, what several Rules and Canons, natural reason hath drawn for direction of Life, no Man is ignorant (II, §5, emphasis removed).

Locke cites this passage to show the logical progression from natural equality to obligations of mutual love and then to the obligation to self- and other-preservation, out of which he derives the maxims of justice and charity. Yet, the words “justice” and “charity” do not appear. To understand Locke’s line of reasoning, then, we must reconstruct these basic maxims and see how they follow from the cited passage. Doing so will illuminate how Locke mobilizes the discourse of fraternal love to make sense of and motivate the obligations of mutual preservation deriving from equality.

The words “justice” and “charity” first appear also paired together in a discussion on the limitations of property accumulation in the *First Treatise*.

‘twould always be a Sin in any Man of Estate, to let his Brother perish for want of affording him Relief out of his plenty. As *Justice* gives every Man a Title to the product of his honest Industry, and the fair Acquisitions of his Ancestors descended to him; so *Charity* gives every man a Title to so much out of another’s Plenty, as will keep him from extream want, where he has no means to subsist otherwise; and a Man can no more justly make use of another’s necessity, to force him to become his Vassal, by with-holding that relief, God requires him to afford to the wants of his Brother, than he that has more strength can seize upon a weaker, master him to his Obedience, and with a Dagger at his Throat offer him Death or Slavery (I, §42).

Justice names the relationship between men and the fair acquisition of property, whereby every man has a title to the products of his honest labor or inheritance. In contrast, charity names the relationship between men and *other* men’s property, whereby men have a “Titel to so much out of another’s Plenty” in cases of “extream want.” While scholars have explored how charity sets limits to property rights and frames the boundaries of justice in Locke’s work,⁴¹ the language of fraternity Locke employs has largely

⁴¹ John Dunn, ‘Justice and Interpretation of Locke’s Political Theory’, *Political Studies* 16 (1968): 68–87; James Tully, *Discourse on Property: John Locke and his Adversaries* (Cambridge, 1980), 131-45; Simmons, *The Lockean Theory of Rights*, 307-52; John Winfrey (1981). ‘Charity versus Justice in Locke’s Theory of Property’, *Journal of the History of Ideas* 42, pp. 423–38.; Steven Forde, “The Charitable John Locke,”

gone unremarked. Charity means that a man cannot justly withhold his property and let his “Brother perish” because “God requires him to afford to the wants of his Brother.” While charity concerns relations between brothers, Locke’s argument in II, §5 cited above lacks these symbolic figures and uses the rhetoric of ‘love’ and ‘equality’ instead. How then does Locke understand the maxims of charity and justice in II, §5 to emerge out of men’s natural equality and what do these maxims have to do with these figures of fraternity?

Despite the prevalence of the word “justice” in the *Two Treatises*, “charity” only appears three times, two of which have already been quoted.⁴² I suggest that this textual absence of “charity” does not indicate its ideational absence but rather the extent to which Locke took for granted its importance. “No man can be a Christian without charity,” Locke writes in *A Letter Concerning Toleration*.⁴³ In early modern England, charity was widely held to be the highest religious principle.⁴⁴ To understand the relationship between love, charity, and equality in Locke’s work, it is worthwhile to momentarily explore Thomas Aquinas’s ideas on charity given that, as many commentators note, Locke’s conception of charity is deeply Thomistic.⁴⁵ The first question Aquinas asks in *Summa Theologiae* on the nature of charity is “Whether charity is friendship?” and he answers affirmatively, ‘*caritas est amicitia*’.

Now there is a sharing of man with God by his sharing his happiness with us, and it is on this that a friendship is based. St Paul refers to it, *God is faithful by whom you were called into the fellowship of his son*. Now the love which is based on this sort of fellowship is charity. Accordingly it is clear that charity is a friendship of man and God.⁴⁶

The Review of Politics 71 (2009): 428–458. As various interpreters note, the principle of charity is not supererogatory for Locke. Gopal Sreenivasan, *The Limits of Lockean Rights in Property* (Oxford, 1995), 102-4; Robert Lamb and Benjamin Thompson, “The Meaning of Charity in Locke’s Political Thought,” *European Journal of Political Theory* 8 (2009): 229–252. Waldron, *God, Locke and Equality*, 180-81.

⁴² The passages are I, §42; II §5; II, §93.

⁴³ John Locke, *Epistola de Tolerantia – A Letter on Toleration*, ed. Raymond Klibansky and trans. J. W. Gough, (Oxford, 1968), 59. Elsewhere, Locke writes that “unity, love, and charity, [are] the first great characteristic duties of Christianity.” Quoted in Peter King, *The Life of John Locke: With Extracts from His Correspondence*, Vol. 2 (London: Henry Colburn and Richard Bentley, 1830), 66.

⁴⁴ See, for instance, Zachary Craddock, *Charity: The Great End and Design of Christianity; in a Sermon Preach’d at Eaton* (London: 1706), a sermon published by order of King Charles II. On the historical practice of charity, see Judith Bennet, “Conviviality and Charity in Medieval and Early Modern England,” *Past & Present*, 134 (1992): 19-41; Marjorie K. McIntosh, “Poverty, Charity, and Coercion in Elizabethan England,” *The Journal of Interdisciplinary History*, 35, 3 (2005): 457-479.

⁴⁵ Tully, *Discourse on Property*, 64-5; Simmons, *The Lockean Theory of Rights*, 328; Jeremy Waldron, “Enough and As Good Left for Others,” *Philosophical Quarterly* 29 (1979), 327; Forde, “The Charitable John Locke”

⁴⁶ Thomas Aquinas, *Summa Theologiae*, trans. Fathers of the English Dominican Province (Cambridge, 1975), II-II, 23.1

According to Aquinas, the happiness felt in friendship with God's sons is the happiness that man experiences in relationship with God. The love of God is therefore manifest in the love of friendship shared with other men, and this love is, according to Aquinas, charity. In other words, charity is the expression of one's love of God in and through the love of one's friends.⁴⁷ Central to Aquinas's writing on charitable love is an idea of a likeness shared between friends. "*Thou shalt love thy friend as thyself*," Aquinas writes, "But we love a friend out of charity. Therefore, we must love ourselves also out of charity."⁴⁸ The charitable love of friendship emerges from a similitude shared between friends, whereby love of self and other are indistinguishable. As Aquinas explains, "our friendship for others consists precisely in the fact that our attitude to them is the same as to ourselves."⁴⁹ At the root then of a love of self that is always already a love of one's friends is a shared likeness that makes possible the mimetic love of charity-*qua*-friendship.⁵⁰

Aquinas's account of charity extends a Greco-Roman tradition of friendship indebted to Aristotle and Cicero in which the mutual affections of friendship turn on a likeness between friends.⁵¹ As Cicero puts it in *De Amicitia*, "In the face of a true friend a man sees as it were a second self."⁵² Concerned with the limited nature of *amicitia*, Christian theologians such as Aquinas advocated for a more expansive sense of love denoted by the term *agape*, which Latin Christians translated as *caritas* ('charity').⁵³ According to this alternate conception of love, one does not love the friend for his own sake but rather for the sake of God. The idea of *caritas* retained Greco-Roman conceptions of similitude

⁴⁷ See Jeanne Schindler, 'A Companionship of *Caritas*: Friendship in St. Thomas Aquinas' in *Friendship, Justice, and Political Life*, eds. John von Heyking and Richard Avramenko (Notre Dame, 2008), 139-162.

⁴⁸ Aquinas, *Summa Theologiae*, II-II, 25.4. On Cicero's influence on Aquinas, see Adam Seagrave, "Cicero, Aquinas, and Contemporary Issues in Natural Law Theory," *The Review of Metaphysics* 62 (2009): 491-523.

⁴⁹ Aquinas, *Summa Theologiae*, II-II, 25.4.

⁵⁰ For an excellent account of Aquinas's theory of friendship, see Daniel Schwartz, *Aquinas on Friendship* (Oxford, 2007).

⁵¹ According to Aristotle, the virtuous man "is related to his friend as to himself (for his friend is another self)," where "the extreme of friendship is likened to one's love for oneself." Aristotle, *The Nicomachean Ethics*, trans. David Ross (Oxford, 2009), IX, 1166b30.

Though friendship among the virtuous is the highest form of friendship, Aristotle outlines other kinds of friendship. See John M. Cooper, "Aristotle on the Forms of Friendship," *Review of Metaphysics* 30 (1977): 619-48.

⁵² Cicero, *On Friendship* (Harvard University Press, 1909), 7.22. See, M. R. Wright, "Cicero on Self-Love and Love of Humanity in *De Finibus*" in *Cicero the Philosopher*, ed. J. G. P. Powell (Oxford, 1999), 171-95.

⁵³ On the Christianisation of Greco-Roman conceptions of friendship, see Mews and Chiavolari, "The Latin West," pp. 73-95. James and Kent, "Renaissance Friendships," 128-31.

between friends while including a wider community of Christians united in their shared love of God. To elucidate this more expansive bond, Christian writers often employed the metaphor of fraternity to signify the mutual bonds of love in and through which men pledged their love to the divine Father.⁵⁴ In 17th century England, the word ‘brother’ could describe not just male kin related by blood but also family members and intimate non-kin friends who were bound together through their love of God.⁵⁵ Within the symbolic imaginary of the Christian family, then, theological relations of kinship often took priority over the biological.

Consistent with these linguistic overlaps, Locke uses the language of brotherhood, charity, and friendship interchangeably. In his earlier *Two Tracts on Government* (1660), Locke describes what he calls “the fraternal law, or the law of charity,” by which “things indifferent and altogether lawful should be refrained from if there is any fear that a brother may be offended by that liberty.”⁵⁶ In the *First Treatise*, he writes that Abraham and Lot “liv’d as Friends and Equals” and were known as “*Brother[s]*” even though Lot ‘were really but [Abraham’s] Nephew’ (I, §135). In employing the term ‘brother’ to name the friendship and equality existing between an uncle and nephew, Locke scrambles restrictive understandings of blood brotherhood and expands the idea of fraternity beyond biological relations of consanguinity. Locke’s renaming of Abraham and Lot as brothers reveals the symbolic horizon of equality to which he believes vertical relations between men, whether uncles and nephews or fathers and sons, should ultimately aspire. In *Some Thoughts Concerning Education*, Locke turns to the figure of friendship to outline just such a transformative goal of education.⁵⁷ “If you would have him [the child] stand in awe of you, imprint it in his Infancy; and, as he approaches more to a Man, admit him nearer

⁵⁴ David Konstan (1996). ‘Problems in the History of Christian Friendship’, *Journal of Early Christian Studies* 4, pp. 87–113; James and Kent, “Renaissance Friendships,” 140-43.

⁵⁵ Naomi Tadmor, *Family and Friends in Eighteenth-Century England* (Cambridge, 2001). David Garrioch, ‘From Christian Friendship to Secular Sentimentality’ in *Friendship: A History*, ed. Barbara Caine (London, 2009); Alan Bray, *The Friend* (Chicago, 2003).

⁵⁶ Locke, *Two Tracts on Governemnt*, ed. P. Abrams (Cambridge University Press, 1967), 222. In a 1666/7 draft of a sermon in Locke’s manuscripts, he similarly writes that charity “makes every man a neighbour, a neighbour a brother a brother neer as one’s self.” Quoted in John Marshall, *John Locke: Resistance, Religion, and Responsibility*, 121.

⁵⁷ On the influence of *Some Thoughts Concerning Education* for promoting new ideas of sentimental pedagogy and filial freedom, see Jay Fliegelman, *Prodigals and Pilgrims: The American revolution against patriarchy authority, 1750-1800*.

to your Familiarity. So shall you have him your Obedient Subject (as is fit) whilst he is a Child, and your affectionate Friend when he is a Man.”⁵⁸ Although a patriarchal relation of hierarchy initially exists between fathers and sons, Locke argues that when a son acquires reason and exits his state of obedience, he should no longer be his father’s subject and instead become his “affectionate Friend.” According to Locke, education should transform an initial relationship of submission between fathers and sons into “Love and Friendship in riper years,” as if the two men were now brothers.⁵⁹

That Locke uses the figure of friendship to describe an egalitarian relationship that should exist between fathers and mature sons suggests why Locke recommends Cicero’s *De Officiis* to alongside the bible to teach young boys ethical conduct.⁶⁰ “I know not whether he should read any other Discourses of Morality, but what he finds in the Bible; or have any System of *Ethicks* put into his Hands, till he can read *Tully’s Offices*, not as a School-Boy to learn *Latin*, but as one that would be informed in the Principles and Precepts of Vertue, for the Conduct of his Life.”⁶¹ Like in *De Amicitia*, Cicero’s *De Officiis* repeats the Aristotelean dictum that “friendship forged between good men of like character” means that friends “become one.”⁶² Locke draws on this logic of likeness to explain the kind of love and affect that should organize the egalitarian relations between parents and children. Rather than “look upon their Parents as their Lords,” grown children “should look on them as their best, as their only sure Friends; and as such, love and reverence them. We must look upon our Children, when grown up, to be like our selves; with the same Passions, the same Desires.”⁶³ This importance of understanding and cultivating relations of likeness is likewise evident in Locke’s scriptural recommendations. The “parts of the Scripture which may be proper to be put into the hands of a child,” Locke explains, “are the story of

⁵⁸ Locke, *Some Thoughts Concerning Education*, §40, emphasis added.

⁵⁹ Locke, *Some Thoughts Concerning Education*, §42.

⁶⁰ On Cicero’s influence on Locke, see Marshall, *John Locke*, 299-315; Neal Wood, *The Politics of Locke’s Philosophy: A Social Study of an Essay Concerning Human Understanding* (Berkeley: University of California Press, 1983), 29-30; Kelly, *The Propriety of Liberty*, 43. According to John Harrison and Peter Laslett, *The Library of John Locke* (Oxford, 1965), 108-9, Locke owned 28 different editions of Cicero’s works.

⁶¹ John Locke, *Some Thoughts Concerning Education*, ed. John W. Yolton and Jean S. Yolton (Oxford, 1989), §186.

⁶² Cicero *On Obligations*, trans. P. G. Walsh (Oxford, 2000), 1.55-56.

⁶³ Locke, *Some Thoughts Concerning Education*, §41, emphasis added

Joseph and his brethren, of David and Goliath, of David and Jonathan, &c., and others.” Locke singles out these fraternal stories as narrative lessons that can teach children the moral rule “What you would have others do unto you, do you the same unto them.”⁶⁴ Locke’s pedagogical curriculum of Roman and biblical texts thus aims to instill moral ideas of similitude in children with a goal of transforming them into their parent’s friends, where both share the same passions and desires.

This notion of similitude connecting classical and contemporary theories of friendship provides Locke with the mechanism to bridge obligations of self-preservation to others and innovate the natural law tradition.⁶⁵ With this elaboration of the historical constellation between the concepts of charity, friendship, and fraternity, we can now better understand how Locke, citing a lengthy passage from Hooker, believes that men’s natural equality grounds their obligations of mutual love and ultimately provides them with ‘like reason’ to preserve others as they must themselves. According to Locke, all rational creatures are created in the same image of God, and just as they share in the same *Imago Dei*, so too do they share in the same basic desires. As the Hooker citation reads, “how should I look to have any part of my desire herein satisfied unless my self be careful to satisfie the like desire, which is undoubtedly in Other Men, being of one and the same nature” (II, §5). Being of the same nature, men’s likeness means not only that others love themselves as I do, but that the *self* of their *self*-love is the same type of self that I am and love. Normatively speaking, then, given that I am obligated to love myself as God’s creation, and that others are the same kind of creation that I am, I therefore have a “natural Duty of bearing to themward, fully the like affection” that I bear toward myself (II, §5).⁶⁶ In other words, just as I must love and preserve myself as God’s creation, by the like reason must I love and preserve others who are the same creation as I am.

⁶⁴ Locke, *Some Thoughts Concerning Education*, §159.

⁶⁵ On notions of similitude and the logic of equality in early modern English writing on friendship, see Jeffrey Masten, *Textual Intercourse: Collaboration, Authorship, and Sexualities in Renaissance Drama* (1997), 28-32; Laurie Shannon. *Sovereignty Amity: Figures of Friendship in Shakespearean Contexts* (University of Chicago Press, 2002).

⁶⁶ That Locke links the obligation of mutual love to mutual preservation suggests that there exists a prior connection between an obligation to self-preservation and an obligation to self-love. The idea seems to be that, just as men must preserve themselves as God’s

From this argument Locke derives the maxims of charity and justice that at first seemed absent in the Hooker citation. Having an obligation to love and preserve himself as God's creation, every man must have the right to appropriate property to sustain himself, which is, as we have seen, the maxim of justice. Given the likeness shared between God's creations, charitable love obliges each man to love his brothers as himself, and thus to preserve others as himself, "since it would always be a sin, in any man of estate, to let his brother perish" (I, §42). Failing this obligation, any brother has a right to expropriate the resources necessary to survive.⁶⁷ As such, the maxim of charity not only obliges every man "to afford to the wants of his Brother" but also provides "every man a Title to so much out of another's Plenty, as will keep him from extream want" (I, §42). In contrast to Hooker, however, Locke believes that men are to accept scripture by reasoned evaluation rather by revelation or God's grace.⁶⁸ Consequently, Locke employs the affective figures of fraternity and friendship to persuade his readers of the rational basis of the Christian duties of charity and justice.

The argument leading to the maxims of justice and charity illuminates how Locke bridges obligations of self-preservation to the preservation of others. As in the workmanship argument, Locke uses the idea that men are God's creation to explain the obligation to self-preservation. Unlike the workmanship argument, Locke does not conceive of humans as God's strict material property. Rather, they are God's work in the sense of being His children: God "is *King* because he is indeed Maker of us all, which no Parents can pretend to be of their children" (I, §53). As a child of God, a man must love himself as God's creation and so preserve himself. Understanding that other men are also God's children, the obligation to preserve himself as God's son extends to an obligation to preserve all God's sons, that is, to all his brothers. Critical of Hooker and a certain tradition of Calvinism that believed it

creation, so too must they love themselves as God's creation. Aquinas, *Summa Theologiae*, II-II, 25.4 uses this kind of reasoning to explain the obligation for self-love.

⁶⁷ On Locke's defense of expropriation, see Waldron, *God, Locke and Equality*, 185.

⁶⁸ Martel, *Love is a Sweet Chain*, 34-37; Marshall, *John Locke*, 128-9, 146.

was the duty of the elect to remodel the world, Locke puts forward a more democratic interpretation of men's obligations to others.⁶⁹ It was no longer only the elect but all rational men who must serve God by preserving both themselves and their brothers.

Attention to Locke's familial discourse reveals the multiple meanings of what it means to be God's work, not just his material property but also his children. As with Locke's critique of patriarchy, his rhetoric of fraternity is rooted in relation to God the Father. Drawing from and expanding a Greco-Roman tradition of friendship, Locke employs the rhetoric of fraternity-*qua*-friendship to construct an alternative meaning of men's likeness. In so doing, Locke radically innovates natural law thinking, not only extending men's theological obligations for their self-preservation to others but also providing an account of the affective conditions that move men to preserve each other as their equals. In effect, the figure of fraternity opens the question of what men owe to each other as brothers. Redefined as a relation of egalitarian friendship, fraternity enables Locke to construct an alternative normative framework rooted in God's natural law which all men can rationally understand. Fraternity thus comes to describe the natural ties binding all rational men together as egalitarian friends and brothers. As Locke puts it in a letter to Anthony Collins in 1703, "Friendship levelling all inequalities between those whom it joins, that it may leave nothing that may keep them at a distance, and hinder a perfect union and enjoyment."⁷⁰

III. Locke's Origin Stories and the Breakdown of Brotherly Love

According to Locke, men must love other men as their brothers, which is simply to love others as themselves. Contrary to Hobbes's claim that society is naturally made up "not so much for love of our fellows, as for the love of our selves,"⁷¹ Locke argues that self-love does not oppose the love of

⁶⁹ On Locke's relationship to and critique of Calvinism, see Marshall, *John Locke*, 25-32, 119-154.

⁷⁰ Quoted in *A Collection of Several Pieces of Mr. John Locke, Never Before Printed, Or extant in his Works* (London: Printed by J. Bettenham for R. Francklin, at the Sun in Fleetstreet, 1720), 256.

⁷¹ Hobbes, *De Cive Or the Citizen* (New York: Appleton-Century-Crofts, 1949), 24.

others but enables men to feel themselves affectively drawn to preserve others in the same way they desire their own preservation. Yet, just a few paragraphs after citing Hooker, Locke writes that “Self-love will make Men partial to themselves and their Friends” (II, §13). Given that this partiality will ultimately force men to leave the state of nature and establish a political society, how do we square the conflict and violence that this partial self-love engenders with Locke’s positive discourse of charitable self-love and the fellowship it creates between brothers?

Interpreters have often understood Locke’s *Second Treatise* to offer two different stories about the move from the state of nature to political society.⁷² The first is a philosophical story presented in chapter two, which portrays free and equal men seemingly outside time consciously coming together to contract and form a political community. The second is an anthropological story, located in Chapters Five, Seven, and Eight, where political society gradually emerges over time and outside of the deliberate choice of its members. While often viewed as two separate accounts in tension with one another, I argue that Locke presents a single narrative account of the social contract’s emergence. I argue that the philosophical story of chapter two marks a specific event of crisis that concludes the historical arc of the anthropological narrative and triggers the transition to political society. Attention to the grammar of fraternal love reveals that the king of Locke’s political anthropology is not a father-figure as commonly supposed but a brother whose corruption has compelled other men to come together and institute a social contract to restrain their ruling brother’s abuse of power. Whereas “Hooker never, in fact, considers the case of the tyrant who acts to subvert the laws and acts against divine, natural, or

⁷² Discussions of a “moral” story that is in tension with an historical account can be found in Ashcraft, “Locke’s State of Nature: Historical Fact or Moral Ficton,” *American Political Science Review* 62, pp. 898-915. Gordon Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-Century England* (Oxford, 1975), 196, 259- 61; John Dunn *The Political Thought of John Locke: An Historical Account of the Argument of the Two Treatises of Government* (Cambridge, 1969), especially 102; A. John Simmons, ‘Locke’s State of Nature’, *Political Theory* 17 (1989): 449-70. Jeremy Waldron, “John Locke: Social Contract Versus Political Anthropology”, *The Review of Politics* 51, (1989): 3-28.

human law in persecuting his subjects,” Locke’s origin story present just such a case and shows how brothers resolve it.⁷³

Several commentators have downplayed the role of history in Locke’s work, with some going so far as to suggest that “historical evidence is irrelevant” because Locke’s reasoning “is an abstract logical derivation ... [akin to] the conclusions of a mathematical demonstration.”⁷⁴ In contrast, my analysis takes seriously Locke’s conjectural history. Rather than consider Locke’s anthropological story as secondary to the philosophical account, as simply its empirical instantiation, I argue that the historical narrative constructs the symbolic world in which his philosophical arguments not only become intelligible but are able to move men to reimagine their political relations. As McClure argues, what is at issue in the anthropological account “is perhaps less the logic of propositions than the artistry of persuasion, the marshalling less of a creed directed to cognition than of images aimed to engage the affects.”⁷⁵ The anthropological and philosophical narratives are neither opposing nor separate accounts but are often seen as such because modern readers have not fully appreciated the political problem of fraternal binding. To split the narratives and place the normative punch in the philosophical account obscures a key political problem that the *Two Treatises* sets out to resolve: in a world where patriarchal relations of domination are the norm, how do men not only come to understand themselves anew as free and equal subjects of a social contract but also as individuals bound together in egalitarian relations of solidarity?

In the second chapter of the *Second Treatise*, Locke describes a state of nature where every person has the “Power to Execute” natural law to restrain people from “invading others Rights, and

⁷³ Alexander Rosenthal, *Crown under Law: Richard Hooker, John Locke, and the Ascent of Modern Constitutionalism* (Lexington Books, 2008), 234.

⁷⁴ Grant, “Locke’s Political Anthropology and Lockean Individualism,” 51, 49. Even Dienstag, who recognizes the importance of Locke’s historical narrative, suggests that history is secondary to philosophical principles, as “it is the philosophy that supplies the vocabulary for [Lock’s historical] narrative.” Dienstag, *Dancing in Chains* (Stanford, 1997), 26. A notable exception is Richard Ashcraft, *Revolutionary Politics and Locke’s Two Treatises of Government* (Princeton, 1986), in particular 215-227, and Ashcraft, *Locke’s Two Treatises of Government* (New York: Routledge, 1987), 123-25.

⁷⁵ McClure, “Cato’s Retreat,” 331.

from doing hurt to one another” (§7). To substantiate what Locke admits may appear to be a “strange Doctrine” (§9), he turns to scripture.⁷⁶ He explains that men must have the power to destroy transgressors of the law of nature,

with whom Men can have no Society nor Security: And upon this is grounded the great Law of Nature, *Who so sheddeth Mans Blood, by Man shall his Blood be shed.* And *Cain* was so fully convinced, that every one had a Right to destroy such a Criminal, that after the Murther of his Brother, he cries out, *Every one that findeth me, shall slay me;* so plain was it writ in the Hearts of all Mankind (II, §11).

According to Locke’s political theology, Cain’s conviction that any man could kill him following the murder of his brother Abel provides evidence for the right that every man must execute natural law. Just as Locke grounds the obligations of mutual preservation on fraternal love, so too does he appeal to the original fratricide of the Old Testament to support his claim for a natural right to “destroy” those brothers with whom men can have no society.

That each man will enforce the law of nature according to his own private judgement raises a problem of partiality. “[I]t will be objected,” Locke writes, “That it is unreasonable for Men to be judges in their own Cases, that Self-love will make Men partial to themselves and their Friends. And on the other side, that Ill Nature, Passion and Revenge will carry them too far in punishing others” (II, §13). Partiality not only threatens to undermine the right of “*Punishing the Crime for restraint,*” since self-love risks carrying one “too far in punishing others,”⁷⁷ but it undermines the right of reparation, since “he who was so unjust as to do his Brother an Injury, will scarce be so just as to condemn himself for it” (II, §11, §13). The second chapter’s philosophical story and its problem of partial judgment is thoroughly suffused with the rhetoric of fraternal love and friendship, as the right of every man to execute the law of nature against his brothers raises the problem that “Self-love” may lead men to

⁷⁶ Locke also describes the situation between a prince and “an Alien of another Country” to justify the right of executing the law of nature (§9). I place emphasis on the scriptural evidence, however, given the centrality of theology to Locke’s politics.

⁷⁷ Locke’s idea here is that the natural right of punishment is only justified if proportional to the crime and sufficient for restraint. See Simmons, *The Lockean Theory of Rights*, 128, 147-48.

unjustly judge in favour not only of “themselves” but also “their Friends.”⁷⁸ The problem of partiality is thus a problem of fraternal feeling, since expressions of partial self-love seem to undermine the divine injunction of universal brotherly love, i.e. charity. To overcome the problem of partiality, then, men exit the State of Nature by “agreeing together to enter into one Community” with a common judge to enforce natural law (II, §14).

According to the philosophical story, the problem of partiality seems to make the state of nature a state of war: “literally a condition,” as one interpreter puts it, “of chaos, enmity, confusion, misery, and destruction.”⁷⁹ While Locke does suggest that “this state is very unsafe, very unsecure” (II, §123), this Hobbesian reading overlooks the fact that Locke does not deny men’s ability to follow natural law.⁸⁰ The state of nature is, Locke explains, a “state of liberty” and “not ... licence” because men mostly follow “Reason, which is that Law” (§6). As Locke insists, the state of nature is not a state of war, but “A State of Peace, Good Will, Mutual Assistance, and Preservation” (§19). But if the state of nature is not terribly violent, then why do men leave it? While some interpreters propose that men establish political society because of the *possibility* of grave harm,⁸¹ Locke’s account suggests that there is more reason to stay in the state of nature, since its minor “inconveniences” pale in comparison to the horrors of abusive princes “armed with Power” (§91). To solve these seemingly abstract problems of partiality and understand why men establish political society, we must turn to Locke’s historical origin story.

Locke begins his anthropological account of political society with the family. He explains that although fathers ruled these first societies, they did not derive their authority from any kind of patriarchal power. Rather, it was the “express or tacit Consent” of the children who guaranteed the

⁷⁸ *Self-love* can make one both partial not only to oneself but also to others if they are friends reflecting the self.

⁷⁹ Richard Cox, *Locke on War and Peace* (Oxford, 1960), 76. See also Leo Strauss, *Natural Right and History* (University of Chicago, 1950), 224-32.

⁸⁰ McClure describes this as Locke’s “epistemology of right” in the state of nature. McClure, *Judging Rights*, ch. 3. See also Dunn, *Political Thought of John Locke*, 96-119; Ashcraft, “Locke’s State of Nature,” 902-6.

⁸¹ This is suggested by Ashcraft, “Locke’s State of Nature,” 902 and Simmons, “Locke’s State of Nature,” 458.

father's rule (§74).⁸² Though “accustomed in their Childhood to follow [their father's] Direction” (§75), the children eventually gain the use of reason and decide to continue to submit to their father's authority because he was “fittest to be trusted; paternal affection secured their Property, and Interest under his Case” (§105). Children thus consent to their father's rule because they felt his ongoing paternal “Affection and Love” (§107). Indeed, it was only this paternal love that could secure these infant governments, since “without such nursing Fathers tender and carefull of the publick weale, all Governments would have sunk under the Weakness and Infirmities of their infancy” (§110). From the very beginnings of Locke's origin story, love and desire play central roles in consolidating authority as nascent governments emerged out of the consent of children who understood and felt their father-ruler's love.

While noting the origins of governments in paternal rule, modern readers frequently overlook how quickly these early governments gave way to new forms of rule, which not only transformed the familial structure of government but also its associated relations of feeling.

[W]hen either the Father died, and left his next Heir for want of Age, Wisdom, Courage, or any other Qualities, less fit for Rule: or where several Families met, and consented to continue together: there, 'tis not to be doubted, but they used their natural freedom, to set up him, whom they judged the ablest, and most likely, to Rule well over them (§105).

Either the loss of a father or the meeting of distinct families led these early societies to set up a new ruler consciously and consensually. Locke describes the affective conditions that enabled men to pick the ablest among them and trust that he would govern in their interests as follows:

those, who liked one another so well as to joyn into Society, cannot but be supposed to have some Acquaintance and Friendship together, and some Trust one in another; they could not but have greater Apprehensions of others, than of one another: and therefore their first care and thought cannot but be supposed to be, how to secure themselves against foreign Force (§107).

⁸² Despite Locke's use of this phrase, he writes fathers became familial kings “by an insensible change” (II, §76), which suggests that he places more onus on *tacit* consent in his speculative anthropology. Locke's silence on the wife's consent in this account indicates, as Pateman argued, that Locke takes it as given that women consent to a subordinate status as wives in the family.

The force of friendship and the trust necessary for its performance drives friendly families to unite for mutual benefit and motivates fatherless sons to stay together and form a new government with the best brother among them. Where paternal love previously secured the children's trust and consent, the feelings of friendship now organize their social bonds. Against Filmer's patriarchal tale, then, Locke's rhetoric of friendship provides a new origin story for governmental rule.

According to Locke, one possibility for the shift from patriarchal government to the commonwealth of friends occurs when the father dies without a fit heir. In the *First Treatise*, Locke references precisely such an event, where the father lacks a clear successor after his death:

He that reads the Story of Jacob and Esau, will find there was never any Jurisdiction or Authority, that either of them had over the other after their Father's Death: they lived with *the Friendship and Equality of Brethren, neither Lord, neither Slave to his Brother, but independent each of other*, were both heads of their distinct Families, where they received no Laws from one another, but lived separately, and were the Roots out of which sprang two distinct Peoples, under two distinct Governments (I, §118, emphasis added).

Without a clear heir, Jacob and Esau did not struggle for power but parted to start their own separate polities, which lived peacefully according to the affections of "Friendship and Equality of Brethren."

Later, Locke tells of a similar conflict and again uses the same rhetorical tropes.

If by inheritance [Abraham] had been King, Lot, who was of the same Family, must needs have been his Subject, by that Title before the Servants in his Family: but we see *they liv'd as Friends and Equals*, and when their Herdsmen could not agree, there was no pretence of Jurisdiction or Superiority between them, but they parted by consent, Gen. 13. Hence he is called both by Abraham, and by the Text Abraham's Brother, *the Name of Friendship and Equality*, and not of Jurisdiction and Authority, though he were really but his Nephew (I, §135, emphasis added).

Though part of the same family, Abraham did not claim superiority over Lot. Rather, they resolved their conflicts and continued to live "as Friends and Equals," that is, as brothers ("the Name of Friendship and Equality"). In both accounts, Locke uses a symbolic discourse of fraternity-*qua-*

friendship to illustrate how men need not fight to establish “Authority” over one another but can consensually dissolve familial governments and establish their own separate communities.⁸³

Taking place in an age prior to the emergence of the social contract, these stories suggest a lack of partiality and strife occurring in the state of nature. In opposition to Locke’s philosophical story, where self-love makes men partial to themselves and their friends, the anthropological account suggests that the spirit of friendship and brotherhood ensured that the state of nature was largely a state of peace. Men “made few controversies and so [had] no need of many laws to decide them: And there wanted not of Justice where there were but few Trespasses, and few Offenders” (§107). Men organized themselves according to mutual amity and fraternal love, and so natural law did not become an object of irreconcilable conflict. What, then, corrupted this love and engendered the problems of partiality compelling men to establish political society?⁸⁴ The answer lies in seeing Locke’s initial philosophical story as an event of crisis in the political economy of desire brought about by the emergence of money.

According to the anthropological account, the material conditions of poverty structured men’s desires. “The equality of a simple poor way of living,” Locke writes, “confine[d] their desires within the narrow bounds of each mans small propertie[, which] made few controversies and so no need of many laws to decide them” (§107). In limiting their desire, the equality of poverty prevented men from

⁸³ That Locke conceives of relations between governments through the language of friendship corresponds with the discursive currents of his era. Following the rise of ‘friendship treaties’ among European sovereigns in the 16th century, there emerged a well-established convention of using friendship terminology to talk about international relations. See Randall Lesaffer, “Amicitia In Renaissance Peace and Alliance Treaties (1450–1530),” *Journal of the History of International Law* 4 (2002): 77–99; Evgeny Roshchin, “The Concept of Friendship: From Princes to States,” *European Journal of International Relations* 12 (2006): 599–624.

⁸⁴ While commentators often point to these early societies as descriptions of Locke’s *political* societies, there are four reasons to believe why these governments exist in the state of nature and are pre-political. First, as stressed by Tully, *An Approach to Political Philosophy*, 11, 62–63, the seventeenth century term ‘government’ often described the general the governance of conduct and not necessarily a narrow political institution of the state. In *Some Thoughts Concerning Education*, for instance, Locke talks about the ‘government of health’ and the government of education (§20, §47). Second, Locke explains that these governments did not have a substantive system of laws binding all members of society. In contrast, political society must have an “*establish’d*, settled, known *Law*, received and allowed by common consent to be Standard of Right and Wrong” (§124). Third, Locke argues that nascent governments did not need standing laws to govern their internal affairs because they were primarily concerned with securing themselves against foreign force. As evidence, he points to the governments of indigenous peoples with kings and generals who live in a state of nature (§108). Fourth, the historical account so far illustrates that men lived together peacefully, and so reading these early governments as pre-political is consistent with Locke’s claim that the state of nature is not a state of war. As J. P. Sommerville, *Royalists and Patriots: Politics and Ideology in England 1603–1640* (2014), 19–20 shows, various protestant thinkers held that government existed in an Edenic state prior to mankind’s fall.

accumulating more property than they required and so prevented breaches of the law of nature's spoilage proviso: "for as a Man had a Right to all he could imploy his Labour upon, so he had no temptation to labour for more than he could make use of. This left no room for Controversie about Title, nor for Incroachment on the Right of others" (§51). Since the conditions of spoilage meant that men "had no temptation" to accumulate more than they could use, every man could appropriate property without encroaching on the rights of others.⁸⁵

Although these conditions cut short any desires for over-accumulation and so prevented large conflicts from erupting, they did not preclude men from participating in a market economy. In trading non-perishable goods, men could accumulate as many commodities as they wanted without infringing on the property rights of others. "And thus," Locke writes, "came in the use of Money," which allowed men to overcome the problem of spoilage and so provided them with "the opportunity to continue and enlarge" their possessions (§47, §48). Prior to money's emergence, Locke argues that a man did not accumulate "more than his share" (§46), but with the possibility of infinite accumulation before him, there emerged the "desire of having more than Men needed" (§37). Money thus altered the state of nature's economy of desire by unleashing a drive for accumulation, as every man now had a "temptation ... for more than he could make use of" (§51).

Though the transformation of desire enables men to better fulfil their natural law duties,⁸⁶ it ultimately meant the downfall of the state of nature. As Locke explains, the "*Golden Age*" of good government came to end when "vain Ambition, and *amor sceleratus habendi*, Evil concupiscence had corrupted Mens minds into a Mistake of True Power and Honour" (§111). These new and corrupted

⁸⁵ Given the constrained nature of desire and the abundance of land, men also did not infringe on what has been called the sufficiency proviso to "leave enough and as good in common for others" (II, §§ 27, 33, 34). On whether Locke intended this clause to be taken as a restriction on appropriation, see Waldron, "Enough and As Good Left for Others."

⁸⁶ By increasing men's desire for land, money ensures that men labor not only for more than their mere self-preservation but also cultivate land that otherwise would lay in waste (see II, §36, §37, §45). While this may suggest that Locke defends a capitalistic spirit of unlimited accumulation, as once argued by C. B. Macpherson, scholars have pointed out how the natural law duties of charity militate against a theory of labor oriented to infinite accumulation. See Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* Oxford, 1962, pp. 221-38. Dunn, "Justice and Interpretation of Locke's Political Theory"; Waldron, *God, Locke and Equality*, 177-87. On the role of money in Locke's thought more generally, see McClure, *Judging Rights*, 164 -181;

passions all suggest immoderate expressions of desire. “Vain Ambition” denotes “false” or “superfluous” ambitions.⁸⁷ *Amor sceleratus habendi* originates from Ovid’s *Metamorphoses* and translates as the “wicked love of having,” signifying greed.⁸⁸ Finally, evil concupiscence is synonymous with lust, suggesting a corrupted form of love.⁸⁹ Considered together then, vain ambition, greed, and lust all indicate excessive forms of desire and improper expressions of love.

While many readers highlight how money’s production of immoderate desire leads to increased competition for increasingly scarce resources, such strictly economic interpretations risk obscuring Locke’s more explicitly political concern with money’s corrupting effects on rulers.⁹⁰ Prior to money’s augmentation of desire, Locke explains that “there was *no stretching Prerogative* on the one side to oppress the People; *nor* consequently on the other any *Dispute about Privilege*, to lessen or restrain the Power of the Magistrate; and so no contest betwixt Rulers and People” (§111). Governing in and through relations of friendship and fraternity, princes did not have distinct interests from the people because the good of the ruler’s self was indistinguishable from the good of his subjects. Money, however, inflamed the king’s desire and “taught Princes to have distinct and separate Interests from their People” (§111). Money’s corruption of desire means that there emerges a split between self and other, ruler and subject, and thus a divergence of their interests. While Locke’s account of money’s corrupting effects on friendship was by no means novel,⁹¹ he innovatively takes up this plotline to narrate an historical crisis in political trust. As Stefan Eich has recently shown, Locke argued that money required sovereign

⁸⁷ See Locke’s usage of vain as false or superfluous in I, §81; §155; §164; II, §7.

⁸⁸ This translation comes from *The First Book of Ovid’s Metamorphoses, With a Literal Interlinear Translation, and Illustrative Notes, on the Plan Recommended by Mr. Locke* (London: Printed for J. Taylor, 1828), 13, which was part of a series advertised as “Mr. Locke’s system of classical instruction.” The project is described by C. A. Stray, “‘Locke’s system of classical instruction’ (1827-),” *The Locke Newsletter* 22 (1991): 115-121.

⁸⁹ See “concupiscence, lust” in Samuel Johnson. *A Dictionary of the English Language*, Vol I. Dublin, 1768. Theologians often defined lust and concupiscence as the opposite of friendship. Schindler, “A Companionship of *Caritas*”, 146.

⁹⁰ For a critique of economic interpretations, see McClure, *Judging Rights*, 162-3. Though McClure shifts attention to money’s destructive effects on the capacity of judgment, her analysis still focuses on property relations and not political relations of rule.

⁹¹ On the 17th century belief that trust in friendship had been replaced by money, see Lorna Hutson, *The Usurer’s Daughter: Male Friendship and Fictions of Women in Sixteenth-Century England* (London: 1994), 53-54.

control because its instability risked deteriorating political relations of civic trust between individuals.⁹² Attention to the gendered narrative of the *Second Treatise* reveals that money corrupts political trust in the sense of corrupting fraternal relations of self-love. Rulers no longer love their subjects as themselves. Rather, their love has turned inward, as they now “lived out their lives in vicious self-indulgence.”⁹³

In endeavouring to satisfy his lustful self-interests, the tyrant thus enters a state of war with his brethren and so brings the Golden Age to an end. As Locke’s anthropological story draws to a close, the philosophical account, now historicized, enters. The problem of partiality is no longer a hypothetical possibility but a lived reality. Corrupted “Self-love” has made kings “partial to themselves and their Friends” (§13). Once historicized, the philosophical account’s initial difficulty to explain why men create political society disappears, since the state of nature has now become a state of war. Attention to the rhetoric of friendship and fraternity thus reveals that Locke’s philosophical and anthropological narratives are part of the same narrative arc at the heart of which is a political story about the changing structures of familial feeling.

Contrary to psychoanalytic feminist interpretations, Locke’s civil fraternity emerges not the with the defeat of the Patriarchal Father but rather, of an authoritarian Big Brother.⁹⁴ Where friendly and fraternal love ensured the trust necessary for early governmental rule, money’s corruption of an initially peaceful economy of desire ultimately meant the breakdown of fraternal love and the need to restrain the corrupted passions of a tyrannical brother-king. Although a brother, the king’s abuse of power conjures up the threats of patriarchalism and the violence of its excessive authority. The social contract thus emerges as a solution to the failure of a natural theological love to maintain brothers in

⁹² Stefan Eich, *The Currency of Politics: The Political Theory of Money from Aristotle to Keynes* (Princeton University Press, 2022), 47-75.

⁹³ Dunn, *The Political Thought of John Locke*, 254. This distinction between a corrupt self-love egoistically turned inward and an other-regarding form of charitable self-love was also posited by Locke’s friends and associates and can also be traced back to Aquinas. See, See Lamb and Thompson, “The Meaning of Charity,” 241-44; Aquinas, *Summa Theologiae*, II-II, 24.10, 24.12.

⁹⁴ For readings of the social contract tradition and revolutionary politics that draw on Freud’s narrative of the father’s defeat, see Janara, “John Locke’s Kindred Politics”; Pateman, *Sexual Contract*; Lynn Hunt, *Family Romance of the French Revolution*.

relations of peaceful equality. The contract politicizes a prior but no longer efficacious Christian brotherly love, as men agree to institute a state to regulate the affective relations of brotherhood that are naturally meant to exist but no longer do.

IV. Political Representation and the Fraternal Body Politic

We saw in Chapter One how contemporaries in early modern England deployed the concept of incorporation to discuss the king's sovereignty. Political authority, they argued, was incorporated in the person of the king because the natural body of the monarch incarnated the political body of the state. I argued in the previous chapter that the 1688 Revolution was a nationalist revolution in which the body of the nation rather than of the king became the source of political authority. "Let it be granted, what ought not be denied," explained the Suffolk Anglican Richard Booker in 1689, "the late King did abdicate, and that the Government did devolve upon the People, and these in a full Representative of the whole Nation, whether in Parliament, or in a Convention."⁹⁵ Since no singular body could incorporate the sovereignty of the people, the exercise of political authority required representation. In Locke's 'Critical Notes' following the Exclusion Crisis of 1679-81, he writes that "what is done in Parliament ... may be truly said to be the consent of the nation, because ... done by their representatives who are impowered to that purpose."⁹⁶ By the time of the revolution, political representation became central for founding and organizing a new body politic. As one anonymous commentator put it, "the government being dissolved, we are in such a state present as a people where no government is yet set up" and that in "such a state the people are to meet in their representatives and agree upon their constitution."⁹⁷ As a pivotal text mobilized in defense of the revolution, I argue that the *Two Treatises* severs the link between the king's two bodies and puts forward a new account of

⁹⁵ R. B. *Satisfaction tendred to all that pretend conscience for nonsubmission to our present governours, and refusing of the new oaths of fealty and allegiance in a letter to a friend* (London, 1689), 4.

⁹⁶ 'Critical Notes,' MS Locke c34, 113-14, Bodleian Library, Oxford cited in John Marshall, *John Locke: Resistance, Religion and Responsibility*, 215.

⁹⁷ "A Brief account concerning matters of Fact," 28 Jan. 1689, Bod. Rawl. D1079, f 4v. quoted in Pincus, "To Protect English Liberties"

the body politic and the natural bodies said to constitute it. In this section, I show how Locke develops a nascent theory of political representation in which the affective power of fraternity plays a central role in relating the fraternal body politic to the men who exercise its political authority on behalf of their brethren.

Locke rejects royalist claims that the singular body of the king can incorporate the body politic. He writes that “When any number of men have *so consented to make one Community* or Government, they are thereby presently incorporated, and make *one Body Politick*” (§95). No singular member but all individuals party to the social contract collectively constitute the body politic. Once contracted together, Locke explains that the “first and fundamental Act” of the body politic is the “*Constitution of the Legislative*” because “’tis in their *Legislative*, that the Members of a Commonwealth are united, and combined together into one coherent living Body. This *is the Soul that gives Form, Life, and Unity* to the Commonwealth” (§212). Foregoing royalist metaphors of the body that placed sovereign power in the head, Locke portrays the initial body politic without a legislature to be a strange kind of organism. Lacking not only the hierarchy of the head but any kind of shape or form, this body politic appears more like an amorphous blob, a jumbled mass of men indiscriminately assembled together.⁹⁸ Without any head to direct it, the body acts by moving in whatever direction the predominant force of its equal parts take it. As Locke argues, “it is necessary the Body should move that way whither the greater force carries it, which is the *consent of the majority*: or else it is impossible it should act or continue one in Body” (§96). Notwithstanding the philosophical dilemmas created by Locke’s justification for majority rule,⁹⁹ his argument turns on a revamped corporeal vision of the state in which every party to the social contract is equally constitutive of the body politic. Although the majority can institute whatever political form they wish (whether a monarchy, aristocracy, or democracy), no singular body can

⁹⁸ In contrast, the frontispiece of Thomas Hobbes’s *Leviathan* directs attention away from the head of the sovereign and towards the body but does not totally break with the royalist iconography of the king’s body. See, Frank, *The Democratic Sublime*, 80-2.

⁹⁹ Willmoore Kendall, *John Locke and the Doctrine of Majority-Rule* (University of Illinois Press, 1941).

incorporate political power in Locke's account. As such, he argues, any political regime in which the prince claims "power in himself alone" is "*inconsistent with Civil Society*" (§91, §90).

Accordingly, Locke's social contract refuses a royalist logic of incorporation and its hierarchical figuration of the head by separating the political authority of the body politic from any natural body that may exercise its power.¹⁰⁰ To indicate this separation, Locke tends to use the grammar of representation.¹⁰¹ He argues that any person appointed to create or execute the law is a "public Person vested with the Power of the Law, and so is to be consider'd as the Image, Phantom, or Representative of the Commonwealth" (§151). Whereas the king's private person was indistinguishable from his public status as king, Locke distinguishes between the body of the magistrate and that of the body politic writ large. The executive neither incorporates nor incarnates the law but makes present again, that is, re-presents the "will of the Society, declared in its laws" in each moment it implements the law (§151). A representative is, he writes, "one that has a power to doe something in other men's names which by delegation he hath received from them."¹⁰² Representation thus brings into presence a body that in some sense remains absent, and Locke's description of the representative as a phantom is a fitting metaphor to evoke the way in which the body politic is simultaneously present and yet absent in the body of those magistrates invested with political authority.¹⁰³ In exercising political power, the magistrate re-presents but does not incorporate the body politic. As such, Locke argues, "when he quits this Representation, this publick Will, and acts by his own private Will, he degrades himself, and

¹⁰⁰ Locke splits the government into two bodies – law-making and law-enforcing – and argues that while the legislature need not always be assembled, the executive must be constantly active (II, §143-4). Locke's political community thus contains three distinct parts: (1) the people who form a political society and initial body politic; (2) the legislature chosen by the people with the power to create laws; and (3) the magistrates appointed by the legislature to enforce the law.

¹⁰¹ Political theorists often consider issues of representation solely on the level of lawmaking, such that direct democracy is often considered a distinct alternative to representative democracy because there no separation between the lawmakers and the people exists. For Locke, however, even in a direct democracy, or what he calls a "perfect democracy," representation remains an issue for the execution of the laws (II, §312). On the separation between the representative and represented and the logic of representative personification, see Hanna Pitkin, *The Concept of Representation* (London, 1967), 92-111. For Locke's own use of representation in this sense of standing in for or personifying, see I, §45, §47; II, §88, §140, §151, §192.

¹⁰² 'Critical Notes,' MS Locke c34, 118, Bodleian Library, Oxford cited in Marshall, *John Locke*, 216.

¹⁰³ On the present absence and absent presence of phantoms and their relationship to representation, see Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning and the New International* (Routledge, 1994).

is but a single private Person without Power.” (§151). Locke’s distinction between private and public personhood and the metaphors he uses to describe representation all gesture towards a separation between the body politic and the body natural that is central to a grammar of political representation.

In distinguishing the body politic from those individuals who act in its name and exercise its authority, Locke suggests that subjects can and ostensibly will trust their representatives, but how exactly does he defend the principle of representation and justify the relations of trust necessary for its operation?¹⁰⁴ While the secondary literature on the topic of representation has largely been limited to a debate about property and franchise, and so avoids this crucial question of trust, scholarly attention on the question of trust has not investigated its relationship to representation.¹⁰⁵ I argue that Locke draws on the logic of mimesis central to the grammar of fraternal love to account for the affective ties that knot together the government and the people in relations of trust. To do so, I turn to Locke’s discussion on prerogative power as the conceptual terrain most liable to the abuse of representative power and the violation of political trust.

To respond swiftly to unforeseen emergencies, Locke argues that the executive must sometimes act without or even contrary to legislative instruction. He describes this sphere of activity as prerogative: the power “to act according to discretion, for the publick good, without the prescription of the Law, and sometimes even against it” (§160). Prerogative power is a difficult case for political representation because in exercising prerogative the executive must represent a public will that the law

¹⁰⁴ Consenting to enter any contractual agreement presupposes trust – what Locke calls *fides* – in the other person’s ability to fulfil the terms of the contract. John Dunn, “Trust and Political Agency” in *Trust: Making and Breaking Cooperative Relations*, ed. Diego Gambetta, (Oxford University Press, 2000). 73–93.

¹⁰⁵ The literature on trust mainly concerns whether Locke uses trust to mean confidence in the government or a particular legal relationship of trusteeship. Compare J. W. Gough, *John Locke’s Political Philosophy: Eight Studies* (Oxford: 1950), 143-146 with Dunn “Trust in the Politics of John Locke,” in *Rethinking Modern Political Theory: Essays 1979–1983* (Cambridge 1985), 34–54. On the secondary literature concerning representation, see Geraint Parry “Locke on Representation in Politics,” *History of European Ideas* 3 (1982): 403–14; Tully, *Discourse on Property*, 173; Martin Hughes, “Locke on Taxation and Suffrage,” *History of Political Thought* 11 (1990): 423–442; Ashcraft, *Revolutionary Politics*, 260-85; Ashcraft, *Locke’s “Two Treatises of Government,”* 81-96; Ellen Wood, ‘Locke Against Democracy: Consent, Representation and Suffrage in the Two Treatises’, *History of Political Thought* 13 (1992): 667-68; Waldron, *God, Locke and Equality*, 119-28.

cannot name and may even contravene.¹⁰⁶ But how can the executive represent an unknown and unarticulated will that has no prior existence? Moreover, given Locke's historical account of prerogative's abuse prior to the institution of the social contract, it is not immediately clear why, as some commentators suggest, "it is perfectly rational to trust such rulers with so much discretionary power."¹⁰⁷ How, then, does Locke account for the initial "trust put into his [the prince's] hands" when the political community institutes a government (§164)?

To account for and justify political representation, Locke turns to the logic of mimesis essential to the tradition of friendship-*qua*-fraternity. When discussing the executive's ability to readjust the legislature to reflect population shifts, Locke argues that this exercise of prerogative does not abolish the pre-existing legislature but in fact does the following:

restore the old and true one, and ... rectify the disorders, which succession of time had insensibly, as well as inevitably introduced. For it being the interest, as well as the intention of the People, to have a fair and equal Representative; whoever brings it nearest to that, is *an undoubted Friend, to, and Establisher of the Government*, and cannot miss the Consent and Approbation of the Community (§158, emphasis added).

Locke claims that the executive knows the people's interest about how to reorganize the legislature and employs the figure of friendship to explain this use of prerogative. That Locke describes the executive as "an undoubted Friend" suggests that the executive shares a likeness with the people which allows him to understand what can benefit them. By sharing the same desires as the people, the executive can thus alter the legislature without subverting the people's "intention." Accordingly, Locke writes, the executive "cannot miss the [Community's] Consent and Approbation" even though he lacks their consultation or prior approval.

¹⁰⁶ Though they do not discuss representation, for a helpful elaboration on the relationship between prerogative and executive power, see Ross Corbett (2006). 'The Extraconstitutionality of Lockean Prerogative', *The Review of Politics* 68, 428–48; Clement Fatovic, (2004) 'Constitutionalism and Contingency: Locke's Theory of Prerogative', *History of Political Thought* 25, pp. 285–86.

¹⁰⁷ Fatovic, "Constitutionalism and Contingency," 288.

Alongside this positive account of prerogative, Locke also employs the rhetoric of fraternity when describing the executive's failure to represent the people.

For the exceeding the Bounds of Authority is no more a Right in a great, than a petty Officer; no more justifiable in a King, than a Constable. But is so much the worse in him, in that he has more trust put in him, has already a much greater share than *the rest of his brethren*, and is supposed from the advantages of Education, imployment and Counsellors to be more knowing the measure of right or wrong (§202, emphasis added).

Whether king or constable, a member of the executive becomes tyrannical when he forfeits the trust of his "brethren" and acts against their will. Later in the text, Locke again uses the rhetoric of fraternity to explain the political offence brought about by the forfeiture of political trust.

As if those who had the greatest Priviledges and Advantages by the Law, had thereby a Power to break those Laws, by which alone they were set in a better place than their Brethren: Whereas their Offence is thereby the greater, both as being ungrateful for the greater share they have by the Law, and breaking also that Trust, which is put into their hands by their Brethren (§231).

As both passages illustrate, in forming a political society, men entrust some of their "Brethren" with more power than others to govern the community, such that a failure to represent their interests means acting contrary to the trust granted to them by their citizen-brothers. Immanent to the relations of trust undergirding these accounts of political representation is the logic of mimesis central to rhetorical tradition of friendly and fraternal love. All men are brothers under God, and their shared similitude as brothers enables them, in principle, to represent each other's interests and desires. In this, Locke establishes what Laurie Shannon calls a political regime of "homonymy, or rule by an other who is like."¹⁰⁸ The logic of likeness inherent to the symbolic relations of love between friends and brothers enables Locke to portray a mimetic relationship between representative and represented and so make sense of the philosophical and felt conditions necessary for the people's trust in political representation.

What looms in the background of Locke's discussion is the re-emergence of the relation of subordination on which patriarchalism was built: how can citizens ensure that their representatives do

¹⁰⁸ Shannon, *Sovereign Amity*, 125.

not act in a way that resubordinates them? Despite placing so much theoretical stock in the idea that men can entrust some brothers with the power to represent the whole body politic, Locke acknowledges that representation can fail, and when it does, the people must “*appeal to Heaven*” to answer “whether the Prince or Legislative act contrary to their Trust” (§168, §230). They must appeal to a form of divine law that is above positive man-made law and on which all human laws are based.¹⁰⁹ The brothers must, in other words, appeal to the sacred law of the Father. As recent commentators note, Locke’s discussion on the epistemological conditions necessary to undertake this revolutionary judgment not only invokes but in fact relies on the language of embodied feeling.¹¹⁰ Attention to Locke’s rhetoric of fraternity indicates in more precise terms just what kind of feeling Locke had in mind, namely, the loss of brotherly love. Indeed, Locke’s intellectual predecessors commonly portrayed tyranny in opposition to friendship and fraternity, and even contemporary royalists reiterated the republican cliché that “no man is a friend to a Tyrant.”¹¹¹ In failing to properly represent his fellow brethren, then, a tyrant forfeits their trust and surrenders their obligations to love and preserve him, justifying the people’s action to overthrow their forsaken brother and reestablish relations of fraternal equality.

V. Cannibalism, Sodomy, and the Pleasures of Power

The political principle of representation marks a departure from the royalist grammar of incorporation traditionally used to discuss the relationship between the king and the body politic. Given the isomorphism between the patriarchal household and the kingdom, the juridical concept of incorporation was akin to the common law doctrine of coverture in marriage, where the wife’s “very

¹⁰⁹ See Strauss, *Natural Right and History*.

¹¹⁰ In addition to Shanks, *Authority Figures*, see Emily Nacol, “The Risks of Political Authority: Trust, Knowledge, and Political Agency in Locke’s *Second Treatise*,” *Political Studies* 59 (2011): 580–595.

¹¹¹ Cicero claims that tyrants no longer have any ties of friendship with the people. Cicero, *On Obligations*, 3.32. Similarly, Aquinas argues that resistance to unjust laws testifies to the people’s charitable love of God and their fellow brothers. Schindler, “A Companionship of *Caritas*,” 155. The quote is from Jeremy Taylor, *Discourse of the nature, offices, and measures of friendship with rules of conducting it* (London: Printed for R. Royston, 1657), 97. On the relationship between kingship, tyranny, and friendship in the 17th century, see Laurie Shannon, *Sovereign Amity: Figures of Friendship in Shakespearean Contexts*, (Chicago University Press, 2002), 125-184.

being or legal existence... is incorporated and consolidated into that of the husband,” such that the husband and wife are considered “one person in law.”¹¹² As in the law of coverture, the doctrine of the king’s two bodies similarly united king and subjects together in the person of the monarch. The unity of the body politic and body natural enabled the king to take care of and act for the body politic without consulting its members because their interests are, as it were, already a part of the king’s. In contrast, the principle of representation effects a fundamental separation between the body politic and its representatives, a split that makes it possible to critique the ruler for acting in his own and not in the people’s interests.

This split poses a central problem for Locke’s discourse of fraternity, since the rhetoric of love tends towards likeness, unity, and fusion. According to Locke, the “Compact between Man and Woman” that forms conjugal society consists “chiefly in such a *Communion and Right* in one another’s Bodies” (§78, emphasis added). The sexual contract maintains, albeit in modified form, the law of coverture. Yet, as feminist critics have argued, the fraternal contract avoids a patriarchal framework of incorporation by constituting men as atomistic individuals seemingly free from any communal ties or obligations except to themselves as patriarchal heads of households. Contrary to atomistic interpretations, Locke’s rhetoric of fraternal love suggests that, as with husband and wife, so too should there exist a “*Communion*” between brothers in political society. Yet, unlike the sexual contract, feminists have argued that the fraternal contract is rooted in relations of freedom and equality between men because it denies them any natural “*Right*” in or to another man’s body. How, then, can we square the feminist account of the social contract as a story of the emergence of the autonomous masculine individual with the thick relations of union and communion meant to exist between men as revealed by Locke’s affectively loaded rhetoric of fraternity and friendship? How, in other words, does Locke

¹¹² William Blackstone, “Of Husband and Wife” in *Commentaries on the Laws of England*, Vol. 1 (1765), chapter 15, pg. 442.

envision a form of political equality that both binds men together while ensuring their separation and independence, such that fraternal representation does not collapse back into patriarchal incorporation?

To answer these questions, we must return to Locke's origin story and examine how the problem of incorporation posed by patriarchal authority threatens men in the state of nature and how they endeavor to escape it. While many commentators claim that the danger posed by a tyrannical king is his insatiable desire for men's possessions, I contend that absolutism for Locke threatens men's property in the more expansive sense of their lives, liberties, and estates. As Locke writes, an absolute monarch can not only "alienate" his subjects' estates but also "sell, castrate, or use their Persons as he pleases, they being all his Slaves, and he Lord or Proprietor of every Thing" (I, §9). Corrupted kings do not simply crave men's external possessions but desire to own and use the property men have in their own bodies. Accordingly, a state of war emerges not (only) because a tyrant threatens to take his subjects' possessions but because he threatens to enslave them, since the "condition of slavery ... is nothing else but the state of war continued" (II, §23). In other words, a state of war commences because a tyrant seeks to reclaim patriarchal power and possess not just his subjects' property but his subjects *as* property.

To make vivid the horrors of a tyrant's absolute power over his subjects, Locke invokes a figure of indigenous cannibals. In the second longest quotation of the *Two Treatises*, Locke cites an account of Peruvian cannibals from Garcilaso de la Vega's *General History of Peru* and writes,

they were so liquorish after Mans Flesh, that they wou'd not have the patience to stay till the Breath was out of the Body, but would suck the Blood as it ran from the Wounds of the dying Man; ... and their Madness herein was to that degree, that they spared not their own Children which they had Begot on Strangers taken in War...." (I, §57).

Critics attentive to questions of colonialism have shown how Locke sought to justify the settlement of the Americas and the expropriation of land occupied by aboriginal peoples by developing a theory of agrarian labor as the rightful means to obtain land ownership while simultaneously portraying

Amerindians as idle, less rational, and lacking any institution of private property.¹¹³ These discussions tend to focus on chapter V (“Of Property”), which was not only written separately from the rest of the *Two Treatises* but one of the few chapters where Locke primarily writes about property in the narrow sense of external possessions in contrast to the rest of the text where he consistently uses the broader definition to mean property within the individual (i.e. life, liberty, and estate).¹¹⁴ By attending to how Locke’s figure of the indigenous cannibal symbolically structures his account of the free and equal individual developed over the course of the *Two Treatises*, I argue that what is at stake in Locke’s arguments for colonialism was not just the expropriation of land in the ‘New World’ but also the organization and defence of an emerging European social order predicated on principles of fraternal equality. Locke’s discussion of colonialism goes beyond more than just property in the narrow sense and concerns the property European men have in their own bodies as free and equal subjects of the social contract.

Locke cites de la Vega not to make a point about the laboring capacities of indigenous people, their use of land, or their lack of private property. Rather, Locke uses the description of cannibalism to portray “*Absolute Fatherly Power* in its height and perfection” (I, §57). Like the corruption that befalls kings after the emergence of money, Locke turns to the figure of the Peruvian cannibal to reimagine patriarchal authority as “foreign, lawless, and driven by unfettered and licentious appetites.”¹¹⁵ In treating their captives as objects of property to be used and consumed according to their own lustful desires, Locke’s indigenous Peruvians highlight the dangers of absolutist patriarchal power.

¹¹³ Barbara Arneil, *John Locke and America: The Defence of English Colonialism* (Oxford: Clarendon Press, 1996). Duncan Ivison, “Locke, Liberalism and Empire,” in *The Philosophy of John Locke: New Perspectives*, ed. Peter Anstey (Routledge, 2003), 86-105. Mehta, “Liberal Strategies of Exclusion.” David Armitage, “John Locke: Theorist of Empire?,” in *Empire and Modern Political Thought*, ed. Sankar Muthu (Cambridge, 2012), 84-111.

¹¹⁴ Expanding on Peter Laslett’s exegesis of Locke’s definitions of property, Barbara Arneil notes that none of the broader definitional uses occur in the chapters ‘On Property’ and ‘Conquest’ where Locke mainly uses the narrow definition. Arneil, *John Locke and America*, 133. See also, *Two Treatises of Government*, ed. Peter Laslett (Cambridge, 1988), 102. On the composition of chapter V, see David Armitage, “John Locke, Carolina, and the *Two Treatises of Government*,” *Political Theory* 32, 5 (2004): 602-627.

¹¹⁵ Shanks, *Authority Figures*, 83. Ann Talbot *The Great Ocean of Knowledge: The Influence of Travel Literature on the Works of John Locke* (Leiden: Brill, 2010), 98-99.

Cannibalism makes vivid the threat of patriarchal incorporation, where the boundaries of the individual are torn part, consumed by, and literally incorporated into the patriarchal cannibal.

By reading Locke's colonial discourse in conjunction with the categories of gender and sexuality, we discover that the threat of patriarchal incorporation exemplified by Locke's indigenous cannibals not only refers to the literal consumption of the body but also the sexual consumption of the flesh. Just two paragraphs after citing the *General History of Peru*, Locke explains that if absolute power enables men to eat their own children, then

we may, by the same Argument, justify Adultery, Incest, and Sodomy, for there are examples of these too, both Ancient and Modern; Sins, which, I suppose, have their principal aggravation from this, that they cross the main intention of Nature, which willeth the increase of Mankind, and the continuation of the Species in the highest perfection, and the distinction of Families, with the Security of the Marriage-Bed, as necessary thereunto (I, §59).

With de la Vega's writings likely in mind, Locke describes cannibalism as just one sin among many in a constellation of abuses against natural law.¹¹⁶ Alongside cannibalism's literal consumption of the body, practices of adultery, incest, and sodomy all entail the sexual consumption of the flesh. All these sins, according to Locke, disobey the divine injunction to reproduce the species. Adultery and incest violate the heterosexual contract by inadequately distinguishing between families, but only sodomy renders the contract impossible by impeding nature's "main intention" altogether. As with the rumors of sodomy against the king explored in the previous chapter, the political danger of patriarchal authority is not just that it may produce illegitimate heirs but no heirs at all.

Locke's portrayal of indigenous sexual practices thus forms part of his overall justification of colonialism in the Americas. According to Locke, Amerindians act contrary to God's natural law. On the one hand, their agricultural practices fail to increase the yield of the land, and on the other, their

¹¹⁶ Two chapters after his description of cannibalism, de la Vega describes indigenous customs of adultery, incest, and sodomy. Under the topic indigenous marriage customs, de la Vega writes about various indigenous groups who "married as their fancy directed them without excepting sisters, daughters, and mothers" and others who "were sodomites" persuaded by the Devil "that their gods delighted in such people, thus treacherously lifting the veil of shame that the gentiles felt about this crime and inuring them to commit it in public and in general." De la Vega, *Royal Commentaries*, 38-39.

sexual practices fail to increase the number of people on earth. Amerindians thus appear to sin against the divine injunction to reproduce, whether in the narrow sense of property in land or in the expansive sense of property in people. Despite English critiques of the brutality of Spanish colonialism, Locke's narrative echoes Spanish portrayals of 'Indians' as sodomites in need of civilization. In 1513, Vasco Núñez de Balboa, after having killed the leader of the village of *Quarequa* (Isthmus of Panama) and six hundred of his warriors, fed to his dogs forty indigenous people accused of sodomy. As Jonathan Goldberg shows, across 16th century Spanish and English accounts of the event, Balboa is commonly "represented as serving the interests of those he has conquered" because the charges of sodomy were brought to him by native informants disgusted at the spread of sodomy in their kingdom.¹¹⁷ Spanish colonialism is thus seen as aiding the 'good Indians' by destroying their sodomitical brethren. Despite English critiques of the cruelty of Spanish conquest,¹¹⁸ English proponents of colonialism such as Locke employed similar figures of indigenous sodomites to represent colonialism in the Americas as a civilizing mission.

What is at stake for political theorists like Locke in mobilizing the figure of the indigenous cannibal-sodomite is not just the question of capital in the 'New World.' While the symbol of indigenous sodomy helped justify the case for colonialism in the Americas, it also helped make sense of and legitimize a new social and political order emerging in the aftermath of England's revolutionary years. We must recall that for Locke sodomy does not simply name a specific sexual act so much as the breakdown of a theologico-political world. "Sodom," Locke reminds us, names the city of sin that "God, with an immediate Hand, punish'd miraculously."¹¹⁹ In the 16th and 17th century, sodomy "was not conceived as part of the created order at all; it was part of its dissolution. And as such it was not a

¹¹⁷ Golberg, *Sodometries*, 181. On the twined image of the indigenous cannibal-sodomite in Spanish accounts, see pages 193-4.

¹¹⁸ See, Arneil, *John Locke and America*, 65-87.

¹¹⁹ John Locke, *A third letter for toleration, to the author of the Third letter concerning toleration* (London: Printed for Awnsham and John Churchill, 1692), 284. See also, Locke, *The Reasonableness of Christianity* (London, 1824), 51.

sexuality in its own right.”¹²⁰ Signifying the total collapse of natural law, sodomy was not considered a private and autonomous domain distinct from political problems of order and authority. Consequently, we cannot neatly separate Locke’s theological rhetoric of sin, sex, and the flesh from his political discussion on slavery as the condition of being an unfree object in the grip of another man’s power and at the mercy of his pleasures.¹²¹ As Locke writes, any man in the state of nature “who would get me into his Power without my consent, would use me as he pleased” (II, §17). Locke’s natives give shape, colour, and form to this political relation of power. They suggest that the unnatural pleasures that attract men to have power over others may not be those of forced labor as often assumed but the carnal pleasures of cannibalism and sodomy.

The symbolic figure of the cannibal-sodomite operated as the constitutive outside and foil to the European figure of the autonomous masculine individual in self-possession of his body. In describing the dangers of being used and abused against his consent, Locke argues that any man who seeks to enslave others has consequently “declared War against all Mankind, and therefore may be destroyed as a *Lyon* or a *Tyger*, one of those wild Savage Beasts, with whom Men can have no Society nor Security” (II, §11). Locke likely sourced this conjoined image of lions and tigers from de la Vega’s *General History*, which not only describes indigenous tribes that “practised sodomy, worshipped lions and tigers, [and] scarified men’s hearts and human blood,” but also presents an account of an indigenous lord who was “rich and luxurious, had many wives and boy loves, and sacrificed human hearts and blood to their gods, who were lions and tigers.”¹²² Such “warlike, barbarous and uncouth

¹²⁰ Alan Bray, *Homosexuality in Renaissance England*, 25. See also, H. G. Cocks, *Visions of Sodomy: Religion, Homoerotic Desire, and the End of the World in England, C. 1550-1850*.

¹²¹ As Janara notes in “John Locke’s Kinred Politics” 478, Pateman “misses Locke’s project of transforming vicious brothers into friendly Lockean brothers as she repairs to the idea that because these brothers are not kin they feel no ‘personal rivalry’ and fratricide is not a political project.” (478). See also, Hunt, *Family Romance in the French Revolution*, 99-100. Building on Janara’s insight, I argue that the problem of fratricide is not simply the brother’s destruction but the (sexual) ownership of his body.

¹²² De la Vega, *Royal Commentaries*, 547, 550. Peter Laslett describes De la Vera’s *Royal Commentaries* as “a favourite book” of Locke’s. Locke, *Two Treatises of Government*, 182, fn. On the influence of de la Vega and travel literature more broadly on Locke’s thought, see Talbot, *The Great Ocean of Knowledge*, esp. ch. 5; William Batz, “The Historical Anthropology of John Locke,” *Journal of the History of Ideas* 35, 4 (1974): 663-670.

peoples,” de la Vega explains, “worshipped a tiger for its ferocity and wildness,” just as Locke employs the figures of the lion and tiger to characterize those animalized humans – “those wild Savage Beasts” – with whom men cannot form society.¹²³ Attention to Locke’s colonial archive reveals Locke’s animal figures to be metonyms for his feared cannibals who also happen to be, not coincidentally, sodomites – all of them vivid figures for the terrorizing effects of incorporation characteristic of patriarchal power. As Locke expansively redefines the meaning of property to elaborate a theory of the male individual who has property in his own person,¹²⁴ his commentary on slavery points both to the context of the English colonies in the Americas and Stuart absolutism in England.¹²⁵ His arguments for the inability to contract with those who seek to establish power over others and enslave them, possessing their bodies and using them as they please, are thus hitched to and inseparable from his colonial anthropology and the dangers of patriarchal incorporation exemplified by indigenous sodomites-*qua*-cannibals. The specter of indigenous sodomy circulating in the *Two Treatises* thus helps constitute and elaborate a hetero-patriarchal concept of the European ‘individual’ as the subject of the social contract.

Over the course of the 18th century, histories and travel accounts of the ‘New World’ would repeat Locke’s narrative of a golden age of indigenous government torn apart by absolutist and sodomitical rulers. In his travel account in the East Indies, Captain Alexander Hamilton writes that the Dominions of Johore were governed by a King who ruled with “Tyranny and Brutality.” Hamilton describes how, after gifting him a pair of pistols, the king immediately shot “a poor Fellow on the Street, [to see] how far they could carry a Ball into his Flesh.” He then goes on to explain that the king “was a great *Sodomite*, and had taken many of his *Orankays* or Noble Sons, by Force into his Palace for

¹²³ De la Vega, *Royal Commentaries*, 337. On Locke’s use of animal figures and the place of nonhuman animals in the Lockean social compact, see Jishnu Guha-Majumdar, “Lyons and Tygers and Wolves, Oh My! Human Equality and the ‘Dominion Covenant’ in Locke’s *Two Treatises*,” *Political Theory*, 49, 4 (2021): 637–661.

¹²⁴ On the rhetorical and open-ended uses of self-ownership as having property in the person, see Torrey Shanks, “The Rhetoric of Self-Ownership,” *Political Theory* 47, 3 (2019): 311–337.

¹²⁵ James Farr, “Locke, Natural Law, and New World Slavery,” *Political Theory* 2008, 36, 4: 495-522 claims that England is the main site of Locke’s discussion on slavery while Brad Hinshelwood, “The Carolinian Context of John Locke’s Theory of Slavery,” *Political Theory* 4, 4 (2013): 562–590 argues that Locke’s discussion on slavery is primarily about Amerindian and not African slaves in the English colonies.

that abominable Service.”¹²⁶ In an attempt to put an end to his sodomy, the king’s mother “perswaded a beautiful young Woman to visit him” in bed one night, to which the displeased king ordered his guards to “break both her Arms, for offering to embrace the royal Person.”¹²⁷ The king then demanded the head of the girl’s father, but the father resisted and struck him with a lance through the heart. According to Hamilton, this event introduced several years of discord, warfare, and tyrannical rule in the kingdom, which “nothing could stop but a Revolution.”¹²⁸ Hamilton’s narrative follows the same arc of Locke’s account: a sodomite king who exercises patriarchal absolutism, uses his subjects as he wishes, and penetrates their bodies whether by pistol or penis. As in Locke’s account of the state of nature turned war, the king’s sodomitical abuse of power engendered an endless war in the Dominions of Johore which could only come to a close when a revolution set the kingdom back in order.¹²⁹

In critiquing the hegemony of patriarchal absolutism in the late 17th century, Locke is not only attacking the dominant Christian socio-symbolic order premised on fatherhood but also attempting to rebuild and shore up support for a new politico-theological system organized around fraternal equality. As feminists have argued, the social contract tradition creates a fraternity of individuals, men who establish autonomy in relation to one another by perpetuating relations of patriarchal incorporation with their wives in the private sphere of the household. Yet, the contractors never escape the risk of their own incorporation, as the affective relations of fraternal love through which Locke envisions new forms of unity and solidarity risk merging men together and undermining their newfound autonomy. As one early 18th century poet wrote in his critique of men who display brotherly love in public and

¹²⁶ Capt. Alexander Hamilton, *A New Account of the East Indies, Being the Observatiōn and Reamrks of Capt. Alexander HAmilton, who spent his time there from the year 1688 to 1723*, vol. II (Edinburgh, Printed by John Mosman one of his Majesty’s Printers and sold at the King’s Printing-house, 1727), 95.

¹²⁷ *Ibid.*, 96-7.

¹²⁸ *Ibid.*, 99.

¹²⁹ For other accounts that use indigenous sodomy to representation absolutism, see also Monsr. Du Perier, *A general history of all voyages and travels throughout the old and new world, from the first ages to this present time*, (London: printed for Edmund Curll at the Peacock without Temple-Bar, and Egbert Sanger at the Post-House in the Middle Temple-Gate, Fleet-Street, 1708), 135-7; G. J., *Geography epitomiz’d: or, the London gazetteer. Being a geographical and historical treatise of Europe, Asia, Africa, and America* (London: Printed for Charles Rivington, at the Bible and Crown in St. Paul’s Chruch-Yard, 1718), 184-5.

“kiss and slabber in the open Street.... May they, when next they kiss, together grow, / and never after Separation know.”¹³⁰ Sodomy conjured up the image of patriarchal incorporation. It formed fraternity’s violent shadow, the negative underside from which brothers cannot escape. In an emerging world where fraternity would come to supplant the political authority of fatherhood, sodomy would eventually be understood as a crime “so villainous as to exceed Parricide.”¹³¹

A queer-feminist reading thus reveals that what lurks in the colonial margins of Locke’s narrative is the specter of a racialized and indigenous sodomy as the submerged but ever-present threat posed by and to fraternal equality. Locke mobilizes the figure of the indigenous sodomite-*cum*-cannibal to highlight the hazards immanent to fraternity as a relationship that engenders bonds of feeling between men which always risks binding them together in such a way that they melt into love’s fantasy of fusion. Sodomy came to signify an excessive intimacy and affection between men that risked the loss of the individual’s psychic and corporeal boundaries, the loss, that is, of an autonomy rooted in the propriety of his body. As fraternity’s constitutive outside, therefore, sodomy represents the continued threat that the contracting brothers will treat each other’s bodies as they do their wives at home.

Conclusion: The Cultivation of Feeling

Building on Pateman’s feminist genealogy of the liberal individual, this chapter has put forward a queer-feminist interpretation of social contract theory and argued that gender, sexuality, and colonialism provided the conceptual conditions of possibility for the emergence of ‘the individual’ as a new political subject at the turn of the eighteenth century. Critical of readings that portray the social

¹³⁰ *Faustina: Or the Roman Songstress, A Satyr, on the Luxury and Effeminacy of the Age* (London: Printed for J. Roberts, at the Oxford Arms, in Warwick Lane, [1726?]), 5. See also, “The Indictment of John Purser, Containing Thomas Cannon’s Ancient and Modern Pederasty Investigated and Exemplify’d,” Edited by Hal Gladfelder *Eighteenth Century Life*, 43.

¹³¹ *A faithful narrative of the proceedings in a late affair between the Rev. Mr. John Swinton, and Mr. George Baker, both of Wadham College, Oxford: wherein the reasons, that induced Mr. Baker to accuse Mr. Swinton of sodomitical practices, and the Terms, upon which he signed the Recantation, industriously publish’d in the Daily Advertiser, London Evening Post, &c. are circumstantially set down, and submitted to the Publick* (London: Printed and sold at the Britannia in the Old Bailey, 1739), 4.

contract as made up of isolated, atomistic, and purely rational subjects, I highlighted Locke's affective rhetoric of friendship and fraternal love to demonstrate how Locke seeks to reimagine the political bonds of feeling attaching men to one another and obligating them to preserve each other as equals. I argued that Locke turns to the affectively loaded concepts of friendship and fraternity to show how men contracting together establish a new body politic in which no brother naturally holds power over another. Employing a logic of mimesis central to a Greco-Roman tradition of friendly and fraternal love, Locke develops a nascent theory of political representation to legitimize a political structure of power in which some brothers act for all members of the political community. Throughout the *Two Treatises*, then, Locke makes use of the gendered figure of fraternity to elaborate a normative, affective, and political framework for organizing a contract-based polity made up of free and equal individuals.

As we saw, however, fraternal love is not without its dangers. While drawing men together into a political union, the affective force of fraternity also gestures towards a form of unification as fusion and merger. Fraternal love binds men together as free and equal citizens, but it also threatens this equality and freedom by risking their re-incorporation into patriarchal relations of dependence and unfreedom. Immanent to fraternity is, therefore, the ever-present danger that men lose their separation and autonomy as proprietary owners in possession of their own bodies. Locke names this danger as sodomy, which comes to symbolize the thin border separating fraternal autonomy from patriarchal subordination. Tied to the figure of the indigenous cannibal circulating in the margins of the *Two Treatises*, sodomy warns of the unravelling of the political bonds of fraternal love underpinning the social contract. Sodomy thus symbolizes the collapse of the social contract's hetero-patriarchal symbolic order and signifies the boundaries of an emerging gendered category of politics that liberal political theory names 'the individual.'

Locke's narrative of the breakdown of brotherly love and the need to reorganize affective relations between men takes root in a context of the king's growing absolutism and the recent memory

of the English civil war, which symbolically pit brother against brother and revealed how feelings of enmity rather than love could characterize men's relations. How then were men educated out of these negative passions? How might Locke have understood the construction of these new bonds of egalitarian love in and against a historical context characterized by patriarchal relations of rule and the specter of civil war?

Discussions on Locke's theoretical attempts to create new types of political subjects typically focus on his concern with limiting men's passions. According to James Tully, Locke developed a system of bodily labor geared to "produce and then govern new forms of habitual conduct in belief and action."¹³² Tully argues that Locke's disciplinary system intended to create a minority of rational and self-governing elite men while ensuring that the poor and working class are made to be "docile with respect to the law and useful in employment."¹³³ Similarly, James Martel has shown how Locke sought to produce industrious subjects by employing the institution of marriage as a way to check and control the potential unruliness of men's desires.¹³⁴ In Uday Mehta's study of Locke's theory of education, he also shows how Locke's educational program aims "to mold the mind before it becomes self-conscious" and that the principles underlying it "refer almost exclusively to this single issue of curbing the willful desires and passions" of children.¹³⁵ Accordingly, these accounts portray Locke's project of shaping desire as one primarily concerned with the formation of what Tully calls a disciplined "penalized self" with a restrained and restricted will.¹³⁶

While Locke was certainly concerned with the proper governance of the potentially unruly and rebellious desires of subjects, his work did not seek only to shape individuals by curbing and limiting their passions. Locke's vision of fraternal equality required that individuals also include other men in

¹³² Tully, "Governing Conduct: Lock on the Reform of Thought and Behaviour" in *An Approach to Political Philosophy: Locke in Contexts* (Cambridge University Press, 1993), 179-241, the quote is from page 179.

¹³³ *Ibid.*, 235.

¹³⁴ Martel, *Love is a Sweet Chain*, 49-52, 58.

¹³⁵ Mehta, *The Anxiety of Freedom*, 98, 160.

¹³⁶ Tully, "Governing Conduct," 239.

their thoughts and feelings. Fraternal equality meant that men must expand their feelings of self-love and extend their affections to all men regardless of their rank or status. Locke's political project thus aimed to craft desire not only by restraining but also augmenting it. Given scholarly attention on Locke's disciplinary strategies, how should we understand his attempts to cultivate egalitarian desires of fraternal love and enlarge the sphere of fellow feeling between men?

One key technique in Locke's arsenal for promoting fraternal love is the affective power of discourse. As Linda Zerilli, Torrey Shanks, and Kirstie McClure have argued, the importance of rhetoric to Locke's thought suggests that the *Two Treatises* itself served as an education in feeling by intervening in the affective dimensions of the English imagination.¹³⁷ By deploying emotionally charged figures of fraternity to give shape and meaning to the abstract principle of political equality, Locke's *Two Treatises* incited new forms of feeling for its readers and inspired them to take new consideration of their equal brethren. The affective power of discourse was not a one-way relationship between texts and their readers, however. Locke also emphasized public opinion and the intersubjective conditions of conversation as a key mechanism for governing conduct.¹³⁸ In his personal life, Locke helped establish a number of discussion societies designed for "the promoting of Truth and Christian Charity."¹³⁹ He penned a series of constitutional rules regulating how club members ought to speak to each and thus set up the discursive conditions to better enable participants to develop "sentiments of a higher and more extensive nature."¹⁴⁰ Whether in the private reading room or the public discussion club, the discursive powers of the written and spoken word played a central role in Locke's project of cultivating new feelings between men.

¹³⁷ Zerilli, "Philosophy's Gaudy Dress," 314. Shanks, *Authority Figures*, 61, 113; McClure, "Cato's Retreat," 322, 331.

¹³⁸ Tully, "governing conduct," 210-215; Mehta, *Anxiety of Freedom*, 139.

¹³⁹ John Locke, "Rules of a Society, which met once a week, for their improvement in useful Knowledge, and for the promoting of Truth and Christian Charity" in *A Collection of Several Pieces of Mr. John Locke*, 359-362. See also "Rules of the Dry Club," written by William Popple based on Locke's recommendation and own proposals. Oxford, Bodleian Library, Ms. Locke c25, cc. 56r-57v.

¹⁴⁰ P. Des Maizeaux, dedication to *A Collection of Several Pieces of Mr. John Locke, Never Before Printed, Or extant in his Works* (London: Printed by J. Bettenham for R. Francklin, at the Sun in Fleetstreet, 1720). On Locke's involvement in these societies, see Luisa Simonutti, "Circles of *Virtuosi* and "Charity under Different Opinions": The Crucible of Locke's Last Writings," in *Studies on Locke: Sources, Contemporaries, and Legacy*, eds. Sarah Hutton and Paul Schuurman (Netherlands: Springer, 2008), 159-175.

While Locke made ample use of rhetoric and argued that its materialist effects on the human passions helped produce new kinds of subjects,¹⁴¹ an overemphasis on discourse and rhetoric risks sidestepping the more mundane but important point that feeling is a sensation in and of the body. In *Some Thoughts Concerning Education*, Locke discusses the productive role of bodily practice, arguing that diet and exercise regimes can better enable children “to obey and execute the orders of the *Mind*.”¹⁴² Rather than memorize “rules and precepts,” Locke recommends that children repeat the same action “till it be grown habitual” and so “natural in them. Thus, bowing to a gentleman when he salutes him, and looking in his face when he speaks to him, is by constant use as natural to a well-bred man as breathing; it requires no thought, no reflection.”¹⁴³ Bodily actions such as bowing or eye contact make up part of the conduct of civility and respect between gentlemen. When repeated over time, such practices ensure that abstract rules or principles of civility are internalized in children and so take on the status of ‘human nature.’

As Locke’s references to bowing and face-to-face communication indicate, bodily conduct plays an important role in mediating relations between men not just within but across class positions. Critical of children from elite families who treat their servants “as if they were of another race and species beneath them,” Locke writes that “to instil sentiments of humanity ... towards their inferiors, and the meaner sort of people,” a young gentleman must express:

A gentle, courteous, affable carriage towards the lower ranks of men.... Children should not be suffered to lose the consideration of human nature, in the shufflings of outward conditions. The more they have, the better humoured they should be taught to be, and the more compassionate and gentle to those of their brethren who are placed lower, and have scantier portions. If they are suffered from their cradles to treat men ill and rudely, because by their father’s title they think they have a little power over them, at best it is ill-bred, and if care be not taken, will by degrees nurse up their natural pride into an habitual contempt of those beneath them. And where will that probably end, but in oppression and cruelty?¹⁴⁴

¹⁴¹ On the materialist aspects of language in Locke’s thought, see Shanks, *Authority Figures*, 33-46. According to Nicholas Jolley, *Locke’s Touchy Subjects: Materialism and Immortality* (Oxford University Press, 2015), Locke rejected a Cartesian mind-body dualism that viewed the mind as an immaterial substance whose essence is thinking and advocated instead for a kind of weak materialism.

¹⁴² *Some Thoughts Concerning Education* §20. Locke’s recommendations on the body are detailed in §§2-30.

¹⁴³ *STCE*, §64.

¹⁴⁴ *STCE*, §117

While Locke does not deny that differences of rank exist between social classes, he argues that such distinctions drawn from a “father’s title” should not undermine an equality that exists in “human nature” between all gentlemen and “their brethren who are placed lower.” Echoing arguments made in the *Two Treatises*, Locke contends that the corruption of these fraternal relations engenders feelings of asymmetrical superiority and contempt that will, if not stopped, ultimately end in “oppression and cruelty.” Turning to the principle of fraternal equality, Locke argues that a courteous bodily carriage towards inferiors will instill in children of the elite feelings of fellowship across class lines. In other words, forms of bodily conduct and comportment can generate feelings of fraternal love and equality that ought naturally to exist between men.

Bodily conduct thus forms a key mechanism for mediating class differences and organizing relations of fraternal equality. While highlighting the role of the body, Locke nonetheless tends to prioritize acts of communication and discourse. He goes so far as to define civility itself in linguistic terms, writing that civility “is a disposition of the mind that shews it self in the carriage, whereby a man avoids making any one uneasy in conversation.”¹⁴⁵ Bodily practice thus helps form the prior material conditions for a political life mainly organized around speech, whether in the form of deliberating, persuading, or conversing. Although focused on questions of discourse, Locke’s comments reveal the significance of bodily practice in constituting political relations of equality and generating new bonds of fraternal love central to the theory of the social contract. Exactly what kinds of conduct and comportment were necessary to generate these new relations of feeling? How did they depart from and challenge pre-existing forms of etiquette organizing relations of hierarchy explored in Chapter One? And how did the threat of sodomy immanent to the theory of fraternity shape the development of new egalitarian relations of intimacy and affect between men? To answer these questions, the

¹⁴⁵ *STCE*, §143.

following chapters expand political theory's archive beyond an intellectual history rooted in philosophical texts to focus on the rituals and practices of an emerging public sphere. Turning to the largest republican political movement of eighteenth-century Europe, the next chapter examines how Freemasons resisted relations of hierarchy and inequality structuring the *ancien régime* by building a new embodied world of liberty, equality, and brotherly love inside their lodges.

Part III: Fraternity

4. Constructing Equality, Cruising Fraternity:

Masonic Contracts, Bodily Contact, and the Bourgeois Public Sphere

During the 18th century, the Mitre Tavern on London's Fleet Street was home to various kinds of clubs and associations, such as the Society of Antiquaries, the Royal Society Club, and a number of Masonic lodges.¹ As the host-venue of these societies' meetings, the Tavern was part a larger network of coffeeshops, theaters, and salons in what has been called the public sphere of Enlightenment Europe. Making possible the communicative exchange of rational debate between men, and to a lesser extent, women, these sites constituted the institutional base of an emerging civil society. Yet, on the 5th of February 1739, something quite different from an enlightened public sphere of rational debate took place at the Mitre Tavern. That evening, a tobacco pipe maker by the name of William Wilder entered the pub and was led to a small room, where he was told to undress, put on a blindfold, and await the unexpected. What might have appeared like a common gathering of men was in fact a meeting for Masonic Lodge No. 1, as Wilder would undergo his initiation into the ancient fraternity of freemasons.² As part of the ceremony, Wilder would be taken by the hand or arm and led around the lodge several times under the heavy sound of gavels banging, and unbeknownst to the blindfolded pipe-maker, the mason who held him was likely of noble descent. Indeed, it might have been the first time in Wilder's life that he ever touched let alone held hands with a man of so high a rank.

Inside Masonic Lodge No. 1, Wilder would find men from a variety of class backgrounds and ranks, such as gentlemen, lawyers, merchants, haberdashers, sailors, fishmongers, and actors.³ In

¹ T. E. Allibone, "The Thursday's Club Called the Club of the Royal Philosophers, and Its Relation to the Royal Society Club," *Notes and Records of the Royal Society of London*, 26, 1 (1971): 73-8; Bruno Gazzo, "The Interview: The Masonic 'Square Mile,' *Petre-Stones Review of Freemasonry* (2008) [accessed November 2020]: www.freemasons-freemasonry.com/masonic_london_guide.html.

² Wilder's initiation date is accessible on the first page of the *England, United Grand Lodge of England Freemason Membership Registers, 1751-1921* from the collection of the United Grand Lodge of England held at the Museum of Freemasonry, London, England.

³ The membership list for Lodge No. 1 on the first page of the *England, United Grand Lodge of England Freemason Membership Registers, 1751-1921* lists 42 members for the initiation dates ranging from 1739 to 1768 and the following titles and trades for its members:

contrast to the naturalized principles of hierarchy organizing the aristocratic world of early modern Europe, these men all purported to meet and socialize as equals. Of all the clubs and societies in 18th century Europe, Freemasonry was by far the largest and most widespread and has often served as a key figure for political theorists and historians to explain the rise of the Enlightenment public sphere.⁴ In *Critique and Crisis*, Reinhart Koselleck turns to freemasonry to trace the transformation of voluntary associations into critical centers of moral authority, arguing that the masonic lodges were nascent models for bourgeois society. “It was in the lodges and through them that the bourgeoisie acquired a social form of its own,” Koselleck writes, where “the bourgeois citizen found a platform where all distinctions of status were levelled out.”⁵ Building on this work, Jürgen Habermas argues in *The Structural Transformation of the Public Sphere* that in the early 18th century,

Reason ... needed to be protected from becoming public because it was a threat to any and all relations of domination.... Its sphere of publicity had still to rely on secrecy; its public, even as a public, remained internal. The light of reason, thus veiled for self-protection, was revealed in stages. This recalls Lessing’s famous statement about Freemasonry, which at that time was a broader European phenomenon: it was just as old as bourgeois society – “if indeed bourgeois society is not merely the offspring of Freemasonry.”⁶

Exemplary of and formative for the communicative exchange that Habermas takes to be constitutive of the bourgeois public sphere, the lodge provided a secure space in which the critical force of reason could develop. Alongside the coffeshop and salon, the lodge “replaced the celebration of rank with a

gentlemen (9), attorney at law (4), merchant (3), sailor (3), fishmonger (2), surgeon (2), broker, banker, publican, tobacconist, printer, cabinetmaker, haberdasher, pipe maker, vintner, coach maker, actor, upholster, hosier, linen draper, stationer, woolen draper.

⁴ After undergoing reorganization in the 1720s, lodges began to appear across Britain, the European continent, and various colonies. By mid-century, there were over 180 lodges in cities such as London, Paris, Hamburg, the Hague, and Philadelphia, which had inducted some fifty thousand men into the fraternity. John Lane (ed.), *Masonic Records, 1717-1894* (London, 1910); Peter Clark, *British Clubs and Societies 1580-1800: The Origins of an Associational World* (Oxford University Press, 2002), ch. 9; Jacob, *Living the Enlightenment*, 49-50. Given this wide reach, freemasonry often served as a model for other fraternal societies. See, Christina Voss, *The Universal Language of Freemasonry: A Socio-Linguistic Study of an In-Group’s Means of Communication compared with Ritualistic Diction and Symbolism of ‘Profane’ Fraternities, and a Survey of its General Applicability* (PhD Dissertation, Johannes Gutenberg-Universität, 2003), 580-648.

⁵ Reinhart Koselleck, *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society* (Cambridge: MIT Press, 1988), 72.

⁶ Habermas, *Structural Transformation of the Public Sphere*, 35.

tact befitting equals,” and thus contributed to the formation of what Habermas and others have argued are new democratic practices of sociability that militated against the hierarchy of aristocratic society.⁷

The deliberative exchange characteristic of the public sphere presupposes an equality between speaking subjects.⁸ Lacking equality in an aristocratic society, the speech of men from the middling sort was not considered *politically* meaningful and worthy of being taken into account. What, then, were the pre-conditions that enabled bourgeois speech to become politically intelligible? Queer and feminist critics such as Joan Landes, Nancy Fraser, and Michael Warner have argued that the exclusion of women from the public sphere was not accidental to but rather constitutive of the political equality that granted men the capacity to speak and be heard as political subjects.⁹ According to these scholars, the bourgeois public sphere was organized not only according to gendered principles of exclusion, determining which bodies could participate in public debate, but also gendered principles of speech, normalizing how one must speak in order to intelligibly participate in the public voice of reason. In other words, women were included, so to speak, as a necessary excluded condition for the equality and intelligibility of men who lacked title and nobility to participate in the bourgeois public sphere.

While queer and feminist scholars have made a number of important critiques to dominant historiographies of the public sphere, the narrative dimensions of both earlier and more recent critical accounts continue to pose the body as democracy’s constitutive outside. Whereas Habermas claimed that the emergence of the bourgeois public sphere of rational-critical debate entailed a rejection of the structure of corporeality that defined the representative public of the monarchy, critics such as Warner, Fraser, and Landes embrace this narrative as a matter of historical fact only to highlight how the

⁷ Ibid., 36. See also Richard Sennett, *The Fall of Public Man: On the Social Psychology of Capitalism* (New York, 1978), 81; Jodi Dean, *Publicity’s Secret: How Technoculture Capitalizes on Democracy* (2002), 26-31; James Van Horn Melton, *The Rise of the Public in Enlightenment Europe*, ch. 8; Jacob, *Origins of Freemasonry*.

⁸ The problem of equality presupposed by deliberation is, as Jacques Rancière demonstrates, a problem of “knowing whether the subjects who count in the interlocution ‘are’ or ‘are not,’ whether they are speaking or just making a noise.... It is knowing whether the common language in which they are exposing a wrong is indeed a common language.” Rancière, *Disagreement*, 50.

⁹ Joan Landes, *Women and the Public Sphere in the Age of the French* (Cornell University Press, 1988); Nancy Fraser, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” *Social Text* 25/26 (1990), 56-80; Michael Warner, *Publics and Counterpublics* (New York: Zone Books, 2005).

disembodiment of bourgeois deliberation relied on patriarchal and heterosexist exclusions. Drawing on but critically intervening in these accounts, I argue that the exclusion of women from new spaces of publicity did not entail a rejection of questions of embodiment but in fact set the conditions for the construction of new ideas of the male body as the foundation of men's equality. I show how new corporeal practices of homosociality crafted in the sex-segregated institutions of the public sphere produced embodied categories of manhood and fraternity in order to subvert entrenched aristocratic hierarchies of status and create new relations of equality between men.

Focusing on the influential example of freemasonry, this chapter contends that transformations in the intimate practices of men's bodies – who is allowed to touch whom, in what ways, with which body parts, and for what kinds of symbolic purposes – were necessary and foundational for the structural transformation that gave rise to the bourgeois public sphere. I investigate how new practices of intimacy and touch across class lines generated forms of fraternal affect that materialized novel relations of equality and love between men. By attending to the role of the masculine body and its corporeal practices, I develop a queer-feminist reading of the bourgeois public sphere and argue that the reorganization of men's bodily relations not only form the prior conditions for democratic speech but also provide such speech with the affective resonance necessary for the birth of equality and new forms of gender and class hierarchy in the 18th century.

For all of the attention that freemasonry occupied in early accounts of the rise of the public sphere, it is surprising that developments in the historiography of the fraternal society have received so little attention from democratic theorists.¹⁰ Turning to explore an archive of bodily practices and rituals documented by historians but rarely analyzed by political theorists raises fresh perspectives on

¹⁰ The last several decades have witnessed the increased accessibility of masonic archives, as records from the United Grand Lodge of England were made available to non-masons in the 1980s and previously inaccessible archives in Moscow were relocated to Paris, Brussels, and the Hague in 2000. As a result of this increased access, there has been such a growth of scholarship that, as one historian claims, freemasonry has become “a new academic discipline.” Andrew Prescott, “The Study of Freemasonry as a New Academic Discipline” in A. Kroon (ed.), *Vrijmetselarij in Nederland: Een kennismaking met de wetenschappelijke studie van een 'geheim' genootschap* (Leiden: OVN, 2003), pp. 5-31. See also, Steven Bullock, “Remapping Masonry: A Comment,” *Eighteenth-Century Studies* 33, 2 (2000): 275-279.

paradigmatic questions of political theory, such as how individuals come to form attachments to political principles of equality, become invested in new figures of sovereignty, and enact democratic norms in their everyday lives in and against a background marked by hierarchies of rank and status. This chapter argues that freemasons challenged a political regime of hierarchy associated with the royal court and its patriarchal politics of kingship by reorganizing the affective and bodily relations that made up the ordinary practices of sociability in early modern England.¹¹ As Foucault once remarked, freemasonry is “a privileged example” of a “counter-society” dedicated to the cultivation and “pursuit of a different form of conduct” facilitating new forms of political subjectivation.¹² Analyzing masonic rituals of initiation and practices of identification as a “political technology of the body,” I show how the kinds of counter-conduct exercised by masons created new political subjects.¹³

Given women’s prior involvement in spaces of sociality such as the court and salon, it would not have been unimaginable for them to continue to play a role in the bourgeois public sphere. Their prohibition from many new spaces of publicity represented a conscious decision on which to establish new gendered relations of equality between men.¹⁴ In barring women, then, fraternal associations such as the freemasons did not draw on prior gendered norms of exclusion but rather actively constructed a new vision for men’s exclusive association. Centered around the political symbol of brotherhood, bodily rituals and practices instituted binary sex difference at the heart of the masonic lodge for the purposes of building a world of masculine association based on gendered principles of equality and

¹¹ Despite the increasing dominance of parliamentary authority in the 1690s, the threat of Jacobitism and the return patriarchal kingship remained alive well into the century. As Jacobite rebellions of 1715, 1719 and 1745 indicate, parliamentary authority was neither uncontested nor taken for granted.

¹² Michel Foucault, *Security, Territory, Population: Lectures at the College De France, 1977-78* (Palgrave, 2009), 198, 199. My thanks to Lucile Richard for pointing me to this reference.

¹³ Foucault, *Discipline and Punish*, 26.

¹⁴ Although some mixed-gender and female-only societies emerged later in the century, associations were predominantly male and many of the spaces where clubs met tended to be hostile to women’s presence, especially in the evenings. See, Catherine Tourangeau, *An Empire of Joiners: Voluntary Associations in the British Atlantic, 1680-1800* (PhD Dissertation, Yale University, 2020), 89-90. On the masculine sociability of the coffeehouse, see Brian Cowan, “English Coffeehouses and French Salons: Rethinking Habermas, Gender and Sociability in Early Modern French and British Historiography,” in *Making Space Public in Early Modern Europe: Performance, Geography, Privacy*, (eds.) Angela Vanhaelen and Joseph P. Ward (Routledge, 2013), 41-53. Critical of claims of women’s exclusion, Pincus, “Coffee Politicians Does Create,” 815-816 argues that women not only attended but also owned and operated coffeehouses, although the extent of their participation in coffeehouse sociability remains unclear.

reciprocity. Women served as a conduit for male-male desire, as their exclusion from the fraternity played a formative role in cultivating and circulating new kinds homosocial affection between men that ultimately came to inform and shape an emerging democratic body politic.

The formation and proliferation of gendered bodily rituals in the early 18th century thus come to define not just a new egalitarian mode of publicity but a novel political form of association. While these practices contested relations of deference and patronage central to the aristocratic world, they did not wholly do away with forms of hierarchy and distinction. Against naturalized ideas of rank and status, freemasonry constituted new kinds of class hierarchy based on emerging ideals of meritocracy. I show how ideas of excellence and virtue taking shape on and through the body made possible new forms of distinction between men without contradicting principles of fraternal equality. Analyzing political advances made by freemasonry in developing new democratic practices of association while attentive to the structures of exclusion and hierarchy organizing the fraternal society, I illustrate how ideas and practices of fraternal love constituted an emerging public sphere of egalitarian masculine citizens. By employing interpretative analytics central to queer theory in conjunction with feminist attention to the category of gender, this chapter proposes a queer-feminist political interpretation of equality and the normative forms bodily practice and homosocial affect underpinning an emerging bourgeois society. Attending to the subversive and hegemonic features of fraternity, I contend that the elaboration of new affective practices of brotherly love played a key role in the development of new relations of equality and distinction between men and suggest that their sedimentation as a part of an emerging civil society undercut other possibilities for gender equality in the early 18th century.

I. Freemasonry's Fraternal Contract

Despite the common use of the singular noun, 'the bourgeois public sphere,' Peter Clark estimates that during the 18th century, there may have been up to 25,000 different clubs and societies

in the English-speaking world.¹⁵ Given this wide-ranging diversity, we need a political heuristic to make sense of the claim that the bourgeois public sphere emerged in opposition to the aristocratic public at court. After all, it is not readily apparent why groups such as the Poker Club, Botanical Society, or the numerous literary and scientific societies that blossomed in the early 18th century should pose a challenge the stratified world of the aristocracy, especially since many of these associations were organized hierarchically.¹⁶ In order to understand the possible contestation of monarchical rule then, we must first attend to how contemporaries contested the patriarchal politics of the royal court.

In the previous chapter, I turned to the work of John Locke to show how the model of the social contract symbolically refigured political authority from a hierarchical relationship between fathers and children to one of equality between brothers. As a metaphor to describe new political relations between men, the social contract tradition provides an historically grounded heuristic through which to politically analyze the 18th century public sphere. Though rarely interpreted through the lens of the social contract, the pioneering work of Margaret Jacob and Steven Bullock shows how the masonic lodge included many features characteristic of the social contract tradition.¹⁷ In contrast to many other voluntary societies in the early 18th century, freemasonry required its members to undergo a ritual of initiation through which men pledged an oath of commitment and contractually obligated themselves to the fraternity.¹⁸ Freemasonry stipulated that members could join the society only out of their free consent, and for this reason explicitly forbade admission to “Bondmen” and those who were

¹⁵ Peter Clark, *British Clubs and Societies*, 2. According to Tourangeau, *An Empire of Joiners*, 79-84, there have been as many as 100 to 150 different *kinds* of associations, such as drinking, dining, gambling, sporting, leisure, student, ethnic, patronymic, music, literary, philosophic, learned, philanthropic, moral reform, debating, artistic, masonic and pseudo-masonic associations.

¹⁶ Even prototypical institutions of the public sphere, such as the salon, often served as an entry into rather than subversion of the court's hierarchical structures. In *The World of the Salons: Sociability and Worldliness in Eighteenth-Century Paris* (Oxford University Press, 2015), Antoine Lilti goes so far as to argue that the salon should not be considered part of the public sphere. For a more ambivalent reading on the relationship of the salon to the court, see Landes, *Women and the Public Sphere*, 23-31. On the generally hierarchical structure of many clubs and societies making up England's associational world, see Tourangeau, *An Empire of Joiners*, 20, 96.

¹⁷ Jacob, *Living the Enlightenment; Radical Enlightenment; Origins of Freemasonry*. Bullock, *Revolutionary Brotherhood*.

¹⁸ In doing so, Freemasonry also departed from traditions associated with religious confraternities. In Renaissance Florence, for instance, “almost all confraternities expressly forbade the swearing of oaths” because they risked putting members into moral sin if they failed to follow their obligations. Ronald Weissman, *Ritual Brotherhood in Renaissance Florence* (New York: Academic Press, 1982), 97.

not “free-born.”¹⁹ Breaking from the logic of the ancient constitution, the masonic contract instituted a new political beginning for men inside the lodge.²⁰ It enabled masons to develop forms of association based not on traditional principles of patriarchal deference (to fathers) but rather on equality between brothers.

As in the social contract tradition, the masonic appeal to consent was predicated on men’s natural equality. In the first public declaration to masons published in 1722, Robert Samber describes the kinds of relations shared between masonic brothers. He writes that masons are

fit Companions for the greatest Kings; and no wonder, since the King of Kings hath condescended to make you so to himself, compared to whom the mightiest and most haughty Princes of the Earth are but as Worms, and that not so much as we are all Sons of the same one Eternal Father.²¹

Echoing arguments made by John Locke, who masons claimed as one of their own brothers, Samber rejects monarchical claims of subordination by asserting that men’s natural equality derives from their common status as God’s sons.²² That their shared and equal brotherhood stems from Christ, “the King of Kings,” reveals a Protestant Christian theological basis of equality consistent with Locke’s political theology of equality explored in the previous chapter. Opposing a politics of patriarchalism in which the father-king served as a divine focal point mediating all relations of differentiated subordination,

¹⁹ *The Constitutions of the Free-Masons* (London, 1723), 51. On the context of these exclusions, see Cécile Révauger, “Freemasonry and Slavery in the British Empire,” *Journal for Research into Freemasonry and Fraternalism*, 5, 1 (2015): 30–46.

²⁰ On the relationship between the ancient constitution and the social contract, see Jacob Levy, *Rationalism, Pluralism, and Freedom* (Oxford University Press, 2015), ch. 5. On the ancient constitution more generally, see J. G. A. Pocock, *The Ancient Constitution and the Feudal Law: a study of English historical thought in the seventeenth century* (Cambridge University Press, 1987).

²¹ The dedication serves as the preface of Samber’s English translation of Harcouet de Longeville’s *Long Livers: A Curious History of Such Persons of Both Sexes Who Have Liv’d Several Ages, and Grown Young Again*, the quote is from pages v-vi. Published the following year, *Ebrietatis Encomium: or, The praise of drunkenness* contains a chapter titled “Of Free Masons and Other Learned Men, that used to get Drunk” that reads “If what Brother *Eugenius Philalethes* [Robert Samber] Author of *Long Livers*, a book printed, and dedicated to the *Free Masons*, says in his preface to that treatise, be true, those mystical Gentlemen very well deserve a place amongst the learned.” See Boniface Oinophilus, *Ebrietatis encomium: or, The praise of drunkenness* (London, 1723; Fac-simile reprint, New York, 1910). On Samber’s authorship, see Edward Armitage, “Robert Samber”, *Ars quatuor coronatorum*, XI, (1898), 103-132.

²² Just as Locke turns to Cain’s fratricide of Abel to provide evidence for the right execute natural law, so too does Samber claim that Cain’s murder of “his Brother founded... his Dominion in Blood, and despising the holy Law of Nature, and confiding in his own Strength, first usurped sovereign Sway; [and thus] was the first who constituted arbitrary government” (xviii). In 1753, the *Gentleman’s Magazine* published a (possibly forged) letter from Locke in which he expressed desire to join the masons. See Claude E. Jones, “John Locke and Masonry: A Document,” *Neuphilologische Mitteilungen* 67, 1 (1966): 72-81. On freemasonry’s promotion of Locke’s ideas, publication of the *Two Treatises*, and relationship to the 1688 Revolution more generally, see Jacob, *Living the Enlightenment*, 27, 34, 63-4, 111, 151; *Radical Enlightenment*, 36, 56, 97, 167-9.

Samber employs the symbolic logic of fraternity to re-figure the king as a brother to all men. “What is a Mason?” asks *The Grand Mystery of Free-Masons Discover’d*, “A Man begot of a Man, born of a Woman, [and] Brother to a King.”²³ Freemasonry thus contests monarchical relations of hierarchy by substituting the court’s symbolic logic of patriarchal deference with a new vision of patriarchy premised on men’s fraternal equality under the divine Father-God.

Grounded in a natural equality between brothers, freemasonry centered consent in their organizational rituals and practices. A mason’s consent was not only required when joining the fraternity but it would be constantly invoked in both ordinary and exceptional lodge operations, such as amending bylaws, admitting new members, using lodge funds, and even singing songs.²⁴ As Jacob argues, the masonic lodges were “microscopic civil polities,” in which a man would discover “a constitutional form of self-government, complete with constitutions and laws, elections and representatives.”²⁵ Joining together noblemen, gentlemen, merchants, traders, and artisans in relations of fraternal equality, freemasonry thus trained men not only in the arts of sociability characteristic of the public sphere but also in republican practices of self-government, free election, and consent.²⁶

What distinguished the masonic lodge from the vast majority of spaces of sociability was an explicit political theory and practice of contract. After their reorganization between 1717 and 1721, freemasonry started to establish a new and distinct set of associational practices and rituals of contract across a growing landscape of lodges emerging in Europe and the British colonies.²⁷ Unlike the more

²³ *The Grand Mystery of Free-Masons Discover’d. Wherein Are the Several Questions Put to them at their Meetings and Installations: as Also Their Oath, Health, Signs, and Points to know each other by* (London: Printed for T. Payne near Stationer’s-Hall, 1724), 8.

²⁴ New members could not be admitted against the will of any current members, and some lodge bylaws stipulated that singing was allowed “only when the lodge included no brother ‘to whom Singing is disagreeable.’” See, Bullock, *Revolutionary Brotherhood*, 31, 64.

²⁵ Jacob, *Living the Enlightenment*, 20. In *The Origins of Freemasonry*, Jacob claims that “Where we find the word ‘constitutions’ being used in French for the first time to denote the rules or statutes of an organization (in 1710) the context is masonic” (14).

²⁶ On the relationship between republicanism and freemasonry, see Loiselle, *Brotherly Love*, 211-220, 251-3; Bullock, *Revolutionary Brotherhood*, 238; Koselleck, *Critique and Crisis*, 80; Eric Hobsbawm, “Fraternity,” 471. Michael Roberts, “Liberté, Egalité, Fraternité: Sources and Development of a Slogan.” While attentive to the question of republicanism in freemasonry, we need not be too emphatic on this categorization. As the mason Leon Hyneman writes in the introduction to the 1860 edition of the *World’s Masonic Register*, masonic lodges “preserved and maintained the very principles of free *democratic* institutions” (13, emphasis added).

²⁷ While traditionally dated to 1717, recent studies have suggested that the Grand Lodge was founded as late as 1721. See the essays collected in “1717 And All That,” *Ars Quatuor Coronatorum* 131 (2018): 35-137. Freemasons had established more than 100 lodges by 1730 and around 500 before the end of the century. On the transformation and regularization of freemasonry in the early 1700s, see

familiar institutions of the public sphere, such as the coffeeshop, theater, and salon, the masonic lodge served a unique infrastructural node in what historians have described as a “mass movement among the gentry and influential professional classes.”²⁸ The spread of freemasonry and its practices of self-government posed a threat to the hegemony of European monarchies, and members were arrested and lodges restricted or outlawed in several countries and cities: Holland and Frisia in 1735, Geneva in 1736, Tuscany in 1737, France, Sweden and Hamburg in 1738, Italy and Austrian Netherlands in 1738, Poland in 1739, Spain in 1740, and Portugal in 1743. While the social contract illuminates the political nature of the lodges as an institution shaping an emergent public sphere, this chapter does not just situate freemasonry within a philosophical context familiar to intellectual historians and political theorists. Rather, I investigate how a republican movement such as freemasonry subverted hegemonic relations of hierarchy by establishing a new category of natural manhood on which to transform men’s bodily practices and materialize relations of fraternal equality.

II. Class, Gender, and the Bonds of Attachment

The problem of building egalitarian forms of association within a monarchical world thoroughly suffused by aristocratic feelings of superiority on the one hand and habits of deference on the other was a paradox of political foundation, according to social contract theorist Jean-Jacques Rousseau. “In order for an emerging people to appreciate the healthy maxims of politics,” Rousseau writes, “the effect would have to become the cause; the social spirit, which should be the result of the institution, would have to preside over the founding of the institution itself; and men would have to be prior to laws what they ought to become by means of laws.”²⁹ In order for a people to institute themselves as a new type of collectivity, Rousseau argues that they must already feel the “social spirit” that draws

Berman, *The Architects of Eighteenth-Century English Freemasonry*; Alfred Robbins, “The Earliest Years of English Organized Freemasonry,” *Ars Quatuor Coronatorum* 22 (1909); Clark, *British Clubs and Societies*, ch. 7.

²⁸ Richard Berman, *The Architects of Eighteenth-Century Freemasonry, 1720-1740* (PhD Dissertation, University of Exeter, 2010), 68, 232. Berman estimates that in London alone, up to 20% of the adult male population of the political and financial elite (e.g. aristocrats, wealthy gentry, successful bankers) and upper middling sort (e.g. lawyers, physicians, traders, shopkeepers, etc.) were members.

²⁹ Jean-Jacques Rousseau, *On the Social Contract*, ed. R. D. Masters & tr. J. D. Masters (New York: St. Martin's Press, 1978), 69.

them together. However, as the sign of an already united people, this social spirit can only be “the result of the[ir] institution.” Paradoxically therefore, the affective force binding their association cannot and yet must precede the people’s foundation: “the effect would have to become the cause.” Put simply, how can a people constitute itself as equals united in fellowship if all they have known are the habits and practices of hierarchy and submission?

In order to account for new relations of solidarity built in the masonic lodge and its related associational offshoots, scholars tend to focus on new economic ties of class emerging in the capitalist economy. In a clientelist economy that depended on aristocratic patronage, “masonic and pseudo-masonic orders,” John Brewer argues, provided “traders and merchants [with] ... freedom from the economic political control of the patricians.”³⁰ Freemasonry not only served as a forum for building commercial relations and opening new circuits for mobile capital but its structures of mutual aid and relief also provided a cushion against the problem of indebtedness that constantly threatened men without landed capital.³¹ Accordingly, scholars contend, the lodges enabled men to overcome economic relations of dependence and patronage and thus consolidated the bourgeoisie as a new economic class. Yet, given that the lodges brought together nobles, professionals, merchants, and artisans in relations of equality, historians have also pointed to this mixed-class membership to argue that freemasonry “worked to deny the significance of class difference.”³² How then could economic

³⁰ John Brewer, “Commercialization and Politics” in Neil McKenrick, John Brewer, and J. H. Plumb, *The Birth of a Consumer Society: The Commercialization of 18th-Century England* (Indiana University Press, 1982), 200, 199.

³¹ On the 18th century club as a site of commercial relations, see Brewer, *The Birth of a Consumer Society*, 197-265; Clark, *British Clubs and Societies*, 230. In cases of sickness or injury, a mason could appeal to the organization for financial relief and even receive medical care from a lodge physician. On mutual aid, charity and masonic insurance schemes, see Mary Ann Clawson, *Constructing Brotherhood: Class, Gender, and Fraternalism* (Princeton, 1989), 214; Bullock, *Revolutionary Brotherhood*, 194; Jacob, *Origins of Freemasonry*, 72-3. Harland-Jacobs, *Builders of Empire*, 59. Daniel Weinbren, “Freemasonry and Friendly Societies,” in *Handbook of Freemasonry*, vol. 8 (eds.) Henrik Bogdan and J.A.M. Snoek (2014): 387-404; David T. Beito, *From Mutual Aid to the Welfare State: Fraternal Societies and Social Services, 1890-1967* (University of North Carolina Press, 2000), 5-16.

³² Clawson, *Constructing Brotherhood*, 15. As part of their attempt to undermine class differences, masons implemented a graduated entry fee according to rank, with the nobility paying higher fees for admission. Clark, *British Clubs and Societies*, 221-222. As Jacob, *Origins of Freemasonry*, 76 notes, however, the fees were often beyond the means of working-class men. On the mixed-class makeup and lower-class composition of the masonic lodges, see Clark, *British Clubs and Societies*, 321-28; Clawson, *Constructing Brotherhood*, 97, 103-106. Bullock, *Revolutionary Brotherhood*, 59, 89; Jacob, *Radical Enlightenment*, 86; Loiselle, *Brotherly Love*, 11, 167, 190.

ties serve as a new mode of association opposing hierarchical bonds of patronage if freemasonry also seemed to undercut the viability of class as a category of relation?

Far from a contradiction, this sort of class disavowal was central to the rising hegemony of bourgeois politics. As Karl Marx argues in *On the Jewish Question*, the 18th century bourgeois revolutions that overthrew the rule of feudal monarchs “made state affairs the affairs of the people, and the political state a matter of *general* concern.”³³ In order to overcome the private rule of monarchs and make politics a public concern, Marx contends that the bourgeoisie rendered what were previously political questions of property and religion into private matters that were no longer the ‘public’ prerogative of the state. In principle, then, politics became the common affair of all citizens, while in reality the economy was no longer considered a political object of dispute. As such, Marx argues, “*political* man is [for the bourgeoisie] only abstract, artificial man.”³⁴ For Marxist theorists like Nancy Fraser, this abstraction meant “bracketing” material questions of class from deliberation in the bourgeois public sphere.³⁵ In disavowing the particularity of their class position in the name of an abstract democratic universal, bourgeois politics thus prevented the category of class from serving as an open and public basis of egalitarian attachment between citizens.

“The phrase which corresponded to this imaginary abolition of class relations was *fraternité*, universal fraternization and brotherhood,” Marx would later go on to specify without commenting on the role of gender in constituting the so-called universal equality of bourgeois society.³⁶ As early proponents of universal brotherhood, Freemasons turned to the symbolic figure of fraternity to reject the naturalized class hierarchies that made up the aristocratic world. They invoked brotherhood as a political signifier to name the affective glue uniting masons in new relations of equality and mutual aid.

³³ Karl Marx, “On the Jewish Question” (1843) in *The Marx-Engels Reader*, ed. R. Tucker (New York: Norton & Company, 1978), 45

³⁴ Marx, “On the Jewish Question,” 46

³⁵ Nancy Fraser, “Rethinking the Public Sphere,” *Social Text* 25/26 (1990).

³⁶ Karl Marx, “The Class Struggles in France,” in *Surveys from Exile: Political Writings* Vol. 2, ed. David Fernbach (London: Penguin Books, 1973), 47.

“United by the endearing name of *brother*,” one mason explains to his brethren, “*Free-Masons* live in an affection and friendship rarely to be met with even among those whom the ties of consanguinity ought to bind in the firmest manner. That intimate union ... which prevails among *Free-Masons*, diffuses pleasure that no other institution can boast.”³⁷ In opposition to the blood relations of ancestral descent that organized royal dynasties, the symbolic figure of the brother aimed to build new affective relations between men.³⁸ As I argued in the last chapter, brotherhood served as a symbolic resource to articulate egalitarian forms of affinity beyond a politics of blood-based kinship. Just as Locke employed an egalitarian rhetoric of friendship to describe fraternity, so too did masons portray their fraternal relations as a form of “friendship,” further illuminating the kinds of emotional bonds of equality the lodge aimed to cultivate.³⁹ Consequently, masons often boasted of their fraternal spirit of collectivity, claiming that the lodge presented a “unanimity not elsewhere to be practised.”⁴⁰

Far from rejecting class as a category of attachment, we should consider these fraternal bonds to originate in a re-organization of property relations. In a patriarchal political structure, not only were all women and children the property of some man but also “many men were the property of other men.”⁴¹ As Pateman makes clear, the social contract’s fraternal relations result from the democratization of men’s patriarchal ownership of women on the one hand and the refusal of men’s propertied subjection to other men on the other.⁴² New relations of fraternal equality are built in and through each man’s recognition of other men as property owners not only of their own bodies but

³⁷ A Free and Accepted Mason, “A Dissertation on Free-Masonry, Addressed to His Royal Highness George Prince of Wales, Grand-Master of England, *The Attic Miscellany* II, XV (1790), 78.

³⁸ Marie Mulvey Roberts, “Masonics, Metaphor and Misogyny: A Discourse of Marginality?” in *Languages and Jargons: Contributions to a Social History of Language*, (ed) Peter Burke and Roy Porter (Polity Press, 1995), 133-154.

³⁹ Although Loiselle, *Brotherly Love*, 168 claims that Freemasons put more emphasis on friendship than brotherhood to solidify the egalitarian meaning of their relations, masonic texts in the English context suggest that fraternity occupied a stronger symbolic position. See, *Masonry Dissected*, 23; Jackson, *English Masonic Exposures 1760-1769*, 136.

⁴⁰ *Dissertation Upon Masonry*, 69. On the pervasive discourse of brotherly love in freemasonry, see Godbeer, *The Overflowing of Friendship* (2009), 182-189; Bullock, *Revolutionary Brotherhood*, 39, 56-57. Clawson, *Constructing Brotherhood*, 42, 176. Hobsbawm, *Fraternity* (1975). On the lingering discourse of paternalism inside the lodges, see Jacob, *Living the Enlightenment*, 59, 100, 117.

⁴¹ Trumbach, *Rise of Egalitarian Family*, 3.

⁴² “The brothers *make a sexual contract*. They establish a law which confirms masculine sex-right and ensures that there is an orderly access by each man to a woman. Patriarchal sex-right ceases to be the right of one man, the father, and becomes a ‘universal’ right. The law of male sex-right extends to all men, to all members of the fraternity.” Pateman, *Sexual Contract*, 109-110.

also of women's. "Without this recognition," Pateman argues, other men "will appear to the individual as mere (potential) property, not owners of property, and so [their fraternal] equality disappears."⁴³ Consequently, gender becomes the medium through which new class relations are constituted, as women's bodies form the mediating object binding together fraternal relations of equality.

While the masonic lodge served as a foundation for organizing a sex-segregated society based on voluntary consent, women's exclusion from freemasonry and the public sphere more generally was not an accomplished fact in the early 18th century. Women could initially participate in the guild society of masons and it was not the reorganization freemasonry that women were "explicitly banned from the lodges" as stipulated in James Anderson's *Constitutions* of 1723.⁴⁴ Their exclusion thus came to mark the transformation of the society from an operative guild of laborers to a political organization dedicated to principles of contract, equality, and self-government. Freemasons reasoned that women were unable to keep secrets and so could not maintain the oath of secrecy necessary for entering the masonic contract.⁴⁵ Rather than critique women's rationality, masonic reformers took up 17th century representations of women as leaky vessels unable to control the boundaries of their bodies and keep that which ought to be hidden – whether secretions or secrets – from spilling out.⁴⁶ Although masons invoked these biological depictions, the imagined leakiness of women's bodies was a difference of degree and not of kind, as men and women were not perceived to have two biologically distinct bodies in the 17th century.⁴⁷ As such, gendered differences did not have already established meanings for inclusion and exclusion. In early modern England, naturalized differences of class rooted in blood served as a great marker of difference than gender, as aristocratic men believed they shared more in

⁴³ Pateman, *Sexual Contract*, 56.

⁴⁴ Cécile Révauger, "Women Barred from Masonic 'Work': A British Phenomenon," 117. See also, Jan A.M. Snoek, "Freemasonry and Women," in *Handbook of Freemasonry*, (eds.) Henrik Bogdan and Jan A.M. Snoek (Leiden: Brill, 2014), 407-421; Bullock, *Revolutionary Brotherhood*, 13-14.

⁴⁵ Jacob "Freemasonry, Women, and the Paradox of the Enlightenment."

⁴⁶ On the portrayal of women's bodies as leaky, see Laura Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (Yale University Press, 2003), 21-26.

⁴⁷ Thomas Lacqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Harvard University Press, 1990).

common with aristocratic women than with men of the lower orders. As Thomas King puts it, “manliness was not a set of privileges accruing to the membership of a ‘natural group’ of biological men” because no such “natural group” existed.⁴⁸

Accordingly, we cannot presuppose binary sex difference as an already existing basis for membership delineating the lines of inclusion and exclusion. Rather, gender as a naturalized category of membership that transcended class differences and established new relations of equality did not pre-exist but had to be actively constructed. In a lecture explaining the reason for Saint Paul’s entry into freemasonry, one mason quotes Paul and says, “*When I was a child* says he [Paul], *I understood as a Child ... but when I became a man* (an Expression Emphatically Significant among us) *when I became a man then*, says he, *I put away Childish things.*”⁴⁹ Not to be but to “become a man,” a phrase the speaker repeats for his audience, is an “expression emphatically significant” to the masonic project. Rather than draw on a prior manliness, freemasonry sought to negate men’s status as subordinates under a patriarchal king by transforming children into men and men into brothers. Freemasons endeavored to constitute “manhood” as a new political category from which to establish relations of likeness and equality between men. As one masonic orator put it, “A Man who does not love another man like himself can hardly be recognizable as a man.”⁵⁰ Forming part of the historical construction and naturalization of gender in the 18th century, freemasons excluded women as part of their organizational mission to establish affective bonds of fraternal equality. As I show in Chapter Six, fraternity was not the only way to reimagine political principles of association, but it did ultimately become the hegemonic model over the century. As such, women’s exclusion was not a necessary but historically contingent basis for organizing new relations of freedom and equality against naturalized hierarchies of status and rank.

III. Hierarchy, Difference, and Distinction

⁴⁸ Thomas King, *The Gendering of Men*, Vol I, 4.

⁴⁹ *A Dissertation Upon Freemasonry*, 65

⁵⁰ Quoted in Jacob, *Origins of Freemasonry*, 67.

The masonic imaginary envisioned all men as naturally equal, and so men “of all ranks, from the duke to the peasant, were admitted without respect to person.”⁵¹ However, freemasonry did not seek to eradicate all distinctions between men. As *The Constitutions of the Free-Masons* states, “For though all *Masons* are as *Brethren* upon the same *Level*, yet *Masonry* takes no Honour from a Man that he had before; nay rather it adds to his Honour.”⁵² Evidenced by the organization’s degree structure, electoral practices, and educational initiatives, freemasonry promoted principles of virtue and excellence among its members consistent with a classic tradition of republicanism.⁵³ As Grand Master De Witt Clinton remarked, the brotherhood “admits of no rank except the priority of merit, and its only aristocracy is the nobility of virtue.”⁵⁴ While critical of inherited notions of rank, freemasons did not level all differences between men even as they asserted that all brothers were on the same level, that is, equal.

Critics have suggested that the masonic emphasis on distinction undermines the fraternity’s primary claims of equality. However, the seeming tension between equality and distinction arises because we tend to think of equality as a political principle that eradicates difference. As Linda Zerilli argues, rather than think equality as a principle that establishes sameness, we should consider equality as a “political principle that must *relate* different beings, ... far from denying differences (only likes can be treated alike), [equality] takes them for granted as things that must be brought into a certain kind of relation with each other (unlikes must be treated alike).”⁵⁵ By presupposing difference and plurality among individuals, the principle of equality does not seek to erase difference so much as put it into a new kind of relation. To understand how this occurs requires the introduction, Zerilli argues, of a “third term or party, a *tertium comparationis*” that is independent of and yet shared by the compared

⁵¹ *Shibboleth; Or, Every Man a Free-Mason* (London: Printed for J. Cooke, 1765), 6.

⁵² James Anderson, *The Constitutions of the Free-Masons. Containing the history, charges, regulations, &c. of that most ancient and right worshipful fraternity* (London, Re-printed in Philadelphia: 1734), 55.

⁵³ Contrary to the common association of elections with democracy, elections are much more common to republican institutions, since, unlike a lottery system, they aim to distinguish between candidates and select the best among them to rule. Bernard Manin, *The Principles of Representative Government* (Cambridge, 1997).

⁵⁴ Quoted in Bullock, *Revolutionary Brotherhood*, 149.

⁵⁵ Zerilli, *Feminism and the Abyss of Freedom*, 111.

objects.⁵⁶ This third term transforms equality into a concept of relationality rather than identity. Instead of eschewing differences, the third term draws them into relation and raises the question of how the differences between objects ought to be compared and related as equals.

Freemasons turned to symbolic figure of the brother as this third term that could unite men together in new relations of equality without eradicating their differences. Masonic songs made clear the fraternity's opposition to an aristocratic regime of rank and distinction.⁵⁷ "Ensigns of State that feed our Pride, / Distinctions troublesome and vain, / By *Masons true* are laid aside, / Arts *Freeborn Sons* such Toys disdain." Rejecting the stately signs of hierarchal distinction in favor of men's natural equality, the chorus goes on to affirm the symbolic name of the brother as the common term of masonic relation: "*Innobled by the Name they bear,*" the masons sing together, "*Distinguish'd by the Badge they wear*" (92).⁵⁸ Brotherhood serves as the symbolic term in and through which masons reorganized their common relations against the court's markers of difference. In this, freemasonry evidences what Jill Frank calls a democracy of distinction. Like Zerilli, Frank argues that by "using a common term" to produce a marriage of the like with the unlike, a democracy of distinction "makes it possible to compare different things or persons ... thus recognizing and establishing their equality, while appreciating them in their differences."⁵⁹ For freemasons, the symbolic figure of the brother served as a common term that put their differences in a new relation. Fraternity enabled masons to construct a shared symbolic framework that could establish an egalitarian relationship between many differing men without eradicating their differences. In other words, fraternity provided masons with a symbolic figure

⁵⁶ *Ibid.*, 112. On the political-legal logic of the *tertium comparationis*, see Ute Gerhard, *Debating Women's Equality: Toward a Feminist Theory of Law from a European Perspective* (Rutgers University Press, 2001), 7-11.

⁵⁷ Masons did not only sing in their lodges but also frequently in public outings. See Clark, *British Clubs and Societies*, 326.

⁵⁸ Anderson, *The New Book of Constitutions of the Antient and Honourable Fraternity of Free and Accepted Masons*, 203. Even as the organization became increasingly conservative by the century's end, masons did not waver from this primary claim of fraternal equality. On the event of George Prince of Wales becoming Grand Master in 1790, the speaker addresses the prince as follows: "Sir, IT would ill become a *Brother* to belie the principles of the *Art* he professes, as to descend to the courtly strains of servile adulation. Accept, therefore, the simple congratulations of a *Free and Accepted-Mason*" (*A Dissertation on Free-Masonry*, 80).

⁵⁹ *Ibid.*, 86.

through which to discover their shared equality as brothers while also discovering what distinguishes them and sets them apart from one another as men.

Brotherhood provided masons with the symbolic resources to reject the naturalized status hierarchies of the royal court while nonetheless maintaining a vertical logic of distinction. “[A]ll have a right and opportunity,” as one mason explained, “to know *all* the *arts* and *mysteries* belonging to [freemasonry], yet that is not the case, as some want capacity and others industry to acquire them.”⁶⁰ Notions of meritocracy enabled freemasons to democratize aristocratic questions of distinction, since masonic virtue was now theoretically accessible to all men, but it also reinscribed a logic of hierarchy within the lodges. As Frank argues, a democracy of distinction “requires the practice of virtue by differentiated citizens in order to actualize itself.”⁶¹ For masons, fraternal equality sanctioned new relations of distinction based on industry and merit rather than on relations of lineage or proximity to the king. With the symbolic figure of fraternity, masons rejected naturalized distinctions of class rooted in blood and ancestry while establishing a new naturalized category of manhood out of which meritocratic forms of distinction could arise. By opening the hierarchies of rank and making them accessible to all men based on the cultivation and practice of virtue, fraternity provided men with a way of refusing their subordination as sons of a patriarchal king while also making possible new forms of difference and distinction between men as equal brothers.

Fraternity thus established a symbolic terrain on which men could not only reinvent themselves as equals but also inaugurate new kinds of disparity. While the forms of plurality and difference that the principle of equality draws into relation need not be hierarchically related, freemasons mobilized brotherhood as a way of creating new relations of distinction both without and within the lodges. On the one hand, the invocation of fraternity established a relation of hierarchy based not on naturalized

⁶⁰ *Dissertation on Free-Masonry*, 74.

⁶¹ Jill Frank, *A Democracy of Distinction: Aristotle and the Work of Politics* (University of Chicago, 2005), 15.

differences of class but gender, distinguishing between those men capable of joining the lodges and creating bonds of equality with their brethren and those women incapable of becoming members and thus relegated to positions of subordination. On the other hand, within the category of fraternity, new relations of distinction could emerge based on men's industry and virtue, as new understandings of meritocracy made possible hierarchical relations of rank and status between men without ostensibly thwarting the fraternal equality that initially brought them into relation.

Given that these egalitarian forms of associations predicated on manliness did not pre-exist but had to be developed, how do men who were otherwise unrelated to each other except by their place in an inherited hierarchy come to develop new bonds of civic solidarity? What kind of practices of homosociality did masons enact inside their lodges and how did they have the effect of generating the kind of felt sensibilities that could sustain relations of equality between men? And how did these practices give rise to new meritocratic relations of distinction without reinstating forms of deference and subordination traditionally displayed at court? In short, how exactly did masons reconfigure their relations in order to realize the principle of equality promised by the symbolic figure of brotherhood?

IV. The Bodily Practices of the Symbolic Brother

While scholars of the public sphere often point to practices of communicative exchange taking place in the masonic lodges to explain the formation of political relations of equality in the bourgeois public sphere, *The Constitutions of the Free-Masons* explicitly banned political discussion between masons.⁶² Overtly political societies frequently faced state repression, and so the masonic ban on political conversation meant to reassure the state of freemasonry's non-subversive nature.⁶³ More than just

⁶² *The Constitutions* stipulated that masons "are resolv'd against all Politicks, as what never yet conduc'd to the Welfare of the *Lodge*, nor ever will." Anderson, *Constitutions of the Free-Masons*, 54.

⁶³ Jacob, *Origins of Freemasonry*, 55-56; Harland-Jacobs, *Builders of Empire*, 68. The *Constitutions* stipulated that if a mason should "Rebel against the State, ... [so long as he is] convicted of no other Crime, ... [the fraternity] cannot expel him from the Lodge." Anderson, *The Constitutions of the Free-Masons*, 50. Unlike the oath of allegiance that operative masons swore to crown, charges laid out in the 1723 *Constitutions* stated that a mason must only be "a peaceable Subject to the Civil Powers." For a comparison of the charges, see Berman, *Architects of Eighteenth Century English Freemasonry*, 312-334. On masonic support for rebellion and appeals for political protection in the brotherhood, see Harland-Jacobs, *Builders of Empire*, 123-127; Clark, *British Clubs and Societies*, 329-330; Loiselle, *Brotherly Love*, 149.

shroud their activities, the ban also had the effect of preventing the kinds of invocations of status sometimes witnessed in the coffeeshop when, in the heat of political disagreement, interlocutors would assert the truth of their claims based on the superiority of their rank.⁶⁴ Whatever the reasons for the ban, Koselleck argues that freemasonry's discourse of moral improvement ultimately came to trump any attempts to develop an oppositional politics.⁶⁵ If masonic communication was so circumscribed in the lodges, then how, contra Koselleck, did masons learn to overcome ingrained habits of subordination and constitute an anti-monarchical politics of fraternal equality?

While a discursive configuration of the public sphere suggests centering analysis around practices of communicative exchange, masons tended to focus their attention on embodied practices of conduct and comportment.⁶⁶ Challenging the court's regime of etiquette, Samber argues that masons should "avoid as much as possible the Court," but if any mason "should happen to be in any Employment which obliges your constant Attendance here; if your Prince ... should cast his Honours on you unsought, unlookt for; exert your selves like Men. Be affable and courteous to all Men, and that not in Words only, but in Reality."⁶⁷ Attuned to the gestures of subordination organizing courtly relations,⁶⁸ Samber enjoins his fellow masons to extend the friendly practices of courtesy to all men regardless of rank. Masons must do so, he writes, not solely "in Words, but in Reality," that is, in the corporeality of their everyday conduct. Rather than use their bodies in aristocratic displays of rank,

⁶⁴ On the dramatization of political differences in the coffeeshop, see John Barrell, "Coffee-House Politicians," *Journal of British Studies*, 43, 2 (2004): 206-232. See also the cautionary remarks on the proto-democratic character of the coffeehouse in Brian Cowan, "English Coffeehouses and French Salons," 47. Although David Harrison argues that Freemasonry was "the only society where both political factions [Tory and Whig] could socialise together with ease," some masons also complained of the party factionalism that plagued the lodges. See Harrison, *The Genesis of Freemasonry* (Lewis Masonic, 2009), 166-178 and Loiselle, *Brotherly Love*, 193-198, respectively.

⁶⁵ Koselleck, *Critique and Crisis*, 75-83.

⁶⁶ Many masons served as magistrates and politicians and so were well acquainted with the structures of etiquette organizing the royal court. As Bergman argues, "the presence of so many key figures from the magistrates' bench" suggests that the magistracy "exerted a quasi-dominant influence on the Grand Lodge from shortly after its inception until at least the mid- to late 1730s." Berman, *Architects of Eighteenth-Century English Freemasonry*, 163. Some masons also served in the royal bedchamber, such as the Marquis of Carnarvon, Edward Bligh, 2nd Earl of Darnley, Sir Adolphus Oughton, Sir Robert Rich.

⁶⁷ Samber, *Long Livers*, preface, xiii, xiv.

⁶⁸ Samber also translated into English the famous conduct manual by Balthasar, Count Castiglione, *The Courtier: Or, The Complete Gentleman and Gentlewoman* (London: Printed for E. Curll in the Strand, 1729).

masons must “act accordingly, and shew yourself (what you are) MEN.”⁶⁹ According to Samber, masonic society traffics in the sign of manhood, and more particularly, in the name of brotherhood as the symbol of equality. In order to orient themselves around the masculine figure of the brother, masons must learn to conduct themselves as men. They must, in other words, learn a bit of drag.

Against the courtly gestures of subordination that constituted so many men as the dependent sons of the father-king, freemasonry aimed to create a new society of equal men by transforming the material practices of the masculine body in and through rituals of the social contract. As the first public exposure of masonic ritual in 1723 revealed, a mason “is to behold a thousand different Postures and Grimaces, all of which he must exactly imitate, or undergo the Discipline till he does.”⁷⁰ Although it may seem like a quaint holdover of the aristocratic world of courtesy, masonic attention to the details of the body formed a key part of freemasonry’s larger engagement with transformations taking place in the domain of knowledge. Rooted in arguments put forward in John Locke’s *Essay Concerning Humane Understanding*, enlightenment ideals of science in the 18th century presented a new paradigm of knowledge founded on the sensuous body.

If it shall be demanded then, *When a Man begins to have any Ideas?* I think, the true Answer is, When he first has a *Sensation*. For since there appear not to be any *Ideas* in the Mind, before the Senses have conveyed any in, I conceive that *Ideas* in the Understanding, are coeval with *Sensation*; which is such an Impression or Motion, made in some part of the Body, as produces some Perception in the Understanding.⁷¹

Affected by the external world, the body and its sensations, Locke argues, become the means through which humans come to have ideas about their world. Not simply the origin of thinking, Locke argues that bodily sensation is fundamental to the work of “reflection,” which is “the mind[’s ability] ... to reflect on its own operations about the ideas got by sensation.”⁷² Contrary to a Habermasian

⁶⁹ Samber, *Long Livers*, preface, vi.

⁷⁰ *Flying Post or Post-Master*, Thursday April 11, 1723 – Saturday April 13, 1723, Issue 4712.

⁷¹ Locke, *Essay Concerning Humane Understanding*, II.i.§23. Locke’s arguments were pitted against the claim that ideas are always already present in the soul: “I see no reason therefore to believe, that the soul thinks before the senses have furnished it with ideas to think on” (II.i.§20).

⁷² *Ibid.*, II.i.§24.

conception of reason as the adjustment of ideas according to the force of the better argument, Locke centers embodiment and the body's capacity to be affected in an account of human understanding.

By the early 18th century, Locke's empiricism and its theory of association influenced new models of scientific research that sought to explore how the body's sensory organs enable humans to grasp their empirical reality.⁷³ According to the new science of sensibility, it is no longer the abstract space of the soul but rather the materiality of the sensing body that provides the key to ideational thought.⁷⁴ These enlightenment ideals of science were, as historians have amply documented, widely promoted and publicized throughout the network of masonic lodges.⁷⁵ Less commonly noted is how the very style of these scientific lectures showcased the affective understandings of knowledge formation central to ideas of sensibility. For instance, the influential masonic reformer and scientific lecturer, John Theophilus Desaguliers, developed innovative methods for demonstrating scientific theories by way of practical experiments rather than pure mathematics.⁷⁶ Steeped in new empiricist ideas regarding the role of bodily senses in the apprehension of knowledge, masonic educators like Desaguliers sought to persuade audiences not by giving abstract proofs by way of propositional logic but rather by turning to the affective force of the example grasped by the body's senses.

The lodge was therefore a venue for promoting new scientific theories rooted in empiricism, and the use of affective rituals for pedagogical purposes suggests that the lodge was itself a site for an ongoing experiment in the science of sensibility. "We are creatures of sense rather than of intellection," Reverend John Clark told fellow masons in a sermon subsequently circulated in masonic magazines:

[T]he majority of mankind cannot be made to feel the force of truth that stands naked and unconnected with something sensible. Masonry has kept this fact full in view, and

⁷³ On the influence of Locke's empiricist theory of sensation on the new science of sensibility, see George Rousseau, "Nerves, Spirits and Fibres: Toward the Origins of Sensibility" in *Nervous Acts: Essays on Literature, Culture and Sensibility*. (London: Palgrave, 2004), ch. 5; On the philosophy of sensibility more generally, see Stephen Gaukroger, *The Collapse of Mechanism and the Rise of Sensibility*.

⁷⁴ "Sensibility is the spot where body and mind mingle. It is now the nervous system rather than the soul which mediates between material and immaterial realms." Terry Eagleton, *Trouble with Strangers: A Study of Ethics* (Wiley-Blackwell, 2009), 13.

⁷⁵ Harrison, *Genesis of Freemasonry*, 150-160; Berman, *Architects of Eighteenth-Century English Freemasonry*, 257-296; Bullock, *Revolutionary Brotherhood*, 139-145; Jacob, *Radical Enlightenment*.

⁷⁶ On Desaguliers' role as a masonic reformer and scientific lecturer, see Berman, *Architects of Eighteenth-Century Freemasonry*, 70-109.

endeavoured to meet the difficulty in its mode of inculcating duty. This mode consists in the use of sensible signs, addressed to the eye, the ear, and the touch.... The mode of teaching by sensible objects is as much more impressive than [discourse by metaphors and similes].⁷⁷

Freemasonry aims to teach its members the duties of fraternity by way of the affective force of symbols apprehended through the body's senses rather than through what Clark calls the intellection of philosophical lectures. Echoing Locke's argument that "*Ideas* in the Understanding, are coeval with ... an Impression or Motion, made in some part of the Body," Clark writes that "if [symbols] are addressed to the senses, and the truths associated with them understood, they will produce an impression."⁷⁸ As with the rituals of the royal court explored in Chapter One, masonic rituals sensually impress and thus impress upon their participants' bodies new ways of acting. Unlike the practices of patriarchal subordination at the royal court, however, masonic rituals have the effect of producing, as Clark puts it, a "growing attachment between the individuals, who ... feel stirring within them the same emotions" and are joined together as "a band of brothers."

Rituals, as anthropologists often note, make use of symbolic motions and gestures of the body in order to communicate meaning to their participants.⁷⁹ Masonic rituals of the social contract channel the meaning of fraternity as a sensible feeling in and of the body. Through the practice of freemasonry, men "learnt to love men without fear," as one mason put it; inside the lodge, "one can surrender oneself without reservation to the movements of the heart and be enveloped voluptuously by celestial friendship."⁸⁰ Actively engaging the sensuous bodies of its members, the masonic lodge belies its common representation as solely a site of deliberation and linguistic exchange. Situated within the scientific Enlightenment's nexus of power/knowledge, freemasonry stressed the transformative power

⁷⁷ John Clark, "Masonic Address," *American Masonic Record*, and *Albany Saturday Magazine*, 1, no. 33 (1827), pp. 257-8.

⁷⁸ Locke, *Essay Concerning Humane Understanding*, II.i.23; Clark, "Masonic Address."

⁷⁹ While the anthropological literature on rituals is far too large to cite, the idea that rituals make use of the body for symbolic communication is well established. See, for instance, Robert Boccock, *Ritual In Industrial Society: a Social Analysis of Ritualism in Modern England* (London: George Allen & Unwin, 1974), 37; Stanley Tambiah, "A Performative Approach to Ritual," *Proceedings of the British Academy* 65 (1979), 119; David Kertzer, *Ritual, Politics, and Power* (Yale University Press, 1988), 9.

⁸⁰ Quoted in Loiselle, *Brotherly Love*, 184. The voluptuousness of expression suggests that another important context for freemasonry's emphasis on bodily affection is period of religious revival known as the First Great Awakening beginning in the 1730s. See, Ann Taves, *Fits, Trances, and Visions: Experiencing religion and explaining experience from Wesley to James* (Princeton University Press, 1999), 13-118.

of bodily affections rather than the force of the better argument. The rituals of the masonic contract showcase what social contract theorists commonly argued is the central role of the passions in reconstituting subjects of the contract.⁸¹ By reorganizing their bodily practices, masonic rituals cultivate new fraternal sensibilities, teaching masons how to relate to the symbolic figure of the brother as the common term uniting men in new relations of equality. Masonic rituals produce a normative vision of manhood to contest men's subordination and reorganize class relations. They aim to transform subordinate boys into equal men. As such, gender becomes a prime site of class trouble.

V. Masonic Rituals of Initiation

The ritual of initiation marks a mason's entry into a new society of men organized according to principles of fraternal equality. As one mason describes it, during the ritual a man would "leave behind the previous man, the man of our century, and become a new man, the masonic man."⁸² Just as women's exclusion marked a pivotal transformation in the history of the organization, masonic historian David Harrison argues that the "ritual was at the center of [Freemasonry's] 'modernisation'" in the early 18th century.⁸³ Despite its importance, Kenneth Loiselle suggests that scholars have largely neglected the study of masonic rituals because of their concern with "Freemasonry's political significance." The rituals, he argues, "were not corrosive to the Old Regime," and thus should be interpreted not politically but theologically, as "generat[ing] a form of 'ritualized friendship' that was anchored in the moral foundation of an ecumenical Christianity."⁸⁴ Intended as a corrective to secularist interpretations, Loiselle's emphasis on the ritual's theological elements need not oppose its political analysis. Read within the tradition of political theology, I argue that the masonic ritual is an

⁸¹ Robert Solomon, *A Passion for Justice: Emotions and the Origins of the Social Contract* (Oxford: Rowman and Littlefield, 1995)

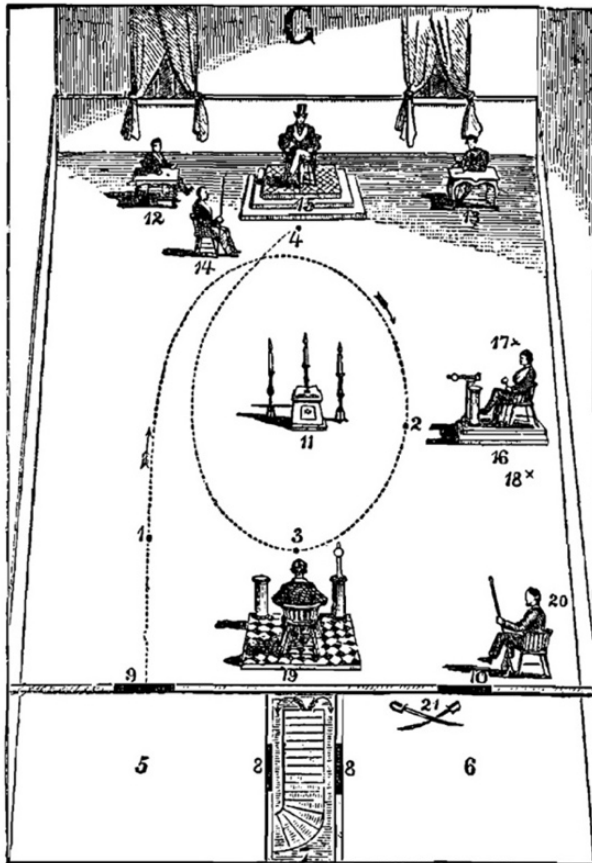
⁸² Quoted in Loiselle, *Brotherly Love*, 72.

⁸³ Harrison, *Genesis of Freemasonry*, 44-61, the quote is from page 44. See also, Jan Snoek, "On the Creation of Masonic Degrees" in *Western Esotericism and the Science of Religion*, (eds.) Antoine Faivre and Wouter J. Hanegraaff (Leuven: Peeters, 1998), 145-190.

⁸⁴ Loiselle, *Brotherly Love*, 53, 50. Masonic rituals, he argues, "'Christianized' the classical model of friendship," and as such, represent "a privileged enclave through which persisted an older, more formalized form of friendship." Loiselle, *Brotherly Love*, 245, 79. Theological readings of freemasonry have becoming increasingly popular. See, for instance, Leigh, *The Masons and the Mysteries*, 20-40.

eminently *political* ritual that transgressed the embodied political structures of the *ancien regime*. As such, I suggest that a political analysis of freemasonry has neglected masonic rituals not because of the absence of politics in the ritual but rather because of the absence of the body in our political analysis.

In entering into the masonic contract, a mason symbolically breaks with the monarchical world



LODGE OF ENTERED APPRENTICES, FELLOW CRAFTS, OR MASTER MASONS.
 1. Candidate prays. 2. First step. 3. Second step. 4. Third step. 5. Room where candidates are prepared. 6. Ante-room where members enter the lodge. 7. Hall. 8. Doors. 9. Door through which candidates are admitted into the lodge. 10. Door through which members enter. 11. Altar. 12. Treasurer. 13. Secretary. 14. Senior Deacon. 15. Worshipful Master. 16. Junior Warden. 17 and 18. Stewards. 19. Senior Warden. 20. Junior Deacon. 21. Tyler.

Fig. 3. "Choreography of the Ritual of the Entered Apprentice."
 Malcolm Duncan, *Duncan's Masonic Ritual and Monitor* (New York: Crown, 1866/2013), 8.

and its patriarchal logics of subordination by pledging allegiance to strangers whom he must learn to love as his brothers. The masonic social contract was not just an oral pledge of commitment, however, but involved an intricate choreography of men's bodies (fig. 3). Comparing these masonic choreographies to the structures of etiquette organized around the king's body explored in Chapter One, I argue that the ritual of initiation scrambles aristocratic regimes of status and impresses upon men's bodily relations new symbolic meaning.

Enveloping the neophyte within its elaborate theatrics, the masonic ritual

subverts corporeal relations of distance and verticality characteristic of courtly hierarchy and reorganizes men's bodies according to new relations of proximity and horizontality. As Pannill Camp argues, the affectively rich performance of masonic rituals "promoted passionate homosocial affection

that was vital to fraternal cohesion.”⁸⁵ Unlike the atmosphere of patriarchal reverence surrounding the king’s body, the choreographies of the masonic body generated an atmosphere of fraternity that taught men a new kind of reverence for brotherhood as the symbolic figure of their equality. Just as Locke argued that fraternal love was necessary to secure the relations of equality underpinning the social contract, freemasonry illustrates how political actors fostered new egalitarian attachments between men through the charged force of highly choreographed rituals of the body

In reconstructing the masonic ritual, the following analysis draws on documents published during the early to mid-eighteenth often by self-avowed freemasons intending to reveal the secrets of freemasonry. Publicly accessible via newspapers and bookstores, these exposures served not only as advertising for the fraternity, increasing its social prominence in the bourgeois public sphere, but also as manuals of instruction for a rapidly rising number of lodges throughout 18th century Europe.⁸⁶ Exposures published in England, France, and the Hague were often translated, plagiarized, and repurposed in texts across the Channel, suggesting not only that the ritual form cannot be considered of distinctly English origin, but also that broad continuities in ritual practice likely existed across the transnational landscape of lodges.⁸⁷ In drawing from a collection of exposure, then, the following account presents the ritual’s general corporeal scheme in order to highlight how the affectively charged choreography of the masonic body subverted practices of aristocratic conduct and instituted new relations of equality, ultimately making flesh the symbolic figure of fraternity.⁸⁸

⁸⁵ Camp, “Stageart of Brotherhood”, 118, 119. On the 18th century club as a site of feeling and pleasure, see Roy Porter, “Enlightenment and Pleasure;” Marie Mulvey Roberts, “Pleasures Engendered by Gender: Homosociality and the Club.”

⁸⁶ Commenting on the 1730 exposure *Masonry Dissected*, Snoek writes that it “was used extensively as a ritual by many lodges. This would not have happened if it had been seriously deviant from actual practice. So, in general, it must have been sufficiently accurate to be useful as a ritual book.” Snoek, “On the Creation of Masonic Degrees,” 176. By 1737, the pamphlet had gone through 7 editions and translated into French, German, and Dutch. Leigh, *The Masons and the Mysteries*, 16. Often plagiarized or republished with a different name, *Three Distinct Knocks* (1760) and *Jachin and Boaz* (1762) “ran into many editions over the next forty years” and were used “as rituals – or at least as *ades-mémoires*” by masons. A. C. F. Jackson, *English Masonic Exposures 1760-1769* (1986), 23, 5.

⁸⁷ For instance, the French exposure *La Réception Mystérieuse* (1738) was “essentially a translation of *Masonry Dissected*.” Snoek, “On the Creation of Masonic Degrees,” 152. Inversely, the English exposure *A Master Key to Free-Masonry* (1762) was a translation of *L’Ordre des Francs-Maçons Trahi* (1745), extracts of which were republished that same year in the influential *Jachin and Boaz*. On the similarity between lodges in England and on the continent, see Jacob, *The Origins of Freemasonry*, 32; *Living the Enlightenment*, 4.

⁸⁸ The following analysis places less emphasis on questions of ritual variations of interest to masonic specialists, such as whether the candidate’s blindfold is removed before or after taking the oath. On the development of ritual practice, see Jan Snoek, “On the

Ritual of the Entered Apprentice

To join the brotherhood and start his journey in becoming a new man, members must pass through the initiation ritual of the entered apprentice. Entering the lodge, the initiate is led to a small room and stripped of his clothing and any metals on his body, until he is left only in his drawers (figs.



Fig. 4. Malcolm Duncan, *Duncan's Masonic Ritual and Monitor* (New York: Crown, 1866/2013), 29.



Fig. 5. *Mutus Liber Latomorum*, ~1760, Paris, bibliothèque du GODF, AR, coll. RM pièce 13.



Fig. 6. Malcolm Duncan, *Duncan's Masonic Ritual and Monitor* (New York: Crown, 1866/2013), 32.

4 & 5). Divested of his clothing and metals, the ritual enacts not only an economic leveling in a context where mobile capital increasingly marked differentials of power but also a political leveling, as the candidate loses all material accoutrements that signified his status, such as jewelry, buckled shoes, insignias of rank, expensive fabrics, and also weapons such as swords.⁸⁹ The loss of these status signifiers meant the momentary loss of his symbolic position in the aristocratic hierarchy operative outside the lodge. In eradicating political and economic differences, stripping the mason emphasized the difference of gender, as the candidate's exposed breast sought to “assure [the Lodge] that they were

Creation of Masonic Degrees” and “William Preston’s Harodim Lectures and the Craft Rituals for the United Grand Lodge of England” *Quatuor Coronati Lodge No. 2076, Reflections* (2016), 623-634.

⁸⁹ Given that MPs historically opposed 17th century Acts of Apparel for attempting to remove swords from gentry attire, the removing of metals showcases the imbrication of economic capital with aesthetic significations of rank. Harte, “State Control of Dress and Social Change in Pre-Industrial England”, 149. A lodge in Scarborough in the 1730s asked a visiting gentleman not to wear his sword, since “all distinctions ought to be lost in a general complaisance.” Quoted in Bullock, *Revolutionary Brotherhood*, 34.

not imposed on by a Woman.”⁹⁰ The naked breast and the meaning of its binary sex difference thus made possible the reorganization of men’s relations according to a gendered logic of the masculine body.⁹¹ The ritual of the masonic contract thus begins by suspending the candidate’s worldly status, reducing him to a natural condition of equality with other men *as men*.

Blindfolded, the candidate is then led around the lodge “in a halting-moving Posture, by the Hand of a Friend, whom I afterwards found to be a Brother” (figs. 6, 7).⁹² Symbolizing his ambiguous and uncertain status in the world, the initiate moves hesitatingly, unsure of his steps and position in the lodge. Under the disorienting sound of gavels hammering, and with his grip around a fellow brother’s hand or arm, the candidate would hear a voice announce: “Behold, how good and how

Fig. 7.
Assemblée de francs-maçons pour la réception des Apprentis: entrée du récipiendaire dans la loge, Département des Estampes et de la photographie, Bibliothèque nationale de France, réserve QB-201 (109)-FOL.



⁹⁰ Alexander Slade, *The Free Mason Exam'n'd; Or, the World brought out of Darkness into LIGHT* (London, 1754) 11. See also, *JACHIN and BOAZ; or, an AUTHENTIC KEY To the DOOR of FREE-Masonry* (1762) in Jackson, *English Masonic Exposures 1760-1769* (1986), 132. For French examples of baring the candidate’s breast to ensure he is not a woman, see Leigh, *The Masons and the Mysteries*, 40.

⁹¹ Exposing the left breast is done, one exposure explains, “lest a woman should offer herself; and though many women are as flat chested as some men, and Brethren are generally satisfied with a slight inspection, I would advise them to be more cautious, for it is probably, that a woman, with a tolerable degree of effrontery and spirit, may one time or other slip into the order for want of necessary prudence.” J. G., *Mahabone: or, the grand lodge-door opened* (Liverpool: printed by T. Cowburne, 1766), 43.

⁹² *The Three Distinct Knocks, Or the door of the most Antient Free-Masonry* (1760) and *JACHIN and BOAZ; or, an AUTHENTIC KEY To the DOOR of FREE-Masonry* (1762), quoted in Jackson, *English Masonic Exposures 1760-1769* (1986), 66, 135, respectively.

pleasant it is for brethren to dwell together in unity!”⁹³ The candidate must then answer a series of questions concerning masonic history and swear an oath of loyalty to his newfound brethren. Having “sworn to love each other,”⁹⁴ the candidate is asked “Who I put my Trust in,” to which he answers, “In God,” at which point he is taken again by the hand and told to “fear no Danger.”⁹⁵ The candidate thus gives his vulnerable body over to his brother masons, showcasing his trust in God as the trust of his fellow brethren. In the initiation ritual, “submission to certain forms of (external) authority is a condition for achieving the subjects potentiality” as an egalitarian brother.⁹⁶ The ritual imparts the meaning of fraternity as a relation of trust learned in physical submission and through the tactical sensation of another man’s guiding touch.

Having been led around the lodge, the initiate clasps the hand of the lodge master and learns the masonic grip and word of the entered apprentice as the distinctive gestures that identify him as a mason. Testing his knowledge, the brother beside him asks for the masonic word, to which the initiate responds, in a demonstration of fraternal reciprocity, “I’ll halve it with you.” Hand in hand, both men then split the word, as one utters the first syllable of the word and the second completes it.⁹⁷ In forming a single word out of their combined speech, the brothers seem to articulate themselves as part objects that make up a larger whole. In one exposure, the masonic word is whispered around the lodge, from the youngest to the most recently initiated, thus forming a closed circle of speech.⁹⁸ As such, the ceremony appears to end with the performance of an allegory of fraternity. The contiguity of their

⁹³ Masons recite the 133rd psalm from the Book of Psalms, the entirety of which reads: “Behold, how good and how pleasant it is for brethren to dwell together in unity! It is like the precious ointment upon the head, that ran down upon the beard, even Aaron’s beard; that went down to the skirts of his garments; as the dew of Hermon, and as the dew that descended upon the mountains of Zion: for there the Lord commanded the blessing, even life forever more.” See Malcom Duncan, *Duncan’s Masonic Ritual and Monitor* (1866), 32. While it is unclear whether this psalm was read in early 18th century rituals, masonic songs by the latter part of the century referred to it. See, for instance, *Free Masonry for the Ladies or the Grand Secret Discovered* (London: Printed and Sold by T. Wilkinson, No. 40 Winetavern Street Dublin, 1791), 57.

⁹⁴ *The Grand Mystery of Free-Masons Discover’d*, 11.

⁹⁵ *The Three Distinct Knocks, Or the door of the most Antient Free-Masonry* (1760), quoted in Jackson, *English Masonic Exposures 1760-1769* (1986), 68.

⁹⁶ Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton University Press, 2005), 31.

⁹⁷ *The Three Distinct Knocks, Or the door of the most Antient Free-Masonry* (1760), quoted in Jackson, *English Masonic Exposures 1760-1769* (1986), 71.

⁹⁸ *Flying Post or Post-Master*, Thursday April 11, 1723 – Saturday April 13, 1723, Issue: 4712.

bodies formed by their many clasped hands and the singularity of their speech formed out of their plurivocal utterances dramatically display a harmonious body politic of brothers. “Within the mystic sanctum brother meets brother in fond embrace,” writes masonic member Leon Hyneman, “The pulse of affection beats strong, as, hand firmly grasped in hand, the mystery is communicated which binds in a golden chain the members of the mystic tie.”⁹⁹

But what exactly is the political content of this mystery that the ritual communicates by reorganizing men’s bodies? As I argued in Chapter One, the conduct and etiquette of bodies at court displayed the nuanced differences of status and distinction that organized the hierarchical world of the aristocracy. Organized along the axes of distance and verticality, the corporeal architecture of monarchism expressed and reproduced relations of attachment and obedience to the body of the king. Many of the men undergoing initiation into freemasonry would have rarely if ever shaken hands with, let alone place their vulnerable bodies in, the arms of a man from another class.¹⁰⁰ In placing the bodies of men from various class backgrounds in new relations of intimacy, the ritual transgresses the royal court’s stratified codes of conduct and imparts to its participants new meanings for their association. “In all Contracts and Agreements [in ancient Greece] ... it was usual to take Each Other by the Right Hand,” an appended essay in the *Constitutions* reads, “such a Conjunction was a Token of *Amity* and *Concord*; whence at all friendly Meetings they join Hands, as a Sign of the *Union* of their Souls.”¹⁰¹ Thus, in holding hands, a mason displays and establishes a horizontal unity between friends and brothers. By reorganizing men’s bodies and placing them in relations of proximity and horizontality, the masonic

⁹⁹ Leon Hyneman, *World’s Masonic Register* (Philadelphia: J. B. Lippincott & Co., 1860), 14.

¹⁰⁰ The practice of shaking hands only gradually became a standard form of greeting in the eighteenth century, and the upper classes often avoided doing it with those beneath their station. Penelope Corfield, “From Hat Honour to the Handshake: Changing Styles of Communication in the Eighteenth Century,” in *Hats Off, Gentlemen! Changing Arts of Communication in the Eighteenth Century*, (eds.) P.J. Corfield and L. Hannan (Paris: Honoré Champion, 2017), pp. 1-30; Corfield, “Fleeting gestures and changing styles of greeting: researching daily life in British towns in the long eighteenth century,” *Urban History* 49 (2022): 555–567.

¹⁰¹ Anderson, *The New Book of Constitutions*, 223.

contract's choreographies of intimacy negate the candidate's prior attachment to aristocratic chains of hierarchy and sets the conditions for the formation of new bonds of equality between men.

Ritual of the Master Mason

Having entered the brotherhood and started his journey in learning the virtues and etiquette of freemasonry, a mason may at some point become ready to obtain the degree of Master Mason, the highest rank a mason can earn.¹⁰² Emerging in England in the 1720s and adopted by French lodges in the 1740s, the degree of master mason is a distinctive feature of modern freemasonry.¹⁰³ Compared with the ritual of the entered apprentice, the intensified corporeal intimacy of the master mason's initiation further shows how the masonic project of constituting new egalitarian relations between men is a pedagogical project of bodily affect. Moreover, the ritual reveals freemasonry to be a political theology of brotherhood opposed to the royal court's theological politics of patriarchal kingship.

While all the masonic degree rituals follow the same general scheme outlined above, the novel innovation of the master mason's initiation ritual is the symbolic transformation of the candidate into Hiram Abiff, freemasonry's mythical founder. Suddenly transformed into Hiram, the candidate is accosted by a series of men who demand to know the mason's secret word. Having already pledged his oath of allegiance, the candidate must refuse and so is struck three times: first, "across the Throat with a twenty-four inch gauge"; second, "with the square on his Left-breast"; and finally, "with a common Gravel, or Setting-Maul, upon his Head, which prov'd his Death."¹⁰⁴ Providing texture to this scene, exposures note that the ritual "requires no small Share of Courage, for the Blows are frequently so severe, that the poor Candidate falls backward on the Floor;" in fact, so "great his Terror" that "many instances can be produced, of Persons in this Situation, who have requested on their Knees

¹⁰² During the 18th century, there also developed what is known as the Scottish Rite, an additional 30 degrees that a master mason may obtain. Since these are appendant degrees, they are not considered higher but lateral in rank to the degree of master mason.

¹⁰³ Snoek, "On the Creation of Masonic Degrees"; Harrison, *Genesis of Freemasonry*, 45, 58, 117.

¹⁰⁴ *The Three Distinct Knocks, Or the door of the most Antient Free-Masonry* (1760) quoted in Jackson, *English Masonic Exposures 1760-1769* (1986), 101.

to be set at Liberty, and others have made their Escape as fast as possible out of the Lodge.”¹⁰⁵ Beaten and then buried by his murderers (at some lodges he is wrapped in a carpet), the candidate-as-Hiram awaits his fate.¹⁰⁶

Much like the divestment of the candidate’s material accessories, the beating of the candidate’s body intensifies the destruction of his prior social standing outside the lodge. Breaking down the candidate’s worldly status by breaking down his body, this early form of fraternal hazing showcases how masons materially enact the social contract as a symbolical break from men’s status relations in order to form new bonds of attachment. The ritual deploys the affective force of terror and strikes, quite literally, at the candidate’s nervous system in order to wear down his psychophysical defenses.¹⁰⁷ As Locke puts it, if “apprehension and concernment accompany [the words or names that men frequently use]; ... [then] the idea is likely to sink the deeper, and spread the further.”¹⁰⁸ And so, just as a “violent impression upon the body forces the mind to perceive, and attend to it,”¹⁰⁹ the press of other men’s bodies makes the candidate more susceptible to receive the impression of fraternity’s deeper meanings. The ritual thus presents the candidate’s journey to becoming a master mason as a form of willful submission to brotherhood. Bruised and broken, the candidate-as-Hiram is not simply vulnerable to but in fact reliant on his fellow masons – as he will soon discover, it will be a brother’s embrace that will return his corpse to life.

¹⁰⁵ JACHIN and BOAZ; or, an AUTHENTIC KEY To the DOOR of FREE-Masonry (1762), quoted in Jackson, *English Masonic Exposures 1760-1769*, 163. In 1728, *The Flying-Past* reports a story of an initiation ceremony where a candidate “was so surpris’d when they pull’d of his Hat and Perriwig, unbotton’d his Collar and Sleeves, took out his Shoe-Buckles, and stripp’d him to his Shirt, that he thought they were going to castrate or circumcise him, and fearing to be made either an Eunuch or a Jew, he watch’d his Opportunity, upon seeing the Door of the Room half open, and ran out into the Street.” *Flying-Past or The Weekly Medley*, Saturday Dec. 28, 1728 Issue: 13. For similar statements in the French context, see Loisel, *Brotherly Love*, 52.

¹⁰⁶ The carpet may be a 19th century American invention. French masons seem to have laid the brother down “with his face all besmear’d with Blood.” Jackson, *English Masonic Exposures 1760-1769* (1986), 102.

¹⁰⁷ In France, the candidate was “led and jerked about; stones or other objects were sometimes placed in his path and doors were opened and shut to disorient him.... Other forms of physical intimidation ... included pretending to cut his skin or forcing him to drink a beverage that was supposed to be poison or blood.” Loisel, *Brotherly Love*, 59-60.

¹⁰⁸ Locke, *Essay Concerning Humane Understanding*, I.III.9.

¹⁰⁹ Locke, *Essay Concerning Humane Understanding*, II.I.§21.

As Hiram Abiff is declared missing, the ritual recounts how he is accidentally discovered by masonic workers set out to search for him. Wishing to exhume the rotting corpse, the masons attempt to raise the body but discover that at each attempt its “Skin came off.”¹¹⁰ Realizing that only a master’s



Fig. 8. “Five Points of Fellowship.”
Duncan’s Masonic Ritual and Monitor
(1866/2013), 121.

secret grip can maintain the cadaver’s integrity, a master mason employs the master’s grip and lifts the candidate into an embrace called “the five points of fellowship” (fig. 8). The ritual stipulates that this embrace must have five points of mirrored bodily contact: some exposures list the five points of contact as foot-to-foot; knee-to-knee; breast-to-breast (or heart-to-heart), hand-to-hand, and hand-to-back while others substitute ear-to-ear or cheek-to-cheek for contact between the hands and back.¹¹¹ In contrast to these five points, the first exposure of masonic rituals published in 1723 lists six points of

fellowship, the additional being “Tongue to Tongue,”¹¹² a point of contact that subsequent exposures will not repeat, possibly as a result of sodomy rumors against the fraternity explored in the next chapter. With these points established and the two men locked in a symmetrical embrace, the ritual comes to a close as the master mason whispers in the candidate’s ear the master’s secret word, revitalizing the dead man, who is now reborn as a master mason.

According to the ritual exposures, each point of bodily contact symbolizes a different articulation of the virtues of solidarity and mutual aid: to put forth a *hand* to help a brother; “to go a *Foot* out of my Way to serve a Brother”; to pray for a brother “when I *kneel* down to Prayers”; to keep a “Brother’s secrets as my own [in my *breast*]”; “always be willing to support a Brother” as signified by

¹¹⁰ Prichard, *Masonry Dissected*, 2nd edition (London, 1730), 29; *The Three Distinct Knocks, Or the door of the most Antient Free-Masonry* (1760), quoted in Jackson, *English Masonic Exposures 1760-1769* (1986), 105.

¹¹¹ *The Grand Mystery of Free-Masons Discover’d* (London, 1724), 9; *The Whole Institutions of Free-Masons Opened* (Printed by William Wilmot on the Blind-Key, 1725); *British Journal*, Saturday, Aug. 22, 1730, Issue: 138; Prichard, *Masonry Dissected*, 2nd edition (London, 1730), 28.

¹¹² *Flying Post or Post-Master*, Thursday April 11, 1723 – Saturday April 13, 1723, Issue: 4712.

the hand supporting the back.¹¹³ The emphasis on each point of contact as a site of masonic virtue indicates how these choreographies of bodily intimacy have the effect of teaching masons the symbolic meaning of brotherly love. These practices reveal how masonic knowledge was not abstractly intellectual so much as sensuously felt in the touch of bodily contact. Techniques of contiguous bodily contact thus aimed to spark new relations of feeling and attachment between men through the intimate touch and feel of a brother's body.

Continuous with the ritual of the entered apprentice, the Hiram ritual showcases the centrality of the material body in the affective work of creating new chains of attachment between men. In forming new bonds of association under the sign of brotherhood and investing masons in symbolic relations of fraternity, the ritual takes up and transforms the royal court's politico-theological tradition of the king's two bodies. Hiram is identified with what masons call the Grand Architect of the Universe, that is, God. As such, the candidate's transformation into the biblical Hiram, his fidelity to and sacrifice for his fellow brothers, in addition to his subsequent resurrection, all entailed the initiate's own divine conversion.¹¹⁴ Just as the rituals of the court constituted the king's natural body as a divine object, so too does the masonic ritual transform the mason into a divine figure. And like the king's healing touch, so too does a mason's embrace express the power to heal and make live.

In contrast to the ritual of the royal touch, however, the masonic touch does not reproduce a patriarchal body politic by displaying the power of a single body over others but creates a fraternal body politic by enfolding the natural body of one man into the horizontal embrace of another. In the first public representation of the masonic embrace of fellowship (fig. 9), *The Grand Mystery of Free-*

¹¹³ *The Three Distinct Knocks, Or the door of the most Antient Free-Masonry* (1760) and *JACHIN and BOAZ; or, an AUTHENTIC KEY To the DOOR of FREE – Masonry* (1762) quoted in Jackson, *English Masonic Exposures 1760-1769* (1986), 105, 166, respectively. While the 1723 exposure in the *Flying Post* does not explicitly note the significance of the tongue, it may have signified one's access to masonic fellowship, since "A well hung Tongue" serves as the "Key to your Lodge." See also, the exposure in *The British Journal*, Aug. 22, 1730, Issue: 138.

¹¹⁴ On Hiram Abiff's status as God and the initiate becoming godlike by re-enacting his murder and resurrection, see Snoek, "On the Creation of Masonic Degrees," 151. On the resurrection ceremony more generally, see Harrison, *Genesis of Freemasonry*, 50-59.



Fig. 9 *The Grand Mystery of Free-Masons Discover'd* (1724), 11.

in and through contiguous bodily proximity, without which the skein of fraternal unity would come undone. Accordingly, the masonic contract draws the natural body into the sacred bonds of brotherhood and institutes a novel articulation of the body politic based on a political theology of fraternity. Whereas 17th century jurists argued that the symbolic unity of the royal body politic derived from the material unity and singularity of the king's natural body, the symbolic unity of the fraternal body politic emerges from the intimate association of men's plural bodies, which form the basis for their egalitarian relations. The mutual embrace of many men's bodies manifests a symbolic relation of fraternal unity, as brother incorporated with brother incarnates a new body politic.

In the class stratified societies of early modern Europe, it was highly unlikely for men to publicly share intimate bodily contact across class lines. If bodily contact were to occur, it often operated, as I argued in chapter One, within an axis of verticality: those of lower-rank must lower their bodies in order to phenomenologically display their subordinate status. In contrast, the masonic social contract subverted these aristocratic relations of distance and verticality, attempting to create new bonds of attachment between men by literally attaching men's bodies together in egalitarian ways. The *Constitutions of the Free-Masons* symbolized masonic equality as a relation of masons meeting "upon the

Masons Discover'd depicts the lower half of one man's body as indistinguishable from his brother's, as if both bodies are fusing in order to create a singular union out of their bodily communion. Indeed, that Hiram's flesh would slide off his body unless another brother held him tightly suggests how the masonic social contract originates

same *Level*,”¹¹⁵ and masonic rituals consistently exhibited this spatial logic of equality as a bodily relation of horizontality. As evidenced in the symmetry of clasped hands (fig. 10) and the mirrored embrace of



Fig. 10 “Masonic Handshake.” Duncan, *Duncan's Masonic Ritual and Monitor* (1866/2013), 97.

fellowship (fig. 8, 9.), the masonic ritual’s choreographies level the court’s hierarchical relations of top and bottom by reorganizing men’s bodily relations on a horizontal plane. “There could not possibly have been devised a

more significant Token of Love, Friendship, Integrity and Honesty, than the *Joining of the RIGHT HANDS*,” *A Defence of Masonry* explains, “*Fidelity was a Deity Among the Antients ... [and] was thought to be in the Right Hand, and therefore this Deity sometimes was represented by Two Right Hands Joined together; ... so that the Right Hand was by the Antients esteemed as a Thing Sacred.*”¹¹⁶ In uniting men together on the same level, such horizontal bonds of the body not only display but also invest the candidate in new sacred bonds of equality. Holding and being held, men’s interdependent bodily relations manifest the egalitarian relations of reciprocity signified by the symbolic figure of the brother. In rearranging men’s bodies in new relations of horizontal intimacy therefore, masonic rituals consolidate new bonds of unity between men and constitute new political relations based not on the hierarchy of the royal father but on the equality of brothers.

In order to imprint upon the mason the meaning of fraternal equality, masonic rituals mobilize an intricate choreography of men’s bodies. Every degree ritual begins by stripping the candidate’s body and erasing signifiers of class difference, thus revealing a shared corporeal similarity between men that becomes the basis for their equality. The rituals appears to suggest that men do not enter the world already marked with difference; rather, they are born with the same bodies out of which their

¹¹⁵ James Anderson, *The Constitutions of the Free-Masons. Containing the history, charges, regulations, &c. of that most ancient and right worshipful fraternity* (London, Re-printed in Philadelphia: 1734), 55.

¹¹⁶ Anderson, *The New Book of Constitutions* (1738), 223. The signification of the handshake as a gesture of amity did not emerge in the 18th century, but can be traced back to the mid-17th century. See, King, *The Gendering Of Men*, vol I, 169-170.

differences will emerge. However, it is not that the rituals ‘reveal’ an unadorned body equally shared among men, as if the egalitarian meaning of its flesh were readily understood, so much as create a masculine body as a shared object that binds men together. For the body to become a basis of likeness, the rituals must necessarily exclude those bodies too saturated with differences that appear incapable of resignification, such as women’s bodies but also any disabled man with a “Maim or Defect in his Body, that may render him uncapable ... of being made a *Brother*.”¹¹⁷ Through a process of exclusion and selection therefore, the rituals constitute a masculine body as a shared medium through which to establish new relations of equality between individuals capable of becoming men and brothers.

Just as freemasonry’s exclusion of certain bodies establishes new relations of hierarchy between members and non-members, the constitution of a shared masculine body also forms the basis for new



Fig. 11. Mason wearing early regalia of a senior grand warden of the Grand Lodge of England. “Portrait of a Freemason,” Museum of Freemason, London (1730), PCF2010.66.

relations of distinction between brothers. Upon initiation, all masons receive a white apron that must always be worn inside the lodge. As a man cultivates his virtue and is initiated into higher degrees, different designs, jewels, decorations, linings, and ways of wearing his apron signified not only a mason’s rank within the fraternity but also whether he was an elected officer (fig. 11).¹¹⁸ As a mason climbs the ranks of the masonic hierarchy, he also learns different forms of identificatory handshakes. Although all grips were horizontal, subtle differences of thumb and finger

¹¹⁷ Anderson, *The Constitutions of the Free-Masons*, 51.

¹¹⁸ Fred J. W. Crowe, *Masonic Clothing and Regalia, British and Continental* (Edinburgh, 1897); Bro. F.R. Worts, “The apron and its symbolism,” *Ars Quatuor Coronatorum: The Transactions of Quatuor Coronati Lodge No. 2076*, UGLE, lxxiv (1961): 133-37. With variations across lodges, sartorial differences were officially regularized in the 1815 *Constitutions*. See, William Williams, *Constitutions of the Antient Fraternity of Free and Accepted Masons* (London, 1815), 123

placement signified differences of rank.¹¹⁹ Sartorial and gestural differences of the body thus came to mark a mason's distinction from his brothers. These differences illustrate how the masonic body sanctioned new relations of vertical distinction based on the men's industry and the virtue they cultivated. In other words, a mason's body served as the basis of and for an ideology of meritocracy within the fraternity. The masculine body thus made possible relations of likeness and difference among men, as the aesthetic and corporeal architecture of men's bodies inside the lodges gave life to new political relations of equality even as they qualified this equality and created new forms of hierarchy.

VI. Cruising the Symbolic

At the turn of the century, gentlemen, esquires, lawyers, merchants, sailors and fishmongers all occupied a distinct place in the hierarchical chain of the early modern world. At the royal courts of Western Europe, bodily relations of distance and verticality both manifested and maintained these hierarchical relations. *At the masonic lodge, however, a nobleman would find himself in close contact to other men with whom, outside the lodge walls, he would need to assert his distance in order to maintain the distinction of his rank. In the lodge, "Lords and Dukes, Lawyers and Shopkeepers, and other inferior 'Tradesmen'" came together in new relations of bodily intimacy.*¹²⁰ By transgressing the normative bodily practices that maintained aristocratic class rule, the lodge made possible what José Muñoz calls a utopian "*moment of contact*," an affective relation of egalitarian homosociality between men who otherwise did not have and ought not have intimate association.¹²¹ This utopia of the fraternal body politic is not an abstract no-place but a "concrete utopia" coming into formation through the material contact of men's bodies in the present.¹²²

¹¹⁹ On the different grips and their meanings, see Voss, *The Universal Language of Freemasonry*, 231-233, 245-248, 407-9, 425-429.

¹²⁰ Samuel Prichard, *Masonry Dissected: Being a Universal and Genuine Description of all its Branches from the Original to this Present Time*. 2nd edition. (London, 1730), 6-7.

¹²¹ Muñoz, *Cruising Utopia* (2019), 14.

¹²² Muñoz, *Cruising Utopia* (2019), 3.

The utopia of masonic fraternity was contained in the promise of a far-reaching network of relations between men rooted in a gendered equality that disregarded questions of ancestral descent. While these men sought attachment to other men *as men*, they did not pledge fidelity to any specific group of men but rather a peculiar kind of symbolic figure. “Who, or what I am to understand here by the Term or Appellation BROTHER?” asks Thomas Davenport to the brothers before him.

I am not to confine it to him that is born of the same Parents, nor to a *Fellow-Member* of any particular Society in which I may happen to be engaged; nor am I to bound it within the limits of my Fellow-Citizens, or those of my own Country or Nation, much less to any sect or Part: No, the Relation is far mor extensive, Stretching itself, like the Benevolence of our one God and common Father, even to the Ends of the Earth.¹²³

In entering the masonic contract, masons commit themselves to strangers, men they do not know but who they must nonetheless love and trust, since all particular brothers are contained within the general sign “BROTHER.”¹²⁴ Masonic brotherhood gestured toward a potentially open and inclusive relation of equality between every man as a man. Fraternity was a partly-empty signifier whose primary content (manhood) made possible, though not without struggle, new chains of association across lines of class, country, religion, and even race.¹²⁵ Unlike the concrete attachments that characterised feudal and monarchical relations of political obedience, masons constituted new kinds of relations of solidarity rooted in what appears to be something of a purely symbolic nature. As Anderson put it, “[I]n world-

¹²³ Thomas Davenport, *Love to God and man inseparable. A sermon preached before a respectable ancient and honourable Society of free and accepted masons, on the 27th day of December, 1764, (being the Feast of St. John the Evangelist) At St. John's Chapel Birmingham* (Birmingham: J. Sketchley, 1765), 6. Such cosmopolitan statements could be seen of the fraternity's early promotion, as Masons declared before audiences at the Theatre-Royal in Drury Lane, “no Man can be a foreigner who is a Brother.” See the declaration to Charles Johnson, *Love in a forest* (London, 1723), viii. Advertisements for the play can be found in the *Daily Post*, Jan. 23, 1723 Issue: 1036; *British Journal*, Jan. 26, 1723 Issue: 19 and Feb. 2, 1723 Issue 20; *London Journal*, Jan. 26, 1723 Issue 183.

¹²⁴ On masonic universalism, see Harland-Jacobs, *Builders of Empire*, 65; Bullock, *Revolutionary Brotherhood*, 191; Jacob, *Origins of Freemasonry*, 22, 30, 37; Loiselle, *Brotherly Love*, 209.

¹²⁵ On the political logic of the empty signifier, see Ernesto Laclau, *Emancipation(s)* (Verso, 1996), ch. 3. On inclusion of working-class men, see Bullock, *Revolutionary Brotherhood*, 87-90. On Black freemasonry, see William Murasin, *Middle-class Blacks in a White Society: Prince Hall Freemasonry in America* (University of California Press, 1975); Loretta Williams, *Black Freemasonry and Middle-Class Realities* (University of Missouri Press, 1980); Chernoh Momodu Sesay Jr., *Freemasons of Color: Prince Hall, Revolutionary Black Boston, and the Origins of Black Freemasonry, 1770–1807* (PhD Dissertation, Northwestern University, 2007); Corey D. B. Walker, *A Noble Fight: African American Freemasonry and the Struggle for Democracy in America* (University of Illinois Press, 2008).

historical terms bourgeoisies were the first classes to achieve solidarities on an essentially imagined basis.”¹²⁶

Yet, the politics of fraternity did not abandon the corporeal logic of incorporation that defined the king’s two bodies so much as reconfigured its terms, as the materiality of the masonic body served as the site of and condition for a democratic body politic of brothers. In a speech critiquing slavery, the Black freemason Prince Hall argues that “the African traffick” contravened principles of “mutual love and friendship between [men]” by turning to a biblical account of an Ethiopian official asking the Apostle Philip to help him decipher the meaning of the book of Isaiah (Acts of Apostles VIII, 27-31): “This minister of Jesus Christ[, Hall explains,] did not think himself too good to receive the hand, and ride in a chariot with a black man in the face of day; neither did this great [Ethiopian] monarch (for so he was) think it beneath him to take a poor servant of the Lord by the hand, and invite him into his carriage.”¹²⁷ Extending the masonic motif of fraternal equality to the color line, Hall describes equality in terms of the public relations of men’s bodies, as Black and white men of different ranks held hands and rode side by side in public before others. In relating this account, Hall challenged those white masons who believed that race served, like gender or disability, as an insurmountable difference to men’s equality. As the Chaplain of Prince Hall’s African Lodge, John Marrant, put it, “the truly great will never disdain to take an African Brother by the Hand.”¹²⁸ Such articulations are not (only) poetic illustrations of equality, as if they were simply metaphors for an otherwise hidden referent the analyst must uncover, but rather actual instances of egalitarian practices themselves. As these Black freemasons understood, relations of fraternal equality were inseparable from material questions of bodily contact and touch.¹²⁹

¹²⁶ Anderson, *Imagined Communities*, 77.

¹²⁷ Prince Hall, *A Charge, delivered to the African Lodge, June 24, 1797, at Menotomy* (Boston: Printed by Benjamin Edes, 1797), 4, 9.

¹²⁸ Quoted in Bullock, *Revolutionary Brotherhood*, 160.

¹²⁹ Masons inverted this critique when they objected to the inclusion of Indians: “How could [a Hindu man] claim the right hand of fellowship with men whom he openly professes to scorn, and whose very touch is regarded by him as so contaminating, as to require ceremonies of ablution to obliterate?”; “How can a man think of another as his brother, made like himself, after God’s image, when to

Black masonic critiques against white freemasons reveal how a logic of representation came to redefine and supplant royalist conceptions of incorporation. Unlike the king's two bodies, no single brother can incarnate the fraternal body politic but all men have the possibility of representing it in their actions. The refusal of white masons to "receive [Black masons] as their friends, and treat them as brothers" points to their failure to fulfill the terms of the masonic contract and act according to its principles of fraternal equality.¹³⁰ In failing to perform their duties as masonic brethren, white masons fail to properly represent fraternity. Hall's critique relies on and highlights the gap between the material practices of equality associated with the symbolic figure of brotherhood and the actual empirical practices of men. It reveals what Lefort called the "gap between the symbolic and the real" at the heart of representative democracy.¹³¹ In other words, there exists a separation and split, central to the democratic grammar of representation, between the natural and symbolic body of the brother. The failure to practice fraternal love with other masons, therefore, reveals the failure to represent the symbolic brother with whom and to whom men contracted when joining the fraternal society.

As a counter-hegemonic project dedicated to building new chains of equivalence between men, many radical democrats would suggest that masonic politics are rooted in the symbolic power of discourse.¹³² After all, are these new relations of equality not dependent on the discourse of fraternity, the linguistic sign of 'brotherhood' and its metaphoric capacity to render unlike things alike? Bodily practices of proximity and intimacy may go some way to building new relations of equality, but in comparison to the transcendental quality of the sign, the body's materiality can hardly serve as a basis for such wide-ranging relations. Yet, Freemasons did not privilege the linguistic signifier and even pointed to its limitation. Turning to the myth of Babel, masons argued that "the Confusion of

touch him is pollution?" Quoted in Harland-Jacobs, *Builders of Empire*, 229, 238, respectively. Though bodily intimacy served as the condition of possibility for fellowship, and so justified the exclusion of Indians, these justifications suggest that it was white masons' own refusal to touch brown men that was really at stake here.

¹³⁰ Hall, *A Charge, delivered to the African Lodge, June 24, 1797*, 12.

¹³¹ Lefort, "Permanence of the theological political," 225

¹³² On the political construction of chains of equivalence via discourse, see Laclau and Mouffe, *Hegemony and Socialist Strategy*.

Tongues ... gave Origin to the MASONS antient Practice of conversing without speaking, by means of proper *Signals* expressive of their Ideas.”¹³³ Incapable of linguistic communication, biblical masons turned to the body as the site for a new language. The imagined community of freemasons was rooted not in the circulating literary signifier but in the hieroglyphics of men’s bodies. A certain normative vision of the male body seemed to provide more flexibility, legibility, and opportunities for translation beyond the confines of any particular linguistic context. In other words, men’s bodies appeared to present a capacity for universality that the linguistic sign lacked.

If freemasons portrayed the body as the gateway to realizing the promise of fraternity, then how did masons establish relations of equality beyond any one specific lodge? How did they develop commitments not to any particular brother but to the general and symbolic brother, who, in his very symbolism, seems to lack a body altogether? First, the utopian moment of contact contained in the initiation ritual was continuously repeated. Once the recipient of the ritual, the initiated brother performs the masonic contract as an active participant for other men, stripping, beating, holding, and hugging other men’s bodies. Against the danger that new distinctions accumulating between masons may pose to their similitude, the repetition of the ritual reminds masons that they, like all brothers, are men because they all share a masculine body. These performances renew memories initially imprinted on the mason’s body during the course of his own initiation. In this ongoing renewal, these impressions grow in strength as they accumulate an expanding circle of strangers with every iteration. The masonic contract is therefore an unending process of re-founding exercised in and through men’s embodied relations, as “Each contractor has to reaffirm the contract in new terms for the contract to be [and remain] in existence.”¹³⁴ In contrast to the deliberative “model of an ‘endless conversation’ that is

¹³³ William Smith, *The Book M: Or, Masonry Triumphant* (Newcastle upon Tyne: Leonard Umfreville & Co., 1736), 1:19.

¹³⁴ Wittig, “On the Social Contract,” 6.

completely inclusive,”¹³⁵ masons re-establish and multiply their bonds through the affective force of repeated bodily rituals.

Second, masons did not stay confined to their own lodges. With the guide of masonic almanacs, men could learn the location and meeting times of lodges in different cities and countries, where they would have to verify their masonic credentials by providing the secret words and gestures set out in their initiation rituals.¹³⁶ Authors of masonic exposures commonly describe how they successfully proved their masonic identity by pointing to the reception of a handshake that affirmed their status as a fellow brother.¹³⁷ According to these accounts, a bodily gesture of mutual contact transforms a strange man into a familiar brother, a familiarity marked not by the particular relationship of the men, who otherwise remain strangers to each other, but by their mutual participation in and representation of the symbolic relations of fraternity.

Third, masonic practices spilled out far beyond the confines of any specific lodge. Regardless of the specific context in which a mason may find himself, masons claimed that the furtive display of the body in public could alter men’s relationships by activating a larger network of brotherhood spread across the world. In the popular masonic opera *The Generous Free-Mason*, a young couple flees Europe in order to escape a cruel father who refuses their love only to find themselves captured and separated by the Tunisian king.¹³⁸ In his woe, the imprisoned lover shows “a [masonic] Sign in dear

¹³⁵ Jürgen Habermas, *Truth and Justification* (Cambridge, Massachusetts: MIT Press, 2003), 102.

¹³⁶ On Masonic almanacs, see Jacob, *Origin of Freemasonry*, 29-38. For an example of a list of lodges and times of meeting, see the exposure *The Secrets of the Free-Masons Revealed by a Disgusted Brother* (London: Printed for the Author, and sold by J. Scott, 1759).

¹³⁷ For instance, in the preface to *The Free Mason Examin’d*, Alexander Slade explains how he learned the secrets of the craft from a note hidden in his dead father’s bureau. Upon discovering that an eminent attorney in the city is a mason, Slade proceeds to give this man the secret masonic signal, and having answered his questions “so much to his [the mason’s] Satisfaction, that he took me by the Hand, and said, ‘Brother *Slade*, I am so far convinced that you are a Mason, that you shall go with me [to my lodge].” Slade, *The Free Mason Examin’d*, vi-viii. Similarly, the author of *The Three Distinct Knocks* (1760) explains how he travelled to Paris and met a mason who, having examined the author on his masonic credentials and being satisfied with his responses, “shook me by the Hand and call’d me Brother, and took me to his Lodge, which I became a member of.” A. C. F. Jackson, *English Masonic Exposures 1760-1769*, 58

¹³⁸ W. R. Chetwood, *The generous Free-Mason: or, the constant lady. With the humours of Squire Noodle, and his Man Doodle. A tragi-comi-farcical ballad opera. In three acts. With the musick prefix’d to each song. By the author of the lover’s opera* (1731). Advertisements for performances of the *Generous Free-Mason* can be found in August, September and December issues of the *Daily Post* in 1730. If newspaper advertisements are any indication as to the popularity of the play, performances of *The Generous Free-Mason* continued into the early 1740s. See, for instance, issues of the *London Daily Post and General Advertiser* for August 4, 24, 25, 26, 27, 31 and September 2, 3, 4, 5, and 7 1741.

Remembrance of my noble Friends,” which is unexpectedly recognized by the prison guard, who exclaims, “Come to my Arms! Thou unexpected Joy! / And find in me, a Brother, and a Friend.”¹³⁹ As a result of this *mason ex machina*, the guard helps the lovers escape because “Thou art my Brother by the strictest Laws. A Chain, unseen, fast binds thee to my Heart.”¹⁴⁰ Such stories illustrated how masons could trigger the semiotic power of the body and (re-)establish bonds of fraternal love between men who may not only be strangers but even antagonists. As such, exposures commonly provided a “Dictionary Explaining the private Signs, or Signals, Used ... upon particular occasions [outside the lodge]” that were capable of activating the duties of brotherhood set out in the masonic contract.¹⁴¹

Within the masonic imaginary therefore, subtle gestures of the body could institute bonds of fraternity and overcome relations of subordination and submission. In a series of published letters between a father and his son on the latter’s desire to become a freemason, the son claims that if he were made a mason he would not only “be made an Equal with Men of the first Quality and highest Qualifications, ... but [also] have Access to the great Men in all Courts by the *Signs of Masonry*, who are obliged to receive you as a Brother.”¹⁴² Inside the masonic lodge, rituals of the body leveled distinctions of status and transformed the bodily habits constitutive of aristocratic hierarchies. In the public of the court, a certain movement of the body could signal the presence of a fellow mason, activating the egalitarian forms of life learned inside the lodge. As the son indicates, the “*signs of Masonry*” are capable of overturning relations of hierarchy by obliging “great Men in all Courts” to receive you as a “Brother” and “Equal.” As if by the flick of a wrist, the body of the nobleman is transformed into the body of the brother, opening up new entry points to political power. It is no longer the servile adulation of the

¹³⁹ *Ibid.*, 32.

¹⁴⁰ *Ibid.*, 49.

¹⁴¹ Such signs included shaking the foot, touching the calf, tapping the shin, scratching the cheek, holding the ear, rubbing the eye, among other gestures. *The Secret History of the Free-Masons. Being an Accidental Discovery, of the Ceremonies Made use of in the several Lodges, upon the Admittance of a Brother as a Free and Accepted MASON* (London, 1724), 40-47; *Flying Post or Post-Master*, April 11-13, 1723, Issue: 4712.

¹⁴² *The Free-masons Accusation and Defence. In six Genuine Letters. Between a Gentleman in the Country, and his son, a Student in the Temple* (London: Printed for A. Dodd, [1726]), 22-23. On the value of freemasonry for international travel in high society, see Leigh, *The Masons and the Mysteries in 18th Century Drama* (Berlin: De Gruyter, 2020), 10-11.

great but the egalitarian reciprocity of brothers that comes to organize relations of sociality between strangers. In the heart of the royal court, proximity to the brother's body rather than the king's promises to create alternate political relations between men.

The court's structures of hierarchy do not exactly disappear so much as are spliced by a concealed network of brothers circulating within it. The public at court is doubled by the doubled body of the mason, who acts as if he were still part of the aristocratic world while covertly pledging allegiance to a clandestine counter-public of men. That the body establishes a public of strangers whose publicity relies on their very secrecy showcases a complicated political dynamic that requires unraveling. Building on Koselleck's dialectical reading of masonic secrecy, Habermas argues that the publicity of the public sphere emerges from the immanent negation of secrecy as the cradle of reason.

The secret promulgation of enlightenment typical of the [masonic] lodges ... had a dialectical character. Reason, which through public use of the rational faculty was to be realized in the rational communication of a public consisting of cultivated human beings, itself needed to be protected from becoming public because it was a threat to any and all relations of domination.... Its sphere of publicity had still to rely on secrecy; its public, even as a public, remained internal. The light of reason, thus veiled for self-protection, was revealed in stages.

According to Habermas, the secrecy of the lodges protected a weak and fragile reason from state repression, enabling it to grow in strength until it eventually burst from its hidden sanctuary to subject not only court hierarchy but also the very secrecy on which it relied to critique. Habermas does not provide a clear account of this historical development, except to say that the growth of more "open associations" provided a certain critical mass for the public use of reason, such that reason no longer required shelter and so the "practice of secret societies fell prey to its own ideology."¹⁴³

According to Habermas's account of the early formation of the public sphere, reason at first relies on secrecy for refuge but eventually comes to negate its protective conditions. As Jodi Dean argues, this dialectical relationship between secrecy and publicity illustrates how the "ideal of a public

¹⁴³ Habermas, *The Structural Transformation of the Public Sphere*, 35.

[as a space of open and rational communication] typically posited in Enlightenment-based theories of democracy relies on the secret as its disavowed basis.”¹⁴⁴ As the origin of the public sphere, secrecy must be constantly invoked and negated in order to give publicity its meaning as a space of transparency. Yet, in identifying the early public sphere with the enlightened force of reason, such origin stories posit a primary opposition between secrecy and publicity. They do not theorize publicity *as* a form of secrecy and so cannot account for how publicity was severed from the secrecy on which it initially relied in order to produce an ideal of the public as a transparent space of discourse. To better understand the mutual imbrication of secrecy and publicity, we must do to Habermas what Marx did to Hegel: turn his dialectics on its head and invert the idealist emphasis on reason in favor of a materialist analysis.¹⁴⁵ Counter-hegemonic relations of equality established inside the lodges spilled out into the larger world, but they did so not because of the growing metaphysical strength of reason but due to the clandestine circulation of men’s bodies in public and as a public. By grasping how the secret practices of men’s bodies cut against the hierarchical world of the aristocracy and established new relations of equality, I show how the principle of equality was materialized and disseminated in the wider public sphere. The spread of these egalitarian practices set the conditions for what I explore in the next chapter as the transformation of the public sphere into a disembodied space of reason.

If centering the body helps us to theorize publicity and secrecy together, then how should we understand the body’s secret and yet public practices and the ways in which they establish relations of affinity and familiarity between strangers? In contemporary queer culture, “cruising” names the disguised movements of the body that silently announce one’s membership in a community organized around the erotic pleasures of the body. As Michael Warner argues, furtive glances and subtle touches connect individuals and constitute a clandestine sexual public of strangers:

¹⁴⁴ Jodi Dean, *Publicity’s Secret: How Technoculture Capitalizes on Democracy*, 16.

¹⁴⁵ Karl Marx, “Postface to the Second German Edition,” in *Capital: A Critique of Political Economy*, vol. 1 (Penguin, 1976), 102.

When gay men or lesbians cruise, when they develop a love of strangers, they directly eroticize participation in the public world of their privacy. Contrary to myth, what one relishes in loving strangers is not mere anonymity, nor meaningless release. It is the pleasure of belonging to a sexual world, in which one's sexuality finds an answering resonance not just in one other, but in a world of others.¹⁴⁶

If we momentarily loosen the association of cruising with genital sex and consider cruising as a practice that signals allegiance to the homosocial pleasures of the gendered body more broadly, then “cruising” can help us make sense of how the stealthy gestures of the masonic body can incorporate strangers into a public network of brothers.¹⁴⁷

Indeed, what may at first appear as an anachronistic importation of 20th century gay practices to conceptualize 18th century bodily relations may turn out to recover a queerness that has been hidden from modern historical attention. Both masons and sodomites developed a rich and secret semiotic system of bodily gestures and signifiers to identify one another in public, a shared phenomenon remarked upon by 18th century contemporaries.¹⁴⁸ By the 19th century, communities of sodomites were described as a “freemasonry of love” or “freemasonry of pleasure.”¹⁴⁹ Around the time that “cruising” came to signify the “search of a casual sexual partner” in the early 20th century, the figure of ‘freemasonry’ was already being used to make sense of the homosexual practices we now call “cruising.”¹⁵⁰ In Marcel Proust’s *À la recherche du temps perdu*, he invokes the secret society of freemasons to portray those men he calls the descendants of Sodom who escaped God’s wrath.

¹⁴⁶ Warner, *The Trouble with Normal*, 179.

¹⁴⁷ As Tim Hitchcock suggestively notes, “One need only look very briefly at the literature on clubs and societies in the eighteenth century to see that many developed the characteristics which go to define a subculture. If unique handshakes, jargon, dress and ritual are the hallmarks of such a culture, then the Masonic order fits as well as the molly houses, and no artificial intellectual barrier should necessarily suggest that we need understand the two phenomena in different ways.” Hitchcock, *English Sexualities, 1700-1800*, 75.

¹⁴⁸ George Parker, *A view of society and manners in high and low life*; vol. II (London: 1781), 87; Loïselle, *Brotherly Love*, 95. These similarities served as one resource for sodomy accusations lobbied against the freemasons, which I explore in the following chapter.

¹⁴⁹ “Freemasonry” in *Encyclopedia of Homosexuality: Volume I*, (ed.) Wayne Dynes (Routledge, 1990), 429-420; Christopher Stevens, *Secret and Forbidden: The Moral History of the Passions of Mankind* (New York: Living Books, 1966), 68. Sodomites seemed to use the language of freemasonry to describe their activities, as suggested by gathering of sodomites in 1749 Paris in which a newcomer was asked “if he would like to be a freemason.” See Michael Rey, “Parisian Homosexuals Create a Lifestyle, 1700-1750, The Police Archives,” 188.

¹⁵⁰ The origins of the sexualized verb ‘to cruise’ are unclear in historical accounts. According to Timothy Blanning, *The Pursuit of Glory: Europe 1648-1815* (Penguin, 2007), 81, the English word derives from the Dutch *keruisen*, which means “to cross” or “intersect,” but also “to breed” and “to arrange the mating of specific plants or animals.” Unfortunately, Blanning provides no evidence for when it supposedly crossed over into the English language. In *Cruising: An Intimate History of a Radical Pastime* (The Unnamed Press, 2019), Alex Espinoza traces its first use in English to the 1903 text, *The Autobiography of a Thief*, recorded and published by the anarchist journalist, Hutchins Hapgood, in which the author uses the word to refer to sex workers (“the Bowery ‘cruisers’ (street-walkers).”) The *OED*

[Sodomites form] a *freemasonry* far more extensive, more powerful and less suspected than that of the Lodges, for it rests upon an identity of tastes, needs, habits, dangers, apprenticeship, knowledge, traffic, glossary, and one in which *the members themselves, who intend not to know one another, recognise one another immediately by natural or conventional, involuntary or deliberate signs* which indicate one of his congeners to the beggar in the street, in the great nobleman whose carriage door he is shutting... all of them obliged to protect their own secret but having their part in a secret shared with the others, which the rest of humanity does not suspect... for in this romantic, anachronistic life the ambassador is a bosom friend of the felon.¹⁵¹

Masonic secrecy, its utopian promise of fellowship, and the signifiers of the fraternal body all come together in this passage to illuminate the ways in which sodomites establish a sexual equality in and through the secret communion of their bodies, where even the ambassador and criminal are equal brothers and bosom friends.

Given this intertwined history of freemasonry's bodily practices with homosexual cruising, "cruising" provides a helpful conceptual analytic to explain the secrecy of the masonic body in public and the publicity of its clandestine gestures. Elusive practices of the masonic body establish a familiarity among strangers whose only bond is their shared commitment to a fraternal world that traffics in the affective intensities and pleasures of the male body. "Abstracting from the pure pleasures which arise from friendship so wisely constituted as that which subsists among Masons," masonic reformer William Preston writes, "Masonry is a science confined to no particular country, but extends over the whole terrestrial globe."¹⁵² In cruising for other masons, men use their bodies to create bonds of affinity with other men. They embody and activate, so to speak, abstract relations of fraternity imagined to spread out across the world. A mason in public does not cruise any particular man so much as the symbolic brother, a figure that any mason can represent. The anonymity of strangers and their distance from the personal and social facts of any singular mason's life, such as his family background, status, and rank, was a condition of possibility for their public intimacy as brothers. Such biographical details

records the first published use of cruising to mean a "homosexual who looks for patrons" to the 1942 *American Thesaurus of Slang* (L. V. Berrey & M. Van den Bark: 1942), entry on "Perversion," n3. "homosexual," pg. 473. See, "cruiser, n.". OED Online. March 2023. Oxford University Press. <https://www.oed.com/view/Entry/45179> (accessed April 28, 2023).

¹⁵¹ Marcel Proust, *Remembrance of Things Past, Volume 2*, (London: Worthworth Editions, 2006) 24, emphasis added.

¹⁵² William Preston, *Illustrations of Freemasonry* (1812), book I, 6-7.

are secondary to men's shared bonds and attachments to the symbolic relations of fraternity. In cruising the masonic utopia then, men seek out the symbolic brother potentially represented by every mason.

Against the embodied forms of deference and submission of the early modern world, cruising creates what Michael Warner and Lauren Berlant have called counter-intimacies.¹⁵³ In opposition to naturalized hierarchies of rank and status, intimate practices of cruising establish a secret counter-public of masonic brothers by re-activating relations of reciprocity and equality set out in the masonic social contract. In excluding women from these secret practices of identification, masonic cruising reifies embodied forms of gender difference and delineates the corporeal boundaries for membership in the fraternal body politic. Yet, inclusion into the category of manhood was by no means guaranteed. As Black struggles to gain recognition in the fraternity demonstrate, the refusal to recognize and practice bodily relations of intimacy cut short the possibility of establishing relations of equality between men. The forms of recognition that masons seek out when cruising for other masons remain bound up with the intimacies of men's bodies, as proximity to and relations with the masculine body mark the threshold for accessing the equality promised by the symbolic figure of the brother.

Conclusion

As feminist theorists and historians have argued, the emergent public sphere of 18th century Europe was not contingently or accidentally masculine but constitutively so. The construction of gender as a new category of equality shaped not only the grammar of publicity, rendering certain topics and styles of speaking inadmissible for public debate, but also, as I've argued, material relations of equality between men in public. Rituals of the body challenged naturalized relations of hierarchy by reorganizing practices of etiquette and conduct between men to produce a new embodied category of manhood. In so doing, these bodily practices constituted men *as men*, crafting the conditions of possibility for certain forms of democratic discourse in the bourgeois public sphere. The formation of

¹⁵³ Lauren Berlant and Michael Warner, "Sex in Public," *Critical Inquiry* 24, 2 (1998): 547-566.

a gendered economy of men's bodies in public thus made possible the participation of men without rank and status in the public voice of reason.

Moving beyond a narrow focus on discourse, this chapter attended to the semiotic and affective practices of the gendered body to develop a queer-feminist political interpretation of the bourgeois public sphere. Rituals and practices of the fraternal contract did not do away with questions of the body but in fact constituted a novel vision of the masculine body as the basis for new relations of equality and distinction between men. In making possible new forms of exclusion and hierarchy, however, these subversive practices of egalitarian intimacy between men also gave shape to the normative contours of an emerging bourgeois public sphere. As such, they not only established the conditions for new forms of participation in public but also circumscribed more radical possibilities of freedom and equality to a select few.

Though one of the largest and widespread fraternal organizations in the 18th century, freemasonry was by no means the only institution of the emergent public sphere that required its members to undergo bodily rituals of initiation in order to establish new gendered relations of fraternity.¹⁵⁴ While the bodily practices of these organizations deserve closer scrutiny, the influential example of the freemasons reveals how central the currency and circulation of men's bodies was to the construction of new forms of equality and hierarchy in the bourgeois public sphere. Embodied practices of intimacy and affection between men contested some habits of domination and submission (class hierarchy) while building others (gender hierarchy). They served as the affective glue holding together a new body politic of brothers. The masonic case reveals how bonds of the social contract

¹⁵⁴ The organization known as the Odd Fellows, which appears to have been founded around mid-century and included masons, would eventually surpass freemasonry to become one of the largest fraternal societies in the nineteenth century. The society had degrees titled 'Friendship' and 'Brotherly Love' and the ritual for the Patriarchal Degree of Odd-Fellowship has the initiate playing the role of Isaac who is threatened to be sacrificed by his father Abraham but saved by God, which transforms father and son into brothers. See Mark Carnes, "Middle-Class Men and the Solace of Fraternal Ritual" in Mark Carnes and Clyde Griffen (eds.), *Meanings for Manhood: Constructions of Masculinity in Victorian America* (University of Chicago Press, 1990), 37-66.

required new forms of affect felt in and through the body in order to materialize new relations of equality and distinction between men in public.

According to Pateman's influential account of the social contract, the formation of fraternal bonds of equality originate in the democratization of men's access to women's bodies and the denial of access to other men's bodies. The social contract's masculine association is thus an aggregation of men who appear to have little if any interest in their brothers except for their shared ownership of women's bodies. Yet, as in the case of Locke's social contract, the instantiation of the masonic contract requires the elaboration of new affective bonds of fraternal love between men. The archive of masonic rituals reveals how the generation of fraternal affect involved choreographies of the body in which men were suddenly permitted to touch, feel, and relate to one another as political equals. Consequently, the material practice of contract demonstrates that men did not seek to deny access to other men's bodies so much as reorganize what this access entailed.

A materialist analysis of the social contract and its role in political movements dedicated to building equality between men shows how the historical production of propertied manhood entails not the destruction but reorganization of the political economy of men's bodies. Inside the fraternal societies of an emerging public sphere, men came together to reject a world of hierarchy modeled on the patriarchal household in which all subjects, like obedient children, servants, and wives, were expected to submit themselves before their patriarchal king and all other men of rank and title. Against the practices of kneeling, curtsying, bowing, genuflecting, stooping, and prostration that made up the aristocratic world, a growing class of men with mobile capital elaborated new ways of organizing their political and social relations. Whereas patriarchal forms of bodily subordination continued in the household, new bodily practices of homosociality in the public sphere involving horizontal forms of intimacy and touch between men came to define a new egalitarian economy of bodies organized around gender.

In his study of masonic networks of brotherhood and friendship, Kenneth Loiselle admits that letters shared among masons contained “intense expressions of love that many men today undoubtedly would find uncomfortably close to the vocabulary of erotic relationships.”¹⁵⁵ It would be wrong to suggest that the masonic contract is a homosexual contract even if it does appear strikingly homoerotic. Rather, as Monique Wittig argued, the social contract of liberal society is not simply a sexual contract but, more specifically, a heterosexual contract.¹⁵⁶ How should we make of the seeming homoeroticism of the heterosexual contract and the novel forms of homosociality developing in the public sphere? How did new forms of fraternal pleasure in public come to threaten manhood as an emerging political category of equality underpinning a growing hegemony of the bourgeoisie? In the following chapter, I turn to explore rumors of sodomy against the freemasons and investigate how the formation of heterosexuality in the 18th century organized new relations of gender, equality, and class distinction. Rather than presume its heterosexuality, I ask, how did a bourgeois social committed to fraternal equality become straight?

¹⁵⁵ Loiselle, *Brotherly Love*, 153. For instance, Jean-Philippe de Béla wrote to his masonic brother Philippe-Valentin Bertin Du Rocheret in 1748 that in the near future he hopes “to see and embrace you, to swear to you that I love you, that I adore you, to swear to you an eternal steadfastness.... What I feel for you is what a passionate lover feels for his mistress in her absence.” Loiselle, *Brotherly Love*, 7.

¹⁵⁶ Monique Wittig, “On the Social Contract,” *Feminist Issues* 9 (1989): 3-12. While Pateman does not deny the heterosexuality of the contract, heteronormativity does not play an explicit role in her account.

5. Domesticating Fraternity:

Heterosexual Love, Sodomitical Pleasure, and the Political Uses of Conspiracy

Over the course of the 18th century, England became the new global hegemon of capital, as London overtook Amsterdam to become the economic center of Europe.¹ With economic power increasingly tethered not to landed wealth but to mobile capital, an emerging class of new moneyed men came to challenge the old aristocratic world. Against the principles of blood, lineage, and the natural hierarchy of rank and status, they organized themselves according to values based on new ideals of fraternity, equality, and meritocracy. In the last chapter, we saw how the masonic lodge served as a vanguard institution of the budding bourgeoisie. Lodges across Western Europe provided the material infrastructure in which men mostly the middling sort could learn to identify with each other and become attached to democratic and capitalist values. Freemasonry formed these class solidarities by articulating fraternal equality as a new principle of association and by re-organizing their member's bodily relations. Central to this project were new ideas of gender and its embodiment, as fraternal bonds took shape not primarily through the intellectual reception of abstract philosophical principles but in and through normative changes to ordinary bodily practices and public modes of comportment.

Given freemasonry's rapid growth soon after its reorganization in the late 1710s, the fraternity's secret practices and rituals quickly became an object of curiosity and suspicion. In the society's first monograph exposure, *The Secret History of the Free-Masons* recounts the mythical origins of masonry's system of secret gestures as follows. Laying in bed one night after a long day working on the Tower of Babel, a certain masonic worker fell into a fit of laughter and woke his wife. Annoyed, the mason's wife demanded to know why he was laughing and pestered him until he "confessed the Secret":

¹ Giovanni Arrighi, *The Long Twentieth Century: Money, Power, and the Origins of Our Times* (Verso, 2010), 163-179.

[He told his wife that he] had enter'd into Combination with the rest of the Builders of *Babel*, to carry on that Work 'till it should reach to Heaven, and he was laughing within himself to think how one Day he shou'd give her the Slip; for they all design'd when that was finish'd, to make the best of their Wives below to shift for themselves on Earth, since *Eve* had play'd their Father *Adam* such a slippery trick as to betray him out of Paradise, he had left it in Charge to his Male-Posterity to return the Favour the first Opportunity; and this they had bound themselves now by an Oath of Secrecy to perform: The next Morning the whole Camp rung with the Discovery, and the Confederate Body of *Free-Masons* broke up in such Confusion, that they understood not one another, but by Signs and Tokens to depart.²

According to *The Secret History*, masonry's system of corporeal semiotics – the “Signs and Tokens” of the body – originates in the revelation of a secret fantasy of men who wish to escape their wives, families, and the world their ancestors had fashioned. In revenge for Eve's betrayal, masons dreamed of a paradise of pure fraternal association, a world which they sought to build inside their lodges.

Pointing to these fraternal fantasies, various critics accused the masons of being “Dirty



Fig. 12. Sodomites Embracing. “The Women-Hater's Lamentation” (London, 1707). For similarities to masonic practice, see figs. 8 & 9.

Brethren” who enjoyed more sinister pleasures.³ Reports of “Amorous” men “that were for Kissing, Hugging, Tonguing, and Embracing their own Sex” inflamed suspicions about the kinds of criminal intimacies potentially taking place inside the lodges (fig. 12), as rumors spread across Europe and British North America that masons were engaged in perverse sexual practices.⁴ While historians have been quick to note that “no evidence exists to support such charges,” such historiographical concern with questions of fact (e.g. did masons have sex with each other?) has unfortunately displaced

² *The Secret History of the Free-Masons. Being an Accidental Discovery, of the Ceremonies Made use of in the several Lodges, upon the Admittance of a Brother as a Free and Accepted MASON* (London: Printed for Sam Briscoe, 1724), 36.

³ *Daily Post*, Friday, May 7, 1742, London, England. Issue: 7073.

⁴ Alexander Smith, *The Third Volume of the Complete History of the Lives, Robberies, Piracies, and Murders committed by the Most Notorious Rogues* (London, 1720), 329. The first public exposure revealed not five but six points of contact in what would later be called the five points of fellowship, the additional point being “Tongue to Tongue.” See, *Flying Post or Post-Master*, April 11–13, 1723, Issue: 4712. For discussions of sodomy rumors, see Jacob, *Living the Enlightenment*, 75–6, 129; Jacob, “Freemasonry, Women and the Paradox of the Enlightenment,” 72; Loiselle, *Brotherly Love*, 93–99; Thomas Foster, “Antimasonic Satire, Sodomy, and Eighteenth-Century Masculinity in the ‘Boston Evening-Post,’” *The William and Mary Quarterly* 60, 1 (2003): 171–184; Godbeer, *The Overflowing of Friendship*, 184.

attention to political questions of power.⁵ Instead of asking whether the rumors were true, this chapter asks, what political purpose did their deployment serve? What kind of political meanings did sodomy accrue in a context of fluctuating dynamics of class power? And what role did the circulation of sodomy rumors play in contestations to aristocratic rule and the formation of new class relations of equality?

Historians and theorists of sexuality have documented how over the course of the 18th century, the rising middling sort articulated new categories of gender and sexuality to critique aristocratic power. In the literature of the middle classes, Eve Kosofsky Sedgwick writes, we witness a “feminization of the aristocracy as a whole, by which ... the entire class, came to be seen as ethereal, decorative and otiose in relation to the vigorous and productive values of the middle class.”⁶ Critiques of effeminacy against the aristocracy became part and parcel of the gendered construction of new class values underpinning the bourgeois public sphere.⁷ Sodomy, as a result, was understood to be symptomatic of the degenerate and unproductive pleasures of an effeminate aristocracy. The bourgeoisie did not only direct a discourse of sodomy upwards against an elite aristocracy, however. Campaigns for moral reform targeting prostitutes and plebeian men cruising in public formed a key mechanism in the organization and governance of an emerging public sphere.⁸ The removal of these open and often visible sexual practices from public space helped constitute a bourgeois order centered around principles of privacy and the household as the proper site of sex and intimacy.

Charges of sodomy thus played a tactical role in the sexual hegemony of class rule by shaping the upper and lower boundaries of an emerging capitalist class anxious to differentiate itself from the aristocracy and the poor. Sodomy allegations against the freemasons, in contrast, provide a unique case

⁵ Jacob, *The Radical Enlightenment*, 174.

⁶ Sedgwick, *Between Men*, 93. See also, Declan Kavanagh, *Effeminate Years: Literature, Politics, and Aesthetics in Mid-eighteenth-century Britain* (Bucknell University Press, 2017).

⁷ Landes, *Women and the Public Sphere*; Hunt, *Family Romance of French Revolution*, 96-98.

⁸ Thomas King, *The Gendering of Men, 1600–1750: Queer Articulations* (University of Wisconsin Press, 2008); Christopher Chitty, *Sexual Hegemony: Statecraft, Sodomy, and Capital in the Rise of the World System* (Duke University Press, 2020). On prostitution, see Silvia Federici, *Caliban and the Witch: Women, the Body, and Primitive Accumulation* (New York: Autonomedia, 2004); Nicola Smith, *Capitalism's Sexual History* (Oxford University Press, 2020).

where accusations of illicit sex targeted a movement made up largely of the bourgeoisie and, to a lesser extent, members of the nobility and the working class. Unlike sexual rumours revolving around exclusive societies of aristocratic rakes,⁹ accusations of homosexual activity against freemasons pointed to the class mixing taking place in the lodges and called attention to the potentially radical implications of class levelling that it implied. For members of the *ancien régime*, freemasonry represented the vanguard of an ascending bourgeoisie dedicated to overturning the reigning class order by uniting men from the middling ranks and the nobility in new relations of equality. For members of an emerging middle class, on the other hand, freemasonry represented the radical potential and danger of equality to upend not just the aristocracy but the very basis of any class order. As a society open in principle to any able-bodied man who believed in God, masonic principles of equality and meritocracy meant a certain porousness in their class membership, since even poor men could join their ranks and elevate their station. In dramatizing the fluidity of an emerging capitalist society, freemasonry appeared to threaten the very clarity of class boundaries *tout court*. This chapter outlines how members of the aristocracy and bourgeoisie differently mobilized rumors of sodomy as weapons of political struggle for and against a developing middle class and shows how sex panics are also class panics.

Rather than presume the heterosexuality of the bourgeoisie, this chapter investigates how new discourses of sodomy and romantic love in the 18th century came to produce a normative vision of heterosexuality to regulate the forms of association and intimacy taking place among men in public.¹⁰ In *The History of Sexuality, Vol I*, Foucault argues that the formation of the bourgeoisie involved the imposition of a sexual order not, in the first instance, on the working classes but on its own ranks, a process that entailed not the repression but cultivation of their own class bodies. “There is little

⁹ Evelyn Lord, *The Hellfire Clubs: Sex, Satanism and Secret Societies* (Yale, 2010).

¹⁰ Even in Loisel's and Foster's otherwise excellent studies on rumors of masonic sodomy in the French and American contexts, they tend to view charges of sodomy as reactions to a naturalized heterosexuality rather than investigate how these rumors help constitute heterosexuality as an organizing principle of desire (Loiselle, *Brotherly Love*, 93-99; Foster, “Antimasonic Satire.”).

question that one of the primordial forms of class consciousness is the affirmation of the body,” Foucault argues, and so the “emphasis on the body should undoubtedly be linked to the process of growth and establishment of bourgeois hegemony.”¹¹ Building on feminist critiques of Foucault’s inattention to gender,¹² I show how new practices and discourses of gender and sexuality in the class struggles of the 18th century reconstituted men’s affective relations and helped produce a novel image of the bourgeois family as the necessary bulwark and support for a hetero-patriarchal public sphere.

I argue that anxieties of class and sex concerning the egalitarian forms of homosociality emerging in the public gave shape to new ideas of the conjugal family and the private sphere as a space of sentimental domesticity. In early modern England, marriages among propertied families were primarily organized for securing the transfer of property and not for reasons of love. While marital love was historically lauded by Protestant clerics as part of their efforts to combat Catholic principles of chastity, it was not until the early 18th century that new secular ideals of companionship and romantic love emerged among the middle and landed classes.¹³ For some political theorists, the development of conjugal love meant the expression of new ideas of freedom and equality. “Rebellion against the patriarchal family involves an assertion of personal autonomy and voluntarily formed ties against the demands of ascriptive authority,” argues Charles Taylor.¹⁴ For Habermas, ideals of romantic love expressed in the 18th century phenomenon of the novel enabled the bourgeoisie to conceive of themselves as “capable of entering into ‘purely human’ relations with one another” outside of

¹¹ Foucault, *History of Sexuality*, vol. 1, 126, 125. On Foucault’s Marxist preoccupations, see Chitty, *Sexual Hegemony*.

¹² *Feminist Interpretations of Michel Foucault* (ed.) S. Hekman (Pennsylvania University Press, 1996); Lois McNay, *Foucault and Feminism: Power, Gender and the Self* (Polity Press, 1992).

¹³ Lawrence Stone, *The Family, Sex, and Marriage in England 1500-1800* (New York, 1979); Jean Hagstrum, *Sex and Sensibility: Ideal and Erotic Love from Milton to Mozart* (University of Chicago Press, 1982); Anthony Giddens, *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies* (Stanford University Press, 1992); Ralph A Houlbrooke, *The English Family, 1450-1700* (New York, 1984); Trumbach, *Sex and Gender Revolution, Volume 1: Heterosexuality and the Third Gender in Enlightenment London* (University of Chicago, 1998).

¹⁴ Charles Taylor, *Sources of the Self*, 290.

economic categories.¹⁵ As such, he argues, the development of equality in the public sphere was an “expansion and at the same time completion of the intimate sphere of the conjugal family.”¹⁶

As feminist critics have argued, however, a prior patriarchal sexual asymmetry was not dismantled but rather, it was refashioned in the rebellion against patriarchal authority, as women came to be excluded from the public sphere and subordinated to the family. Indeed, as we saw over the last two chapters, it was not conjugal but fraternal love that served as the model and paradigm for new relations of equality developing in the bourgeois public sphere. The formation of an “ideology of sentimental heterosexuality,” as Paul Kelleher argues, did not aim to equalize the conjugal couple but “to speciously ameliorate, to make more ‘seductive’ and thus more effective and efficient, the gender asymmetry enshrined by marriage law and carried out in the domestic rituals of husbands and wives.”¹⁷ The ideal of companionate marriage was neither the expression of nor kernel for new ideas of freedom and equality, as sometimes assumed. Rather, the development of a sentimental vision of romantic love sought to make women’s inequality more palatable. Drawing on these interventions, I argue that a discourse of conjugal love did not just mystify women’s subordination but also kept in check threats to a new class order posed by men’s egalitarian intimacies. I show how members of the middle class contested fraternal equality’s radical implications of class levelling by promoting an alternative ideal of conjugal love and heterosexual intimacy. As such, I contend that the formation of an ideology of sentimental marriage among the propertied classes in the 18th century was not a precondition for new ideas of equality but instead, a reaction against forms of fraternal love and equality emerging in public.

Attending to how masons reorganized their structuring principles and practices in response to allegations of sodomy illustrates how the fraternal society both contributed to and exemplifies the heterosexualization of the 18th century patriarchal public sphere. As several historians have argued,

¹⁵ In particular, he points to *Pamela* (1740) and *Clarissa* (1748). Habermas, *Structural Transformation of the Public Sphere*, 48.

¹⁶ Habermas, *Structural Transformation of the Public Sphere*, 50.

¹⁷ Paul Kelleher, *Making Love: Sentiment and Sexuality in Eighteenth-century British lit* (2015), 16.

freemasons were some of the earliest proponents of an ideal of companionate marriage, promoting a romantic vision of conjugality as a relationship of complementarity in which husband and wife have separate but equal roles and obligations.¹⁸ In addition, some masons even contested the fraternity's foundational principles of exclusion and created mixed lodges for men and women, most of whom were spouses, to socialize as equals.¹⁹ Putting this historical body of work in conversation with rumors of masonic sodomy, I argue that freemasons did not promote conjugal love or support women's inclusion as a good faith gesture of gender equality as commonly argued. Rather, I illustrate how masons did so in response to critiques that the egalitarian pleasures found in the lodges led men to abandon their wives and ruin their families. To dispel charges of sodomy, masons downplayed their earlier enthusiasm for brotherly love and advocated for a vision of sentimental heterosexuality, arguing that the lodges supported the family by creating loving husbands and fathers. As such, I argue that the construction of an alluring image of the nuclear family and its joys of domesticity as an alternative to the pleasures of a patriarchal public sphere reorganized men's attachments to principles of fraternal equality and redirected their political investments to the private sphere of the bourgeois family.

As struggles against the aristocracy generated relations of fraternal feeling that threatened to exceed the boundaries of the middle-class, rumors of sodomy worked hand in hand with discourses of conjugal love to police the spaces of men's association and domesticate their affective relations. By exploring how Europe's largest fraternal organization responded to sexual anxieties emerging out of the levelling implications of fraternal equality, I show how the romance of heterosexual love produces an image of the bourgeois family as the necessary underside of a (now) heterosexual public sphere. Homosexual panic about men's egalitarian intimacies undercut the more radical implications of an

¹⁸ Andreas Önnersfors, "Maçonnerie Des Dames," 96; Matthew Leigh, *The Masons and the Mysteries*, 3-4; Burke and Jacob, "French Freemasonry, Women, and Feminist Scholarship," 535-6; Róbert Péter, "Women in Eighteenth-Century English Freemasonry," 68; Allen, "Sisters of Another Sort," 785, 787; Beachy, "Masonic Apologetic Writings," 94-98.

¹⁹ Adoption lodges existed in France, Sweden, Germany, Holland, and possibly England. Most of the English historiography concerns France, where 45 lodges initiated at least 600 women in the 18th century. For an overview, see Jacob, *Origins of Freemasonry*, 93-115.

emerging bourgeois order, since equality threatened to level all class distinctions and was thus restructured through the hetero-patriarchal family. As fraternal societies came to promote sentimental heterosexuality, the bourgeois public sphere was transformed from an idealized site of fraternal sociability, intimacy, and pleasure to a disembodied public sphere of rational deliberation.

I. Secrecy, Conspiracy, and Transparency

Two decades following the formation of the Grand Lodge of England in 1717, Pope Clement XII warned of the fraternity's dramatic rise, having already initiated some tens of thousands of men, and issued a papal bull banning all involvement with the society "under pain of excommunication":

Now it has come to Our ears, and common gossip has made clear that certain Societies ... called in the popular tongue *Liberi Muratori* or *Francs Massons* or by other names according to the various languages, are spreading far and wide and daily growing in strength... [T]hese foresaid Societies or Conventicles have caused in the minds of the faithful the greatest suspicion, and all prudent and upright men have passed the same judgment on them as being depraved and perverted. For if they were not doing evil they would not have so great a hatred of the light. Indeed, this rumor has grown to such proportions that in several countries these societies have been forbidden by the civil authorities as being against the public security.²⁰

Rumors of sodomy, what the Pope calls the "greatest suspicion" concerning the "depraved and perverted" activities taking place in the lodges, contributed to the perception that this rapidly growing organization posed a threat to the state and public order. Following the papal bull, many men were arrested and tortured by the Inquisition for belonging, as the charges of one English jeweller living in Lisbon read, "to the Sect of the Free-Masons; this Sect being a horrid Compound of Sacrilege, Sodomy, and many other abominable Crimes; of which the inviolable Secrecy observ'd therein, and the Exclusion of Women, were but too manifest Indications."²¹

²⁰ Pope Clement XII, "In Eminenti: Papal Bull dealing with the condemnation of Freemasonry (1738)" *Papal Encyclicals Online*, [Accessed 2 March 2021: <https://www.papalencyclicals.net/Clem12/c12inemengl.htm>]

²¹ John Coustos, *The sufferings of John Coustos, for free-masonry, and for his refusing to turn Roman Catholic, in the inquisition at Lisbon* (Dublin, 1746), 56. On the Inquisition's repression of freemasonry, see Fernando Gil González, "The repression of forms of sociability in the eighteenth century: Processes followed by the Court of the Inquisition to Freemasons", *RDUNED*, 20 (2017): 319-332; Michael Baigent & Richard Leigh, *The Inquisition* (London: Penguin Books, 2000), ch. 9.

While suspicions of sodomy emerged from the conjunction of masonic secrecy and the exclusion of women, there is a certain irony that sex-segregated institutions like the Catholic Church would attack freemasons for being exclusive communities of men. Why have freemasons “been rashly censured for refusing to admit females into their society,” one mason wonders, “as in this they do but imitate the conduct of all clubs, universities, and corporate bodies, who have most assuredly never been censured on that account?”²² To answer this question we must understand how freemasonry’s secret practices were portrayed not only as a unique threat to the public order but also as a more general symbol standing in for larger political subversions taking place in the century. Attending to how members of the aristocracy and middling ranks used women’s exclusion to give new meaning to masonic secrecy as signifier of political disorder, I show how rumors of sodomy constituted secrecy as a political problem and refigured the public sphere as a space of transparency and visibility.

In the 17th century, secrecy was a largely accepted prerogative of both state and ecclesiastical institutions. Not only did the king’s privy council deliberate in secret, but members of the public were formally barred from viewing parliamentary debate.²³ Over the course of the 18th century, however, secrecy became an increasingly unacceptable and suspicious feature of public life. “Suspicion always attaches to mystery,” writes Jeremy Bentham in his defense of public assemblies, “For why should we hide ourselves if we do not dread being seen?”²⁴ As Jodi Dean argues, the formation of the public as a space of rational deliberation relies on prior claims to transparency, since the “people can’t [democratically] deliberate if they don’t know.”²⁵ Secrecy “marks the constitutive limit of the public,” Dean contends, and so Enlightenment ideal of the public sphere is “overwhelmingly suspicious, even

²² A Free and Accepted Mason, “A Dissertation on Free-Masonry, Addressed to His Royal Highness George Prince of Wales, Grand-Master of England,” *The Atitc Miscellany* II, XV (1790), 79.

²³ S. Handley, “The Organization of the House,” in *The History of Parliament: The House of Commons 1690-1715*, ed. D. Hayton & E. Cruickshanks (Cambridge University Press, 2002), 267-70.

²⁴ Jeremy Bentham, “Essay on Political Tactics” in *The Works of Jeremy Bentham*, vol. II (ed.) John Bowring (London, 1843), 310.

²⁵ Jodi Dean, *Publicity’s Secret: How Technoculture Capitalizes on Democracy*, 81.

paranoid” of what it does not know but “has a *right to know*.”²⁶ Building on the last chapter’s analysis of what I called masonic cruising (i.e. the use of secret gestures of the masonic body to constitute a public of fraternal strangers), I reveal how how categories of gender and sexuality installed a politics of suspicion at the heart of the public sphere. I argue that image of the public sphere as a transparent space of disembodied deliberation takes shape in opposition to new public spaces of men’s assembly where, contemporaries alleged, dangerous plots against the state could take shape.

Unlike the confessions passing between patient and doctor or penitent and priest that traditionally make up the archive of the history of sexuality, revelations of masonic sodomy did not concern the unlawful desires of individuals so much as the conspiratorial intrigues formed between secret collectives of men. Historians of freemasonry have often remarked that the history of the organization is inseparable from political questions of conspiracy ever since anti-revolutionary writers at the end of the 18th century argued that the French Revolution had been set in motion by a grand conspiracy involving freemasons.²⁷ As Charles Porset contends, “masonic historiography was built, after 1789, on this defining event.”²⁸ Despite an expansive and diversified literature that has developed over the last two centuries investigating the conspiratorial role of masons in revolutionary and political upheavals, scholars rarely asks how the claim of conspiracy becomes intelligible in the first place. After all, not every secret or private relationship is necessarily conspiratorial. In seeking to uncover the truth behind masonic conspiracies, then, scholars have not probed how masonic secrecy was rendered conspiratorial and the political effects this had on the society and the broader public sphere.

²⁶ Ibid., 42, 22, 81.

²⁷ Assessments range from arguments that the revolution was directly conspired in the lodges, that the masonic lodge served as a general laboratory of democratic sociability and model for Jacobinism, and that freemasons helped propagate broader democratic ideas but were not a decisive factor in any sense. Andrew McKenzie-McHarg, “Conceptual History and Conspiracy Theory” and Claus Oberhauser, “Freemasons, Illuminati, and Jews: Conspiracy Theories and the French Revolution” in *Routledge Handbook of Conspiracy Theories*, (eds.) Michael Butter and Peter Knight (Routledge, 2020), 16-27, 555-569, respectively; John Roberts, *The Mythology of the Secret Societies* (New York, 1972), 188–202; François Furet, *Interpreting the French Revolution* (Cambridge, 1981), 164–204.

²⁸ Charles Porset “Masonic Historiography” in *Handbook of Freemasonry*, (eds.) Henrik Bogdan and Jan A.M. Snoek (Brill, 2014), 118. See, also, conspiracy theories about freemasonry’s role in the American revolution. Neil York, “Freemasons and the American Revolution,” *The Historian*, 55, 2 (1993): 315-330; “Conspiracy in American Narrative,” in *Routledge Handbook of Conspiracy Theories* (ed.) Michael Butter and Peter Knight (London, 2020), 427-440; Gordon Wood, *Creation of the American Republic*, 38-43.

I argue that claims of gender and sexuality play a key role in politicizing men's homosociality and reconstituting their secrecy as a conspiratorial threat. Moving beyond the context of revolutionary France, I show how claims of conspiracy emerged almost contemporaneously with freemasonry's modern formation in the early 18th century. Members of the aristocracy and bourgeoisie employed portrayals of sodomites "conspiring in a notorious and villainous Manner" to re-signify secret societies of men as political conspiracies against the state and the family.²⁹ In pointing to women's exclusion as evidence of the criminal activities taking place inside the masonic lodge, sodomy rumors conceived of both transparency and heterosexuality as necessary features of a developing bourgeois public sphere. Accordingly, I argue that a growing suspicion and critique of secrecy in public goes hand in hand with anxieties about equality, class, sex, and the kinds of embodied intimacies forming among men.

Far from demanding women's inclusion or an end of secrecy as such, such rumors played a key role in reifying a patriarchal split between the public and private spheres. Rumors of sodomy presented men's egalitarian sociality as an addictive pleasure that risked ruining the family, and so masons responded by pointing to their wives' sexual satisfaction as evidence of their heterosexuality and domestic happiness. These rumors and their responses produced a vision of the private sphere as the proper domain of sex, intimacy, and sentimentality. Discourses of heterosexual domesticity came to prop up a countervailing idea of the public sphere as a disembodied and transparent space of deliberation seemingly lacking sexuality. Whereas transparency became necessary for weeding out any radically egalitarian plots that could form in the public sphere, the image of the sentimental family with a happy wife subordinate to her husband meant that the family did not threaten public order and thus, the private sphere could remain removed from political demands for visibility. In attending to rumors of sodomy against men's public relations, therefore, this chapter helps explain why we tend to describe

²⁹ *A compleat collection of remarkable tryals of the most notorious malefactors, at the sessions-house in the Old Baily*, vol. II (London, 1718), 120. On the relationship between conspiracy and homosexuality in the 20th century, see David Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (University of Chicago Press, 2004).

the heterosexual family as a set of *private* rather than *secret* relations and why the family so often escapes the suspicion that ordinarily accompanies other secret societies.

Allegations of sodomy targeting the century's largest republican organization exemplify more general worries about the rise of the bourgeoisie and the various meanings of equality it articulated and practiced. In the following sections, I discuss two discourses of sodomy rumors circulating about the freemasons and show how the fraternity responded to each of them. While both discursive genres use sodomy to figure masonic secrecy as a conspiracy of equals, the dangers posed by each account differed significantly. The first discourse originates within an aristocracy alarmed at the growing number of masons with ties to the court and portrays freemasonry as a vanguard of the bourgeoisie struggling to take over the state in order to abolish the hereditary privileges of the aristocracy. In contrast, a second discourse emerging from within the middling sort represents freemasonry not as a bourgeois threat to aristocratic rule but as a proletarian threat to all class distinctions. By presenting conjugal love as a bulwark against the pleasures of fraternal equality, this discourse forms part of the process through which an emerging middle class policed its own boundaries and shaped its internal coherence. Ultimately, these discourses reveal how sex between men signified threats to class rule and the importance of heterosexuality for shoring up support for new class hierarchies. Rather than reduce sex panic to class panic, I demonstrate their radical entanglement in an emerging bourgeois society.

II. Aristocratic Reaction

In February 1723, just a couple weeks before *The Constitutions of the Free-Masons* became available to the public, London's *Daily Post* announced the publication of "The FREE-MASONS. An Hudibrastick Poem."³⁰ While not considered part of the official literature of masonic exposures, this

³⁰ *Daily Post*, Feb. 15, 1723 Issue: 1056. Anonymously written, the text was published for "A. Moore," which was a common fictional name used in fraudulent imprints of many 18th century pornographic and controversial political and theological works. See Andrew Benjamin Bricket, "Who was 'A. Moore'?: The Attribution of Eighteenth-Century Publications with False and Misleading Imprints," *The Papers of the Bibliographical Society of America* 110:2 (2016): 181–214.

twenty-four-page pamphlet nonetheless meets the characteristics of the genre: it was written by a self-described freemason and circulated with the aim of revealing the organization's secrets and initiation rituals.³¹ It was evidently so popular that a second edition was published just a few days after its release.³² Like the exposures explored in the previous chapter, *The FREE-MASONS. An Hudibrastick Poem* begins with the initiate entering the lodge and being stripped of his clothing, but then goes on to recount how the candidate is flogged, has his genitals examined, and is then “mark’d upon the Buttock” with the letter M using a red-hot Iron.³³ Once “well Approv’d, and Mark’d, and Whipt,”³⁴ the initiate is dressed and pledges an oath of allegiance and secrecy to the fraternity. To complete the ceremony, the candidate must then sodomize the last mason initiated into the lodge:

Then ‘tis the Brother last was made, ...
His Breeches low pulls down, and shows
His A—se, this all must here expose,
which the new Mason close salutes,
For none here durst to hold Disputes;
When he thus the Bum has slabber’d,
and put his Sword up in his Scabbard,
A learned Speech is then held forth
Upon the Breech, and Mason’s Worth
And he’s Install’d at last compleat,
And led down to his Mason’s Seat.³⁵

As the Hudibrastick Poem details, the masonic social contract is an exchange of both words and bodies. The newly initiated mason “salutes,” “slabber[s],” and then penetrates (“puts his Sword up his Scabbard”) the naked ass that is exposed before him and all the men of the lodge.

As the stanza indicates, the initiate receives a speech on “the Breech, and Mason’s Worth” while penetrating his fellow brother. A particularly loaded signifier, “Breech” suggests a constellation

³¹ Although historians often describe the *Flying Post*'s April 1723 issue as the first public exposure of masonic ritual, the *Hudibrastick Poem* was published a couple months prior and so could be considered the first exposure of the organization's practices.

³² *Daily Post*, Feb. 18, 1723 Issue 1058. According to Alfred Robbins, “The Earliest Years of English Organized Freemasonry,” *Ars Quatuor Coronatorum* 22 (1909), “The Brochure was launched with an amount of enterprise unusual in those days” (75).

³³ A Free Mason, *The Free-Masons; An Hudibrastick Poem* (Printed for A. Moore, near *St. Paul's*, 1723) 10-11.

³⁴ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 12.

³⁵ A Free Mason, *The Free-Masons; An Hudibrastick Poem* 13.

of meanings. Most directly, breech means buttock, and so this speech lauds the virtues of the “A[r]se” and in particular a masonic brother’s ass. Yet, read aloud, as such texts often were,³⁶ breech is also a homophone of breach, that is, to break a contract. Whereas later exposures reveal how the masonic social contract involves the consolidation of fraternal bonds through various forms of intimate embrace, *The FREE-MASONS* describes how men learn the principle of fraternal unity when inside of and literally united with the previously initiated brother. Accordingly, the following stanza reveals:

Here only ‘tis that we can see
the A—se promotes Society
that it is this alone does prove,
They live in Fellowship and Love;
Whene’er ‘tis kiss’d, ‘tis understood,
it still promotes the Brotherhood.³⁷

According to the stanza, the unity of masonic “Society” is symbolized in the masonic “A[r]se” and materialized through sodomy. Unlike 17th century portrayals of sodomy as societal collapse, sodomy here “promotes Society” and fellowship among men. Accordingly, allegiance to a brother’s breech strengthens men’s bonds against a brother’s possible breach of his fraternal responsibilities.

Alongside buttock and contract, “breech” also signifies the ceremony of a boy’s breeching, where a male child would give up the androgynous clothing of children and enter the aesthetic world of binary sex by donning masculine garments (breeches or trousers). In this, the masonic initiation is symbolically akin to the ceremony of breeching, where just like the boy’s breeches, the mason’s new clothing signals his transition into new relations of masculinity.³⁸ The exposure thus suggests that contracting with the symbolic brother is rooted in an attachment to the symbolic brother’s buttock,

³⁶ Abigail Williams, *The Social Life of Books: Reading together in the Eighteenth-Century Home* (Yale University Press, 2017)

³⁷ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 13.

³⁸ The mason also receives a leather apron with a hole in the crotch and anus strikingly reminiscent of 20th century gay men’s leather culture: “Then if a Hole’s made fit in Leather / to t’other Hole, when put together, / When once the Mason does untruss, / Behind you’ll find the sweet Buss; / For this will guide the Lips aright.” On the one hand, buss means ‘to kiss,’ suggesting that the apron’s back hole reveals the mason’s ass to be a sweet kiss. On the other hand, buss may also refer to the mason’s anus itself, suggesting a possible portmanteau between bum and puss, which was used in the 18th century to refer to a vagina. In this sense, the word ‘buss’ is not unlike the modern queer slang term, ‘bussy’ (boy pussy). See “puss, n.1”. *OED Online* (2020). [accessed January 2021].

which is no longer a boy's but a man's ass. Taking all these meanings of "breech" together, this loaded signifier suggests that the masonic contract transforms a boy into a man and mason, places him in new gendered bonds of association, and does so in and through a sodomitical attachment to the anus. If, as Pateman argues, women's exclusion from the social contract was an attempt to appropriate their capacity to give birth and reproduce the body politic, then the poem's charge of sodomy parodies this procreative act.³⁹ Masonic sodomy symbolizes the possibility of an all-male political genesis and the reality that this is in fact a symbolic and not actually reproductive act.

While the poem identifies masons as sodomites, it does not portray them as ontologically distinct from heterosexual men but rather as failed heterosexual lovers. The text states that "none can love a Female more" than masons, and indeed, many of the masonic gestures outlined are signifiers for heterosexual cruising.⁴⁰ For instance, winking "signifies 'tis [his penis] Rising, / (Which is not to all Girls surprising)," and nodding means that the mason is "full prepar'd to show, / And do all that a Man can do: / With Female Fair they dare engage, / Encounter with a Godlike Rage." Mocking this display of virility and bravado, the poem reveals that the mason's erection has soon "fall'n."⁴¹ Playing on the double entendre of erecting a building and an erect penis, the text explains that "when they're in Bed, all Females find" that masons only have "Skill in Buildings that must fall."⁴² In showcasing their failed attempts at copulation, the poem articulates a gendered critique of masonic masculinity. Masons wish "to exercise and play the man," but their "manful Fury" and "Godlike Rage" cannot overcome their impotence.⁴³ Portraying masonic sodomites not as women-haters but as failed woman-lovers, the text aligns manliness not with heterosexual desire but its performance. Masons can and do express desire for women, but they are unable to fulfill its terms and so turn to men for sexual pleasure.

³⁹ Pateman, *The Sexual Contract*, 88-9, 102.

⁴⁰ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 17.

⁴¹ *Ibid.*, 18-19.

⁴² *Ibid.*, 10.

⁴³ *Ibid.*, 18, 19.

In articulating a gendered critique of freemasons' failure to perform heterosexual intercourse, the poem expresses a political critique against the relations of equality being built in the public sphere. In its opening dedication to "One of the Wardens of the Society of *Free-Masons*," the author explains that having learned of freemasonry's sodomitical secrets, he soon expects his patron to rise in rank:

Having had the Honour, not long since, when I was admitted into the Society of Masons, of Kissing your Posteriors, (an Honour Superior to Kissing the Pope's Toe) I am fully determin'd to make you only the Deserving Patron of these my Labours. . . . It must be confess'd you bore it, from your *loose* Brother, with Christian Patience. And from thence I may presage, if Examples are to be regarded, that in time you will be advanc'd to the Dignity of a Courtier; because an Eminent One, in Several Reigns, had his first Rise, as Tradition tells us, from a Blast of the like Nature, from a Royal Fundament.⁴⁴

Having been admitted to the brotherhood and having had the pleasure of kissing his patron's buttocks, the author not only foreshadows the centrality of the anus in mediating masonic relations of intimacy, but also indicates the overlap between sodomy and patronage relations: a sycophant is an ass-kisser, after all, and as we saw in Chapter Two, courtly upstarts were often accused of engaging in pederasty to elevate their rank. Punning on the double meaning of "Fundament" as foundation and buttock, the author claims his patron will rise to "the Dignity of a Courtier" just like others whose upward mobility resulted from the orgasmic practices of penetration ("from a Blast of the like Nature").⁴⁵ Associating masonic sodomy with an aristocratic politics of rank, then, the dedication portrays masons like those courtly favorites who employ the practices of sodomy to gain access to political power.

While calling forth images of the court's residual pederasty, the poem does not claim that masons gained political power via traditional channels centering on the king's body. Although their use of sodomy suggests how "Court Politicians and Free Masons are oftentimes ally'd,"⁴⁶ the lodge

⁴⁴ Ibid., 3-5. The text contains a note stating that the "Eminent One" is "Sir S. F. Knight," which may refer to Simon de Felbrigg, who was made a Knight of the Garter in 1397 and served in Richard II's chamber. *The Register of the most noble Order of the Garter*, Vol. II (London: Printed by John Barber, 1724) 167-177. On allegations of sex between Richard II and his favorites, see Sylvia Federico, "Queer Times: Richard II in the Poems and Chronicles of Late Fourteenth-Century England," *Medium Ævum*, 79, 1 (2010): 25-46.

⁴⁵ The Oxford English Dictionary defines fundament as "foundation or base of a wall, building, or other structure" and as "The anus or rectum; the buttocks, the backside." Both meanings were in circulation in the 18th century. "fundament, n." *OED Online* (2020). Oxford University Press. [Accessed January 2021]. See also, Jeffrey Masten, "Is the Fundament a Grave?" in *The Body in Parts: Fantasies of Corporeality in Early Modern Europe*, (eds.) David Hillman and Carla Mazzio (Routledge, 1997), 129-145.

⁴⁶ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 5.

made possible new forms of alliance that threatened to undo the relations of hierarchy organizing the court's system of patronage. The poem describes how masons toast to Sally Salisbury, "the noted Prostitute, in Prison for stabbing a young Gentleman," and then to "Berry [and] Darby."⁴⁷ Berry likely refers to Sir Edmund Berry Godfrey, a 17th century magistrate who had a "peculiar name," as one biographer notes, and "shocked" contemporaries for "his association with men who were socially beneath him."⁴⁸ Darby possibly refers to the late 17th century publisher, John Darby, who printed works such as Algernon Sidney's *Discourses Concerning Government* and was subjected to government surveillance for associating with radical Whigs.⁴⁹ Given Berry's relations across class rank and Darby's publication of republican tracts advocating equality, the masons likely toasted Salisbury because of her combined association of illicit sex (prostitution) with anti-aristocratic action (stabbing a gentleman). Taken together, the toasts portray the masonic fraternity as a violent and violently sexualized politics of equality that transgressed stratified class lines of rank and status.

Like the masonic exposures explored in the previous chapter, the poem depicts freemasonry as an organization dedicated to constituting new and potentially dangerous relations of equality in and through the bodies of previously unequal men. The poem describes how whenever a mason cruises, that is, furtively displays his body in public, other masons will heed his call and "come down amongst the People" regardless of their "Distance" or elevated station.⁵⁰ The mason's body, and in particular his anus, levels and unites men in relations of equality, and so constitutes the democratic subject of "the People." Indeed, the poem goes so far as to represent masonic sodomy itself as a democratic relation of penetrating and being penetrated in turn, since the newly initiated mason not only

⁴⁷ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 16-17.

⁴⁸ Coincidentally, Berry was mysteriously murdered for his possible involvement with the alleged sodomite Titus Oates's popish plot. See, Alan Marshall, "Godfrey, Sir Edmund Berry (1621–1678), magistrate." *Oxford Dictionary of National Biography* (2004), [accessed Jan. 2021]: <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-10868>.

⁴⁹ Beth Lynch. "Darby, John (d. 1704), printer." *Oxford Dictionary of National Biography* (2004) [Accessed Jan. 2021]: <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-67087>.

⁵⁰ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 17.

sodomizes the man who was last initiated but will himself be sodomized by next initiate. While drawing on classical tropes of courtly sodomy, the poem nonetheless departs from historically hierarchal status norms that governed sex between men and proposes a new egalitarian meaning of sodomy.

By exposing masonry's secrecy to be the secret of sex and outlining how sodomy plays a pivotal role in building new egalitarian alliances, the poem lobbies a class critique against the middling sort's pretensions to practice politics on par with their aristocratic superiors.

With Gloves and Apron made of Leather,
A Sword, Long-Wig, and Hat, and Feather;
Like mighty *Quixote* then they swagger,
And manfully they draw the Dagger,
To prove that they're all Men of Mettle,
Can Windmills fight, and Treaties settle.⁵¹

Dressed up like courtiers, masons believe that they too can act like politicians and settle treaties. Yet, as the poem reveals, their manly "swagger" is just like that of Don Quixote's, the protagonist of Miguel de Cervantes's 17th century novel who is enamored with masculine ideas of chivalry ("Mettle") and spends his time fighting windmills he fantasizes to be giants. The poem thus portrays masonic practice as a form of theatrical drag. Underneath their artifice, masons are inferior men who merely impersonate the elite but are incapable of truly participating in politics like them. Coupled with their inability to have sex with women and their attachment to the anus, this masonic masquerade of masculinity exposes freemasons as laughable and abject imitators of the aristocratic world they so desperately want to enter. The *Hudibrastick Poem* thus uses categories of gender and sexuality to critique freemasonry's attempts to cultivate new forms of manliness and, in so doing, puts forward a political critique of freemasonry's overall project of constituting a new political class of equal men.⁵²

⁵¹ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 12.

⁵² Just a few months after the *Hudibrastick Poem*'s publication, the *Daily Post* (May 18, 1723, issue: 113) reported that Henry Pritchard was "indicted for an Assault upon [Abraham Barret], whose Head he had broken for abusing the ancient Society of Free Masons in a very scandalous Manner, and with very indecent Expressions." Though it is unclear whether Barret accused Pritchard of belonging to a society of sodomites, the *Daily Post* writes that the Jury found Barret's abuse was such a "very great Provocation" that Pritchard was ordered to pay "only 20s Damage." As Robbins, "The Earliest Years of English Organized Freemasonry," 84 documents, freemasons were evidently touched by Prichard's defense and raised over £28 for him in the first act of charity recorded by the Grand Lodge.



Fig. 13. William Hogarth, “The Mystery of Masonry brought to light by ye Gormagons” (London, 1724), British Museum 1858,0417.570.

In the year following the publication of the *Hudibrastick Poem*, William Hogarth produced a satirical engraving titled “The Mystery of Masonry brought to light by ye Gormagons” (fig. 13). The engraving depicts a mock procession of the Gormogons, a society established in 1724 for the sole purpose of ridiculing the Freemasons.⁵³ In the center of the parade, we find a mason with white gloves and apron craning his face toward an exposed buttock. Behind this mason is Don Quixote in full armor and wearing a masonic apron and gloves.⁵⁴ The description of the procession reads: “*What Honour! Wisdom! Truth! & Social Love! / Sure such an Order has its Birth Above. / But mark Free Masons! What a Farce is this? / How wild their myst’ry! What a Bum they kiss.*” While commentators often describe

⁵³ “The Gormogons,” *Grand Lodge of British Columbia and Yukon* (2004), <http://freemasonry.bcy.ca/anti-masonry/gormogons.html> [accessed 15 June 2021]

⁵⁴ The British Museum’s catalogue description for this engraving suggests that this armored figure is Don Quixote. See, www.britishmuseum.org/collection/object/P_1858-0417-570 [accessed June 2021]. On Hogarth’s source for this caricature, see R. F. Gould, “Masonic Celebrities: No. VI. The Duke of Wharton, G. M. 1722-23,” *Ars Quatuor Coronatorum* 8 (1895), 138-9.

the bare backside as belonging to an old woman, we could also interpret the figure to be a man in drag, especially since s/he possibly represents the Deputy Grand Master John Desaguliers.⁵⁵ Considering early 18th century portrayals of sodomites as men who often donned women's clothing, the presence of Don Quixote with the bum-kissing mason suggests that Hogarth likely drew inspiration from *The Hudibrastick Poem*. Like the political critique articulated in the poem, "The Mystery of Masonry" satirically juxtaposes Don Quixote, anal kissing, and masonic drag to conjure up an image of the sodomite's artificial and failed masculinity to mock freemasonry's political aspirations.⁵⁶

While scholars have not suggested who may have written *The Hudibrastick Poem*, its relationship to the Gormogons of Hogarth's engraving leads me to suspect that the author may be Philip Wharton, first Duke of Wharton. An aristocratic libertine and Jacobite sympathizer, Wharton was the Masonic Grand Master in 1722 but expelled in 1723, the same year of the *Hudibrastick Poem's* publication. The following year, Wharton founded the Gormogons, a group that evidently parodied the practices of sodomy and drag that the *Hudibrastick Poem* claims took place in the lodges.⁵⁷ Indeed, the Duke's noble status also suggests why the author of the poem, after disparaging the masons for 23 pages, attenuates his totalizing critique to articulate a class allegiance to the high nobility within Freemasonry.

here I must, at last, confess,
This is not with all Men the Case;
For we have L—ds, and D—s, and such,
Who do not undergo as much;
Who're free, we'll say (without a Sneering)
From Scourging, and from Buttocks Searing;
Nor must they make a Rout or Pother,
kiss lower End of any Brother.⁵⁸

⁵⁵ Marie Mulvey-Roberts suggests that the old woman is a cartoon of Desaguliers while the man in the ladder is James Anderson. Mulvey-Roberts, "Hogarth on the Square: Framing the Freemasons," *British Journal for Eighteenth-Century Studies* 26 (2003), 257.

⁵⁶ On the different uses of Quixote, see Susan Staves, "Don Quixote in Eighteenth-Century England," *Comparative Literature* 24, 3 (1972): 193-215. Hogarth's portrayal is consistent with Stave's account of an early 18th century image of Quixote as a farcical buffoon.

⁵⁷ On the Duke of Wharton's relationship to Freemasonry and the Gormogons, see R. F. Gould, "Masonic Celebrities: No. VI. The Duke of Wharton, G. M. 1722-23," *Ars Quatuor Coronatorum*, 8 (1895): 114-155.

⁵⁸ A Free Mason, *The Free-Masons; An Hudibrastick Poem*, 23-24.

In the final pages of the poem, the reader suddenly discovers that the charges of sodomy do not unilaterally apply to all masons but follow the distinctions of status. Freemasons “have L[or]ds, and D[uke]s” who do not undergo its sodomitical ceremonies. Rather, “’Tis only vulgar, common Masons, / ... Who feel the Whipping and the Marking, / Are treated with such Strokes and Jirking.”⁵⁹ Like the complaint published in a September 1724 issue of *The Plain Dealer* concerning the recent admittance of artisans into freemasonry,⁶⁰ the author of the Hudibrastick Poem defends the aristocratic elite against the common masons who wish to imitate them. The text thus appropriates a bourgeois critique against aristocratic effeminacy and recasts non-titular masons as lacking the masculinity necessary for politics. Class hierarchies are re-coded through categories of gender and sexuality, as the sodomy of common masons serves as a discursive weapon in the political struggles against a rising bourgeoisie.

Despite their humorous quality, accusations of sodomy taking place inside the masonic lodges provoked both state and popular repression against the masons. On December 2nd 1735, London’s *Daily Gazetteer* reports that a riot took place against a newly established lodge in the Dutch capital.

They write from the Hague, that the Lodge of Free Masons establish’d there being assembled a few Nights ago, the Mob rose, and resolved to make them discover what they were about; but, after some Attempts, not being able to gain any Light into the Mysteries of the Society, nor to discover any good Reasons the Brethren had for keeping themselves private, the Vice which rag’d in Holland about two Years ago, came so strongly into the People’s Heads, that they would certainly have made Work for the Masonry, and pull’d the House over their Ears, had not the Peace Officers in good time prevented the Effect of their Fury.⁶¹

In the early 1730s, a wave of persecutions against hundreds of men for sodomy swept the Netherlands, and it was during this time that ministers in the Hague charged freemasonry with “endangering the state, and even, by its exclusion of women, of the darkest of debauchery,” namely, sodomy.⁶² As an

⁵⁹ Ibid., 24.

⁶⁰ “It afflicts me sensibly, when I see Coxcombs introduc’d into our Lodges, and made privy to our Secrets. ... ’Tis my Opinion, That the late Prostitution of our Order is in some Measure, the betraying it. The weak Heads of *Vintners, Drawers, Wigmakers, Weavers, &c.* admitted into our *Fraternity*, have not only brought Contempt upon the Institution, but do very much endanger it.” Note how the author articulates a class critique through a critique of drag by aligning artisans with Coxcombs (i.e. foppish men overly concerned with their appearance). Aaron Hill, *The Plain Dealer: Being Select Essays on Several Curious Subjects*, Vol. I (London, 1730), No. 51, pg. 428.

⁶¹ *Daily Gazetteer*, December 2, 1735, Issue: 134.

⁶² Jacob, *Living the Enlightenment*, 76. On the persecutions of sodomites in the Netherlands, see Arend Huussen, “Sodomy in the Dutch Republic During the Eighteenth Century,” in *Hidden from History: Reclaiming the Gay and Lesbian Past*, (eds.) M. Duberman et. al. (New

association of men meeting secretly in public, the *Daily Gazetteer* explains that the Dutch masons were linked to revelations of a similar clandestine network of men meeting throughout the Hague, sparking what the newspaper describes as an uprising against the lodge. Despite its destruction being averted, the Dutch lodge was soon shut down and freemasonry declared illegal by the States of Holland.⁶³

International reports of assaults taking place against freemasons for possibly shrouding a network of sodomites intensified calls to suppress the fraternal association. In a letter to the editor published in *The Craftsman* (April 16, 1737), the author wonders at the English “Toleration of that mysterious Society ... who have been lately suppress’d not only in *France*, but in *Holland*, as a dangerous and formidable Race of Men.”⁶⁴ Invoking a notion of publicity as a space of transparency accessible to all men, the author argues that such secret associations bode ill for the security of the state.

The *Act of Toleration* does not allow of *private Conventicles*, even in Cases of *Conscience*, but enjoins that all *Meeting-Houses* ... shall be not only *licensed*, but *publick*.... I think no Government ought to suffer such dark and clandestine Assemblies, where Plots and Machinations against the State may be carried on, under the pretence of *Brotherly Love* and *Good-Fellowship*.

According to the author, publicity’s light cannot pierce masonry’s secrecy not only because of their exclusivity but also because masons “pretend to an *universal, dumb Language*, by which [they] ... can easily converse together, by the Help of *certain Signs*, which Nobody understands but Themselves.” Linking the masonic body’s clandestine gestures with the recent repression of their assemblies, the author puts forth a conspiratorial reading of the secret society and presents a contrasting vision of the public sphere as a space of visibility.⁶⁵ Without this transparency, the text asserts, masonic secrecy is a “matter of just Suspicion, and seems to indicate that there is something in their *nocturnal Rites* and

York: Meridian, 1989), 141-9; Dirk Jaap Noordam, “Sodomy in the Dutch Republic, 1600-1725,” in *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe*, (eds.) Kent Gerard and Gert Hekma (New York: Routledge, 1989), 207-228.

⁶³ Jacob, “Freemasonry, Women and the Paradox of the Enlightenment,” 73.

⁶⁴ *Country Journal or The Craftsman*, Saturday, Apr. 16, 1737, Issue: 563, which was reprinted in *The Gentleman’s Magazine*, vol. 7 (April 1737), 226-228 and *Masonry Farther Dissected* (London, 1738), 23-32. On the suppression of freemasonry in France, see page 41 below.

⁶⁵ The inaugural issue of *The Craftsman* states that “the mystery of State-Craft abounds with such innumerable frauds, prostitutions and enormities ... [which have] debauched all ranks and orders of men: it shall therefore be my chief business to unravel the dark secrets of political Craft.” *Craftsman* No. 1, 5 December 1726.

Ceremonies, which They are afraid of having discover'd." The author cannot be certain of the nature of their gatherings because conspiracies, like rumours, rely on the equivocation between the known and unknown. Yet, despite this unintelligibility, or rather because of it, he is sure that their assembly portends "A Power of a very dangerous Nature."

To illustrate the conspiratorial danger that secret societies pose to the state, the text links masonic secrecy with the threat of popular antagonism and the disorder of the multitude. "I cannot help thinking Them at the Bottom of *one Affair*," the author writes, "I mean the late Tumult at *Edinburg*, and the Murder of Capt. *Porteous*; which was concerted and executed with so much *Unanimity* and *Secrecy*, that none but a Mob of *Free-Masons* could be guilty of it." During the previous year in 1736, Andrew Wilson and George Robertson were set to be hanged for robbing a customs officer. Although Robertson escaped, Wilson garnered such sympathy from the townspeople given the unpopularity of tax collectors, that one witness noted how authorities feared "a great mob would rise on [Wilson's] execution day," and indeed he was right. A riot broke out and Captain Porteous and his soldiers fired into the crowd and killed several people. Porteous was later charged and found guilty of murder, but news soon arrived that he was to have his sentence reprieved, and so "a large body of men entered the city of Edinburgh ... crying out, 'All those who dare avenge innocent blood, let them come here.'"⁶⁶ Reports indicate that a crowd of about 4,000 people marched to Tolbooth prison where Porteous was held. The crowd attacked the prison, got hold of the captain, dragged him to the site of Wilson's hanging, and strung him up. Though the event "seems to have been the work of a small group of Edinburgh tradesmen and journeymen," those involved were never discovered.⁶⁷

What are we to make of *The Craftsman's* association of freemasons and the murder of Captain Porteous? Founded in 1726 by the 1st Earl of Bath and Lord Bolingbroke, the newspaper also known

⁶⁶ *The Malefactor's Register; Or, New Newgate and Tyburn Calendar*, vol. II (London, 1779), 272.

⁶⁷ K. K. Logue, "Porteous, John (c. 1695–1736), army officer and victim of crowd violence." *Oxford Dictionary of National Biography*. (2004) [Accessed Feb. 2021]: www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-22557

as *The Country Journal* was the unofficial mouthpiece of the country party's resistance to the post-1688 revolutionary alliance between the court and rising finance capitalists represented by the Whig ministry of Robert Walpole, who was himself made a mason in 1731.⁶⁸ As in the *Hudibrastick Poem*, the letter states that masons "make no Distinction of Persons," and so links freemasonry with the levelling disposition of the mob who made no distinction between captains and common criminals. Yet, the paper places responsibility for the execution not with Edinburgh's townspeople but Freemasons. Since the state could not convict even "one Person in so numerous a Multitude," the author suggests that the level of organization required to carry out the murder was beyond the informal relations operative among the city's lower classes and so must be the work of an elite organization that contains "so many of the Nobility" rather than the disorganized mass the letter calls the "Multitude." In associating the masons with popular revolt, then, the letter launches a doubled critique against a rising class faction of the bourgeoisie with ties to the court and against the unruly masses that threaten disorder.

What enables freemasons to maintain their conspiratorial bonds of secrecy and exercise their power is, *The Craftsman* reveals, the practice of sodomy. "It is impossible to guess what *Seal of Secrecy* they have invented, which is able to tye up the Mouths of such Multitudes of People.... I wish it may not be somewhat like *that horrid obligation*, which *Catiline* administer'd to his *Fellow Conspirators*." Known for his attempt to overthrow the Roman Republic, Catiline was the subject of Thomas Gordon's 1721 book, *The Conspirators; or, The Case of Catiline*, which attacked Walpole's predecessor, the 3rd Earl of Sunderland.⁶⁹ Gordon describes Catiline as having "a most *unnatural* Tast in his *Gallantries*: And in those Hours when he gave a Loose to Love, the Women were wholly excluded from his embraces."⁷⁰ From

⁶⁸ Simon Varey, "The Craftsman," *Prose Studies* 16, 1 (1993): 58-77. On Robert Walpole's masonic initiation, see *London Evening-Post*, 25-7 November 1731, issue 623. Róbert Péter notes that reports of "Walpole's initiation appeared in the anti-Walpole *Grub Street Journal* and the *Norwich Gazette*. No denial was published in the press." *British Freemasonry, 1717-1813*, vol. 5 Representations, (ed.) Róbert Péter (New York: Routledge, 2016), fn. 174, pg. 360.

⁶⁹ Thomas Gordon, *The Conspirators; or, The Case of Catiline* (London, 1721). On the use of the Catiline conspiracy by both Whigs and Tories, see Rob Hardy, "'A Mirror of the Times': The Catilinarian Conspiracy in Eighteenth-Century British and American Political Thought," *International Journal of the Classical Tradition*, 14, 3/4 (2007): 431-454.

⁷⁰ Gordon, *The Conspirators; or, The Case of Catiline*, 25.

Ancient Rome to contemporary Britain, sodomy seems to organize and secure the bonds of fraternal conspiracy. Accordingly, the letter concludes, sodomy must account for that dangerous “*Concord and Unanimity*, which reigns so remarkably amongst Them.” As an unlawful pleasure binding men together, sodomy not only explains how masons uphold their secrecy but gives meaning to this secrecy as an illicit conspiracy against the state.

Concerned with maintaining the proper boundaries of rank, the texts explored in this section mobilize an aristocratic critique of the masonic bourgeoisie by way of a critique of sodomy.⁷¹ Presenting freemasonry as a metonymic figure for the People and the unruly multitude, these texts portray the fraternity as a secret society of the ascending bourgeoisie organizing to upend the class order of the aristocratic world and establish a new political regime founded on fraternal love and equality.⁷² According to this literature, what binds freemasons together as a conspiracy of and for equality are the egalitarian pleasures of the brother’s anus. These allegations serve multiple purposes: they reveal the reasons for masonic secrecy, explain how the pleasures of the anus organize the association, and signal the foreboding nature of these fraternal bonds to upend aristocratic relations of hierarchy. In reimagining fraternal equality through sodomy, these texts take up and re-deploy categories of gender and sexuality by which the bourgeoisie staked their own political claims and so constitute a reactionary genre of critique. At the same time that the bourgeoisie was criticizing the aristocracy for sodomy, the elite of England’s *ancien régime* responded to an emerging bourgeois society by mobilizing a discourse of sodomy to forestall the levelling implications of fraternal equality.

III. Masonic Defense I: Pleasure-Seeking but Honorable Men

In response to this class critique levied through the discourse of sodomy, masons argued that they were in many respects like their aristocratic counterparts by portraying the fraternity as having a

⁷¹ Although *The Craftsman* has sometimes been described as bourgeois *despite* Bolingbroke’s involvement, attending to the reactionary elements of an aristocratic class critique shows how conservative aristocrats could re-employ bourgeois claims against the bourgeoisie.

⁷² For a similar critique made in the American context, see Foster, “Antimasonic Satire, Sodomy, and Eighteenth-Century Masculinity.”

masculine commitment to the sexual conquest of women. Masons appropriated aristocratic lifestyles of pleasure but did so in altered form by denying the dishonorable pleasures of sodomy previously accessible to the aristocratic libertine.⁷³ Unlike the nobility with whom they now claimed equality, masons cultivated new forms of sexual honor to give shape and distinguish the bourgeois fraternity from the corruption that typically defined the aristocratic elite.

In a collection of poetry, possibly published around 1723,⁷⁴ the editor of *Love's Last Shift: Or, the Mason Disappointed* justifies the collection as follows:

The following lines evidently show the Folly and Baseness of a Scandalous Book lately come out; which informs the World, that the Ancient, and Laudable Society of Free-Masons, are no better than S—'s [Sodomites?], and therefore to clear them from this abominable Reflection, we have here produc'd an Example of one of the Society, who thro' his earnest Inclination, and Desire to the beautifull Lesbia, rather than be Guilty of that horrid Practice lay'd to their Charge (She not being in a Condition to be made Use of any other way) condescended to accept from her fair Hands, the Satisfaction of a Manual Operation. And I think it a sufficient Instance, to clear the Reputation of so Honourable Society, from the brutish Aspersions of so Infamous a Grub-Street Scribler.⁷⁵

Likely printed in response to the *Hudibrastick Poem* (that “Scandalous Book lately come out”), the preface explains that *Love's Last Shift* will exculpate masons through the “example of one of the Society,” which is the story of Lysander in the collection's title poem. “Love's Last Shift” narrates Lysander's frustrated attempts to have sex with a menstruating Lesbia. To avoid “the angry Torrent Flows” of her “Scorching Womb,”⁷⁶ Lysander is faced with two options: either engage in sodomy (“She not being in

⁷³ The aristocratic rake of the 17th century displayed a kind of bisexual libertinism in which he could have sex with both men and women so long as he took up what was believed to be the hierarchically superior and masculine position of penetrating others. See Randolph Trumbach, “The Birth of the Queen: Sodomy and the Emergence of Gender Equality in Modern Culture, 1660-1750”; George E. Haggerty, *Men in Love: Masculinity and Sexuality in the Eighteenth Century* (Columbia University Press, 1999).

⁷⁴ A Gentleman, *Love's Last Shift: Or, the Mason Disappointed. To which is annex'd A SONG on the Free Masons* (London, [ND]). Although sometimes dated to 1720, Berman, *Architects of Freemasonry*, 194 suggests the text was published “probably c. 1722.” The editor's statement that the collection is a response to a recent book accusing the masons of sodomy suggests that it was likely written and published around 1723 in response to *The FREE-MASONS. An Hudibrastick Poem*. Indeed, less than a month following the release of the *Hudibrastick Poem*, the *Daily Post* (March 6, 1723, issue 1072) announced the publication of “A New Miscellany of Tales, Songs, and Poems. By Several Hands ... To which is annex'd, A Song on the Free-Masons. By a gentleman.” That both texts share similar titles, are a collection of poems and songs, are authored by “A Gentleman,” and describe an annexed song on the masons leads me to believe that the two collections are the same or at least reproduce shared texts. Unfortunately, “a New Miscellany” is not indexed in the English Short Title Catalogue or the British Library Catalogue. It was sold in 2004 at a Sotheby auction from The Library of John R. B. Brett-Smith for £7,800. My thanks to Alice Chevrier of Christie's for her assistance in trying to locate the text.

⁷⁵ A Gentleman, *Love's Last Shift*, preface.

⁷⁶ A Gentleman, *Love's Last Shift*, 2.

a Condition to be made Use of any other way”) or accept stimulation “from her fair Hands.” Like the *Hudibrastick Poem*, the text does not distinguish between hetero- and homosexual desire so much as the question of practice. The object of concern is anal pleasure, since sodomy is understood to be possible with either men or women.⁷⁷ “Love’s Last Shift” thus responds to the *Hudibrastick Poem*’s charge that masonic bonds develop in and through an attachment to the anus. Although the pleasures of the anus are likely greater than those of the hands, since Lysander “*condescend[s]* to accept” manual stimulation, he is nonetheless an “Honourable” mason who refuses to “be Guilty of that horrid Practice” of sodomy.⁷⁸ After all, as the collection’s title indicates, this is a story of a “Disappointed” mason, not an abominable one.

The rest of the collection recounts stories of men lusting after women and bemoaning their unrequited love. In portraying women as unavailable objects that incite men’s lust, the collection narrates stories of heterosexual desire through the opening prism of sodomy: the poems do not reject fraternal love so much as the pleasures of the anus. In this, their portrayal of sodomy operates conceptually within what Foucault called “a category of forbidden acts.”⁷⁹ Like 16th and 17th century legal statutes that defined sodomy as intercourse *per anum* (by the anus),⁸⁰ the collection figures the anus as *the* illicit site of erotogenic passion, such that intimate bodily practices of fraternal affection (e.g. embracing) did not evoke concerns of homosexual desire. As the final closing text (the annex’d song on the freemasons) shows, heterosexuality need not conflict with the love of men. “We make for five Guineas, the Price is but small, / And then Lords and Dukes, you your brothers may call, / Have

⁷⁷ In 1716, a man was indicted for “committing of Sodom in *Ano*, With a Girl of eleven Years of Age.” The case centered not on the girl’s age (statutory age of consent was ten) but on her sex and its relation to the crime of sodomy. Although some judges dissented, the majority held that the act constituted sodomy. John Fortescue, *Reports of Select Cases In all the Courts of Westminster-Hall* (London, 1748), 91-97. Christopher Craft, *Another Kind of Love: Male Homosexual Desire in English Discourse* (University of California Press, 1994), 22-24.

⁷⁸ For contemporary defenses of sodomy based on the pleasures of anal penetration, see Tobias Smollet, *The Adventures of Roderick Random*, vol 2. (London, 1748), 163-4; Hal Gladfelder, “The Indictment of John Purser, Containing Thomas Cannon’s *Ancient and Modern Pederasty Investigated and Exemplify’d*,” *Eighteenth Century Life* 31 (2007): 39-61.

⁷⁹ Foucault, *History of Sexuality*, vol I, 43.

⁸⁰ The 1533 Act for the Punishment of the Vice of Buggerie defined sodomy as intercourse by way of the anus (*per anum*) between men, a man and woman, or a man and an animal. On the juridical history of sodomy in England, see Cocks *Visions of Sodom*, 106-121.

Gloves, a white Apron, get Drunk, and that's all."⁸¹ Addressing the middling sort and even the frugal journeyman,⁸² the song presents masonry as a means for non-aristocratic men to enjoy social pleasures with noble but equal brothers. Though the collection does not extend this comradeship to women, it does not oppose the love of men and women. Despite the asymmetry between homosocial and heterosexual love, or perhaps because of it, *Love's Last Shift* suggests that heterosexual lust can complement male-male love. Masons love, albeit differently, their egalitarian brothers and the women they pursue as sex objects, and with neither do they succumb to the anal pleasures of sodomy.

Building on this discourse of pleasure, *A New Model for the Rebuilding Masonry on a Stronger Basis than the former* (1730) presents a meeting of masons renovating their ceremonies.⁸³ *A New Model* initially reads like a sodomitical satire, as it recounts an initiation ritual where the initiate must "untruss" and place his head between his brother's legs: "My Head was fix'd his Legs between, / and his 'twixst mine, a pleasant Scene, / Each Face from t'other, none could blush, / and t'other see, but I must hush."⁸⁴ With both men's bodies mutually inverted and forming the sexual figure 69, the text suggestively links the vice that dare not speak its name with masonic secrecy ("I must hush"). As the meeting proceeds, this proposed sodomitical ceremony is responded to by "A Song made by a Mason, occasion'd by a Report, that they were guilty of Sodomitical Practices."⁸⁵

Let Malicious People censure;
They're not worth a Mason's Answer,
While we drink and sing.
With no Conscience sting.
Let their evil Genius plague 'em

⁸¹ *Love's Last Shift, Or the Mason Disappointed*, 31.

⁸² Five guineas were equivalent to five weeks of a journeyman silversmith's pay, slightly less than the cost of a 'full dressed' suit. See Liza Picard, *Dr. Johnson's London: coffee-houses and climbing boys, medicine, toothpaste and gin, poverty and press-gangs, freakshows and female education* (New York: St. Martin's Press, 2002), 296-8.

⁸³ Peter Farmer, *A New Model for the Rebuilding Masonry on a Stronger Basis than the former* (London, 1730), 7.

⁸⁴ *Ibid.*, 12.

⁸⁵ *Ibid.*, 22. The song was later extracted and reprinted in various masonic constitutions and pocket guides. Notably, these reprints lack the title's reference to sodomy and are often preceded by a song toasting "A Health to our sisters" who "give the chiefest delight ... [and] keep us in transports all night." See, Laurence Dermott, *Abiman Rezon: Or, A help to a Brother* (London, 1756), song XXIV, 126; *The Free Masons Pocket Companion* (Glasgow, 1765), song XXVII, pg. 164; *The History of Masonry; Or the Free Masons Pocket-Companion* (Edinburgh, 1772), song XXVII, pg. 225. These changes suggest that after mid-century masons faced increased pressure to affirm the fraternity's heterosexuality and avoid any mention of sodomy. Published before church and state reprisals began, *A New Model* indexes a moment when masons did not believe these rumors posed much serious threat to the organization.

And for Mollies Devil take ‘em
We’ll be free and merry
Drinking Port and Sherry.⁸⁶

While a series of raids on molly houses in 1726 heightened public suspicions about men’s secret assemblies, the song refuses to confirm or deny whether the masons are also “Mollies” – these allegations are “not worth a Mason’s Answer.” Instead, it lauds the fraternal pleasures found in the lodge: the freedom to sing, drink, and be merry with one’s brothers. The song does not prove masonry’s desire for women but takes it for granted. As the following song affirms, “we will be Men of Pleasure, / Despising Love or Party ... If any are so foolish / to whine for Women’s favour, / We’ll bind him o’re, / to drink no more, / Till he has a better Savour.”⁸⁷ Chastising men who clamor for women’s company, the singer claims that masons despise both (heterosexual) love and party politics as contrary to the pleasures of fraternal equals. Like in *Love’s Last Shift*, the love of women is not categorically distinct from so much as inferior to the egalitarian pleasures of men’s association.

In response to this praise of the superiority of fraternal pleasure are two songs grouped under the title, “An Amourous Mason being offended with his Brother, for speaking so slightly of Love, Swore, he that did not love a Love-Song was a Woman-hater.” Reacting to his brother’s dismissal of heterosexual love, the title suggests a possible conflict between homosociality and heterosexuality. To affirm fraternal pleasure while denigrating women’s company threatens to displace heterosexual love altogether, such that speaking “so slightly of [women’s] Love” risks making one “a Woman-hater,” i.e. a sodomite. The following songs thus remedy this imbalance by narrating two stories of sex with women. In the first song, a love-sick Lesbia encounters a man called Strephon and has sex with him in the open meadows in order to cure her sorrows.⁸⁸ In the second song, a young shepherd encounters a maid and, determined that “she my Bride should be,” proceeds to rape her despite her cries that he

⁸⁶ Farmer, *A New Model for the Rebuilding Masonry on a Stronger Basis than the former*, 22.

⁸⁷ *Ibid.*, 23-4.

⁸⁸ *Ibid.*, 27.

“desist.”⁸⁹ Unlike the egalitarian love of men, these songs suggest that heterosexual love can have but does not require mutual pleasure. Whether women’s love is garnered in reciprocity or rape is secondary to the need to affirm the fact of heterosexual performance itself. Sexual conquest indicates that masons are not failed lovers but in fact ‘real men,’ and so heterosexual love describes a relation not of romance or equality but of men penetrating women, regardless of women’s consent or pleasure.

Having heard these love songs and being “pleas’d” with their message, the masons conclude their meeting by “vot[ing] that four Love-Songs should be sung every Meeting.”⁹⁰ Initially affirming but then qualifying and tempering the passions of fraternal love, the collection of songs in *A New Model* betrays the tensions immanent to a politics of fraternity, as an excess of brotherly affection threatens to displace an attachment to women. Despite this risk, the texts do not posit a categorical distinction between hetero- and homosexual desire. Like *Love’s Last Shift*, *A New Model* does not focus on which bodies men desire but how they use their own desiring bodies. In response to the aristocratic charges of sodomy then, these defenses highlight how masons can relish their brothers’ company, refuse sodomy’s pleasures, and succeed in the sexual conquest of women. Masons repudiate sodomy not because they are successful heterosexual lovers but because they reject any attachment to the anus, whether men’s or women’s. In other words, masons are not sodomites because they enjoy different kinds of non-sodomitical pleasures with both women and their brothers. Heterosexual pleasure thus affirms masons in their masculine virility and provides a buffer to charges of sodomy, enabling masons to pursue the fraternal pleasures necessary for building relations of equality between men.

IV. Bourgeois Critique

Alongside the aristocratic critique explored in section II, there existed a second genre of sodomy rumors emerging from within the middling sort. Anxious about the presence of working-class

⁸⁹ Ibid., 28.

⁹⁰ Ibid., 29.

men fraternizing inside the lodges and the kinds of illicit pleasure such class mixing could arouse, this discourse presents freemasonry not as a bourgeois conspiracy to take over the state and impose a new class order, but as a cross-class conspiracy of equals threatening to dissolve the viability of any class order altogether. This more explicitly bourgeois genre of sodomy rumors alleges that freemasonry's fraternal equality risks the collapse of all class distinctions by perverting the principles of labor meant to structure a middle class ideal of meritocracy. In presenting the conjugal couple as the proper site of men's intimacy and love, these rumors reveal how the fantasy of the sentimental family limited the radical potential of class levelling posed by the fraternal equality of an emerging public sphere.

On January 24, 1726, the *Daily Post* announced the publication of *The Free-Masons Accusation and Defense. In Six Genuine letters. Between a Gentleman in the Country, and his Son, a Student in the Temple*.⁹¹ Popular enough to warrant at least four more editions over the next few months,⁹² this series of letters begins with a father "alarmed" at the news that his son wishes to become a mason and his alarm is all the more troubling because he cannot specify its precise cause: "to what purpose," he worries, "is this pretended Privacy, these Signs, these Whispers, this Cant and Juggle[?]"⁹³ Though this secrecy means he cannot pinpoint what exactly happens in the lodges, the father is nonetheless certain that masons promote dissolute and unproductive pleasures. He explains that his son's invitation to join the masons comes from a "great Sensualist, a Man of Indolence and Pleasure" with a large fortune but without employment. "Pleasure," he writes, "is the Business of such Men, Extravagance in them is but an elegant way of Living, and Libertinism is but Affability."⁹⁴ The father thus draws on tropes of hedonistic aristocrats to chart a critique of the unproductive life that results from landed wealth. Freemasons make men "the veriest Spendthrifts in Life," he argues, and so they are "utterly unfit for

⁹¹ *Daily Post*, Jan. 24, 1726, Issue: 1976.

⁹² The second and third editions were announced in the *Daily Journal*, Mar. 2, 1726 and *London Journal*, Apr. 2, 1726, respectively. The fourth edition from which I quote does not have any dating.

⁹³ *The Free-Masons Accusation and Defence*, 5.

⁹⁴ *Ibid.*, 13.

Men of Business and Contemplation.”⁹⁵ Against the aristocratic life of sensual indulgence that masonry cultivates, the father promotes the sober virtues of “industry.” As he puts it, “Business ought to be the Pleasure of Men of Business, as Pleasure is the Business of the Men of Pleasure.”⁹⁶

Unlike the aristocratic libertines of the father’s critique, most men who wished to join the masons did not have landed wealth. Like his son, masonic initiates must depend on their own skill and labor and so should avoid the indulgent idleness characteristic of the aristocracy. Yet, the father worries, masonry does not instill the virtues of hard work. Historically, he recounts, masons “minded more Tipling [drinking] and Caballing than Business, continually plotting to increase their wages, and abridge their Hours of work,” and as a result, “Journeymen *Masons* made themselves so obnoxious to the Government ... that by an Act of Parliament in the 3d Year of *Henry* the VIth, it is made no less than Felony for *Masons* to assemble.”⁹⁷ In 1424, Parliament banned masonic assemblies due to concerns that masons were forming labor unions to undermine statutes passed in the wake of the Black Death compelling men to work at certain prescribed wages.⁹⁸ In referencing this act (3 Hen. 6, c. 1), the father joins his complaints about aristocratic pleasures with the “Caballing” and “plotting” of historic masonic workers. As such, he portrays masons as a conspiracy of men who reject hard work in favor of a life of easy and idle pleasure.

The father’s specification of the freemasons as “Journeymen *Masons*” is especially noteworthy, since the adjective “Journeymen” appears neither in the 1424 Act nor in any previous 18th century text about freemasons. Just a few years prior to the *Accusation and Defense*’s publication, the London Journeymen Tailors Union went on strike to increase their wages, and in response, Parliament passed the 1720 Journeymen Tailors, London Act. The Act declared that such unions led to “the

⁹⁵ Ibid., 19.

⁹⁶ Ibid., 14, 15.

⁹⁷ Ibid., 26.

⁹⁸ John V. Orth, “English Combination Acts of the Eighteenth Century,” *Law and History Review* 5, 1 (1987): 175-211.

Incouragement of Idleness” and it was the first of its kind in England to criminalize any attempts by workers to enter “into Combinations to advance their Wages ... [and] lessen their usual hours of Work.”⁹⁹ The following year, journeymen-tailors in Cambridge also went on strike. This time, the men were indicted not for “refusing to work” but, as the court documents state, “for conspiring,” since “a conspiracy of any kind is illegal, although the matter about which they conspired might have been lawful for them or any of them, to do, if they had not conspired to do it.”¹⁰⁰ These episodes of labor strikes heralded a new period of state intervention into the field of class struggle, as Parliament enacted the first combination act regulating journeymen’s associations and the courts applied for the first time the common law of conspiracy against workers organizing to raise their wages.¹⁰¹

In describing masons as journeymen caballing together to increase their wages and abridge their working hours, the father appears to invoke these unprecedented events to highlight the conspiratorial danger that masonic secrecy poses to an emerging bourgeois society. As the father’s letters indicate, what threatens the norms of productivity and business necessary for a capitalist market is a form of life oriented around the unproductive pleasures typical of the upper classes. Freemasonry thus comes to exemplify the precarity of new class divisions coming into formation and the danger that the pleasures of the public sphere may pose to new class values. Indeed, what worries the father is not pleasure abstractly understood, but the kinds of homosocial pleasures which put men at risk of losing track of their own class positions. “The Men of Pleasure are,” he writes, “but as Reptiles; ‘tis the Men of Business, are *Men Indeed*.”¹⁰² In foregoing a manly life of business to lead an effeminate life of pleasure, the father suggests that masons pursue the dissolute joys of sodomy. After all, “Women

⁹⁹ *An Act for regulating the journeymen tailors within the weekly bills of mortality* (London, 1721), 261.

¹⁰⁰ *R. v. Journeymen-Tailors of Cambridge*, 88 E.R. 9 (1721) quoted in Orth, “English Combination Acts of the Eighteenth Century,” 183.

¹⁰¹ On the history of combination acts and the common law on conspiracy, see Orth, “English Combination Acts of the Eighteenth Century”; Christopher Tomlins, *Law, Labor, and Ideology in the Early American Republic* (Cambridge University Press, 1993), 109-124.

¹⁰² *The Free-Masons Accusation and Defence*, 13-14.

have a strange Opinion of them,” he explains, “by them they are concluded utter Enemies to the Fair Sex, who, for the generality, have them in the greatest Abhorrence.”¹⁰³

Behind masonic secrecy then is a conspiracy of pleasure tending towards sodomy and the subversion of an emergent political hegemony founded on the sober capitalist values of industry and labor. The father invokes categories of gender and sexuality historically lobbied against the landed gentry to explain the dangers of centering pleasure as an organizing principle of men’s associations. In uniting men across the class spectrum in and through the shared pleasures of their bodies, sodomy begets class levelling and threatens to eradicate class distinctions. As the figure for dissolute and non-reproductive pleasures, sodomy comes to signify a mismanagement of the body as a resource of labor-power, a wasting of the body and its possibilities of and for productivity. Emerging from within the middling sort and directed towards its members, this critique of freemasonry crafts the upper and lower borders of an emerging class order by attacking both the aristocracy and the workers who wish to imitate them. It seeks to reassert capitalist norms and values put under stress by freemasonry’s promotion of new pleasures and sensations of fraternity as part of their project to establish new relations of equality between men across divisions of class.

Since the pleasures of men’s fraternal association threatens to undermine a budding bourgeois ethos of hard work and the class distinctions this ethos is meant to secure, critics portrayed the family as an alternative site that would ensure men’s allegiance to capitalist values. Lambasting the masonic lodge for providing “an occasion so extremely favourable to the indulgence of all their carnal, and inordinate lusts and appetites,” a 1768 sermon titled *Masonry The Way to Hell* draws together the virtues of industry and domesticity and opposes them to the sodomitical lust encouraged by idle pleasure:

Do [Freemasons] propagate either sobriety or industry? Do they cherish among their members the natural affection and attention to the welfare of their respective families? Instead of sobriety, do they not indulge in drunkenness? Instead of industry, riot in dissipation and idleness? Instead of love for their wives and children, do they not give too much ground to admit the

¹⁰³ Ibid., 7.

suspicion which is entertained of them by many women? ... what abominable actions may not be supposed to be committed amongst them, when their passion are inflamed with drinks, and their hearts burn with enthusiastic affection to each other?¹⁰⁴

As in the father's letters, the sermon constructs a model of bourgeois masculinity in opposition to aristocratic luxury. Like Isaac Barrow's *Of Industry*, which argues "where there is least work, the worst sins do most prevail; and idleness therefore ... one of the three great Sins of *Sodom*,"¹⁰⁵ the preacher lauds "sobriety" and "industry" against the idle pleasures and "abominable actions" of sodomy. Against the masonic lodge, then, he promotes the "natural affection" of the family as the ethical bulwark of an emerging capitalist order threatened by the "enthusiastic affection" of fraternal equals.

To illustrate the danger of men's bodily intimacies to an emerging regime of bourgeois equality, the sermon narrates a parable of a poor lamp-lighter named Sporado who joined the masons to improve his lot in life. The preacher explains how Sporado was loved by his brothers, how "they all caressed [him] in the warmest manner," and "betwixt every subject they united in a friendly gripe. So hearty and unreserved were the squeezes which passed on these occasions, that Sporado began to entertain no small hopes of being soon rendered independent, through the interest of his noble brethren." Unable to support the cost of attending meetings, however, Sporado soon took to "house-breaking" and was eventually imprisoned. Though he appealed to his brothers, hoping to receive help from a "noble lord at court ... by the tender relation of brotherhood in which they were connected," his letters went unanswered, and Sporado was ultimately executed.¹⁰⁶

The parable of the lamp-lighter demonstrates the dangers posed by men's sensuous bodily relations within an economic order no longer strictly governed by relations of aristocratic patronage. Newspapers in the early 18th century reported on the strange phenomenon of noblemen leaving

¹⁰⁴ *Masonry The way to hell, a sermon wherein is clearly proved, both from reason and scripture, that all who possess these mysteries are in a state of damnation* (London, 1768), 9, 24.

¹⁰⁵ Isaac Barrow, *Of Industry, in Four Discourses* (London, 1712), 63.

¹⁰⁶ *Masonry The Way to Hell*, 30-1.

substantial amounts of money to poor cobblers, shoemakers, and other laborers after their deaths. Journalists worryingly noted that such sums would enable the inheriting journeyman to “buy a Place, civil or military, [which] will make him a Gentleman” or “Esquire,” thereby upending received practices of inheritance based on class and primogeniture.¹⁰⁷ While concerns of poor men inheriting property or money through the practice of sodomy were also articulated in the 17th century, freemasonry *institutionalized* such relations of intimacy between men outside the patriarchal household and across divisions of class.¹⁰⁸ As the sermon warns, however, the caresses shared between masons deluded Sporado into believing that the egalitarian pleasures of fraternity rather than his own hard work would transform the material reality of his poverty. In centering brotherly pleasure rather than industry as the means of his advancement, Sporado undermined the principles of meritocracy differentiating the idle poor from those who, through their own labor, can escape poverty and join the industrious middle classes. Like in the courtly tropes of sodomy, the traffic in men’s bodies promises to provide a route for class mobility, but as Sporado’s execution warns, these means of the *ancien régime* do not, or rather ought not, work in a capitalist economy organized according to hard work and its just rewards. In centering pleasure rather than industry as the means for class mobility then, freemasonry effaces the difference between industry and idleness meant to distinguish the middle class. Unsure exactly as to what class of men make up the fraternity, these allegations of sodomy thus portray freemasonry as a cross-class conspiracy of equals bent on destroying all class distinctions.

The sermon thus cautions against the improper use of men’s bodies and aims to set the normative terms for their egalitarian relations. To do so, the preacher shores up the supposedly natural affections of the family against the sodomitical affections of fraternity. “[Y]our husband, O afflicted

¹⁰⁷ The quotes are from the *Grub-Street Journal* 3 February and 17 February 1732. See also *Grub-Street Journal* 13 January 1732 and *Read’s Weekly Journal* 10 March 1739. The idea that men were engaging in intimate relationships to obtain money and buy title is also suggested by the depiction of baronet sodomite in *A Ramble Through London: Containing Observations on Men and Things* (London, 1738), 15.

¹⁰⁸ As Cynthia Herrup shows in *A House in Gross Disorder*, claims that the Earl of Castlehaven intended to disinherit his son in deference to his lowborn favorites were central to his trial for rape and sodomy.

mother! is now solacing himself in the mansion of riot ... and triumphing in the honour of calling a lord his brother, [while] you are lamenting your helpless little children in the house of mourning.”¹⁰⁹ In this finite economy of feeling, the fraternal pleasures of equality jeopardize the sentimental glue that binds the family. “[I]ntoxicated with the gay delusion” of equality, men have not only “ruined themselves, by the extravagant courses into which they have run to obtain it” but have also ruined their “miserable wives and children[, who] are starved to support your extravagance.”¹¹⁰ That men abandon their wives and ruin their families to spend time with other men suggests that the sensuous pleasures of fraternal equality found in the lodge surpass the joys of patriarchal authority in the family. The preacher thus highlights the hazards that a patriarchal public sphere of equal men pose to the classically patriarchal domain of the household. In devoting their time to fraternal-*qua*-sodomitical pleasure, men jeopardize the reproductive futurity of the family. As George Parker put it in 1781, “their passion counteracts the prospects of futurity, and deprives the most beautiful part of the Community of their rights,” that is, women’s right to be wives and mothers.¹¹¹

To protect the family and its domestic affections, men must forego the “gay” pleasures of fraternal intimacy and instead attend to the masculine art of conversation. Pointing to the classic sites of political deliberation, the sermon argues that masons “are not qualified to distinguish themselves in legislative or judicial assemblies” and that every mason is “so sensible of his incapacity for conversation, that he endeavors to make his meaning understood by various odd gestures.”¹¹² Against the masons, the sermon rehearses a common critique lobbied against the fop, those men often associated with sodomites who were accused of being obsessed with their bodies and incapable of rational deliberation.¹¹³ Splitting apart the manly capacity for conversation from the effeminate use of the body,

¹⁰⁹ *Masonry The Way to Hell*, 32.

¹¹⁰ *Ibid.*, 31, 27.

¹¹¹ George Parker, *A view of society and manners in high and low life*, vol. II (London, 1781), 85. See also, *The Women-Hater’s Lamentation* (London, 1707); Thomas Bray, *For God, or for Satan* (London, 1709), 27-8.

¹¹² *Masonry The Way to Hell*, 27, 21.

¹¹³ On the fop and his relation to sodomy, see Haggerty, *Men in Love*, ch. 2; Thomas King, *The Gendering of Men*, 184, 234.

the sermon chastizes the traffic in men's bodies as a series of "unmanly tricks" to give new meaning to men's relations.¹¹⁴ Rather than reject the public sphere in favor of the family, however, the preacher refigures the public as a space of deliberation rather than corporeal intimacy by coding intimacy between men as sodomitical. For some fifty years prior to his sermon, freemasons had created relations of fraternal equality by instituting new corporeal practices of intimacy among men, arguing that such practices produced a new vision of manhood underpinning men's equality. By resignifying the relationship between freemasonry's bodily practices and gender, the sermon argues that such practices of fraternal intimacy do not constitute but in fact emasculate men. The preacher thus denounces the embodied forms of intimacy historically developed to establish a public of egalitarian men and constructs a gendered image of communicative exchange. It is no longer the intimacy of men's bodies but the rationality of their speech that now constitutes the bourgeois public.

Central to this denunciation of fraternal intimacy and the elaboration of a discursive ideal of the public sphere is a binary split between the sodomitical and heterosexual man. Drawing on 18th century tropes that sodomites were a unique "Sect of Creatures excluded from all civil Society and serious Conversation," the preacher points to the mason's "incapacity for conversation" and explains that every mason is "ever a griping [with odd gestures] to distinguish his own species," terms that echo the father's account of masons as a distinct "Set of Men who are strongly suspected to bear no great Good-will to the Fair Sex."¹¹⁵ In contrast to the aristocratic genre's portrayal of the masonic sodomite as unable to perform his desire for women, bourgeois rumors depict masons as unable to feel any affection for women whatsoever. No longer a failed woman-lover, the masonic sodomite excludes women because he has become a distinct type of being who loathes their company, i.e. a woman-hater.

¹¹⁴ *Masonry The Way to Hell*, 32, 19.

¹¹⁵ *Weekly Journal or British Gazetteer*, May 7, 1726, London, England Issue: 54; *Masonry The Way to Hell*, 21; *Free-Masons Accusation and Defence*, 18. The preacher goes so far as to portray masons as outside manhood entirely, stating "Shall I call them men? It would disgrace the dignity of human nature." *Masonry The Way to Hell*, 38.

Sodomites “despise the Fair Sex, and avoid all Conversation with them,” whether sexual or otherwise.¹¹⁶ Unable to separate their desires for rational conversation (meant for men) from their desires for sexual conversation (meant for women), sodomites collapse the homosocial into the homosexual. They fail to properly disambiguate the public sphere as the space of communicative intercourse between men from the private sphere as the proper space of sexual intercourse and affection between the heterosexual pair.

In reimagining fraternal intimacy as sodomy, the texts explored in this section refigure the fraternal pleasures of the public sphere as a misuse of property – whether of mobile capital or the property men have in their own bodies. Sodomy comes to signify a form of sex that not only failed to reproduce the family but also wasted men’s labor-power. By undermining the principle of productivity, fraternal pleasure thus comes to constitute an economic problem. Rumors of sodomy reveal how new ideals of companionate marriage emerged partly in response to the dangers of fraternal equality and the need to redirect men’s affective investments back to the household.¹¹⁷ Critics constructed an image of heterosexual intimacy to domesticate the relations of fraternal affect that threatened to upend emerging norms of industry and the distinctions of class membership. As an alternative to the egalitarian pleasures of fraternity, therefore, heterosexual domesticity promised to serve as a stabilizing force of and for an emerging capitalist world threatened by the sodomitical pleasures of equal men.

V. Masonic Defense II: Masons Make the Most Loving Husbands

Unlike the aristocratic genre’s critique of the corrupt forms of fraternal pleasure found in the lodge, bourgeois rumors of sodomy portrayed the pursuit of pleasure itself as the problem that ruined families, undermined an ethos of industry and labor, and destroyed not just the aristocracy but all class distinctions. In response to these charges, masons did not emphasize the pleasures of heterosexual

¹¹⁶ *Weekly Journal or British Gazetteer*, May 7, 1726, London, England Issue: 54

¹¹⁷ Bernard Mandeville, *A Modest Defence of Publick Stews: Or, an Essay Upon Whoring* (London, 1740), 24. Despite its controversy, other writers repeated Mandeville’s arguments verbatim but excised his defense of prostitution. See, *Satan’s Harvest Home* (London, 1749), 40.

conquest as they previously did but argued that the lodges produced sober loving husbands committed to hard work and the welfare of their families. Masons began to promote a vision of conjugal love and domestic happiness in line with a revamped notion of fraternity. In blunting the affective edges of their mission to cultivate brotherly love, freemasons sought to align the fraternity with an image of the bourgeoisie as the rising captains of industry. Masonic responses to sodomy thus gradually consolidated bourgeois values and norms within the fraternity, illustrating the organization's growing *embourgeoisement* to ward off class disorder lurking within its ranks.

After about a decade of sodomy rumors, masons began to move away from their prior commitment to women's exclusion and started to include them in their publicly visible events. In April 1732, masons organized a night of entertainment at the Lincoln's Inn Fields Playhouse, which was attended by masons and non-masons alike.¹¹⁸ Concluding the festivities, one "Mrs. Younger" presented an "Epilogue for the FREE-MASONS," which the *Daily Post* printed as follows:

What monstrous, horrid Lies do some Folks tell us? / Why Masons, Ladies! – are quite clever fellows; / They're Lovers of our Sex, as I can witness; / Nor e'er act contrary to *Moral Fitness*; / ... / They're able Workmen, and compleatly skill'd in, / The deepest – Arts and Mysteries of Building; / They'll build up Families, and, as most fit is, / Not only will erect – but people Cities: / They'll fill, as well as Fabricate your Houses, / And found a lasting race of strong built Spouses.¹¹⁹

Alluding to the rumors of sodomy (those "monstrous, horrid Lies"), Mrs. Younger's public speech responds to the homosexual portrayal of masonic fraternity. She reassures the women in the audience that masons are not women-haters but "Lovers of our Sex." Playing on the double entendre between a mason's sexual skills and his building abilities, Younger represents masons not only as suitable lovers and spouses, but more importantly, as fathers capable of "build[ing] up Families" and "peopl[ing] Cities." Reproductive heterosexuality here serves to purify and so save the homosociality of the lodges.

¹¹⁸ *Daily Journal*, 27 April 1732, issue: 3529; *London Evening-Post*, 27–9 April 1732, issue: 689.

¹¹⁹ *Daily Post*, Saturday, Apr. 29, 1732, London, England, Issue: 3937

Although masons did not include women in the secrecy of their lodge meetings, Younger's epilogue marks the beginnings of freemasonry's attempts to explicitly recruit women to participate in their public activities in order to respond to charges of sodomy. In 1736, *Read's Weekly Journal or British Gazetteer* reports that masons will hold "an extraordinary Feast ... in Honour of his Highness the Duke of Lorain's Marriage, who is one of the Brethren." Beyond an attempt to curry favor with the Duke, the advertisement adds that "Every Brother is to introduce two Sisters to this Grand Feast, to convince the Publick that they are no Enemies to the Fair Sex."¹²⁰ This injunction to bring women to a marriage celebration publicly presents the masons as committed (and overly so, if "two Sisters" are any indication) to the conjugal bond. Like in Younger's epilogue, a defense of marriage and the family's reproduction serves as a rejoinder to concerns that freemasons were women-hating sodomites.

In April the following year across the channel, the *commissaire au Châtlet* Simon-Henri Dubuisson remarked that freemasons "possess a secret forbidden to reveal ... [which] is the source of scandal with women. All of them believe that the order of Freemasons come from Sodom."¹²¹ That September 1737, police raided a masonic gathering in Paris, as the chief minister cardinal de Fleury issued an edict forbidding masonic assemblies throughout the French kingdom.¹²² Half a year later, Pope Clement XII issued a papal bull banning Catholics from becoming masons given the "common gossip," as the Pope put it, that masons are "depraved and perverted" men.¹²³ Amidst this climate of scandal and repression across Europe, Freemasons released a new edition of their constitutions.¹²⁴

Comparing the 1738 *New Book of Constitutions* to the 1723 edition reveals that masons altered and extended this foundational document to address their widespread rumors of sodomy. For instance,

¹²⁰ *Read's Weekly Journal or British Gazetteer*, Saturday March. 20 1736, Issue 602

¹²¹ Quoted in Loiselle, *Brotherly Love*, 93.

¹²² Loiselle, *Brotherly Love*, 110-111; Allen, "Freemason Women in Modern France," 798.

¹²³ Pope Clement XII, "In Eminenti: Papal Bull dealing with the condemnation of Freemasonry (1738)."

¹²⁴ James Anderson, *The New Book of Constitutions of the Ancient and Honourable Fraternity of Free and Accepted Masons* (London: 1738). Advertisements for the new book of constitutions can be found in *London Daily Post and General Advertiser*, Jan 20, 1739, issue: 1320; *Country Journal or The Craftsman*, Jan. 27, 1739, Issue: 655.

the 1723 version of the ritual song of the Entered Apprentice contains six stanzas, with the final verse affirming the virtues of fraternity rooted in corporeal intimacy: “Then join *Hand in Hand*, / T’each other firm stand / Let’s be merry and put a bright Face on.”¹²⁵ In contrast, the 1738 edition contains seven stanzas, with the additional reading: “We’re true and sincere / And just to the *Fair*; / They’ll trust us on any Occasion: / No mortal can more / The Ladies adore, / Than a *Free* and an *Accepted Mason*.”¹²⁶ Inserted directly before the final verse’s pronouncement of hand-holding, the added stanza on loving women qualifies freemasonry’s fraternal intimacies. These lines aim to forestall any sodomitical interpretation that may result from the ode to brotherly love and bodily intimacy.¹²⁷

In addition to adding new verses, the 1738 *Constitutions* also presents a new ritual song directly answering the conspiratorial charges of sodomy put forward in *The Craftsman* the previous year.

In vain would *Danvers* with his Wit *
 Our slow Resentment raise;
 What he and all Mankind have writ
 But celebrates our Praise.
 His Wit this only *Truth* imparts,
 That Masons have firm *faithful Hearts*.

Addressing Caleb D’Anvers, *The Craftsman*’s pseudonymous editor, the song includes a note elucidating Danvers’ “Wit,” which concerns the claim “That those who hang’d Capt. *Porteous* at *Edinburgh* were all *Free Masons*, because they kept their own Secrets.” Responding to *The Craftsman*’s conspiratorial charges concerning Porteous’s murder, the song goes on to affirm masonic secrecy while denying the charges of sodomy said to underly this fidelity between brothers.

Ye *British Fair*, for Beauty fam’d,
 Your Slaves we wish to be;

¹²⁵ *The Constitutions of the Freemasons* (1723), 84. The 1738 edition renders the line as: “Then join Hand in Hand, / By each Brother firm stand, / Let’s be merry and put a bright Face on.” Anderson, *The New Book of Constitutions*, 205.

¹²⁶ Anderson, *The New Book of Constitutions*, 205. This song is reprinted in later exposures, with some repeating this verse about adoring ladies twice. See, *The Three Distinct Knocks* (1760) and *Jachin and Boaz* (1762) in Jackson, *English Masonic Exposures*, 83, 149, respectively.

¹²⁷ Later exposures will follow this form by including statements on heterosexual love before verses on men’s corporeal intimacy. For example, in *The Secrets of the Free-Masons Revealed*, the verse “No mortal can be / so happy as we, / With a Brother and a Friend in each Hand” is preceded by a verse stating that women must not “Our Mysteries dread, / Or think them repugnant to Love; / To Beauty we bend, / and her Empire defend.” That this verse is a response to rumors of sodomy is suggested by the author’s claim in the preface that a mason is “underserving of associating with Mankind” if he “abandon[s] himself to unlawful Pleasures, and give[s] himself over to Vice, and the Commission of enormous Crimes.” *The Secrets of the Free-Masons Revealed by a Disgusted Brother* (London, 1759), 23, 9.

Let none for Charms like yours be nam'd
That love not *Masonry*
This Maxim *D'Anvers* proves full well,
That Masons *never kiss and tell*.¹²⁸

Stating that only those men who can praise women's charms can also love freemasonry, the stanza links the love of women to an idea of secrecy as bourgeois privacy. Whereas *The Craftsman* points to secrecy to substantiate the allegation that masons commit sodomy, secrecy now denotes a heterosexual pact among men – masons “never kiss and tell.”¹²⁹ The song thus inverts the conspiratorial charge that sodomy unites the fraternity by refiguring masonic secrecy as a matter of heterosexual propriety.

In refusing to publicly discuss sex, freemasons promoted a kind of discursive purification of the public sphere that was underway in the early 18th century. In 1726, the *Weekly Journal* published a letter protesting the lack of discretion among men when discussing sex. The author complains that “what we often whisper in private, is canvass'd and handed about” openly in public. Recounting an event in which he overheard “a Gentleman once in a Coffee-house” speak “so publickly” about a lady with whom he had “so great a Satisfaction the Night before,” he argues that this gentlemen “forgets the good Opinion that sober and discreet People may conceive of him; for that Person that cannot keep his own Counsel, is not to be trusted with the Secrets of another.”¹³⁰ In using sex to give meaning to the private sphere as the proper site of secrecy, the letter argues that a man's inability to maintain the secrecy of his private sexual affairs can ruin his public reputation. In an emerging capitalist world, where one's credibility became increasingly central to market relations of credit and risk, refraining from publicly discussing sex became crucial for establishing a man's trustworthiness. As the masonic

¹²⁸ Anderson, *The New Book of Constitutions*, 210.

¹²⁹ Similarly, “An Epilogue by Brother Raulins, Spoken by Mrs. Horton at the Theatre-Royal in Drury-Lane” opposes the mason to the figure of fop, who was aligned with the sodomite. “Let no loquacious Fop your Joys partake, / He sues for Telling, not for Kissing's Sake,” Mrs. Horton warns, and then goes on to recommend masonic husbands because “No tell-tale Sneer shall raise the conscious Blush, / The loyal Brother's *Word* is always – *Hush*.” In contrast to the babbling fop, the mason's ability to maintain secrecy is rooted in his ability to maintain the bourgeois privacy of the heterosexuality: masons do not kiss and tell. *Book M: Part II. Containing The Songs, Poems, &c. of Free Masons* (Newcastle Upon Tyne: Printed by Leonard Umfreville and Company, 1736), 52.

¹³⁰ *Weekly Journal, or British Gazetteer* Saturday May 21 1726 Issue 56.

lodge and other clubs enabled men to form new business partnerships, holding fast to the mantra that a man should never kiss and tell became essential for safeguarding his future commercial relations.

As English freemasons responded to allegations of sodomy by altering their constitution, including women in their public activities, and modifying their conception of fraternal love, by the 1740s and 50s masons across France, Germany, and in the Hague began to create mixed gendered lodges to initiate women into the brotherhood.¹³¹ Historiographical debate on the ‘lodges of adoption’ mainly focuses on the merits and accomplishments of freemason women, the majority of whom were either nobility and/or the wives of elite bourgeois masons. Scholars argue that freemason sisters constituted a public sphere where both men and women interacted as equals, and thus “helped to lay the foundation for a new political consciousness, a nascent feminism with democratic associations.”¹³² If we extend this historiographical focus to include the men of these lodges, then the following question arises: why did masonic men who had previously joined an organization that explicitly banned women’s participation now choose to help form and participate in mixed lodges?¹³³

Historians of the adoption lodges often suggest that women’s inclusion was “a logical extension of [a masonic] philosophy” of egalitarianism; the men who supported the mixed lodges understood that “sexual exclusivity contradicted the Masonic ideal of equality.”¹³⁴ Yet, as Kenneth Loiselle argues for the case of France, the adoption lodges were not structurally equal to the men’s lodges, since they met only a few times a year, were dependent on the men’s lodges, and their women

¹³¹ On the adoption lodges in France, see Allen, “Sisters of Another Sort.” On the mixed lodge in the Hague, see Jacob, “Freemasonry, Women and the Paradox of the Enlightenment;” Malcolm Davies, “The Grand Lodge of Adoption, *La Loge De Juste*, The Hague, 1751: A Short-Lived Experiment in Mixed Freemasonry or a Victim of Elegant Exploitation.” On the German adoption lodges, see Bärbel Raschke, “The Relationships Of Androgynous Secret Orders With Freemasonry. Documents On Theordre Des Hermites De Bonne Humeur In Sachsen-Gotha (1739-1758);” Andreas Önnorfors, “Maçonnerie Des Dames: The Plans Of The Strict Observance To Establish A Female Branch;” Casey Huffmire, “Women and Freemasonry in France and Germany.”

¹³² Jacob, *Origins of Freemasonry*, 58. See also Burke and Jacob, “French Freemasonry, Women, and Feminist Scholarship;” Andreas Önnorfors, “Maçonnerie Des Dames;” Allen “Sisters of Another Sort,” 785-6.

¹³³ The adoption lodges were condemned by the official Masonic movement, and it was not until 1774 that the new Grand Lodge of Paris lifted the prohibition of women’s participation. Women remain prohibited in English freemasonry to this day.

¹³⁴ Malcolm Davies, “The Grand Lodge of Adoption,” 56; Jacob, “Freemasonry, Women and the Paradox of the Enlightenment,” 72. See also Andreas Önnorfors, “Maçonnerie Des Dames,” 89; Róbert Péter, “Women in Eighteenth-Century English Freemasonry,” 73.

initiates were largely kept peripheral to the overall masonic organization.¹³⁵ While historians have yet to uncover concrete evidence that English freemasons established mixed lodges like their continental counterparts,¹³⁶ the archive of women's involvement in England explored above supports Loisel's suggestion that women's integration partly sought "to affirm [and construct freemasonry's] identity as heterosexual."¹³⁷ Indeed, women's participation always took place in a setting with men: masons neither advocated for nor established women's only lodges, and the public imagination of a women's only lodge implied homosexual relations.¹³⁸ On both sides of the Channel, then, the inclusion of women dispels the illusion that organizational changes were made primarily in the name of gender equality. Rather, masons mobilized women to portray the fraternity as compatible with the family, producing an image of the private sphere as the site of heterosexual love, intimacy, and reproduction.

Just as the first mixed lodges began to emerge in France, critics claimed that these inclusionary efforts sought to disguise freemasonry's ongoing practices of sodomy. In 1744, London's *Daily Advertiser* announced that the Scald-Miserable-Masons – another parodic society formed in 1741 to mock the freemasons – had established a new women's position in the organization.¹³⁹

[In order] to take away all injurious Impressions of our *avoiding* the Society of the *fair Sex*, arising as we apprehend from a *fundamental and constitutional Usage among Free Masons*; and for the more extensive and expeditious communication of the Mystery, we have constituted and appointed, with

¹³⁵ Loisel, *Brotherly Love*, 100-104; Cécile Révauger "Women Barred from Masonic 'Work'," 123-5. After visiting a mixed lodge in Paris, one English mason confirms that the "our fair *sisters* are not initiated into the more profound *mysteries* of the art." See, "Dissertation on Free-Masonry," 79

¹³⁶ Róbert Péter has recently challenged the claim that adoption lodges did not exist in England. Based on the discovery of an adoption ritual published in 1765, titled *Women's Masonry or Masonry by Adoption*, Péter asserts that an "adoption lodge must have been established" (83). Although it is unclear whether this ritual was performed in an existing adoption lodge, Péter provides evidence to suggest the possible creation of an English adoption lodge in the 1780s. See, Péter, "Women in Eighteenth-Century English Freemasonry," 73-76.

¹³⁷ Loisel, *Brotherly Love*, 98. Though less convinced that sodomy allegations prompted women's inclusion, Jacob documents a masonic lecturer in 1760s Strasbourg who explained that "because of the papal condemnation, women were 'used' as protectresses of the order. The brother[, Jacob writes,] is explicit about why their help was enlisted: Accusations of sexual license, in short, of sodomy, prompted the move." Jacob, *Living the Enlightenment*, 121.

¹³⁸ Years before the creation of mixed lodges, the *Weekly Journal or British Gazetteer* (January 25 1724, pg. 2769) published a satirical account about an exclusive women's organization called The Sisterhood of Free Sempstresses. Like their masonic counterparts, the sisterhood believes "that *meum* and *tuum* is destructive to the *Society* [and advocate for] ... a *Community of all Things*," even of their bodies. The text explains that the sisters "are passionate Lovers of a certain Play call'd, *Laugh and lie down*," which was a card game and likely a reference to lesbian sex in much the same way that another card game – the "game of flats" – signalled sex between women. On 'Laugh and lie down,' see *Francis Willughby's Book of Games: A Seventeenth-Century Treatise on Sports, Games, and Pastimes* (Ashgate, 2003), 61-63. On the lesbian allusions of the game of flats, see *The Poetical Works of Nicholas Rowe, Esq.* (London, 1715), 26-27; *Satan's Harvest Home*, 60-1.

¹³⁹ For news reports on the Scald-Miserable-Masons, see *Daily Post*, Friday, May 7, 1742, Issue: 7073; *Daily Advertiser*, Friday Dec 3 1742, issue 3705; *Westminster Journal or New Weekly Miscellany*, Saturday, Dec. 11, 1742, Issue: 55.

the unanimous Consent of the Craft, our most *serene scald miserable Sister* LUMP O'DEAD FLESH, *Grand Mistress*, with all Powers, Privileges, and Authority, we ourselves at present enjoy.¹⁴⁰

The decision to establish a Grand Mistress in response to the claim that the Scald-Miserable-Masons avoid women because of a certain “fundamental and constitutional Usage among Free Masons” satirizes freemasonry’s own attempts to include women in response to allegations of sodomy (fundamental being also a pun on fundament, i.e. buttock). As a parody, however, the text reveals that this new position is merely a dissimulation. Not only are tickets for the Grand Mistress’s installation sold at the “Thrust-in-Fund[ament]-Office, in Sodom-Court,” but her name itself suggests that she lacks the semiotic power ascribed to the masonic body.¹⁴¹ LUMP O'DEAD FLESH names women’s inclusion as an empty gesture disguising the ongoing constitutional intimacies of fraternal flesh.

Since the mere inclusion of women did not dissuade critics, freemasons elevated the voices of masonic wives and pointed to their marital happiness as a rejoinder to charges of sodomy. Consider, for instance, how “A Song on the Constituting, and Revival, of The Lodge 296, at Wakefield” represents and responds to allegations of sodomy following the reconstitution of the masonic lodge:

The *Town’s* in an *Uproar*, it plainly is seen,
FREE-MASONS! Cry they – Pray what do they mean?
They’re *Eunuchs*, one answer’d, I’m told by a Neighbour,
That a FREE-MASON’S WIFE was never in *Labour*!
...
With a *Hot Salamander*, Their *Backsides*, are sear’d
That they’re *Haters* of *Women*, I also have heard
And that it is so, I most firmly believe,
If their *Secrets* they keep, from the *Daughters of Eve*.¹⁴²

The song reveals a number of rumors circulating about the masons: they are castrated or impotent men, since their wives “have never [been] in *Labour*”; they brand each other’s buttocks (a “Salamander” was an iron cooking instrument), thus associating masonry’s secret signs with their asses;¹⁴³ and they

¹⁴⁰ *Daily Advertiser*, Date: Tuesday, May 1, 1744 issue 4146, emphasis in original.

¹⁴¹ *Ibid.*

¹⁴² *A Song, on the Constituting, and Revival, of the Lodge 296, at Wakefield* [Wakefield?: 1750?], British Library, Roxburghe Ballads, Rox.III.711.

¹⁴³ The 1738 *Constitutions* likewise refers to this charge of branding. See, Anderson, *New Book of Constitutions*, 227.

exclude women because they hate them. Taken together, these rumors ridicule the reproductive capacities of masons. Castrated anal-obsessed sodomites, masons cannot reproduce the family.

Having listed these accusations, the song then recounts the interjection of a mason's wife, who explains, "My Husband's a Mason – And since he was *made*, / He's a much Better-Man – Both at Board – and In Bed!" According to the wife, freemasonry makes men better husbands because they are not only more attentive to the domestic needs of the household ("at Board") but also to the sexual needs of their spouses ("in Bed").¹⁴⁴ Whereas responses to the aristocratic genre of rumors evinced little concern for women's pleasure, affirming instead men's heterosexual exploits, responses to bourgeois allegations specifically emphasize the pleasure of wives. As another mason's wife explains, after being made a mason, her husband was "So much, so strangely alter'd for the better; / That to increase the mutual dear delight! / Wou'd he were made a mason ev'ry night."¹⁴⁵ According to these wives, if masons were sodomites, then they would not be able to please their spouses, but the fraternity has in fact made their husbands better lovers. As such, the domestic happiness of wives proves that masons do not hate women. "Ye married Ladies, 'tis a happy life, / Believe me, that of a *Free-Mason's Wife*."¹⁴⁶

In mobilizing the pleasures of women against the charges of sodomy, these masonic defenses put forward a mutually exclusive economy of pleasure. Like the bourgeois genre of rumors, these defenses posit an ontological difference between the pleasures of sodomy and heterosexuality, since men who can please their wives, they argue, cannot be the kind of men who find pleasure in sodomy. As such, statements by masonic wives on their newfound happiness not only portray the fraternity as compatible with conjugal intimacy but testify to freemasonry's positive influence on the family. The "Song on the Constituting, and Revival, of The Lodge 296" concludes with the masons raising a glass to their brothers and making a toast "to our *Wives – Bearnis – and Sweethearts*, Pray let it go *round!* / and

¹⁴⁴ See, "board, n" and "bed and board," *Oxford English Dictionary Online* (2021).

¹⁴⁵ Laurence Dermott, *Aliman rezon: or, A help to a brother*, second edition (London, 1764), 212.

¹⁴⁶ "An Epilogue. Spoken by Mrs. Thumond, a Mason's Wife" in *The Book M: or Masonry Triumphant* (Newcastle-upon-Tyne, 1736), 50.

May this our NEW LODGE 296 – with *Blessings* be *crown'd*.” Celebrating the re-formation of their lodge and the revival of their fraternal ties, the masons reaffirm their commitments to the family.¹⁴⁷

By mid-century, masons attenuated their praise of fraternity and the affective bonds of brotherly love to emphasize the family and its conjugal pleasures. Whereas the 1738 *Constitutions* claims that freemasonry does not subtract from the domestic virtues of husbands, arguing that “tho’ in *Lodge Hours* Masons don’t allow of *Womens* Company (like many other societies of Men) yet they make as good Husbands as any other Men,”¹⁴⁸ later defenses claim that masonry benefits conjugal relations.

As *free-masons* by the obligations of their order, pay a far greater attention to the moral and social duties of life, than the generality of mankind, they are inspired with a far greater desire and reverence for the most sacred and happy of all institutions, marriage; they of all others best know to love, to cherish, to value the dear companion of their fortunes.¹⁴⁹

No longer as good as other men, masons make better husbands because a mason knows that “if happiness is not found in the narrow circle of his own home, it will be fought for in vain.”¹⁵⁰ The symbolic value of the private family thus gained increasing importance for masons, as exposures presented the family as both the limit point of their fraternal obligations (a mason “will always support a Brother, as far as I can, without being detrimental to my own Family”) and the target of their duties (a mason must be “a good Parent, and a good Husband, loving your Wife as yourself”).¹⁵¹ Fraternity thus signified not a challenge to domestic stability and conjugal joy, but rather an active bulwark of it.

In response to charges of woman-hating, masons gradually displaced the fraternal happiness found in the public company of men in favor of the conjugal happiness of the private family. They extended notions of equality historically symbolized by the figures of friendship and fraternity to the

¹⁴⁷ “Bear” denotes a child, commonly a son. See, “bairn, n.” *Oxford English Dictionary Online* (2021)

¹⁴⁸ Anderson, *The New Book of Constitutions*, 227.

¹⁴⁹ George Smith, *The Use and Abuse of Free-Masonry; a work of the greatest utility to the brethren of the society, to mankind in general, and to the ladies in particular* (London, 1783), 354.

¹⁵⁰ *Ibid.*, 356.

¹⁵¹ *Jachin and Boaz* (1762) in Jackson, *English Masonic Exposures*, 166; Alexander Slade, *The Free Mason Examin’d* (London, 1754), 19. The preface states the exposure intends to convince “those Ladies who have hitherto censured the Free-Masons so hard, as to think them guilty of the worst of Crimes, and those Gentlemen who have long neglected to be made, thinking the Secret too dear a Purchase” (vii).

conjugal pair. The relations of similitude that characterized the equality of brothers thus came to describe the marital bond, as masons must learn not only to love their brothers as themselves but also, and to a greater extent, love their wives as themselves too.¹⁵² Viewed from the vantage point of men's intimacies and the danger of sodomy they provoked, allowances made for women's participation in the public sphere appears less like a good faith commitment to gender equality than an attempt to forestall the excesses of class equality and the formation of transgressive homosexual desire between men. Indeed, contemporaries seemed to have no difficulty claiming that a wife is "an Inseparable Second Self" with "an equal Participation" in the marital bond while also arguing that "God and the Law appointed [the husband] to be her Head."¹⁵³ Far from catalyzing new forms of equality in the household, the fantasy of companionate marriage cut short new possibilities of cross-class intimacy between men all the while mystifying ongoing relations of subordination in the family. Attention to sodomy thus inverts the causality of the Habermasian account of the public sphere, as conjugal love was *not* the *prior condition* for new relations of equality between men so much as a reaction to the fraternal affection constituting a patriarchal public sphere.¹⁵⁴

VI. Class Struggle and the Dialectic of Sodomy

In the early 18th century, an emergent public sphere began to consolidate new class relations among the middling sort by constituting new gendered relations of equality between men. This chapter has outlined two class-based genres of conspiracy theories against freemasonry and the ways in which each made use of sodomy to render intelligible masonic secrecy as a conspiracy of equals threatening to upend class rule. As the 18th century's largest republican organization, freemasonry crystallized the early modern threat that bourgeois equality posed to aristocratic relations of rank. Reacting to this

¹⁵² For an example of how the discourse of companionate marriage appropriated the vocabulary of male friendship, see Jeffrey Masten, "My Two Dads: Collaboration and the Reproduction of Beaumont and Fletcher," in Jonathan Goldberg (ed.), *Queering the Renaissance* (Duke University Press, 1994), 280-309.

¹⁵³ John Dunton, *Bumography: Or, A Touch at the Lady's Tail* (London: 1707), xi, xii.

¹⁵⁴ The chronological priority of fraternal love in the development of the public sphere is also supported by the fact that the "tragedy of failed conjugal love" only became central to divorce proceedings after mid-century. Trumbach, *Sex and Gender Revolution*, 368.

threat, aristocrats defended their status hierarchies by circulating rumors that the embodied rituals of fraternal love taking place in the masonic lodge were simply a cover for sodomy. According to this aristocratic genre of sodomy allegations, non-noble upstarts believed that they could participate in politics on equal terms with their superiors and sought to enter the political arena by forming conspiratorial bonds in and through sodomy. In aligning fraternal equality with sodomy to articulate a gendered critique of freemasonry, aristocrats aimed to ward off new moneyed men from joining this egalitarian society and, more generally, forestall the growing power of the bourgeoisie. In response, masons argued that they were not sodomites because they could and successfully did sexually conquer women. Masons thus took up the libertinism traditionally reserved for the aristocracy but slightly modified its terms: they too could pursue a life of pleasure, but not all pleasures were honorable, and so masons rejected the pleasures of the anus regardless of the gendered body to whom it belonged.

Alongside this struggle between the bourgeoisie and the aristocracy, antagonisms within the middle class gave rise to a second discourse of conspiracy against the masons. With the growth of discretionary mobile wealth and the formation of new spaces of sociality, the 18th century public sphere provided men with access to pleasures previously reserved for a small elite. Economic changes made it increasingly possible for more men to live a life of immoderate and excessive pleasure. Recalling the hedonistic luxury of the aristocracy and the disorder of the idle poor, the pleasures found in the patriarchal public sphere threatened to destroy the capitalist norms through which a budding middle class sought to distinguish itself. According to this second genre of sodomy rumors, the lodges provided men with the opportunity for class mobility, but they did so not by emphasizing hard work and industry but rather charm and bodily affection. For these bourgeois critics, the corrupt pleasures of fraternity signaled a kind of perverted meritocracy that disordered any and all class distinctions. Devoted to men's bodily affections, masons appeared to forego the pleasures of patriarchal authority and abandon women's historical role as symbolic currency organizing relations between men. Masons

were, in other words, haters of women and their fraternal pleasures meant the family's destruction. Accordingly, these rumors sought to domesticate – that is, tame, subdue, and make home-loving – an emergent capitalist class by merging the values of industry with the joys of heterosexual domesticity, and thus protecting the reproductive futurity of both the family and capital.

The history charted in this chapter of the back-and-forth process of sodomy allegations and their responses displays a political dialect of sex, as defenders of fraternal equality negated their opponents' charges of sodomy by taking up and transforming their critiques. In response to bourgeois allegations of sodomy, masons relocated the site of pleasure from the sex-segregated lodge to the private household. Statements from women on their newfound conjugal pleasures provided evidence that freemasonry transformed boys into men and men into loving husbands whose familial affections supported and reproduced heterosexual domesticity. By shifting focus from fraternal to conjugal intimacy, masonic defenses against sodomy suggest that the bourgeois public did not emerge out of the domesticity of the household. Rather, as companionate marriage was presented as an alternative to fraternal equality, heterosexual domesticity emerged as part of a counter-reaction to the homosociality of a patriarchal public sphere. Freemasonry's gradual *embourgeoisement* thus provides an exemplary instance of the formation of the middle class, highlighting the central role that gender, sexuality, and the body played in the bourgeoisie's regulation of its own ranks.

What took shape against this background of conspiracy theories was a vision of the public sphere as a space of transparency and visibility. Bourgeois critiques against sex in public figured secrecy as a dangerous element of the public sphere. Previously unimportant for men's association, women's pleasure thus came to serve as a key mediating sign both warding off suspicions of homosexuality and confirming men in their hetero-masculinity. Since "some of the Men of Pleasure ... have dared to pursue a forbidden Scent of sensual polluted Joys," what moral reformers called "Matrimonial

Friendship” was proposed as a security against the perversions of fraternity.¹⁵⁵ Masons portrayed the heterosexual family as the enabling backdrop of the lodges, and women’s seemingly egalitarian inclusion as part of the fraternal project of cultivating not just gendered but also heterosexual relations of equality between men. The sexual threat of sodomy believed to result from the bonds of fraternal equality in the early 18th century thus jumpstarted the hetero-sexualization of the public sphere and put forward an alternative alluring image of the domestic family as the proper site of intimacy, loves, and pleasure. The combined force of sodomy and the romance of conjugal intimacy had the effect of disciplining and domesticating men’s fraternal desires and relations, redirecting their affects and attachments back to the private sphere of the hierarchical family and its sexual division of labor. Consequently, as masons reshaped their practices and created a fraternal public continuous with the family’s reproduction, they helped form complementary norms of business and family life, reconstituting and congealing together heterosexuality, patriarchy, and capitalist values.

Many masons did not approve of women’s inclusion, however, and the fraternity’s turn to the virtues of companionate marriage. Committed to the masculine bonds of attachment formed between brothers, some masons “denounce[d]” the intrusion of women and the “abuses which have penetrated” the brotherhood.¹⁵⁶ Notwithstanding their promotion of conjugal love, masons did not wholly give up on the importance of fraternal affection for creating bonds of equality between men. After all, the “end and purpose of [freemasonry],” as one brother argued, was “to regulate our passions,” not do away with them altogether.¹⁵⁷ Despite their growing emphasis on romantic love and conjugal happiness, freemasonry continued to generate the kinds of fraternal affection between men necessary to form bonds of equality. As such, the masonic lodge continued to risk engendering men who, transformed

¹⁵⁵ Richard, Lord Bishop of St. David’s, *Reformation Necessary to Prevent Our Ruine: A Sermon Preached to the Societies for the Reformation of Manners, at St. Mary-le-Bow on Wednesday, January 10th, 1727* (London, 1728), 19, 20.

¹⁵⁶ “Minutes of the lodge ‘L’Anglaise’, February 6, 1746” in J. Léchelle, “La vie quotidienne d’une loge au XVIII^e siècle: la R. L. L’Anglaise au fil des jours de 1732 à 1817 (I)” *Renaissance Traditionnelle* 33 (2003): 174-196, quote is from page 181.

¹⁵⁷ A Free and Accepted Mason, “A Dissertation on Free-Masonry,” 78.

by their relations of love with other men, might transgress emerging norms of homosociality and heterosexual manhood.

On March 6, 1796, the brothers of lodge 203 at Dover sent a former letter to the Grand Lodge in London notifying them that Reverend James Porter, the longstanding brother and master of the lodge, has been charged with the crime of sodomy.¹⁵⁸ A week later, the Grand Lodge received a letter from Porter explaining that he was the victim of a conspiracy by some brothers who pressured Joseph Iggesden to make a “scandalous report” about him. According to Porter, when Iggesden was made a mason several months prior, his initiation ended late at night and so Porter invited him to stay at his house and share his bed. The men had met several times at the lodge since then and Iggesden “never once spoke a disrespectful word of me.” However, a group of rival brothers pressured Iggesden to swear against Porter for “attempting to commit the sin” of sodomy and thus obtained a warrant for his arrest. This, Porter argued, broke the masonic contract, since brothers must meet “face to face” to resolve their conflicts.¹⁵⁹ Yet, contrary to Porter’s account and the verdict of modern historians, the lodge claimed to have concrete proof of his crimes. Several men who had also shared Porter’s bed came forward and confessed that he “had [also] behaved in an indecent manner to them.” The lodge then questioned Iggesden, who eventually admitted that “Porter had attempted sodomy on him.”¹⁶⁰

The state found Porter guilty and imprisoned him for 12 months while the masonic lodge “reprimanded” Iggesden for “having concealed this Business so long.” Lodge members appeared distressed that Iggesden had not informed them of Porter’s crime, “suffering us as well as himself to keep company and be social with such an abominable Wretch.” Following the revelations, “many Brothers object [to] sitting in the lodge in Company with Iggesden [sic.],” they write, “we are very

¹⁵⁸ Like other masonic lodges, the dover lodge included men from various class backgrounds, such as mariners, shipwrights, plumbers, bakers, innkeepers, shopkeepers, jewelers, surgeons, merchants, gentlemen, lieutenants, serjeants, and a member of parliament. See, membership list dover lodge, January 1797, *Museum of Freemasonry*, GBR 1991 AR / 948 / 8. For the letter notifying the Grand Lodge of Porter’s sodomy, see the letter dated 6 March 1796, *Museum of Freemason*, see GBR 1991 AR / 948.

¹⁵⁹ Letter from James Porter, March 12 1796, *Museum of Freemasonry*, GBR 1991 AR / 948 / 14

¹⁶⁰ Letter from Dover lodge dated 18 July 1796, *Museum of Freemasonry*, GBR 1991 AR / 948 / 16

anxious to know” what to do with him. The Grand Lodge responded that they cannot “find an Excuse” for Igglesden’s “silent conduct” and that he “ought at last in Silence to withdraw himself from the Lodge,” and if necessary, to “be followed up by an absolute vote of Exclusion.”¹⁶¹ The Grand Lodge’s counsel that Igglesden withdraw in silence was an attempt to foreclose discussion on his ongoing participation in the rituals and practices of fraternity. It was, in other words, an effort to silence questions of sodomy that had been whispered about the fraternity for almost a century.

In order to ward off suspicions of men’s fraternal intimacy and any possible homosexuality it could engender, masons put forward a naturalized binary between the heterosexual love of women and the sodomitical love of men. Masons loved women, they argued, and so could not be the type of men who wished to have sex with their brothers. Despite their best attempts to mobilize these discursive distinctions, the case of Reverend James Porter reveals how freemasons could not totally inhibit the kinds of criminal intimacies that could emerge from the forms of fraternal sociability and pleasure found in the lodges. Sexual anxieties accompanying men’s embodied homosociality thus continued to linger in the republican politics of fraternal equality. Moving beyond the world of the lodges, the following chapter investigates how new public infrastructures, such as park benches and common toilets, enabled the possibility of new forms of sociality and intimacy between men that militated against an older hierarchal world of etiquette and decorum. Turning to explore not rumors of sodomy but its actual practice in and around these sites, the next and final chapter shows how sodomites not only helped constitute new ideas and practices of equality but also resisted the gendered regime of fraternity that limited its radical potential.

¹⁶¹ The grand lodge’s draft response is written on the back of the Dover lodge letter dated 18 July 1796, GBR 1991 AR / 948 / 16.

6. Contesting Fraternity:

Infrastructures of Intimacy, Sodomitical Equality, and the Ways of Unbecoming Men

I think that's what makes homosexuality 'disturbing': the homosexual mode of life, much more than the sexual act itself. To imagine a sexual act that doesn't conform to law or nature is not what disturbs people. But that individuals are beginning to love one another – there's the problem. The institution is caught in a contradiction; affective intensities traverse it which at one and the same time keep it going and shake it up – Michel Foucault¹

In the Spring of 1727, Charles Hitchen was set in the pillory as a punishment for the crime of attempting to commit sodomy. As a member of the Society for the Reformation of Manners and the Deputy City Marshal for London, Hitchen was known for organizing raids on brothels and other disorderly houses, and so his crime incensed the London populace. Newspapers reported that a mob conducted by the prostitutes of Drury Lane beat Hitchen's body so badly that he was taken down only after half an hour in the pillory to prevent his murder.² Although Hitchen's love of boys may have come as a surprise to many, it was not the first time he had been accused of hypocrisy. About a decade prior, a thief hired by Hitchen to help capture other thieves had exposed his employer's criminal desires. In *An Answer to a Late Insolent Libel*, Jonathan Wild revealed that Hitchen was a participant of what contemporaries called molly houses, a growing network of clubs for sodomites in the shadows of an emerging public sphere. In one of Wild's accounts, he describes a conflict that erupted between Hitchen and several other sodomites. Dallying with some handsome "sparks" in a club near the Old Bailey, Hitchen was "very merry" until "some Persons came into the House that he little expected to meet with in that place" and who were dressed "in Women's Apparel" and acting "in imitation of the

¹ Michel Foucault, "Friendship as a Way of Life" in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow (New York: The New Press, 1994), 137.

² See the newspaper reports collected in "Newspaper Reports, 1726," *Homosexuality in Eighteenth-Century England: A Sourcebook*, (ed.) Rictor Norton (2020): <http://www.rictornorton.co.uk/eighteen/1727news.htm> [accessed June 2023].

Fair Sex.” Finding himself unable “to secure the Lads” with whom he was flirting, Hitchen flew into a “prodigious Rage” against “the frolicking Youths” dressed like women. The enraged Hitchen left the club but wanted revenge, so he obtained a constable and arrested the cross-dressing sodomites on their way home. The next morning, they were carried before the Lord Mayor still wearing their “Gowns, Petticoats, Head cloths, fine lac’d Shoes, Furbelow Scarves” with “their Faces painted, and patch’d.” They were ordered to undertake hard labor at a workhouse and “to be publickly convey’d thro’ the Street in their various Female Habits.” According to Wild, the “punishment was so mortifying to one of the young Gentlemen, that he died within a few Days after his Releasment.”³

Wild’s account suggests that there existed antagonisms within the homosexual world revolving around gender. Although Hitchen was greeted “with the Titles of *Madam* and *Ladyship*” when he entered the club, he categorizes the markedly feminine youths in dress and comportment as part of a distinct group. He calls them “*those* sorts of Persons” who use “*those* obnoxious Houses” where they and “others of the same Inclinations” like to resort.⁴ His use of demonstrative pronouns distinguishes between “those” individuals he calls “Sodomites,” men who “deal with their own Sex instead of Females” and “those [other] sorts of Persons” who deal too much with “Females,” going so far as to dress and imitate them.⁵ Hitchen’s discursive distinctions and targeted rage suggests an antagonistic split between those sodomites who wanted nothing to do with the world of women and those who went out of their way to recreate it – in other words, those who we could call mollies proper, since the term *molly* likely derives from Latin for woman, *mulier*, or soft, *mollis*.⁶

³ Jonathan Wild, *An answer to a late insolent libel, Entituled, A discovery of the conduct of receivers and thief-takers, in and about the city of London; presumptuously Dedicated to the Lord Mayor, Aldermen and Common Council. Written by C---s H---n* (London, 1718), 31-32.

⁴ Wild, *An answer to a late insolent libel*, 30.

⁵ Wild, *An answer to a late insolent libel*, 30.

⁶ Golberg, *Sodometries*, 141; Jordan, *The Invention of Sodomy in Christian Theology*, 169; Halperin, *How to do the History of Homosexuality*, 111. Early 18th century Paris appears to present similar conflicts between those who “imitate[d] women” and those who refused to “assume a public female role.” Michel Rey, “Parisian Homosexuals Create a Lifestyle,” 186, 188.

As we saw over the previous chapters, many men in the early 18th century were increasingly invested in visions of gender to contest naturalized hierarchies of class and to constitute a new political category of free and equal citizens. As I show in this chapter, many sodomites were also committed to an emerging ideology of fraternal equality to justify their sexual activities with other men. The emergence of public spaces catering to plebeian communities of homosexuals who dressed and acted like women were at the center of battles revolving around men's political equality in the 18th century. I argue that embodied practices of feminization developed in the molly houses contested naturalized ideas of manhood coming into formation in the bourgeois public sphere. Attempts to quash new communities organized around gender-deviant practices of sexuality reveal the fragility of an emerging class society committed to men's equality and the subordination of women.

According to many historians of sexuality, the turn of the 18th century marks a dramatic shift in how sex between men was understood and practiced when “a new way of organizing homosexual desire appeared throughout the modernizing societies of northwestern Europe, in England, France, and the Netherlands,” giving rise to a new homosexual subjectivity and subculture.⁷ While scholars have offered various suggestions to explain this profound shift, ranging from arguments about secularization and urbanization to the rise of club culture and the formation of the middle class, Randolph Trumbach has so far provided the most sophisticated explanation attentive to questions of equality.⁸ Pointing to the development of “companionate marriage and the domesticated family,” he argues that “male and female roles had begun to grow more nearly equal,” and so a new effeminate

⁷ Trumbach, *Sex and the Gender Revolution*, 6. Mary MacIntosh, “The Homosexual Role,” *Social Problems*, 16, 2 (1968): 182-192; Norton, *Mother Clap's Molly House*; Bray, *Homosexuality in Renaissance England*, 81-114; Trumbach, “Birth of the Queen”; Trumbach, “Sodomitical Subcultures: Charles Upchurch, ‘Liberal Exclusions and Sex between Men in the Modern Era’ (2010); George Rousseau, ‘The Pursuit of Homosexuality in the Eighteenth Century’ (1985); Hitchcock, *English Sexualities*, 58-75. Jeffrey Weeks, *Sex, Politics and Society: The Regulation of Sexuality Since 1800* (Routledge, 2012), 123; Cocks, *Visions of Sodom*, 5, 19.

⁸ John D'Emilio, “Capitalism and Gay Identity,” in *Powers of Desire: The Politics of Sexuality*, (ed.) Ann Snitow, Christine Stansell, & Sharan Thompson. (Monthly Review Press, 1983), 100-113; Cocks, *Visions of Sodom*, 19; Norton, *Mother Clap's Molly House*, 11-12; Tim Hitchcock, *English Sexualities, 1700-1800*, 75; George Rousseau, “The Pursuit of Homosexuality in the Eighteenth Century,” 143; Rey, “Parisian Homosexuals Create a Lifestyle, 1700-1750,” 145.

figure of the homosexual developed as “a wall of separation between the genders.”⁹ According to Trumbach, the growth of gender equality risked undermining differences between men and women, and so the new figure of the homosexual molly emerges as a kind of liminal figure to safeguard sexual difference.¹⁰ Neither male nor female, the molly comes to ensure that no matter how “far equality between men and women might go, [masculine] men would never become like women since they would never desire men.”¹¹ In Trumbach’s account, an emerging distinction between homo- and hetero-sexuality based in gender difference (homosexual = feminine; heterosexual = masculine) serves to stabilize and secure a crisis in sexual difference opened by the rise of equality between men and women.

Trumbach is correct that the emergence of new conceptions of sexuality were “caused by the reorganization of gender identity” but not for the reasons he proposes.¹² As we saw in the previous chapter, new ideas of homosexuality initially emerged in the early 18th century in response to fraternal not conjugal equality, as many public rumors of sodomy concerned fraternal organizations dedicated to creating new relations of brotherly love and equality among men. Far from creating equality in the household, the emergence of an ideology of companionate marriage and romantic love evacuated the erotic danger associated with the egalitarian intimacies of men in public. Contra Trumbach, then, I propose that the figure of the molly did not safeguard sexual difference but threaten it. I argue that inside their clubs and houses, mollies produced new practices of gender and sexuality that challenged naturalized principles of sex and the body. Unlike most institutions of the public sphere, the molly

⁹ Trumbach, “Birth of the Queen,” 140; Trumbach, *Sex and the Gender Revolution*, 9.

¹⁰ Trumbach’s argument is closely related to Thomas Lacqueur’s argument in *Making Sex: Body and Gender from the Greeks to Freud* (Harvard, 1992) that that a two-sex model of the body emerged in reaction to a growing equality between men and women.

¹¹ Trumbach, *Sex and the Gender Revolution*, 9; Randolph Trumbach, “Sodomitical Assaults, Gender Role, and Sexual Development in Eighteenth-Century London,” in *The Pursuit of Sodomy: Male Homosexuality in Renaissance and Enlightenment Europe* (eds.) Kent Gerard and Gert Hekman (Harrington Park Press, 1989), 408-409;

¹² Trumbach, “Sodomitical Subcultures,” 118.

houses were not organized according to principles and practices of fraternity. Instead, they created new forms of equality that contested the gender binary underpinning an emerging democratic society.

Attending to what Ara Wilson calls “the infrastructure[s] of intimacy,” the first part of this chapter studies how the development of infrastructures such as paved streets, park benches, and public toilets, enabled new forms of homosociality to develop which militated against aristocratic modes of etiquette and decorum and gave shape to new relations of equality among men in public.¹³ In making possible new kinds of egalitarian intimacy between strangers, these public infrastructures also provided men with new opportunities for sex, resulting in a rising number of arrests in the early 18th century for the crime of sodomy.¹⁴ An emerging public thus became increasingly alarmed about the public spaces in which anonymous men could meet and interact, as a series of new public infrastructures not only expanded the possibilities for fraternity *and* sodomy but also destabilized any clear demarcation between the two. The corporeal intimacy facilitated by these infrastructures blurred the lines between the homosocial and the homosexual. Contrary to many historians of sexuality, I argue that homosexuality did not develop as a form of desire ontologically distinct and separate from heterosexuality. Rather, by focusing on public infrastructures of intimacy and the fraternal encounters they made possible, I show how sodomy remained an immanent potential of men’s heterosexual relations of brotherly love and affection.

By tracking the material sites in which new egalitarian relations of intimacy took shape among men and highlighting the ambivalence between fraternity and sodomy, I demonstrate how sodomy was not distinct from, but rather a constituent feature of an emerging fraternal public sphere. The

¹³ Ara Wilson, “The Infrastructure of Intimacy,” *Signs*, 41, 2 (2016): 247–280.

¹⁴ Trumbach, “Sodomitical Subcultures, Sodomitical Roles, and the Gender Revolution of the Eighteenth Century: The Recent Historiography,” 113. Cocks, *Visions of Sodom*, 107-109. According to Cocks, between 1677 and 1730, the proceedings of the Old Bailey record ten sodomy trials and ten assaults with intent to commit, most of the latter from 1722-1726, and records of the City Justices at Guildhall indicate an additional 11 men tried for sodomy in 1707. Cocks, *Visions of Sodom*, 110. Norton estimates that “for the period from 1720 to 1740 gay men were stood in the pillory nearly every week” (Norton, *Mother Clap’s Molly House*, 130). Cocks also says that there was a cluster of prosecutions in 1760s and 1780s, and that “the spread of police forces and professional magistrates in the nineteenth century made the prosecution of homoerotic offenses a more regular and routine aspect of criminal justice in England” (218)

second part of this chapter explores how sodomites and sodomy played a constitutive role in forming new ideas and practices of fraternal equality in public. First, I show how some sodomites articulated propertied notions of the male body to defend their sexual practices as a consensual relation among equals. By claiming that they, like all men, had a natural right and ownership of their own bodies, sodomites put forward a political vision of liberty in which they were free to make use of their bodies as they saw fit. Against the claim that sodomy signified a patriarchal abuse of another man's body, they recast sex between men as an embodied practice of freedom, thus taking up and challenging an emerging heterosexual imaginary of fraternal equality.

Second, beyond just advocating for an egalitarian vision of sex between men, sodomites also transformed their sexual practices to create egalitarian relations of erotic intimacy. I argue that new practices of reciprocal sex materialized emerging ideas of equality on the intimate domain of men's bodies. Departures from historically asymmetrical patterns of sex formed one part of a larger development of new egalitarian practices of association between men. Accordingly, the principle of equality evident in defenses of sodomy was not (just) an abstract intellectual principle but (also) an embodied idea realized in changes to the practice of sex itself. Third, the development of new ideas and practices of sodomy as a sexual relation among equals also played a role in broader juridical changes to the prosecution of sodomy. Whereas the penetrating partner was traditionally understood to be the primary agent of the crime, the courts started prosecuting both parties as willing participants who were considered equally culpable. I argue that changes in sodomy's legal adjudication rendered men equal juridical subjects before the law. Taken together, then, new ways of justifying, practicing, and prosecuting sex between men transformed sodomy's meaning as an egalitarian act and relationship between men and thus helped give shape to a new political imaginary of fraternal equality in the 18th century.

Having analyzed the public infrastructures of intimacy and the ways they enabled new relations of equality, both sexual and social, the third part of the chapter investigates the molly houses as a unique public site that resisted an emerging gendered order of fraternity and constituted an alternative politics of equality. Despite the growing identification of sodomy and effeminacy over the course of the 18th century, I contend that mollies represented a specific subsection of the homosexual community. Unlike most sodomites, mollies used female names, wore women's clothing, and imitated their speech, mannerisms, and comportment. Whereas some men justified their sodomy by pointing to the property they had *as men* in their own bodies, I argue that practices of femininity cultivated in the molly houses contested naturalized ideas of gender and the male body at the foundation of an emerging bourgeois society. Attending to how mollies challenged the the gender order helps explain why sodomy and femininity became increasingly associated over the century. Owing largely to the threat they posed, sodomy came to signify not just an unnatural kind of sexual practice, but rather, a range of unnatural aesthetic and corporeal practices of gender.

The danger that an emerging underground network of molly houses presented to a broader regime of fraternity has not been adequately appreciated, however, due to a certain deployment of drag as a common heuristic of analysis. By critically rethinking the dominant trope of 'men wearing women's dresses' used to analyze the molly houses, I aim not to dismiss the valuable insights of early gay historiography so much as pursue unfollowed lines of thought, such as Trumbach's suggestion that "the sodomite viewed himself, and was seen by others, ... as a species of outcast woman."¹⁵ By exploring such underdeveloped kernels and suspending a common presumption that those individuals acting and dressing like women socially identified as men (i.e. that they were male drag queens or transvestites), I propose a trans-affirmative reading of the molly houses. I argue that the molly houses were not institutional sites of male homosexuality and that in fact they extended far beyond the world

¹⁵ Trumbach, "Birth of the Queen," 137.

of men. Unlike many other institutions of the public sphere, these plebeian sites of gender trouble were organized around symbolic figures of motherhood and sorority and included women as owners, operators, and trans participants. By attending to molly house ceremonies of trans-formation, I argue that ritualized practices of feminization constituted new subjects of gender and engendered anti-fraternal relations of equality.

Politically, therefore, a trans-affirmative reading reveals how counter-hegemonic practices of gender and sexuality taking place in the molly houses contested manhood as a political principle of equality underpinning the bourgeois public sphere. Feminizing gender practices troubled the ‘natural’ basis of binary sex at the foundation of a hetero-patriarchal organization of society split into a public sphere of men’s equality and a private sphere of the family and women’s reproduction. In rejecting republican tropes of masculine citizenship, naturalized ideas of the male body, and a distinction of the public and private spheres, the molly houses were explorations in new political ideas and practices of freedom and equality in opposition to a bourgeois society predicated on hetero-patriarchal visions of manhood and fraternity. It was because of the alternative political imaginary and practice of democracy presented in the molly houses that they were repressed.

I. The Public Infrastructures of Intimacy and The Ambivalence of Fraternity

In early October 1721, Nicholas Leader attended a church service held at a meeting-house in Old Gravel-lane where he met George Duffus. The two men chatted about the minister’s sermon and then went to a nearby tavern for a drink, after which they parted amicably and agreed to meet again. A few days later, Duffus visited Leader at his lodgings. The new friends “sat together drinking and talking ‘till it was pretty late.” According to Leader’s court testimony, Duffus then asked if he could “lie with me that Night” because he lived far away. Leader agreed, and once the two men were in bed, Duffus “began to hug and kiss me, and call me his Dear [Friend].” Although Duffus took advantage of their proximity under the bedcovers to sexually assault his host, Leader explained that he had no

reason to deny Duffus's request to lie together: "As I mistrusted nothing, I made no Objection to it."¹⁶ In early modern England, it was not uncommon for men and women living in the same household to share beds with others of the same gender. Outside the household, itinerant workers, travelers, and men far from home could rent a room in one of London's many inns, where they might share a bed with an acquaintance or stranger. While this bodily proximity sometimes led to homoerotic intimacy, it did not warrant immediate suspicion.¹⁷ Bed-sharing could even serve as a defense against an accusation of sodomy, as when one man explained that he had often "lain with the Prisoner" in the same bed and "never found any Thing in his Behaviour that might give them the least Ground to suspect him inclinable to sodomitical Practices."¹⁸

The familiarity initially cultivated between Duffus and Leader at a meeting-house and pub reveals how a developing urban infrastructure of the public sphere made possible new and ambivalent forms of intimacy between strangers. After the Great Fire of 1666, London underwent major renovations: streets were broadened, pavements were built, and streetlamps were installed along major arteries, making London a more walkable city by the end of century.¹⁹ Although chance encounters in public were possible for both men and women, social norms discouraging women from walking unaccompanied, threats of sexualized violence, ideas about women's honour, and the ideological development of the home as a woman's proper place, among other factors, meant that stranger intimacy more likely formed among single men in public. In *The Art of Walking the Streets of London*, John Gay recommends anyone lost in the city not to trust "the delusive smiles" of any "female Guide"

¹⁶ *Select trials at the Sessions-House in the Old-Bailey, for murder, robberies, rapes, sodomy, coining, and other offences ... From the year 1720, to this time*, Vol. I, From December 1720, to October 1723 (Dublin, 1742), 101-2. For the Old Bailey records of the trial, see December 1721, Trial of George Duffus, *Old Bailey Proceedings Online*, t17211206-20.

¹⁷ Traub, *The Renaissance of Lesbianism*, 52-62; Laura Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (Yale University Press, 2003), 66-71; Sasha Handley, "Sociable Sleeping in Early Modern England, 1660-1760," *History* 93, 1 (2013): 79-104.

¹⁸ *Select trials at the Sessions-House in the Old-Bailey ... From the year 1720, to this time*, Vol. II, (Dublin, 1742), 358. See also, the trial of Richard Manning and John Davis in *The Proceedings on the King's Commissions of the Peace, Oyer and Terminer, and Gaol Delivery for the City of London ... held at Justice-Hall in the Old-Bailey, on Wednesday the 16th, Thursday the 17th, and Friday the 18th, of January* (London, 1744), 75-6, 80; trial of Patrick Malcolm in *Select Trials at the Sessions-House in the Old Bailey ... From the year 1720, to this Time*. Vol III, (London: 1742), 39.

¹⁹ T. F. Reddaway, *The Rebuilding of London after the Great Fire* (London: Jonathan Cape, 1940).

and instead “Ask the grave Tradesman to direct thee right,” which is evidently what Henry Thompson did in 1730 when, in search of a certain Mr. Hearn’s house, he came across William Goodman and asked him where he could find Chancery Lane.²⁰ Goodman told Thompson that he knew Hearn and would take him there, but when they discovered Hearn wasn’t home, Goodman requested “a Mug of Ale” for his troubles. According to Thompson, the two men went for a drink, after which Goodman “press’d me to go to his Lodgings” for glass of wine. After sharing another drink, Goodman then “invited me to go to his Quarters, and I did go, and then the Prisoner talk’d to me about Sodomitical Practices, and told me of great Persons that us’d that way, and offer’d it to me so far as to undo his Breeches.” Thompson refused. “I would suffer Death before I would admit of any such thing,” he stated. As if to save face, Goodman told Thompson that he will swear sodomy against him unless he gave him money. Thompson dismissed the threat and Goodman was later arrested and sentenced to death for assault and robbery.²¹

Mediated by the antagonisms of the courtroom and his incentive to win the case, Thompson’s recollections necessarily distort his motivations and actions. Did Goodman really pressure him for a drink, and if so, why did he go back not only to Goodman’s lodgings but also his sleeping quarters? Despite these problems, Thompson’s testimony provides valuable insight into the early 18th century culture of male-male relations. Like the men admitted to freemasonry, Thompson and Goodman were strangers of different social classes who, after meeting in public, chose to spend their time drinking, socializing, and becoming acquainted.²² As with Leader and Duffus, the infrastructure of the city’s

²⁰ John Gay, *Trivia: Or, the Art of Walking the Streets of London* (London: 1716), 27, 26.

²¹ *The Proceedings at the Sessions of the Peace, and Oyer and Terminer, for the City of London, and County of Middlesex; on Friday the 16th, Saturday the 17th, Monday the 19th, and Tuesday the 20th of January, 1730, in the Third Year of His Majesty’s Reign, No. II for the said year* (London: Printed for T. Payne, at the Crown in Ivy-Lane, near Pater-noster-Row, 1730), 15-16. Though sodomy was a common blackmail tactic, it does not seem to have been Goodman’s primary motivation. As Norton suggests, “the incident seems to have begun as a kind of pick-up and then went terribly wrong.” Rictor Norton, “The Trial of William Goodman, 1730,” *Homosexuality in Eighteenth-Century England: A Sourcebook* (2001) <http://www.rictornorton.co.uk/eighteen/1730good.htm>

²² Thompson seems to be at least of the middling sort, as several “Gentlemen and Persons of Reputation” spoke on his behalf at the trial, while Goodman appears to be far less fortunate. He had “no Money” and could only call the “Boy that draws Wine at the Inn” where he lodged as a character witness to his defense.

streets, clubs, and pubs enabled the men to encounter one another in public and form affectionate – even if short-lived – bonds of sociality. Although Duffus and Goodman both desired sex, relations of intimacy between strangers were not limited to men who pursued other men for sex but part of a broader structure of civility and familiarity among men in public. Like Leader, Thompson did not suspect any sexual intentions on his newfound acquaintance’s part. Forms of intimate sociality between men were not perceived as inherently sexual even if they could, and as some men hoped would, become so.²³

As part of London’s urban development, the city’s parks became increasingly accessible to various social classes. St. James’s Park, for example, was originally created from land enclosures in the 16th century as a deer park for members of the court, but reconstructions in the late 17th century, which included the creation of a separate entrance for the public, extended access beyond the aristocracy.²⁴ As part of these reconstruction efforts, the city built benches along the avenues of the park, which made possible not only increased opportunities for socialization but also for sex. Sitting down next to strangers and initiating a conversation, men would sometimes insinuate or directly propose sex. This would be done either earnestly or as a set-up for blackmail and robbery, as unsuspecting victims would be taken somewhere hidden and ambushed by a group of men who would either rob them or threaten to report them for sodomy unless they paid.²⁵

As with park benches, the construction of an increasing number of public toilets across the city also provided new possibilities for intimacy between strangers.²⁶ As depicted in a mid-century

²³ For a similar case, see the trial of John Twyford, July 1745 (17450710), *Old Bailey Proceedings Online* [accessed 15 October 2022].

²⁴ Edward Walford, *Old and New London: Volume 4* (London: Cassell, Petter & Galpin, 1878), 47-60; on Hyde Park’s development, see pages 375-405. (not until 19th century that park was lighted with gas at night).

²⁵ See *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 01 June 2022), December 1718 (17181205), trial of John Bowes and Hugh Ryly. On sodomy as a tactic of blackmail and robbery, see Randolph Trumbach, “Blackmail for Sodomy in Eighteenth-Century London,” *Historical Reflections / Réflexions Historiques*, 33, 1 (2007): 23-39.

²⁶ Danielle Thom, “Pleasurable relief: toilets in 18th century London,” *Museum of London* (2017) [accessed January 2023]: <https://www.museumoflondon.org.uk/discover/pleasurable-relief-toilets-georgian-london>. Common “houses of easement” had existed since at least the 13th century. See, Ernest Sabine, “Latrines and Cesspools of Medieval London,” *Speculum* 9.3 (1934): 303–321; Lawrence Wright, *Clean and Decent: The Fascinating History of the Bathtub and the Water Closet* (New York: Viking Press, 1960), 50.

satirical representation of a Scottish soldier's misuse of a London bog-house (fig. 14), the common privy featured benches with open holes for defecation. Lacking partitions separating the space into



Fig. 14. “Sawney in the bog-house.” Produced by Charles Mosley, 1745. Department of Prints and Drawings, British Museum Cc,3.141.

private cubicles, the privy house was a site of sociality and even used by contemporaries as a “metaphor for the public sphere.”²⁷ In 1701, a young man went into the Lincoln’s Inn Bog House and was greeted by its current occupant, who “entered into a discourse with” him. The man was unbothered by the conversation and the “great kindness” the stranger showed him until “an Attempt to force him” to “Commit the filthy Sin of Sodomy” led the man to call out for help.²⁸ Primarily frequented by men,²⁹ even the seemingly ‘private’ space of the public toilet provided opportunities for sociality between men, and with this, increased possibilities for sex.³⁰

Street pavements, park benches, common toilets, dark alleyways, and shared beds formed the material links of a larger network of pubs, clubs, and coffeehouses that made up an emerging public

²⁷ Mark Jenner, “Sawney’s seat: the social imaginary of the London bog-house, c.1660-c.1800” in *Bellies, Bowles and Entrails in the Eighteenth Century*, (eds.) Rebecca Anne Barr, Sylvie Kleiman-lafon and Sophie Vasset (Manchester University Press, 2018), 101-127, quote is from pg. 116.

²⁸ *The London Post*, 20-24 June 1701. Cited in Norton, “Early Newspaper Reports, 1700-1720,” *Homosexuality in Eighteenth-Century England: A Sourcebook* (2020): [accessed January 2023]: <<http://www.rictornorton.co.uk/1700news.htm>>. On the history of the Lincoln’s Inn Bog house, which contained three doors entering onto pairs of cubicles facing each other, see Norton, “The Lincoln’s Inn Bog House,” March 2020 [accessed: January 2023]: <https://rictornorton.co.uk/though12.htm>

²⁹ Although men were likely the most common users, women did use public toilets, as suggested by a record of graffiti written “in a Woman’s Hand” on the walls of a bog-house at Hampton Court in *The Merrythought Or The Glass-Window and Bog-House Miscellany*, Part I (London: 1731). In 1421, Richard Whittington, Lord Mayor of London, constructed a house of easement featuring two gender-segregated longhouses each containing 64 seats for members of the ward. After the 1666 London Fire destroyed the building, the longhouse was rebuilt with 12 seats. Phillip E. Jones, “Whittington’s longhouse,” *London Topographical Record*, 23 (1972, published 1774), 27-34. More gender-segregated toilets seem to have been built in the later 18th century but judging by the 19th century campaign led by the Ladies Sanitary Association to build more public toilets for women, there were not many. For an illustration of an 18th century women’s common house, see “The inside of the lady’s garden at Vauxhall,” 1788. *British Museum* 1935,0522.4.37.

³⁰ For sex in bog-houses, see Trial of Samuel Taylor and John Berry, *Old Bailey Proceedings Online* (08 October 2022), February 1738 (17380222); Trial of James Hunt and Thomas Collins, *An account of the proceedings on the King’s Commissions of the Peace, Oyer and Terminer, and Goal Delivery, hold for the country of Surry, at Kingston upon Thames* (London, 1743), 13. The public latrine was also used for robbery on pretense of sex. See, *A compleat collection of remarkable tryals of the most notorious malefactors, at the sessions-house in the Old Bailey, for near fifty years past*, Vol. II, (London, 1718), 123-4.

sphere in 18th century England. These public infrastructures enabled new relations of bodily proximity and intimate sociality underpinning a Habermasian vision of the public as a space of communicative exchange. Bringing together mainly men from different social classes, these sites tended to militate against the hierarchies of rank and status. Why should a man “have half a Street to carry him at his Ease ... when as good a Man as himself wants Room for his own Person to pass,” complains Isaac Bickerstaff. There is “no Reason upon Earth but that they are rich,” he explains, that would make men so “insolent” as to “ascend triumphant Chariots, and ride through the People.”³¹ Carriages cut across public space and enabled the rich to physically elevate themselves above others. Since walking in the street put men on an equal footing, so to speak, Bickerstaff portrays the open space of the street as levelling geographies of class difference. As his reference to “the People” suggests, apparatuses such as carriages created and displayed vertical relations of distinction that contravened the horizontal organization of a democratic public.

As Bickerstaff’s complaints indicate, class distinctions did not disappear in public space. In addition to using carriages, the nobility claimed a “right to the wall” while walking in the street (the wall being the least dirty place) and guarded against intrusions into their social company from the lower orders while promenading through parks.³² Nonetheless, the development of public infrastructures of intimacy brought together men in ways that put pressure on embodied forms of class distinction that metaphorically and literally separated men. As John Dunton remarked in the early 18th century, men these days are all “strangely mix’d, a *Hodge-Podge*, nothing else. / Here’s *Knight* and *Chimney-Sweeper* at a Board, / A *Porter’s* there, Conjumbld with a *Lord*.”³³ Whether promenading together down avenues in the park and moving as part of a crowd in the street, men of different classes appeared to mix

³¹ *The Tatler*, number 144, March 9-11, 1710, London, England.

³² Alison F. O’Byrne, *Walking, Rambling, and Promenading in Eighteenth-Century London: A literary and Cultural History* (PhD Dissertation, The University of York, 2003), 107-110, 124-6, 143-147.

³³ John Dunton, *Bumography: Or, A Touch at the Lady’s Tails, Being a Lampoon (privately) dispers’d at Tumblebridge-Wells* (London: 1707), 50.

indiscriminately in public. The construction of public infrastructures thus made possible new kinds of bodily intimacy between men that tended to erode traditional forms of decorum and etiquette that upheld class hierarchies.

As the material support for new forms of social equality, public infrastructures of intimacy also made it increasingly possible for anonymous men to meet, become friendly, and, if so desirous, solicit sex. Even though only a minority of encounters between strangers likely resulted in sexual propositions, sex remained an immanent possibility of new forms of public sociality. In December 1720, the *London Journal* reported of a “Gentleman meeting another on the Royal Exchange,” who despite being a “Stranger to him before ... told him, he was captivated with the fineness of his Person, and then declared himself in favour of the Crime of Sodomy; and warmly solicited him for his Company to an adjoining Tavern.”³⁴ This was likely a fictionalized account, as sodomites were rarely so brazen in their pickups and tended to use more subtle tactics.³⁵ Nevertheless, trial records and popular accounts did reveal how men “making water” in an alleyway or walking along a bridge were approached by strangers and propositioned for sex, and newspapers reported complaints of men “attempting to commit Sodomy ... in the open Street.”³⁶ Whether fictional or real, such stories not only portrayed a culture of openness between strangers in the city that made it imaginable for anonymous men to meet and

³⁴ *London Journal* 24–31 December 1720. The story goes on to describe how the gentleman agrees to join him but organizes a mob “to punish and put him to shame.” This story is a modified version of similar narrative from Alexander Smith, *The Third Volume of the Complete History of the Lives, Robberies, Piracies, and Murders committed by the Most Notorious Rogues* (London, 1720), 329–330.

³⁵ One informant explains the art of the pickup as follows: “I takes a Turn that way, and leans over the Wall. In a little Time the prisoner passes by, and looks hard at me, and, at a small Distance from me, stands up against the Wall, as if he was going to make Water. Then by Degrees he fiddles nearer and nearer to where I stood, ‘till at last he comes close to me. ---- *Tis a very fine Night*, says he; *Aye*, says I, *and so it is*. Then he takes me by the Hand, and after squeezing and playing with it a little (to which I shewed no dislike) he conveys it to his Breeches, and puts ---- into it.” *Select Trials at the Sessions-House in the Old Bailey*, vol III (London, 1742), 39. See also, *Trial Examination and Conviction of several Notorious Persons call’d SODOMITES* (London, 1707); “Ordinary of Newgate’s Account, December 1744,” OA17441224, *Old Bailey Proceedings Online* [accessed October 2022].

³⁶ *Daily Journal*, 17 January 1722. See also, *The Trial and Conviction of several Reputed Sodomites* (London, 1707); Smith, *The Third Volume of the Complete History*, 330; *Select Trials at the Sessions-House in the Old-Bailey*, Vol. I, From December 1720, to October 1723; For accounts of blackmail, see May 1719, trial of Stephen Margrove John Wood (t17190514-42), *Old Bailey Proceedings Online* [accessed 05 May 2022]; April 1722, trial of James Tims (t17220404-18), *Old Bailey Proceedings Online* [accessed 6 June 2022]; *Select trials at the Sessions-House in the Old-Bailey*, Vol. II (Dublin, 1742), 174; *The Proceedings at the Sessions of the Peace ... on friday the 28th, Saturday the 29th, and Monday the 31st of August, and Tuesday the 1st of September, 1730 ... No. VII* (London, 1730), 20.

have sex, but they also produced an atmosphere of suspicion surrounding the kinds of fraternal conviviality taking place in public.

While some historians of sexuality argue that during the 18th century “it began to be felt that it was impossible for the average, normal male to feel any sexual desire for another male,” attention to public infrastructures of intimacy reveals that sodomitical desire posed a threat to all men in public.³⁷ Far from being congenitally impervious to its pleasures, contemporaries argued that one could become “addicted to” sodomy.³⁸ Those arrested for the crime confessed to having “been seduc’d to that Practice.”³⁹ As George Haggerty rightly puts it, sodomy was “dangerously seductive.”⁴⁰ With the development of the public sphere and the opportunities it afforded for sex, sodomites were portrayed as eagerly pursuing men, enticing them, and creating “new Convert[s]” to sodomy’s pleasures.⁴¹ Newspapers reported with alarm that the “vile Practices of *Sodomy* ... has of late Years spread like a Contagion.”⁴² “Like a snowball which gathers as it goes,” sodomy has “spread itself far and wide.”⁴³ Sodomy was, therefore, not a private act but a part of those “Publick Impieties” plaguing the public sphere.⁴⁴ All men were believed to be susceptible to sodomy and an increasing number were, it seems, turning toward its pleasures.

³⁷ Trumbach, “Birth of the Queen,” 130. See his fuller elaboration in *Sex and Gender Revolution*.

³⁸ Smith, *The Third Volume of the Complete History*, 331; *Old Bailey Proceedings Online* (14 October 2022), *Ordinary of Newgate's Account*, December 1744 (OA17441224). Caledonian Mercury, 7 December 1731. Newspaper Reports, 1731”, *Homosexuality in Eighteenth-Century England: A Sourcebook* (2022) <<http://www.rictornorton.co.uk/eighteen/1731news.htm>>.

³⁹ *The Tryal and Conviction of several Reputed Sodomites* (London, 1707).

⁴⁰ Haggerty, “Keyhole Testimony,” 128.

⁴¹ *Weekly Journal or British Gazetteer*, May 7, 1726, London, England Issue: 54; reprinted in *Hell upon Earth: or the Town in an Uproar. Occasion'd by the late horrible Scenes of Frogerie, Perjury, Street-Robbery, Murder, Sodomy, and other shocking Impieties* (London: Printed for J. Robertys in Warwick-Lane and A Dodd Without Temple-Bar, 1729), 43.

⁴² *Weekly Journal or British Gazetteer*, May 14, 1726, London, England Issue: 55; John Astruc, *A Treatise of the Venereal Disease in six books* (London, 1737), 142; John Marten, *A Treatise Of all the Degrees and Symptoms of the Venereal Disease, in both Sexes* (London, [1708/9?], 68; *Satan's harvest home: or the Present State of Whorecraft, Adultery, Fornication, Procuring, Pimping, Sodomy, And the Game at Flatts* (London: printed for the editor, and sold at the Change, St. Paul's, Fleet Street, by Dod against St. Clement's Church, 1749).

⁴³ *Weekly Journal or British Gazetteer*, May 7, 1726, London, England Issue: 54; *Hell upon Earth: or the Town in an Uproar* (London, 1729), 43; *Weekly Journal or British Gazetteer*, May 14, 1726, London, England Issue: 55; *Newcastle Courant*, Saturday, 13 June 1730; See also, *Ipswich Journal* 3 Rictor Norton, “Newspaper Reports, 1743,” *Homosexuality in Eighteenth-Century England: A Sourcebook* (2020), [accessed January 2023]: <http://rictornorton.co.uk/eighteen/1743news.htm>

⁴⁴ *The Sodomites Shame and Doom, Laid before them with a great Grief and Compassion* (London, 1702), 3.

Public infrastructures of intimacy thus made it increasingly possible for men to meet and convert other men to the sin of sodomy, and so moral reformers argued that “We ought to take care that none of our Bretheren be drawn aside, to Commit Fornication with these Children of Sodom.”⁴⁵ Consequently, it became necessary to distinguish that “Beastly Fraternity” from the proper relations of fraternal love that ought to exist between men.⁴⁶ On first glance, the carnal pleasures of sex seemed to be an obvious distinction. Although sodomites “exclude All Women from their Interlude” like any fraternal society, John Dunton argued that unlike good Christian men, sodomites “act what’s carnal, vile, and rude” with their brothers.⁴⁷ Yet, the line separating sodomy from fraternity was not so clear. “I search for you every Morning, but *can find you no where but in my heart,*” Dunton wrote to an unnamed friend, as he dreams of the two men walking together and seeing “pretty Birds incessantly dancing on the Branches, *Making Love.*”⁴⁸ Like his masonic contemporaries, Dunton’s fraternal reveries appear strikingly erotic. “Making Love” could not only denote flirtation, courtship, and sex, but it was also the erotic grammar used by sodomites to describe their activities.⁴⁹ At the molly house of Margaret Clap, one informant explains that he “found between 40 and 50 Men *making Love to one another, as they call’d it.* Sometimes they would sit in one another’s Laps, kissing in a Lewd Manner and using their Hand indecently.”⁵⁰ Employed by both sodomites and their critics, ‘making love’ signified not just sex but a larger world of fraternal intimacy and affection, both licit and illicit.

As the shared use of ‘love’ suggests, contemporaries had difficulty clearly distinguishing between the immoral love of sodomites and the manly love of friends. In an anonymous travel account

⁴⁵ Aaron Adkins, *The Quakers Sermon: Held forth Against the London Sodomites, at the Mull and Mouth Meeting-House Near St. Martins Le Grand; On Sunday the 2d of November, 1707* (London: printed for Aminadab Whitehead, 1707), 3, 4. The idea of sodomy as an addictive habit remained present in theological discourse into the 19th century. See Cocks, *Visions of Sodom*, 201.

⁴⁶ *The Weekly Journal: or, The British Gazetteer*, 14 January 1727 Issue 88

⁴⁷ John Dunton, *He-Strumpets: A Satyr on the Sodomite-Club* (London: 1707), 95. Dunton was part of one such fraternal society, The Athenian Society, which he founded with three other “*Athenian Brethren*” in 1691 to write and publish the periodical *The Athenian Mercury*. See, John Dunton, *The Life and Errors of John Dunton, Citizen of London*, vol. 1 (London: 1818), 190.

⁴⁸ Dunton, *Bumography: Or, A Touch at the Lady’s Tails* (London: 1707), xx.

⁴⁹ “a. to make love” OED Online. December 2022. Oxford University Press. <https://www-oed-com.proxy.uchicago.edu/view/Entry/110566?redirectedFrom=making+love> (accessed January 22, 2023).

⁵⁰ *Select Trials at the Sessions-House in the Old Bailey ... From the year 1720, to this Time* (London, 1742), 37, emphasis added.

through London in 1728, the author recounts a conversation he had with a “young fellow” who struck up a conversation when the two men were sitting on a bench near St. James’s Park.

[The stranger sitting beside me spoke] about the Weather, and the Times, and then proceeded to talk of what brotherly *Love* and *Affection* Men ought to bear to one *another*; he complained grievously of the Lewdness of Women, and the Inconveniences that the Male Sex too frequently brought themselves into, by a too free *Conversation* with them, and inveigh’d bitterly against some late *Proceedings* of the *Law*; adding, if a speedy Stop was not put thereto, there would be an end of *Society*; he invited me to his Lodgings, and said a great many soft and kind Things to me.⁵¹

Regardless of its truth, this episode draws on London’s public culture of intimacy and openness between men. Chiding the company men share with women, the young man lauds the virtues of “brotherly Love and Affection” as the affective glue holding society together. Although the author does not describe the young man as a sodomite, the contents of the title page indicate that he is.⁵² As such, the “late Proceedings of the Law” that the man denounces likely refer to the raids against molly houses in the previous years. Inverting apocalyptic visions of sodomy, he argues that legal crackdowns against brotherly love-*qua*-sodomy risk the “end of *Society*.” The text’s republication a decade later makes its class elements more explicit, as the young man is now identified as a baronet who argues that if the suppression of brotherhood continues “there would be an end of *Fellowship* and *Society*.”⁵³ Like in the enclosed space of the masonic lodge, this conversation between men out in public blurs the distinction between sodomy and fraternal comradery across class. Indeed, the author’s lack of commentary regarding their interaction only exacerbates the ambivalence, as he neither disagrees with the man’s comments nor displays any hesitation concerning his flirtatious compliments (“he said a great many soft and kind Things to me”) and invitation to his lodgings.

⁵¹ *A Trip Through London: Containing Observations on Men and Things*, third edition (London, 1728), 15

⁵² The topics covered in the title page include a “remarkable Controversy between a Bawd and a Sodomite, on one of the Seats near Buckingham-House,” which this episode details.

⁵³ A baronetcy was a hereditary title created by James I as a means of raising funds for the crown. That the sodomite is now identified as a baronet suggests that he possibly bought the title, and thus lacks ancestral claims to nobility. A True-Born Englishman, *A Ramble Through London: Containing Observations on Men and Things ... [including] A Conversation between a Sodomitical Baronet, a Bawd, and the Author, on a Bench in St. James's Park*. London, 1738, 15.

It was not just the discourse of brotherly love that muddied the symbolic distinctions between fraternity and sodomy but also its bodily practices. When Duffus was in bed with Leader and began “hug and kiss” him, Leader did not immediately perceive this as a sodomitical act and so “asked him what he meant by it.”⁵⁴ As explored in previous chapters, gestures of intimacy and affection between men, whether at the royal court or masonic lodge, were overdetermined with meaning. A kiss between men did not necessarily have sexual implications and could signify a range of possible relations, such as favoritism, patronage, or brotherhood. In David Garrick’s 1747 comedy about courtship, *Miss in her Teens*, the protagonist’s servant meets another suitor’s servant and exclaims, “My dear Friend!” and the stage directions read “*Kisses him.*”⁵⁵ While the play also features a foppish suitor who is mocked for his effeminacy and possible association with sodomites, there is no indication that the audience would interpret this kiss as unmanly or sodomitical. It was, rather, part of the common practices of civility between men. As the servant explains, the two men “always kiss, and shake Hands” when they meet even though they “hated one another heartily.”⁵⁶

The difficulties of disambiguating the discursive and corporeal signs of sodomy from fraternity led to the belief that sodomites roamed around openly in public. Sodomites are “so impudent, to ply on the *Exchange*; / And by day-light the piazza’s of *Covent-Garden* to range,” complained one anonymous poet.⁵⁷ According to the author of *Plain Reasons for the Growth of Sodomy*, the recent “*Fashion*” of men kissing men enables sodomites to flaunt themselves in public and escape censure under pretext of “good *Manners.*” He writes that “*Catamites* make their preposterous *Addresses*, even in the very *Streets*; nor can any thing be more shocking, than to see a couple of *Creatures*, who wear the Shapes of *Men*, *Kiss* and *Slaver* each other, to that Degree, as is daily practiced even in our most publick Places; and

⁵⁴ *Select trials at the Sessions-House in the Old-Bailey ...* Vol. I, From December 1720, to October 1723 (Dublin, 1742), 101. In the Old Bailey records, Leader reports that Duffus “began to kiss and embrace the Prosecutor, thrust his Tongue in his Mouth, called me his dear Friend.” Trial of George Duffus (t17211206-20), December 1721, *Old Bailey Proceedings Online* (accessed June 2022).

⁵⁵ David Garrick *Miss in her teens: or, the medley of lovers. A farce in two acts* (London, 1747), 3.

⁵⁶ *Ibid.*, 5.

⁵⁷ Henry Playford, *Wit and mirth: or, pills to purge melancholy*, vol. III (London, 1707), 67

(generally speaking) without Reproof.”⁵⁸ According to the author, it was not just sodomites who kissed each other in public, but all men of fashion who follow good manners. By using these new gestures of public address and acknowledgment, sodomites were believed to be hiding in plain sight because the public gestures of sodomy were indistinguishable from the everyday practices of courtesy between men.

Given this indistinction, many men and women were alert to the possibly perverse meanings that could accompany ordinary gestures of affection between men. At the trial of Richard Manning and John Davis in 1745, Sarah Holland explained that the men came to the inn that she and her husband managed and, after serving them, she peeked through the partition to see them

sitting facing one another with their knees jammed in together. I said to my husband, I believed they were sodomites. Then I looked through a thin curtain and saw them kissing one another. A little after I looked in again, and saw Manning’s hand in Davis’s breeches . . . they kissed one another for some time, and then Davis opened his breeches. I had not patience any longer, and called Robert Wright, and said, I have heard talk of sodomites, and I believe these are some. Wright said he had not patience; I looked again, and saw them acting as man and woman: — I saw them act as such. Then I lifted up my sash, thinking they would go away. *What do you mean*, said I, *by 2 men acting as man and woman*.⁵⁹

Holland’s speculation that Davis and Manning were sodomites begins before the men start to kiss. It was the intimacy of their sitting position – the two men facing one another with their legs touching and knees jammed – that provoked her suspicion. Yet, even after they begin kissing and undoing their breeches, Holland still harbored doubts, and it was not until she saw the pair having sex (“acting as man and woman”) that she interrupted them, no longer suspecting but convinced that they were sodomites. Even as seemingly minor expressions of affection could incite doubt about the propriety of men’s relations, Holland could not clearly distinguish the gestures that signified fraternal love from sodomitical lust. The combination of Holland’s suspicion and uncertainty discloses the ambiguity of

⁵⁸ *Plain Reasons for the Growth of Sodomy, in England* (London, [ND]), 12-13.

⁵⁹ *The Proceedings on the King’s Commissions of the Peace, . . . held at Justice-Hall in the Old-Bailey, on Wednesday the 16th, Thursday the 17th, and Friday the 18th, of January* (London, 1744), 75-6 in *Homosexuality in Eighteenth-Century England*, (ed.) Rictor Norton (2015): <http://rictornorton.co.uk/eighteen/1745mann.htm> [accessed June 2023].

men's public intimacy, as every gesture of fraternity could be – even if many often were not – an action approaching the sodomitical act of penetration.⁶⁰

Not every man who joined a masonic lodge, sat on a park bench, used a public toilet, or invited a stranger for a drink did so in pursuit of sex. While some men certainly did, attention to the public infrastructures of the city reveals how an emerging public sphere made possible new forms of egalitarian intimacy between men in general, regardless of sexual desire. Although homosexuality in the 18th century was reconceptualized as an “appropriation of urban space generating unique forms of sociality and culture centered around stranger intimacy,” homosexuals by no means monopolized stranger intimacy, which was a broader condition of a developing urban public.⁶¹ Since the kinds of egalitarian intimacies formed in public risked becoming too close and intimate, homosexuality remained an immanent potential of every relation of fraternal affection between men. Sodomy was not a distinct type of desire so much as a corrupted form of brotherly love to which men were susceptible. Sodomy constituted a negative image of fraternity, and like the negative of a photo, its contours seemed all too like the world it inverted. Historiographical narratives that posit the emergence of an ontological binary between heterosexuality and homosexuality thus risk positing a clear and stable difference between hetero- and homo-sexual forms of intimacy among men, but the problem of sodomy is that heterosexuality was not, and never has been, settled. Heterosexuality is not a given and stable norm from which homosexuality deviates. Rather, it is the sexual norm that is formed in and through its deviance.

II. Freedom Among Equals: Defending and Practicing Sodomy

⁶⁰ Like touching knees, taking a walk together could also incite suspicion. In a 1744 trial for blackmail, one thief-turned-witness explained that they knew the victim was a sodomite because “*had you not been that Way given, you had not come with him?*” on a walk. In the ordinary’s editorial comments to the trial, he adds: “indeed [it] was true”; being asked “whether they should take a Walk together” is “the usual Phrase, it seems, among such Gentry, for entering into *close Conversation.*” Ordinary of Newgate’s Account, December 1744, (OA17441224), *Old Bailey Proceedings Online* [accessed October 2022].

⁶¹ Chitty, *Sexual Hegemony*, 166.

In facilitating stranger intimacy in public, the development of new forms of egalitarian sociality not only increased the opportunities for sodomy but also, as I argue in this section, transformed its meaning. In early modern England, patriarchy was the dominant model for the exercise of power, whether for the father in the household or the king at court. A patriarch's authority extended over the bodies of his subordinates, and although its reach was a matter of debate, sex with either male or female subordinates was believed to be a prerogative of patriarchy.⁶² Like the king's prerogative to suspend the law – a power the king held but ought not to abuse – good household government required husbands and fathers to exercise care and restraint over subordinates and not abuse them, sexually or otherwise. Historians suggest that 'homosexual' relations between superiors and subordinates were not uncommon in early modern England, even though there were less than ten indictments for the crime over the 16th and 17th centuries.⁶³ These sodomy cases primarily involved relations between masters and subordinates where sex constituted a breach of patriarchal prerogative, involving either an excessive use of violence or a disruption to property rights.⁶⁴ Relations of intimacy and sex between men thus became a juridical issue when it fell outside the economy of pederasty and transgressed normative relations of hierarchical rule.⁶⁵

The emergence of a new ideology of fraternal equality at the turn of the 18th century marked a dramatic inversion of sodomy's meaning. Whereas sodomy historically signified a sexual relation between unequals that threatened naturalized hierarchies of status, over the course of the century

⁶² Laura Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (Yale, 2003), 60-65; Young, *King James and the History of Homosexuality*, 64. Given the tendency to occlude sex between men in the study of patriarchy, Thomas King prefers the term 'pederasty' to describe men's erotic subjection to higher-placed males, see King, *The Gendering of Men*, vol. 1, 28-36.

⁶³ Since the introduction of the Act of Buggery in 1533 until 1700, only nine men appear to have been indicted for sodomy: Nicholas Udall (1541); Casiodoro de Reina (1563); Humfrey Stafford (1607); The Earl of Castlehaven (1631), Lawrence Fitz-Patrick (1631), John Atherton (1640); John Childe (1640); Domingo Cassedon Drago (1647); Edward Rigby (1698). See also, Norton, *Mother Clap's Molly House*, 16-18; Cocks, *Visions of Sodom*, 109, 112; Tim Hitchcock, *English Sexualities, 1700-1800*, 61.

⁶⁴ Bray, *Homosexuality in Renaissance England*, 71-4; King, *The Gendering of Men*, vol. 1, 38-42. Herrup, *House in Gross Disorder*, 33, 36-7.

⁶⁵ In his influential article, "Homosexuality and the Signs of Male Friendship in Elizabethan England," *History Workshop Journal*, 29, 431 (1990): 1-19, Alan Bray argued that men's intimacies could be recoded as sodomy when the relationship was perceived to transgress social hierarchies. See also, Goldberg, *Sodomities*, 47-8, 118-120; Valerie Traub, "Friendship's loss: Alan Bray's Making of History" in *Love, Friendship and Faith in Europe, 1300-1800* (eds.) Laura Gowing, Michael Hunter, and Miri Rubin (London: Palgrave, 2005), 15-42.

sodomy came to describe a sexual relation between equals that threatened to impose rather than subvert a relationship of hierarchy. As we saw in Chapter Three, the political imaginary of Locke's social contract figured adult men as earthly owners of their bodies. The claim to self-possession formed the basis for new relations of freedom and equality, as the social contract aimed to guarantee each man's recognition of other men as propertied owners in possession of their own and women's bodies. Consequently, sodomy signified an infringement on men's natural freedom and equality as brothers. It represented a remnant and reminder of a patriarchal system in which some men possessed and could abuse other men's bodies. As such, sodomy endangered the natural equality of brothers by threatening to reintroduce relations of patriarchal hierarchy and domination.

In the early 1700s, men seeking sex with men started to take up these ideas of fraternal equality and give new meaning to the practice of sodomy, reconceiving of sex between men as an expression of, rather than danger to, the natural equality of men. Although few men set out in writing the justifications for their homosexual practices, testimonies from constables and undercover informants indicate that in the early 18th century sodomites began to articulate proprietary claims to self-ownership. "No, I will not go thither," one gentleman cruising in St. James's Park allegedly said after having been led to an area notorious for the robbery of sodomites, "for there are always a Knot of Villains upon the Watch, to make a Property of such as we."⁶⁶ According to Locke, robbery initiates a state of war because it entails the loss of a man's autonomy. A thief takes "[me] into his Power without my consent, [and] would use me as he pleased."⁶⁷ As such, a thief robs his victims of the self-possession they have in their own body. As the gentleman-sodomite explained, robbery turns men into property.

⁶⁶ Ordinary's Account, December 1744, *Old Bailey Proceedings Online* (www.oldbaileyonline.org), OA17441224. [*The Ordinary of Newgate, His Account of the Behaviour, Confession, and Dying Words of the Malefactors Who were Executed at Tyburn on Monday the 24th of December, 1744.* London: Printed and Sold by John Appelbee in Bolt-Court, near the Leg-Tavern, Fleet-street, M.DCC.XLIV]

⁶⁷ Locke, *Two Treatises of Government*, II, §17.

Although Locke's arguments that "every Man has a Property in his own Person, [which] no Body has any Right to but himself"⁶⁸ were geared towards production and a labor theory of value, sodomites put forward similar proprietary claims to defend their sexual activities. When John Bowes, a woolen-draper turned housekeeper, was caught having sex in Covent Garden with Hugh Ryly in 1718, the two men were berated by their captors for "so vile a practice[, to which] Mr. Bowes reply'd, *Sirrah what's that to you, cant I make use of my own Body? I have done nothing but what I will do again.*"⁶⁹ Similarly, when William Brown was caught cruising in Moorfields in 1726, the arresting constables reported that Brown told them, "*I think there is no Crime in making what use I please of my own Body.*"⁷⁰ Although queer theorists like Leo Bersani have argued that in cruising for sex, men "renounce self-ownership" to a community of strangers, these second-hand statements reveal how sodomites in fact claimed a right in and to their bodies, asserting self-ownership to justify their sexual practices.⁷¹ As members of the lower and middling ranks, these men worked for others and were positioned in economic relations of subordination, but they claimed possession of their bodies and articulated a freedom to use them as they pleased. Unlike robbery, then, sodomy did not necessarily violate a man's consent. Far from transforming men into property, sodomy signified not the loss of a man's bodily autonomy but its expression.⁷²

For many advocates of a fraternal economy of ownership, sodomy conjured up the specter of patriarchal possession and abuse of the property men are said to have in their own bodies. Consensual sodomy was a paradox akin to voluntary servitude.⁷³ Since no reasonable subject could willingly consent to sodomy, the law considered it an offense of assault, whether actual or attempted, "in and

⁶⁸ Locke, *Two Treatises of Government*, II, §27.

⁶⁹ Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 01 June 2022), December 1718 (17181205).

⁷⁰ *Select Trials at the Sessions-House in the Old Bailey*, vol III: April 1726, to May 1732 (London, 1742), 40.

⁷¹ Leo Bersani, *Homos* (Harvard University Press, 1995), 128.

⁷² See also William Huggins defense in *The Tryal and Conviction of several Reputed Sodomites* (London, 1707).

⁷³ Marc Schachter, *Voluntary Servitude and the Erotics of Friendship: From Classical Antiquity to Early Modern France* (Routledge, 2008).

upon the Body of' a subject.⁷⁴ In employing claims of self-possession, however, sodomites took a certain strand of liberal political theory to its conclusion. Like Locke, they too rejected a patriarchal economy of sexual subordination and claimed to be independent owners of their bodies who were at liberty to engage in consensual relations with others. Unlike Locke, they did not portray sodomy as the violation of the body but its freedom. These justifications gave new meaning to sodomy as a free relation between equals. Forming a part of how men made sense of and defended their sexual relations with other men, these ideas of equality were also realized in the practice of sodomy itself. Attention to men's sexual practices shows that fraternal equality was not (just) an abstract principle but an embodied concept materialized in the most seemingly 'private' and intimate practices between men. After all, there is "no orgasm without ideology."⁷⁵

From ancient Greece to late Renaissance Europe, sex in Western Europe involving a man tended to be defined by stark differentials of power.⁷⁶ Whether between a man and a woman or a man and a boy (defined not by age so much as the social status of bachelorhood), patriarchal and pederastic sex was, as David Halperin explains, "an asymmetrical gesture, that of the penetration of the body of one person by the body – and, specifically, by the phallus – of another."⁷⁷ "This is sex as hierarchy, not mutuality."⁷⁸ By the early 1700s, a new sexual style began to supplement and even overshadow the older hierarchical ways in which sex took place. In developing urban capitalist cities such as Paris and London, trial records reveal increasing evidence of sodomites who desired and partook in both the 'active' penetrative and 'passive' receptive roles without much regard to distinctions of age, rank, or

⁷⁴ *Select trials at the Sessions-House in the Old-Bailey ... From the year 1720, to this time*, Vol. I (Dublin, 1742), 103

⁷⁵ David M. Halperin, *How to Do the History of Homosexuality* (University of Chicago Press, 2002), 103.

⁷⁶ For Ancient Greece, see David Halperin, *One Hundred Years of Homosexuality* (Routledge, 1990). For Renaissance Florence, see Michael Rocke, *Forbidden Friendships*; Chitty, *Sexual Hegemony*, 49-49. For early modern England, see Jeffrey Masten, *Textual Intercourse: Collaboration, Authorship, and Sexualities in Renaissance Drama* (1997), 36. For a review of early modern Europe, see Randolph Trumbach, "Are Modern Western Lesbian and Gay Men a Third Gender?" in *A Queer World: The Center for Lesbian and Gay Studies Reader* (ed.) Martin Duberman (New York University Press, 1997), 87-99.

⁷⁷ David Halperin, "Sex before Sexuality", 49.

⁷⁸ Halperin, *How to do the History of Homosexuality*, 115.

status.⁷⁹ In 1726, for instance, constable Joseph Sellers testified that when he was undercover in Mother Clap's molly house, Martin Mackintosh "swore that he'd go forty Miles to enjoy me, and begg'd of me to go backwards and let him. But I refusing, he pull'd down his Breeches, and offer'd to sit bare in my Lap," suggesting that Sellers could enjoy him "backwards."⁸⁰ Similarly, Jonathan Parrey explained that when he met Isaac Milton at Miss Muff's molly house, Milton "would have had [Parrey] committed Sodomy with him," but Parrey refused, and so instead Milton "offered to act the same Crime of Sodomy with him."⁸¹ Many men began to express desires for mutual penetration rather than valorize one sexual position over the other. Against an older vertical structure in which some men were on top of and exclusively penetrated others, there emerged new horizontal relations of sexual reciprocity and exchange.

Scholars of lesbian studies have warned that an analysis of sex that centers a phallogocentric lens of penetration risks obscuring many other forms of erotic intimacy, especially between women.⁸² Indeed, sodomites displayed a wide variety of reciprocated sexual practices, such as kissing, stroking, fondling, mutual masturbation, and oral sex.⁸³ Yet, such practices also existed without apparent contradiction in an earlier phallogocentric regime of penetration. Just as the king could touch his subjects without seeming to be touched by them, so too could a higher status man kiss, touch, and even fellate a lower status youth without disturbing his authority.⁸⁴ Despite their seeming reciprocity, these practices did not threaten the asymmetrical relations of status based on the phallic penetration of the

⁷⁹ For England, see Norton, *Mother Clap's Molly House*, 101, 108; Trumbach, "The Birth of the Queen"; Trumbach, "Are Modern Western Lesbian and Gay Men a Third Gender?" 88-91; For Paris, Michel Rey, "Parisian Homosexuals Create a Lifestyle."

⁸⁰ *Select Trials at the Sessions-House in the Old Bailey*, Vol III: April 1726, to May 1732 (London, 1742), 36.

⁸¹ *Old Bailey Proceedings Online* (February 2023), October 1728 (17281016).

⁸² Traub, *Renaissance of Lesbianism*.

⁸³ *The State of Rome Under Nero and Domitian: A Satire* (London, 1739), 7; Marten, *A Treatise Of all the Degrees and Symptoms of the Venereal Disease*, 68-9; trial of John Dicks (t17220404-29), *Old Bailey Proceedings Online* (April 1722) [accessed June 2022]; Trial of Richard Manning and John Davis (t17450116-17). *Old Bailey Proceedings Online* (January 1745) [accessed February 2023].

⁸⁴ In Renaissance Florence, for instance, even if an older partner fellated and was thus penetrated by a younger partner, the older partner was not considered to have been sodomized. Roche, *Forbidden Friendships*, 92-94.

anus/vagina. As such, the desire for and practice of mutual anal penetration marks a significant disruption to the hegemonic landscape of early modern sex.⁸⁵

Although Trumbach's claim that "after 1700 most adult sodomites were both active and passive" seems overblown, a striking transformation in the geography of men's sexual practices has taken place.⁸⁶ Against historically dominant patterns of hierarchical sex, in which a man exclusively penetrated a woman's or boy's body, the increasing popularity of 'versatile' sex among men forms part of a broader pattern of emerging egalitarian practices of sociality and intimacy among men in public. Just as public infrastructures of intimacy gave rise to new egalitarian relations of homosociality, the homosexual activity that these infrastructures made possible likewise followed a pattern of increasing equality. As Parrey confessed, he and Richard Challenor had often "lay[ed] together and *equally* committed filthy undecent and effeminate Actions."⁸⁷ Novel relations of equality took shape in and through men's bodily practices, extending all the way to the intimate domain of sex. Alongside public gestures such as shaking hands, hugging, and kissing, reciprocal practices of anal penetration formed one part of a larger repertoire of bodily practices that challenged aristocratic choreographies of the body organized along vertical relations of 'top' and 'bottom' to constitute new egalitarian relations of horizontality between men. Men's sexual reversals instantiated political notions of reciprocity. Modifying Aristotle's definition of democracy as an equal polity in which "all share equally in ruling and being ruled in turn," we could say that in the democracy of sodomites, all share equally in penetrating and being penetrated in turn.⁸⁸

Although ideas and practices of sexual reciprocity figured sodomy as a consensual relation among equals, reciprocal sex did not necessarily entail consensual sex. At Duffus's trial for sodomy, a

⁸⁵ This pattern of sexual practice has evidently continued, as a mid-20th century survey of British homosexuals found that a majority of men who engaged in anal intercourse have "no strong preference" whether to penetrate or be penetrated. Gordon Westwood, *A Minority: A Report on the Life of the Male Homosexual in Great Britain* (London, 1960), 127-134, quote is from page 131.

⁸⁶ Randolph Trumbach, "The Birth of the Queen:" 139.

⁸⁷ *Old Bailey Proceedings Online* (07 February 2023), October 1728 (17281016), emphasis added.

⁸⁸ Aristotle, *Politics*, vii, 14, 1332b.

Mr. Powell testified that, like Leader, he too met Duffus at a public-house, drank with him late into the night, and “readily consented” to Duffus sleeping over at his lodgings when asked.

We had not been long in Bed, before he began to kiss me, and take hold of my Privities. *How lean you be!* says he, *Do but feel how fat I am!* and so he endeavour’d to convey my Hand to his Privities. I turned from him, and lay upon my Back; he got upon me, kept me down, and thrust his Yard betwixt my Thighs, and emitted. He told me, that I need not be troubled, or wonder at what he had done ... [and then] desired me to act the same with him; but I refused, and told him, I was a Stranger to all such Practices.⁸⁹

Lacking consent, Duffus’s actions are an unambiguous case of sexually assault. Yet, his actions do not reproduce an asymmetry typical of patriarchal forms of sex, since his desire that Powell “act the same” with him suggests that Duffus did not imagine penetration to be an act of mastery or violation on the body of a subordinate. Rather, his desire for reciprocal penetration represented an attempt to initiate Powell into the egalitarian pleasures of sodomy. My discomfort with Duffus’s actions is not unlike the unease often expressed at Rousseau’s claim that whoever refuses to obey the freedom of the general will “shall be constrained to do so by the whole body; which means nothing else than that he shall be forced to be free.”⁹⁰ If practices of mutual penetration were part of new forms of fraternal equality among men, then Duffus’s attempts to force or, as some contemporaries would say, seduce men into practices of sexual reciprocity was an attempt to force them to be equal brothers – despite the fact that, meaningful reciprocity can only be freely given and not coerced. Sodomy thus paradoxically signified a relation among equals but also an act of violation, a paradox that, I argue in the next section, emerged at the center of changes to sodomy’s legal prosecution.

III. Prosecuting Sodomy, Producing Equality

In the 16th and 17th century, English law considered both parties guilty of the crime of sodomy, unless one partner was under the age of discretion (fourteen). The 1533 Buggery Act made no distinction between the penetrator and penetrated and used the indiscriminate language of “felon” and

⁸⁹ *Select trials at the Sessions-House in the Old-Bailey, ... From the year 1720, to this time*, Vol. I (Dublin, 1742), 103.

⁹⁰ Rousseau, *Social Contract*, I.7.8

“offenders” to describe those indicted.⁹¹ Yet, given that trials “invariably paired authority and dependency – men and boys, masters and servants, teachers and pupils, patrons and clients,” it is not entirely accurate to state that “both partakers were equally culpable” for the crime.⁹² As part of the Earl of Castlehaven’s trial in 1631, the earl’s servant, Lawrence Fitz-Patrick, was found guilty of sodomy with his master. Yet, the law did not consider Fitz-Patrick to be juridically equal to the Earl and did not assign him equal culpability for the law’s violation. Not only did Fitz-Patrick’s trial take place once the Earl had already been tried and executed, but he was not even judged to be an agent of the crime.⁹³ According to the Chief Justice, Fitz-Patrick was an “Accessory” to the Earl’s felony and therefore guilty because “every Accessary to a Felony is a Felon in Law.”⁹⁴ Moreover, the prosecution of both Fitz-Patrick and Castlehaven in this trial was exceptional, since almost every case of sodomy that came before the courts for the rest of the century witnessed only one partner charged – always the penetrator.⁹⁵

By the early decades of the 18th century, this pattern of prosecution shifted, as both parties were not only tried simultaneously but also presented as equally culpable. In what appears to be the first time in British history when both partners were indicted for sodomy at the same session, the Old Bailey proceedings against John Bowes and Hugh Ryly in 1718 read as follows:

John Bowes, and Hugh Ryly, of St. Pauls Covent Garden, were indicted for that they not having God before their-Eyes, did the former commit that horrible and detestable Sin called Buggery, and did against nature carnally know Hugh Ryly, ... and the latter suffer the same to be committed on him.⁹⁶

⁹¹ *Anno XXV. Henrici VIII. Actis made in the session of this present parliament, holden uppon prorogation at Westmyenster* (1535), British Library 506.d.33, VIII.

⁹² Herrup, *House in Gross Disorder*, 28, 33.

⁹³ Castlehaven’s trial was in April 1631 and he was executed in May. Fitz-Patrick was tried in June 1631 and executed in July.

⁹⁴ *The case of Sodomy, in the tryal of Mervin Lord Audley, Earl of Castlehane* (London, 1708), 32.

⁹⁵ There are various reasons why the courts did not charge both partners: some cases involved sodomy between humans and nonhumans, some involved the penetrated partner bringing a case against the penetrator, and in some case, the penetrated partner could not be found. The sole exception is an Irish case in 1640 between Bishop John Atherton and his tithing proctor, John Childe. Although *The Life and Death of John Atherton* (London, 1641) does not explain how Childe’s guilt was framed in court, there was a similar lag between the two men’s execution (Atherton was hanged in December, Childe the following March). I suspect that the delay in execution suggests that Childe was also tried separately and likely as an accessory to Atherton’s crime.

⁹⁶ December 1718 (17181205), *Old Bailey Proceedings Online* (accessed June 2022).

While the language of the sodomized partner “suffering” his sodomization carries traces of the symbolic understanding of sodomy as a form of patriarchal abuse, the court soon opted to include a more egalitarian language of consent. In 1730, William Holiwell was indicted for assaulting William Huggins with intent to commit sodomy and Huggins was indicted for “consenting and submitting to the same.”⁹⁷ Though both men were ordered to stand in the Pillory, Huggins, the penetrated partner, received a harsher prison sentence of eight months compared to Holiwell’s six.⁹⁸ As the century progressed, the courts described the penetrated partner as “suffering,” “voluntarily and wickedly permitting,” and “wilfully consenting” to allow their partners to commit sodomy on and upon their bodies.⁹⁹ The new language of consent was evidently so common that one 1734 textbook for law students erroneously includes “consent” in its summary of the 1533 Buggery Act despite its absence in the original statute.¹⁰⁰ At the risk that ideas of consent could garner sympathy for sodomites, John Disney reminded lawmakers that in Ancient Rome, “Death is assigned the ordinary punishment [for sodomy], whether committed by Violence, or Consent.”¹⁰¹

In prosecuting both partners as equally capable and culpable for the crime of sodomy, transformations in the legal landscape of men’s criminal intimacies in effect constituted sodomites as equal juridical subjects. In 1728, a poor clergyman called William Rowland was pilloried for circulating a pamphlet accusing two justices of “letting several Persons escape that were brought before them for

⁹⁷ *Select Trials, for Murders, Robberies, Rapes, Sodomy, Coining, Frauds, And other Offences*, vol 2 (London: 1735), 394-5.

⁹⁸ The account does not explain why Huggins received a higher sentence, but the judge could have deemed his consent to be sodomized and willfully abuse the God-given property he has in his own body to be worse crime requiring harsher punishment.

⁹⁹ Trial of George Seal and Thomas Freeman, *The Proceedings at the Sessions of the Peace, and Oyer and Terminer*, Number VII (London, 1736); Trial of Samuel Taylor and John Berry, February 1738 (17380222) *Old Bailey Proceedings Online* (accessed 08 October 2022); trial of John Deacon and Thomas Blair, *Select Trials ... from the Year 1741 to the Present Year, 1764*, Vol I (London, 1764); Trial of James Hunt and Thomas Collins, *An account of the proceedings on the King's Commissions of the Peace* (London, 1743), 13; trial of Richard Manning and John Davis, *The Proceedings on the King's Commissions of the Peace* (London, 1744), 75-6, 80; Apr. 1777, Thomas Jackson and Thomas Dawson (t17770409); trial of Edward Dawson and John Hall, *Old Bailey Proceedings Online* (accessed 07 February 2023), April 1798 (17980418).

¹⁰⁰ Sodomy, it reads, is a felony “in the Agent and all that are present, aiding and abetting; also in the Patient consenting, not being within the Age of Discretion.” Giles Jacob, *The Student's Companion: Or, The Reason of the Laws of England* (London, 1734), 240.

¹⁰¹ John Disney, *A View of Ancient Laws, Against Immorality and Profaneness* (Cambridge, 1729), 186.

Sodomitical Practices ... for the sake of Gold.”¹⁰² A couple years later, journalists covering a wave of arrests of sodomites in Holland noted that “some of the wealthiest had not been publicly executed.”¹⁰³ They reported that the “Populace” protested these exceptions and “demand[ed] publick Execution of the Rich as well as of the Poor.”¹⁰⁴ Rowland’s accusations and English reports of Dutch protests reveal how the legal punishment of sodomy could serve as a tool to combat existing class hierarchies. By rallying against the special treatment of rich sodomites and demanding that they face the same penalties as the poor for the crime of sodomy, commoners asserted that all juridical subjects were equal before the law. Consequently, just as courts started to treat men as equally culpable for the crime of sodomy, popular pressures for the impartial punishment of sodomy promoted an egalitarian vision of the body politic.

In contrast to earlier indictments that depicted sodomy as a crime of assault whose responsibility lay primarily with the penetrator, ideas of sexual reciprocity and consent raised the possibility that sodomy was no longer strictly one man’s unwanted violation of another’s body. Rather, it was an activity that both partners equally desired, even in cases of attempted rape. “You are a man of maturity,” explained one witness in response to John Mullins’s claims of sexual assault, “how could such a thing be acted to you, (for you are not a boy) without you was as willing as the other?”¹⁰⁵ New egalitarian conceptions of sex between men thus came to unsettle hierarchal configurations of sodomy as an asymmetrical activity in which one higher status man exclusively penetrates the ‘passive’ body of a subordinate beneath him. Although many indictments continued to target only the penetrating

¹⁰² “Sodomastix and Other News Reports, 1728,” in (ed.) Rictor Norton, *Homosexuality in Eighteenth-Century England* (2020) <http://www.rictornorton.co.uk/eighteen/1729news.htm>. The *London Journal* (9 August 1729) reported that those who came to Rowland’s pillorying “were generally concern’d for him, and several Women as well as Men gave him Money.”

¹⁰³ *Ipswich Journal* 13–20 June 1730.

¹⁰⁴ “Newspaper Reports, The Dutch Purge of Homosexuals, 1730” in *Homosexuality in Eighteenth-Century England* (ed.) Rictor Norton (2022): www.rictornorton.co.uk/eighteen/1730news.html [accessed November 2022].

¹⁰⁵ Trial of John Twyford, July 1745, 17450710. *Old Bailey Proceedings Online*. See also, trial of Thomas Pryor, December 1742, t17421208-25, *Old Bailey Proceedings Online* [accessed October 2022].

partner, even in cases that featured evidence of mutual desire,¹⁰⁶ changes in juridical practice meant that sodomy increasingly signified a crime of mutual desire. With the emergence of a new criminal charge of intent to commit sodomy in the early 18th century, legal examination effectively shifted from questions of one man's penetration of and emission into the body of another to a scrutiny of the gestures that could signal a desire for sodomy.¹⁰⁷ In the trial of Julius Taylor and John Burges, the court was unsure of who penetrated whom, but instead of resolving the issue, the judge put stock in witness testimony that they both "appear'd equally pleas'd" and thus opted to charge both men with intent to commit sodomy on the other.¹⁰⁸

Given that the law still considered sodomy to be a crime of bodily violation, the discourse of consent suggested that sodomy was as an actively willed violation on the part of both partners. As hierarchical conceptions of sodomy were supplanted by new ideas and practices of equality, sodomy came to signify the danger of a political ideology that grounded freedom in men's ownership over their own bodies. While some men claimed that sodomy was nothing but an expression of a man's freedom to use his own body as he pleased, many argued that sodomy was a violation that subordinated a man and robbed him of his bodily autonomy. Both opponents and defenders came to view sex between men as a question of freedom between equals. The issue was whether sodomy maintained or upset men's natural equality, whether it violated or expressed a propertied manhood rooted in the body. Gender thus formed the terrain on which contests over sexuality were fought. Accordingly, those sodomites who actively resisted naturalized ideas of manhood and the male body posed a radical

¹⁰⁶ See, trial of Charles Hitchen in *Select Trials at the Sessions-House in the Old Bailey*, vol III (London: 1742); the trial of John Dicks in *Select trials at the Sessions-House in the Old-Bailey, for murder, robberies, rapes, sodomy, coining, and other offences*, Vol. I, From December 1720, to October 1723 (Dublin, 1742), 152; trial of John Dicks (t17220404-29) *Old Bailey Proceedings Online* (April 1722). For an interpretation of willingness and mutual desire in the case of John Dicks, see Trumbach, *Sex and the Gender Revolution*, 63.

¹⁰⁷ Cocks, *Visions of Sodom*, 119.

¹⁰⁸ *The Proceedings at the Sessions of the Peace, and Oyer and Terminer* (London, 1728) in "Molly Christenings, 1728," *Homosexuality in Eighteenth-Century England* (ed.) Rictor Norton (2013): <http://www.rictornorton.co.uk/eighteen/1728tayl.htm>

challenge to the principle of gender underpinning men's claims to freedom and equality. It is to these gender outlaws that I now turn.

IV. The Extravagant Ladies of the Molly Houses

Like the toilets, parks, and streets in which sexual intimacies between men could take place, the molly houses displayed “the publick Character of a Place of Rendezvous for Sodomites.”¹⁰⁹ The degree of publicity varied from house to house. Some were more exclusive spaces, hidden in a shop or residence, while others were more accessible.¹¹⁰ The molly house at George Whittle's Royal Oak, for example, was a public alehouse with two rooms, one open and another more exclusive, which customers could use for erotic purposes.¹¹¹ Unlike the park or street, London's molly houses were enclosed public spaces that provided some safety for their members. Other than a series of raids conducted in the 1720s by the Societies for the Reformation of Manners, most prosecutions for sodomy in the 18th century do not involve molly houses. Yet, the molly houses have become a central part in the historiography of modern homosexuality because of the public's obsessions concerning what was revealed to take place inside these spaces. As Charles Upchurch explains, despite their statistical insignificance in arrest records, “the type and amount of publicity generated by those raids seem to confirm the symbolic importance ascribed to them in currently published secondary sources.”¹¹²

The molly house has often been described as a space of conviviality and intimacy among working-class homosexuals, symbolizing a kind of illicit fraternity in the shadow of the bourgeois public sphere. Unlike many other fraternal spaces of the public sphere, however, women were involved

¹⁰⁹ April 1726, trial of Gabriel Lawrence (t17260420-64), *Old Bailey Proceedings Online* [accessed June 2022].

¹¹⁰ See, Tanya Cassidy, “People, Place, and Performance: Theoretically Revisiting Mother Clap's Molly House,” in *Queer People: Negotiations and Expressions of Homosexuality, 1700-1800*, (eds.) Chris Mounsey and Caroline Gonda (Bucknell University Press, 2007), 99-113

¹¹¹ At Whittle's trial, Drake Stoneman testified that “I have known the Prisoner's House for two or three Years. I have seen Men in his back Room behave themselves sodomitically, by exposing to each other's Sight, what they ought to have conceal'd.... There is a little private Room between the back Room and the Kitchen, — they call it the *Chappel*, to which they sometimes retired, but I can't say for what Purpose. *Select trials at the Sessions-House in the Old-Bailey ... From the year 1720, to this time*, Vol. II (Dublin, 1742), 356-8.

¹¹² Charles Upchurch, “Liberal Exclusions and Sex between Men in the Modern Era: Speculations on a Framework,” 416.

in these institutions of homosexuality as their owners, operators, and supporters. Owing to the pioneering work of Rictor Norton, Mother Margaret Clap has become known as one of the most famous molly house owners. Indicted for “keeping a disorderly House, in which she procured and encouraged Persons to commit Sodomy” in 1726, Mother Clap was an integrated part of the molly house community. At her trial, informers revealed how she enjoyed the illicit conversations of her clientele: customers “talk’d all manner of gross and vile Obscenity in [Clap’s] hearing” and she “appear’d to be wonderfully pleas’d with it.”¹¹³ In addition, Mother Clap also committed perjury on behalf of her patrons. She boasted that “what she had sworn before Sir *George* in *Derwin’s* [arrest], was a great Means of bringing him off.”¹¹⁴ Although we do not know the extent of Clap’s engagement with the mollies beyond these records, these testimonies reveal that she was a key part of the molly house counterpublic. Mother Clap was sociable, supportive, and in solidarity with her molly clients, who perhaps were also her children, given the familial symbolism of her name.

Although the most well-known, Clap was not the only woman who operated a molly house. As part of the molly house raids conducted in 1726, Mary and John Harwood were indicted for keeping a disorderly house for “entertaining Sodomites, and knowingly and willfully permitting them to commit the detestable Sin of Sodomy.” Informants told the court that visitors “practised divers Sodomitical Obscenities, and sometimes in Mrs. Harwood’s Presence, and that she abetted such Practices.”¹¹⁵ Like Mother Clap, Mary Harwood was directly involved in running a molly house, but in what sense might she have also “abetted” its practices of sodomy? In its coverage of the raids, the *Weekly Journal* printed a story that outlined “several degrees” of sodomy. Alongside men who have sex with men, the journal describes those “who strip and hire Women to whip them with a Bunch of Rods,” other “Men who make Women drink Claret till they p—ss White-Wine, and then drink it with more Content and

¹¹³ *Select Trials at the Sessions-House in the Old Bailey ... From the year 1720, to this Time*. Vol III (London: 1742), 37, 38.

¹¹⁴ *Ibid.*, 37.

¹¹⁵ *The Weekly Journal: or, The British Gazetteer* 22 October 1726.

Pleasure,” and also those who “lye under the Table while the Women eat the Flesh and throw them the Bones, which they receive, and, (like a Dog when afraid of an interloper) keep a continual barking.”¹¹⁶ While no informer repeated such stories in court, the account nonetheless reveals sodomy to be a capacious category of perverse sexual pleasure that centers around men but can include women. It represented sodomy as an inversion of natural political order, as men are dominated not only by other men but also by women. It raised the possibility, imagined if not real, that Harwood might have abetted the practices of sodomy by whipping, urinating on, or feeding her visitor’s scraps like dogs.

Alongside women who owned molly houses, court records also reveal those who supported and protected the men who operated and participated in them. Mary Cranton and Mary Boulton spoke as witnesses at the trial of Thomas Wright in 1726. The two women were lodgers in the room directly above the apartment where Wright and his guests fiddled, sang, danced, and allegedly had sex. They testified that they “had sometimes heard Musick and Merry-making; but knew nothing of any such Practices as had been sworn against him, and that he behaved himself like a sober Man, and was a very good Churchman.”¹¹⁷ Were Cranton and Boulton oblivious to the meaning of the sounds coming from underneath their floorboards? Or were they willfully ignoring the implications of songs such as “*Come let us [bugger?] finely*” to cover for their landlord?¹¹⁸ Although it seems doubtful that they could have been unaware, they were not the only women who defended mollies. In the trial of John Burgess, who was caught having sex with Julius Taylor at the latter’s molly house in 1728, Katherine Maranda explained to the court that Burgess was “too fond of a pretty Girl, to fall into sodomitical Actions; and this I know by Experience, upon my Word, and my Oath, and my Honour.”¹¹⁹ Was Maranda also ignorant of Burgess’s erotic interest in men or was she knowingly protecting him? In risking her honor

¹¹⁶ *Weekly Journal or British Gazetteer*, May 14, 1726 Issue: 55. For another account of ‘puppy play’ taking place in a molly house, see *The Life of Tho. Neaves, The Noted Street-Robber* (London, [1729]), 36.

¹¹⁷ *Select Trials at the Sessions-House in the Old Bailey ... From the year 1720*, Vol II, (London: 1742), 367.

¹¹⁸ *Select trials at the Sessions-House in the Old-Bailey ... From the year 1720*, vol. II (London: 1742), 368.

¹¹⁹ *The Proceedings at the Sessions of the Peace* (London, 1728) quoted in “Molly Christenings, 1728,” *Homosexuality in Eighteenth-Century England*, (ed.) Rictor Norton (2013): <http://www.rictornorton.co.uk/eighteen/1728tayl.htm> [accessed November 2022].

by insinuating that she had sexual intimacy with Burgess, could she have been strategically using an emerging distinction of the sodomite and heterosexual to undermine the court's suspicions of Burgess's sodomy?

Without additional accounts outside the high stakes of the courtroom, the answers to these questions are difficult to discern. However, the revelations of Harwood's and Clap's involvement with their molly house clientele and the defenses proffered by Cranton, Bolton, and Maranda all suggest a possible solidarity between mollies and the working-class women who were part of or adjacent to the molly house counterpublic. An act of perjury in support of someone accused for operating or participating in a molly house defended queer life and the institutions that made it possible. Beyond any personal relations they may have had with individual sodomites, I contend that women who supported the molly houses and "encouraged Persons to commit Sodomy," as Clap's charges read, had *political* reasons to do so. Against an emerging bourgeois society based on exclusionary principles of fraternity, I argue that the molly houses constituted new political relations of equality untethered from and against symbolic relations of fraternity.

A widespread practice among many molly houses was a ritual renaming of its members. Informers in the trial of Julius Taylor for "keeping a disorderly House, and entertaining wicked abandon'd Men" explained that "When any Member enter'd into their Society, he was christened by a female Name."¹²⁰ According to Jonathan Wild, the practice of giving participants feminine names was a "familiar Language" common to the molly houses.¹²¹ In his autobiography as a thief in London's underworld, James Dalton provides a "List of the Names" of some of the mollies he encountered, such as "*Small Coal Mary*," "*Aunt England*," "*Pomegranate Molly*," "*Old Fish Hannah*," "*Orange Mary*," "*Miss Kitten*," among others.¹²² Like masonic initiation rituals, renaming served to induct individuals as new

¹²⁰ Ibid.

¹²¹ Wild, *An answer to a late insolent libel*, 30

¹²² Dalton, *A Genuine Narrative*, 39.

members of the clubs. Stripped of their previously masculine name and adopting a feminized moniker, participants of the molly houses underwent a kind of discursive feminization that distinguished them from men outside their club walls.

In addition to changing their names, members also altered their aesthetic and corporeal practices, commonly adopting women's dresses, conduct and demeanor. Following a raid in 1709, the journalist Edward Ward describes participants of the molly club as follows:

There are a particular Gang of *Sodomitical* Wretches, in this Town, who call themselves the *Mollies*, and are so far degenerated from all masculine Deportment, or manly Exercises, that they rather fancy themselves Women, imitating all the little Vanities that Custom has reconcil'd to the Female Sex, affecting to Speak, Walk, Tattle, Curtsy, Cry, Scold, and to Mimick all Manner of Effeminacy, that ever has fallen within their Several Observations.¹²³

Like Hitchen, Ward presents the mollies as a distinct group within the world of sodomy: they are a “*particular Gang*” of sodomites. According to Ward, mollies took up the vocal inflections, gestures, mannerisms, and embodied styles common to women. In its coverage of the 1726 raids, the *Weekly Journal* states “in their Clubs and Cabals,” men “mimick Nature so exquisitely; how they assume the Air, and affect the Title of *Madam*, or *Miss Betty* or *Molly*.”¹²⁴ At Clap's molly house, undercover agents “found between 40 and 50 Men,” who “would get up, Dance and make Curtsies, and mimick the Voices of Women.”¹²⁵

Although Ward's portrayal of the molly house seems to confirm a certain timeless image of the effeminate homosexual, ideas of sodomy were not inherently linked to notions of femininity in early modern England. On the one hand, men who preferred the sexual company of other men were not necessarily considered feminine, as homosexual relations could take up the model of manly friendship; on the other hand, men who spent *too much* time with women, whether socially or sexually, were

¹²³ Edward Ward, *The Secret History of Clubs* (London, 1709), 28; reprinted as *Satyrical reflections on clubs: in xxxix chapters. ... By the author of the London-Spy*. Vol. V (London, 1710), chapter XXV.

¹²⁴ *Weekly Journal or British Gazetteer*, May 7, 1726, London, England Issue: 54; reprinted in *Hell upon Earth* (London, 1729), 43.

¹²⁵ *Select Trials at the Sessions-House in the Old Bailey*, Vol II, April 1726 to May 1732 (London, 1742), 37.

believed to take on women's so-called feminine traits and become delicate and soft (or what was normatively coded as weak and cowardly).¹²⁶ In fact, most arrests for sodomy in the 18th century involved individuals who were “neither effeminate nor particularly conspicuous in appearance and manner.”¹²⁷ Yet, in the early 18th century, sodomy had become closely identified with femininity.¹²⁸ In 1744, when a group of soldiers were charged for using sodomy to blackmail men cruising in St. James' Park, the jury asked one soldier, “How was you dressed at that time?” He responded that he was “dressed as I am now, or in a light coloured coat, or a blue grey coat,” to which the Jury, seemingly unconvinced, asked more precisely: “You never had any women's cloaths on, had you?”¹²⁹ Despite the incident taking place in the park and not in a molly house, the jury had difficulty comprehending sodomy without the figure of the cross-dressing molly.

The overdetermination of men who had sex with men with those who dressed and acted like women has tended to obscure difference and conflict among sodomites concerning the question of gender. As seen in the case of Charles Hitchen discussed in the introduction, some sodomites did not see themselves as mollies and made a distinction between “those” men who “deal with their own Sex instead of Females” and “those sorts of Persons” who deal too much with “Females,” going so far as to dress like them and act like them.¹³⁰ While some sodomites turned to their own manhood and sex as a means to defend and justify their sexual activities, others appeared to do something much more disturbing. The “mollying Bitch[es]” who gave up their manhood and troubled naturalized images of the male body posed a threat to the gender order in and through which most men rendered themselves

¹²⁶ Young, *King James and the History of Homosexuality*, 90, 110; Trumbach, “Birth of the Queen,” 134. Louis-Georges Tin traces this critique of a man who lost his manliness as a result of his infatuation with women back to Europe's chivalric tradition of the 12th and 13th century. Tin, *The Invention of Heterosexual Culture*, 17.

¹²⁷ Norton, *Mother Clap's Molly House*, 104. For instance, *Hell upon Earth* (London, 1729), 43 reproduces a report from the molly house raids printed in the *Weekly Journal* May 7, 1726, Issue: 54, but erases any particularities of the molly house subculture and presents the story as a general account of the “brutish Creatures called SODOMITES.” See also, Hitchcock, *English Sexualities*, 67.

¹²⁸ Randolph Trumbach, “Sex, Gender, and Sexual Identity in Modern Culture: Male Sodomy and Female Prostitution in Enlightenment London,” *Journal of the History of Sexuality* 2, 2 (1991): 186-203.

¹²⁹ Trial of John Smith, Christopher Jacksons, and Robert Pinker, 17441205-56, *Old Bailey Proceedings Online* (5 December 1744): [accessed October 2022]

¹³⁰ Wild, *An answer to a late insolent libel*, 30.

intelligible as political subjects.¹³¹ After all, the arts of femininity that one learned inside the molly houses did not stay confined to the clubs. When constables cleared Covent Garden of “whore and idlers” on 10 September 1765, they discovered that two of the twenty-two confined were men dressed as women.¹³²

While scholars have documented the stigmatization of femininity and the dominance of hegemonic forms of masculinity in twentieth century homosexual communities, excavating gender as a source of conflict in the world of eighteenth-century sodomites is an admittedly fraught task.¹³³ Not only are many accounts second-hand retellings whose veracity is open to question, but the archival record itself stifles its existence. The republication of Wild’s 1718 account about Hitchen two decades later in the *Select trials at the Sessions-House in the Old-Bailey* contains small amendments that obscure gender as the site of antagonism. The 1742 version no longer describes the mollies as “*those* sorts of Persons” but just “such sort of Persons” and states that they attend “*these* obnoxious Houses” (i.e. the house Hitchen was in) rather than “*those* obnoxious Houses.”¹³⁴ Where the 1718 version states that there was “a noted House in Holborn, to which those sorts of Persons us’d to repair, and Dress themselves in Woman’s Apparel for the Entertainment of others of the same Inclinations, in Dancing, &c. in imitation of the Fair Sex,” the 1742 reprint excises the critical distinguishing line that the mollies went to this house “for the Entertainment of others *of the same Inclinations.*”¹³⁵ In removing the demonstrative pronoun ‘those’ and other signifiers of distinction, the reprint obscures gender difference as a source of conflict among the sodomites.¹³⁶ As a basis for later reprints in 1768 and 1795,

¹³¹ *Select Trials*, (London, 1742), vol. 2, 367.

¹³² Stephen Shapiro, “Of Mollies: Class and Same-Sex Sexualities in the Eighteenth Century,” 156. See also, Wild, *An answer to a late insolent libel*, 31-32.

¹³³ Baker (2003) No effeminates please: a corpus-based analysis of masculinity via personal adverts in Gay News/Times 1973-2000. In: Benwell B (ed.) *Masculinity and Men’s Lifestyle Magazines* (Oxford: Blackwell Publishing, 2003) pp. 243-260; Bergling “Sissyphobia and everything after,” In: Kendall C and Martino W (eds.) *Gendered Outcasts and Sexual Outlaws: Sexual Oppression and Gender Hierarchies in Queer Men’s Lives* (New York: Harrington Park Press, 2006), 27-3

¹³⁴ Wild, *An answer to a late insolent libel*, 31.

¹³⁵ *Ibid.* *Select trials at the Sessions-House in the Old-Bailey*, vol. II, From August 1723, to April 1726 (London, 1742), 258.

¹³⁶ *Ibid.*

these alterations lose the subtlety of Wild's initial account and render all sodomites and their clubs equivalent.¹³⁷ As such, the distinctions between those sodomites who refuse womanhood and those who embrace it disappear, as all sodomites come to appear as one homogenous group of cross-dressing effeminate mollies.

How should we make sense of gender as a site of conflict and what does it tell us about the political threat that the mollies pose to an emerging ideology of manhood? According to Jonathan Goldberg, inside the molly houses, "where men dressed as women," there developed a form of homosexuality "that parodies the supposition upon which an emergent heterosexuality battens. For as the emerging sexual regimes installed man and woman as the opposite sexes, the molly embodied an opposition that deformed that supposition."¹³⁸ Goldberg's analysis suggests that the mollies destabilized an emergent heterosexual hegemony founded on binary sex difference by parodying the opposition between male and female. In Goldberg's reading, the critical purchase of the molly's drag as a practice that "parodies" the gender binary underpinning heterosexuality relies on the idea that mollies really were men who, by embodying femininity, exposed the artificiality of binary sex difference. The tension between a male body and its performance of womanhood gave these parodic practices their critical and subversive edge.

Goldberg's analysis of drag as a politics of parody clearly echoes ideas put forward in one of queer theory's canonical works, *Gender Trouble*. Yet, it also resists the more radical implications of Butler's analysis on gender and corporeality. Reflecting on the uptake of drag as an analytical trope in queer theory, Butler cautions against a certain theoretical reduction of the practice. To conceive of drag as a "man dressed as a woman" supposes that the first term ('man') is "the 'reality' of gender" and that the "secondary appearance of gender" ('woman') is "mere artifice" or "illusion."

¹³⁷ See *The Tyburn Chronicle: or, villainy display'd in all its branches*, vol. 2 (London, 1768), 177; William Jackson, *The New and Complete Newgate Calendar; Or, Malefactor's Universal Register*, vol. 1 (London, 1795), 48.

¹³⁸ Goldberg, *Sodometries*, 141.

But what is the sense of ‘gender reality’ that founds this perception in this way? Perhaps we think we know what the anatomy of the person is ... from the clothes that the person wears, or how the clothes are worn.... [Yet,] if we shift the example from drag to transsexuality, then it is no longer possible to derive a judgment about stable anatomy from the clothes that cover and articulate the body ... when one cannot with surety read the body that one sees, is precisely the moment when one is no longer sure whether the body encountered is that of a man or a woman.¹³⁹

Despite their intention to denaturalize binary sex difference, many queer theorists unwittingly reify the category of manhood and undercut the implications of their own analysis. Describing mollies as ‘men dressed as women’ posits a pre-existing category of ‘men’ as an analytic of analysis rather than an object of historical critique. This not only poses historiographical problems. As Kit Heyam argues, “if historians start investigations of gender-nonconforming people by referring to them as ‘women dressed as men,’ this immediately closes off any possibility of trans history.”¹⁴⁰ It also cuts short political critique, since presupposing a naturalized gendered body as an analytic of analysis obscures how struggles to engender new political relations of equality among men relied on efforts to create a naturalized vision of the male body as the ground of fraternal equality. Whereas a transvestite is still assured to be an anatomical and biological man underneath his clothing and so can likely be counted on, though not without hesitation, to participate in his sex-given rights of male supremacy, a male-to-female transgender individual calls into question their ontological status as a man in the first place, disrupting naturalized visions of sex and the body.¹⁴¹ By developing a trans-affirmative reading of the mollies, this chapter illustrates how the bodily practices cultivated in the molly houses contested manhood as the ordering principle of equality, thus revealing the *political* stakes of gender, sexuality, and the body for an emerging bourgeois society.

V. A Princess of the Molly House

¹³⁹ Judith Butler, *Gender Trouble*, xxii-xxiii.

¹⁴⁰ Kit Heyam, *Before We Were Trans*, 66.

¹⁴¹ This is not meant to oppose transvestites and transgender individuals so much as re-read the danger of cross-dressing through the lens of transgenderism, especially since ‘transvestite’ was a historically used to describe transexual and gender non-conforming people. See, *Street Transvestite Action Revolutionaries: Survival, Revolt, and Queer Antagonist Struggle* (Untorelli Press, 2013).

Attending to the mollies' practices of feminization without presuming a naturalized male body troubles the common categorization of mollies as cross-dressing gay men and reveals the existence of trans women as members of the molly houses. Consider Princess Seraphina, whom we first encounter in a passing description of a molly house "Wedding" in 1728 between one Moll Irons and a "Butcher by the Name of the *Princess Saraphina*."¹⁴² Seraphina's name does not seem to emerge again in the archives until the trial of Thomas Gordon for assault and robbery in 1732. According to the Old Bailey records, a gentleman's servant by the name of John Cooper went out one night for a drink in the Strand and found himself sitting beside Gordon. Cooper and Gordon drank and socialized throughout the night, and when morning broke, Gordon suggested that they take a stroll through the park to enjoy the sunrise. According to Cooper's testimony, when they came across "a private Place among some Trees," Gordon pulled out a knife, stole Cooper's money and clothing, and told Cooper that if "you intend to charge me with a Robbery ... I'll swear you're a Sodomite, and gave me the Cloaths to let you B[ugge]r me."¹⁴³ When Gordon came to testify, however, he explained that they did go for a walk in the park, but when they came upon the said private place, Cooper "kiss'd me, and put his privy Parts into my Hand; I ask'd him what he meant by that, and told him I would expose him; he begg'd me not to do it, and said he ... would give me all his Cloaths, if I would accept of them, and so we agreed, and chang'd Cloaths."¹⁴⁴

The court was faced with two conflicting stories. On the one hand, Cooper's claim of Gordon's robbery and use of sodomy as tactic of blackmail, and on the other, Gordon's defense that he was gifted the clothing in exchange for not reporting Cooper for attempting to commit sodomy. To make sense of the case, the court invited witnesses to give testimony. The first witness, Margaret Holder,

¹⁴² James Dalton, *A Genuine Narrative of all the Street Robberies Committed since October Last* (London, 1728), 37.

¹⁴³ *The Proceedings at the Sessions of the Peace, and Oyer, and Terminer ... on Wednesday the 5th, Thursday the 6th, and Friday the 7th, and Saturday the 8th of July 1732, in the Sixth Year of His Majesty's Reign, No. VI of for the said year* (London, 1732), 166

¹⁴⁴ *Ibid.*, 167. When they brought before a Justice, Gordon's story appeared more doubtful. The Justice did not understand how Gordon could let a man put his penis in his hands: "You had a long Knife, it seems, why did you not cut it off? I would have done so" (167).

explained that Cooper is “one of them as you call *Molly Culls*, he gets his Bread that way; to my certain Knowledge he has got many a Crown under some Gentlemen, for going of sodomiting Errands.” Cooper thus appeared to be some kind of sodomite messenger, but as more witnesses testified, the court found it increasingly difficult to make sense of Cooper’s character. Jane Jones explained that when she entered Mr. Poplet’s for a pint of beer, the barkeeper told her, “There’s the Princess Seraphina! So I look’d at her, and the Prisoner [Gordon] was in the Same Box; and says he to the Princess, What a vile Villain was you to ----.” Midway in her testimony, the court interrupts Jones to ask, “What Princess?” and she responds matter-of-factly, “The Prosecutor; he goes by that Name. *What a Villain was you, says the Prisoner, to offer so vile a thing? Did you not do so and so?*” The court then inquires what she meant by “so and so,” and Jones replies, “Why in the way of Sodomy, whatever that is.” After Jones, the barkeeper Mary Poplet came to the stand. “I have known her Highness a pretty while, she us’d to come to my House from Mr. Tull, to enquire after some Gentlemen of no very good Character; I have seen her several times in Women’s Cloaths.... I never heard that she had any other Name than the Princess *Seraphina*.” When Mary Ryley testified, she similarly explained that “I know the Princess very well, she goes a Nursing sometimes: She nurs’d his Master Tull and his Wife ... I was told that he was dress’d in Woman’s Cloaths at the last Masquerade.... Sometimes we call her *Princess*, and sometimes *Miss*.”¹⁴⁵

What are we to make of Princess Seraphina, whose life appears in archival fragments and indirectly through second-hand accounts? Historians have described Seraphina as “the first recognizable drag queen in English history, that is the first gay man for whom dragging it up was an integral part of his identity,”¹⁴⁶ but this does not quite capture the complexity of Seraphina’s character and the forms of queer life that flourished in the molly houses. Like many other mollies, Seraphina

¹⁴⁵ Ibid, 168-9.

¹⁴⁶ Rictor Norton, “Princess Seraphina, 1732,” in *Homosexuality in Eighteenth-Century England*, (ed.) Rictor Norton (2006): <http://www.rictornorton.co.uk/eighteen/seraphin.htm>.

dressed and acted like a woman. As Poplet explained, “with her Hair frizzled and curl’d ... [she would] make such fine Curt’sies, that you would not have known her from a Woman.”¹⁴⁷ Inside the courtroom, however, Cooper was certainly not wearing a dress, and yet the women testifying still referred to Cooper as Princess Seraphina, Miss, and Your Highness. Although it is unclear whether these women participated in the molly house scene, they had no difficulty referring to Cooper using feminine monikers.¹⁴⁸ After all, they did not know Seraphina by any other name, especially not the legal name assigned by the court. Moreover, most witnesses used feminine pronouns to discuss Seraphina, some consistently and others flipping between “he” and “she.” Their accounts suggest that Seraphina was an integrated member of the local community, and unlike the critiques of mollies proffered by men, none of the women called Cooper effeminate or chastised Seraphina for her femininity.

Considering these inter-subjective conditions of Seraphina’s life – the grammatic, aesthetic, and corporeal ways in which Seraphina lived and was recognized to live by others – it appears that Seraphina moved through the world more as a woman than as a man, a fact that did not align with the juridical subject John Cooper who brought forward the case.¹⁴⁹ Seraphina’s participation in the molly houses suggests that we cannot reduce these spaces to sites of male homosexuality. Evidence of women’s involvement in the molly houses as supporters, owners, operators, and trans participants suggests that these clubs were not organized according to the symbolic figure of fraternity as a gendered principle of association. The molly houses were queer spaces capacious enough to host a diversity of practices of gender and sexuality. By attending to the forms of queer and trans worldmaking taking place in the molly houses, I argue that the molly houses contested attempts to naturalize the male body as the foundation of equality in the bourgeois public sphere. Far from just providing shelter and

¹⁴⁷ *The Proceedings at the Sessions of the Peace*, No. VI (London, 1732), 169.

¹⁴⁸ Although Jones does not seem to know what “sodomy” is, Mary Ryley seemed to be aware of Seraphina’s illicit activities because she recommended that Seraphina “better make it up with [Gordon], than expose yourself.” *Ibid.*, 170.

¹⁴⁹ Following witness testimony, Gordon was acquitted and Cooper/Seraphina does not seem to surface again in the archives.

accommodation for trans life, I argue that the rituals and practices of the molly houses actively reconstituted their male members as women, giving rise to new relations of freedom and equality based not on the symbolic figure of fraternity but of sorority.

VI. Rituals of Trans-Formation

While many accounts of the mollies describe how they adopted women's dress, conduct, comportment, and vocal styles, some record a certain ritual of reproduction that took place at various molly houses. The earliest record of a pantomime birth and a "lying-in" ceremony appears in Ward's journalistic history of the London clubs in 1709.¹⁵⁰ As Ward explains,

upon one of their Festival Nights, they had cushion'd up the Belly of one of their *Sodomitical* Brethren, or rather Sisters, as they commonly call'd themselves, disguising him in a Womans Night-Gown, Sarsnet-Hood, and Nightrale, who, when the Company were met, was to mimick the wry Faces of a groaning Woman, to be deliver'd of a jointed Babie they had provided for that Purpose, and to undergo all the Formalities of a Lying in.... [One a] Country Midwife, another ... taking upon himself the Duty of a very officious Nurse, and the rest, as Gossips, apply'd themselves to the Travelling Woman, according to the Midwife's Direction, all being as intent upon the Business in hand, as if they had been Women, the Occasion real, and their Attendance necessary.¹⁵¹

Highlighting the ritual birth as a key practice – real or imagined – of the molly houses, scholars have put forth a range of possible interpretations. The ritual served as a kind of communal release to "relieve their collective anxiety" of punishment.¹⁵² It was a way to "annoy" and "eject" informers from the clubs,¹⁵³ a "protest against the exclusion of sodomites from marriage and from all legitimate sexuality,"¹⁵⁴ and a means of denaturalizing "conjugal heterosexuality" and revealing it to be an artificial "custom and form."¹⁵⁵ Despite this variety, interpretations of the ritual neglect to analyze its most

¹⁵⁰ Similar accounts can also be found in Dalton, *A Genuine Narrative*, 40; *The Life of Tho. Neaves* (London: [1729]), 35-6; *The ten plagues of England, of worse consequence than those of Egypt* (London, 1757), 11-13

¹⁵¹ Ward, *The Secret History of Clubs*, 285.

¹⁵² Norton, *Mother Clap's Molly House*, 99.

¹⁵³ Shapiro, "Of Mollies," 163.

¹⁵⁴ Trumbach, *Sex and Gender Revolution*, 84.

¹⁵⁵ Kelleher, *Making Love*, 95.

obvious feature: the mock birth.¹⁵⁶ Consequently, they overlook the ritual's gendered dynamics and its significance within a political context of struggles for fraternal equality.

The ceremony of birth and lying-in centered around a socially and politically defining feature of a woman's life in early modern Europe, reproduction – “the most essentially female function of all.”¹⁵⁷ Inside the molly house, the ritual of birth was certainly a parody of reproduction but it was also a sincere attachment to the very thing parodied. With the mother's twisted face and groans, the midwife's apparatuses, the bustle, encouragement, and support of friends (“gossips”), the mollies produced in and through their bodies the reproductive signs and gestures of motherhood. Indeed, once the mother gave birth, the attendees passed the baby around and complimented “the Mother [for being] a good Breeder.”¹⁵⁸ In all their camp theatrics, mollies were creating a central custom and experience of womanhood that was otherwise denied to them outside club walls. At the molly house of one Jenny Greensleeves in Durham Yard,

a Man was formally laid in Bed, with the usual Ceremonies and Formalities, [... and along with the midwife and attendants,] would make wry Faces, sometimes Squawl out, and desire some of them to hold her Back, for her Pains were grinding and severe, sometimes by Intervals smile, sometimes cry out, but at last the Mount's in Labour, and out jumps a Mouse; the Lady is deliver'd of a jointed Baby.¹⁵⁹

In recreating the drama of childbirth, the molly house ritual begins with a “Man” in bed that textually becomes “the Lady” who asks her sisters to “hold *her* Back, for *her* Pains were grinding and severe.” Against the text's own attempts to name the mollies as men, these shifting pronouns indicate how the embodied performance of giving birth reconstituted the man as a woman. Inside the molly house, it seems that men did not just give birth but were themselves reborn as women.

¹⁵⁶ An exception is Tanya Cassidy, “The Secrets of Touch and the Sexualities of Birth,” in *Queering Motherhood: Narrative and Theoretical Perspectives* (Demeter Press, 2014), 47-62, although Cassidy does not situate the ritual within its political context.

¹⁵⁷ Helen Callaway, “The most essentially female function of all: Giving Birth,” in *Defining Females: The Nature of Women in Society*, (ed.) Shirley Ardener (Routledge, 1993), 146-167; Patricia Crawford, “the Construction and Experience of Maternity in Seventeenth-century England,” in *Women as Mothers in Pre-Industrial England* (ed.) Valerie Fildes (Routledge, 1990), 3-38.

¹⁵⁸ *The Life of Tho. Neaves* (London: [1729]), 36

¹⁵⁹ *Ibid.*, 35-6.

As with masonic rituals of brotherhood, the molly ritual of motherhood did not just re-subjectivize one person but constituted a new public of subjects organized around the symbolic body of women-*qua*-mothers. In early modern England, birth was not a solitary affair, but rather, it involved an exclusive community of women.¹⁶⁰ Scholars have often interpreted the childbirth ceremony as an institution generating and sustaining bonds of kinship among women.¹⁶¹ Unlike male mid-wives, whose techniques and instruments (e.g. forceps) “intended to (literally) keep a woman at arm’s length,” the practices of women mid-wives involved intimate forms of bodily contact, including touch of the mother’s privy parts.¹⁶² Oriented around such social, intimate, and potentially erotic practices, molly house rituals created new forms of kinship between members. The reproductive labor performed by the mother, midwife, and assisting gossips in conjunction with the erotic forms of touch shared between the mollies produced new social relations by transforming men into women. Tied together by the bonds of gender, individuals who might at first appear to be “*Sodomitical Brethren*” become “Sisters, as they commonly call’d themselves.”¹⁶³ Recasting what may at first seem like a fraternal space of men into a sororal club of sodomites, mollies formed new bonds of attachment in and through subversive practices of gender.

A spectacle and event across molly houses, the ritual of reproduction was just one part of the mollies’ larger repertoire of bodily conduct and comportment that established their womanhood. Wearing a dress or gown, curling her hair, receiving a new name, speaking in and as her new name, curtsyng, cackling, caterwauling, scolding, and tattling are just some of the ordinary practices that remade a man into a molly house woman. In his description of the mollies at Sukey Bevell’s, Dalton

¹⁶⁰ This changed in the 1740s when male practitioners took over the process. Adrian Wilson, *The Making of Man-Midwifery: Childbirth in England, 1660-1770* (Cambridge University Press, 1995).

¹⁶¹ Adrian Wilson, “The Ceremony of Childbirth and its Interpretations,” in *Women as Mothers in Pre-Industrial England*, (ed.) Valerie Fildes (Routledge, 1990), 68-107. For an alternative account that analyzes conflict and power in the birthing ceremony, see Linda A. Pollock, “Childbearing and Female Bonding in Early Modern England,” *Social History*, 22, 3 (1997): 286-306.

¹⁶² Cassidy, “The Secrets of Touch and the Sexualities of Birth,” 55, 58.

¹⁶³ Ward, *The Secret History of Clubs*, 285.

remembers “One of the Beauties of this Place is Mrs. Girl of Redriff, and with her, (*or rather him*) dip Candle-Mary a Tallow Chandler in the Burrough.”¹⁶⁴ Momentarily beside himself with the memory of Mrs. Girl’s beauty, Dalton speaks of this molly as a woman, a ‘mistake’ the text quickly and parenthetically corrects. Individuals who outside the club might pass as men would, once inside the molly house, be stripped of the signifiers of manhood and take up the embodied aesthetics of femininity. As such, men did not “become ‘mollies’ by *remaining boys* ... lingering in the period of juvenile sexuality.”¹⁶⁵ Rather, by re-organizing their bodily activities and performing fantasies of womanhood and motherhood, men became mollies by performatively reproducing themselves as women. The molly houses’ rituals and practices created new subjects of gender: ~~men~~ who no longer acted or performed as men and thus became women.

Although mollies embodied womanhood in a host of ways, their practices of feminization did not extend to their sexual roles. Gender in the molly houses did not neatly map onto sex, since effeminacy did not necessarily entail a preference for “being fucked by other men,” as some have claimed.¹⁶⁶ Mollies did not normatively prioritize a ‘feminine’ position of being penetrated but, like other sodomites, engaged in reciprocal practices of penetrative sex.¹⁶⁷ In a molly house tune recorded by Dalton, mollies sang that they were “not confin’d / To Water or Wind, / Before or Behind, / *But take all Liberty, But take &c.*”¹⁶⁸ Although they were described as “Men who chuse this backward way,”¹⁶⁹ mollies did not appear to valorize one way over the other. Whether to penetrate and or be penetrated, mollies “take all liberty” with both the before and behind, or what today we call top and bottom. Scrambling the gendered geography of sex by making no distinction between the pre- and posterior,

¹⁶⁴ Dalton, *A Genuine Narrative*, 39, emphasis added.

¹⁶⁵ King, *Engendering Men*, 108.

¹⁶⁶ Halperin, *How to do the History of Homosexuality*, 111.

¹⁶⁷ Not only did Thomas Gordan claim that Princess Seraphina wanted to bugger him not to be buggered by him, but at the houses of Mother Clap and Miss Muff, sodomites such as Martin Mackintosh, Isaac Milton, and Jonathan Parrey all expressed desire to both penetrate and be penetrated. See sections II and V above.

¹⁶⁸ Dalton, *A Genuine Narrative*, 43.

¹⁶⁹ Ward, *Satirical reflections on clubs*, 299

mollies were considered “preposterous.”¹⁷⁰ Although mollies dressed and acted like women, their sexual practices did not reinscribe the gender binary. By refusing a normative hierarchy of penetration and by having sex in public, mollies subverted an emerging hetero-patriarchal order that displaced sex to the privacy of the family and represented sex as an act of a man penetrating a woman for the purposes of reproduction.

Consequently, the molly houses cultivated a new communal vision of freedom that put pressure on the fraternal limitations of equality taking shape in the period. “We value not Man nor Maid,” the molly song Dalton records continues, “*But among our own selves we’ll be free, But among, &c.*”¹⁷¹ Outside and against the binary of man and maid, the molly houses made room not just for men who wanted to have sex with men, but also for cis women, trans women, transvestites, criminals, and various shades of perverts. What united these individuals together was not (only) the physical act of sex, but a repertoire of bodily practices of feminization that transgressed an emerging gender binary of public men and private women. “Ask him if he knows whether I am a girl or a boy?” interjected John Church in court when two men indicted for robbery explained that they robbed Church because they believed him to be “a Molly.”¹⁷² The practices of the molly houses subverted the imagined naturalness of what it meant to be a boy or a girl. As Dalton put it, a molly was “*neither a Man’s Man, nor a Woman’s Man*” but a “*Traytor to both Sexes.*”¹⁷³ In becoming women of a new sort, mollies resisted a naturalized order of gender. Their transgender practices questioned both masculinity and femininity, maleness and femaleness. The so-called effeminacy of mollies was not a problem of men being unmanly but of men giving up manhood altogether. In publicly practicing the arts of femininity both in and sometimes outside of their clubs, mollies refused principles of fraternal association organizing

¹⁷⁰ On critiques of mollies as preposterous, see *Plain Reasons for the Growth of Sodomy*, 12-13; Ward, *Satirical reflections on clubs*, 299.

¹⁷¹ Dalton, *A Genuine Narrative*, 42.

¹⁷² *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 06 March 2023), December 1744 (17441205).

¹⁷³ *A Genuine Narrative of all the Street Robberies Committed since October Last, by James Dalton, and his Accomplices... Taken from the Mouth of James Dalton* (London: Printed, and Sold by J. Roberts, at the Oxford Arms in Warwick-Lane, 1728), 35.

the public sphere and contested an emerging bourgeois hegemony rooted in a naturalized image of the male body.

VII. Gender, Sex, Sexuality, and Class

Despite all the critiques targeting the mollies, dressing and imitating women was not an uncommon practice in the 18th century. As Terry Castle has shown, cross-dressing was a typical and accepted practice at the popular masquerade parties that flourishing in London from the 1720s until the end of the century.¹⁷⁴ Moral reformers did not approve of the transvestism of party-goers, condemning masquerades for promoting libertinage and sexual vice. As *Short Remarks upon the Original and Pernicious Consequences of Masquerades* argued, “Nature has made difference not only between the Sex, but between the Apparel of Men and Women,” and so the habit of “confounding of Garments” as masquerade parties will soon “metamorphose the Kingdom into a *Sodom* for Lewdness.”¹⁷⁵ According to this anonymous author, the masquerade’s aesthetic inversions undermined naturalized ideas of gender and thus invoked the specter of Sodom and its sins. Throughout the century, newspapers reported of clubs of men “who meet together Weekly, in several Parts of the Town, in Masquerade Habits, many of them in Womens Apparel, the better to carry on their vile and detestable Practices.”¹⁷⁶ The practice of dressing in women’s clothes and affecting their conduct and speech appeared to assist in the propagation of sodomy. Unnatural practices of gender were intimately linked to and inseparable from unnatural practices of sex.

Critiques of public masquerade balls presented a certain ambiguity between their activities and those of the molly houses, an ambiguity that was only exacerbated by the fact that mollies spoke about “mak[ing] a Ball” at their clubs and also took “great Delight in [attending] Balls and Masquerades”

¹⁷⁴ Terry Castle, *Masquerade and Civilization: The Carnavalesque in Eighteenth-Century English Culture and Fiction* (Stanford University Press, 1986), especially pages 22, 63-4.

¹⁷⁵ “Short Remarks upon the Original and Pernicious Consequences of Masquerades,” in *The Conduct of the Stage Consider’d* (London, 1721), 35-43, quotes are from pages 40, 35.

¹⁷⁶ *Daily Journal*, 28 July 1732, Issue: 3609. See also *Newcastle Courant* 28 December 1723; *Caledonian Mercury*, 4 January, 1725; *London Evening Post* 1-3 March 1744, Issue 2546.

throughout the city.¹⁷⁷ Despite these overlaps, public masquerades were rarely targeted or repressed by civil authorities. As Castle argues, official masked parties were promoted as “an exclusive, luxurious, elite form of entertainment” and largely tolerated as the activity of “irresponsible people of fashion.”¹⁷⁸ Even if members of the lower orders infiltrated these elite parties, the state only shut down masked parties and balls when most attendants were deemed to be “unfit to enjoy such amusements.”¹⁷⁹ Class difference served as a key marker distinguishing the more acceptable masquerade party from its illicit counterpart associated with the molly house. Reporting on the raid of “a private Masquerade” in January 1725 that resulted in the arrest of forty people, the *Weekly Journal* writes that “tho’ several personated Emperors and Queens, few or none of ’em were above the Rank of Footmen or Scullions.” Although presented as a raid of a plebeian party and not a molly house, the cross-dressing that took place nonetheless evoked the specter of sodomy associated with mollies. Many of those arrested “go amongst themselves by Female Names,” the *Journal* states, and “one of them was convicted last Sessions for an Attempt to commit Sodomy, which Crime the Assembly in general lies under the Imputation of.”¹⁸⁰

Unlike the frivolous diversions of the elite, then, the association of plebeian practices of cross-dressing with the sodomitical practices of mollies justified suppressing these working-class spaces of gender subversion. In an emerging bourgeois society, the problem of drag was not the danger of men acting like women so much as working-class men acting like upper-class women. Just as mollies greeted newcomers to their clubs with “very reverend Courtesies, which they perform’d with a great Deal of Respect and Ceremony,”¹⁸¹ the *Weekly Journal* emphasizes that several of the arrested impersonated

¹⁷⁷ Wild, *An answer to a late insolent libel*, 31; *The Proceedings at the Sessions of the Peace*, No. VI, 169. Rictor Norton, “‘Princess Seraphina’ steps out at Vauxhall Gardens,” *Vauxhall History* (2017): <https://vauxhallhistory.org/princess-seraphina-at-vauxhall-gardens/> [accessed June 2023]

¹⁷⁸ Castle, *Masquerade and Civilization*, 27, 2.

¹⁷⁹ Castle, *Masquerade and Civilization*, 96.

¹⁸⁰ *The Weekly Journal; or, British Gazetteer*, 2 January 1725.

¹⁸¹ *A Genuine Narrative of all the Street Robberies Committed since October Last, by James Dalton, and his Accomplices... Taken from the Mouth of James Dalton* (London: Printed, and Sold by J. Roberts, at the Oxford Arms in Warwick-Lane, 1728), 31-32.

“Queens.”¹⁸² Mollies and plebeian cross-dressers did not travesty the housewife’s meek and demure demeanors but the noble and public gestures of aristocratic women. At issue was not simply gender subversion as such but the performance of class-inflected femininity. In presenting as aristocratic women inside their working-class bars and clubs, mollies and plebeian cross-dressers enacted a form of life unavailable to them. The performativity of gender dramatized class difference. Their exaggerated camp put on display the contradiction of a bourgeois society that claimed all men to be naturally equal in the name of brotherhood. The travesty of gender was thus a travesty of the supposed fraternal equality of men.

The drag of the working-class masquerade party and molly house contested forms of deference and subordination expected from the poor, and so their unnatural aesthetic and bodily practices conjured the specter of sodomy as the symbol of an unnatural and inverted social order. In recoding plebeian cross-dressing as a form of sodomy, critics were not solely concerned with limiting class transgression, however, as if anxieties around gender were simply an ideological cover for class concerns. For bourgeois opponents of aristocratic rule, gender came to occupy the symbolic position previously accorded to class as an organizing principle of political society. Against principles of blood and lineage, fraternity emerged as a new political category and social practice of equality among men. Practices of gender subversion unmoored the male body from its status as a foundational signifier for a natural order of equality. Aesthetic and corporeal practices of feminization raised the question of whether the ‘man’ behind the masquerade is a man at all and whether ‘he’ can be counted as an equal brother and political subject. Whereas rumors of masonic sodomy presented natural manhood underpinning fraternal equality as a potential threat to all class distinctions *among men*, male-to-female practices of femininity contested the very naturalness of the male body as the foundation of men’s equality. Plebeian acts of gender trouble did not just dramatize class inequality in a bourgeois society

¹⁸² *The Weekly Journal; or, British Gazetteer*, 2 January 1725.

that claimed all men to be equal but destabilized its symbolic foundations by calling into question gender as its natural organizing principle.

Inside their clubs and parties, the mollies developed anti-bourgeois visions of womanhood. While some newspapers and informants described mollies and plebeian cross-dressers as imitating upper-class women, scholars have argued that mollies adopted many of the gestures, dress, and forms of address common to prostitutes.¹⁸³ Many molly houses existed in areas known for prostitution and some homosexual cruising sites, such as one path in the Upper-Moorfields called ‘The Sodomites’ Walk,’ were also shared with sex workers. Some mollies were themselves prostitutes and worked alongside or as members of groups of female sex workers.¹⁸⁴ Indeed, what unites aristocratic women and sex workers is a public practice of bodily display. Where aristocratic women exhibited their power and status through the public conduct and comportment of their bodies, prostitutes advertised their sexual labor by exposing and flaunting their bodies in public.¹⁸⁵ The forms of public signification typical to upper- and lower-class women thus made working-class homosexuality socially visible. By taking up the habitus of these public women, mollies and plebeian cross-dressers promoted models of femininity that challenged bourgeois visions of women as naturally meek and submissive housewives. Newspapers reported that the pleasures of drag found in working-class masquerade parties threatened to entice both “Tradesmen *and their Wives*, ... who frequently are decoy’d into such unlawful Assemblies.”¹⁸⁶ The disorder of dress raised the possibility that women could be something other than wives subordinated to the household. Challenges to gender as a naturalized category of political association thus threatened the patriarchal ground of a new class society, endangering the male supremacy of an emerging bourgeois order founded on women’s exclusion from political life.

¹⁸³ Rictor Norton, “Recovering Gay History from the Old Bailey” *London Journal*, 30, 1 (2005), 39-54; Shapiro, “Of Mollies,” 156.

¹⁸⁴ Trumbach, “Sex, Gender, and Sexual Identity,” 189. Randolph Trumbach, “Sodomy Transformed: Aristocratic Libertinage, Public Reputation and the Gender Revolution of the 18th Century,” *Journal of Homosexuality*, 19, 2 (1990): 116-117.

¹⁸⁵ “Etymologically, to ‘prostitute’ oneself means to expose or exhibit oneself in public (*pro* + *statuere*: literally, to place or hold forward, in front).” Anne Berger, *The Queer Turn in Feminism: Identities, Sexualities, and the Theater of Gender* (New York, 2014), 134.

¹⁸⁶ *The Weekly Journal; or, British Gazetteer* 2 January 1725, emphasis added.

Conclusion

Naturalized ideas of gender formed a key battle ground for an emerging bourgeois society that rejected the natural hierarchies of rank and status that defined the aristocratic world. Whereas fraternal societies such as freemasonry developed new ideas and practices of the male body to materialize new relations of equality among men, some men took up these conceptions of proprietary manhood to justify sex between men, pushing a masculine model of freedom rooted in bodily autonomy to its very limits. In justifying their sexuality by reference to their masculine sex, these sodomites helped produce new forms of freedom and equality organized around the principle of gender. This strategy of masculinization would eventually achieve some success in the 20th century with the cultural domination of the straight-acting and -appearing gay man.¹⁸⁷

In contrast, the feminizing practices of the molly houses posed a threat to the entire gender order by contesting the very naturalness of men's bodies. Against an aristocratic society predicated on naturalized class differences, new visions of gender grounded an emerging bourgeois society symbolically committed to equality. The new political order was thus rooted in the proper organization of gender: for men, a public sphere of freedom and equality; for women, a private sphere of deference and subordination. Consequently, the mollies upset the gender order by visibly placing the corporeal and sartorial signs of feminized bodies in the public sphere where they do not belong. Although certain forms of upper-class drag could be tolerated insofar as the public could be assured that there is a 'real man' underneath the dress who will likely not give up his place in the social hierarchy, the mollies cut the ground from underneath such assurances. Their practices called into question the naturalized manhood necessary to secure the gender order. Regardless of whether one was caught in the act of sodomy, individuals were arrested simply for being present at a molly house.¹⁸⁸ Organized around the

¹⁸⁷ Martin P. Levine, *Gay Macho: The Life and Death of the Homosexual Clone* (NYU Press, 1998).

¹⁸⁸ See, for instance, *Daily Journal* Jan 2 1725 Issue 1234.

symbolic body of the mother and sister, the molly houses made space for both men and women, transformed those men into women, and as a result, produced anti-fraternal relations of sorority between their members. In refusing a gender binary at the core of an emerging bourgeois democracy, the mollies open up another way of thinking about what freedom and equality could look like.

A trans-affirmative reading of the mollies reveals why the feminized figure of the molly occupies such a prominent symbolic position in the discourse of sodomy and why gender cannot be divorced from questions of sexuality. Refracted through the molly houses, the threat of sodomy was not just a specific anti-reproductive sexual act but a form of egalitarian sociality that surpassed the gendered bounds of fraternity. The disruption of the gender order was not just confined to the molly houses but could happen almost anywhere in public. The development of public infrastructures of intimacy made possible new opportunities for seducing men and converting them into effeminate sodomites. The ambiguity between fraternity and sodomy meant that every fraternal relation could be corrupted, and the manly love of brothers transformed into the effeminate love of sodomites.

At stake, therefore, was the formation of the citizen as a proper political subject of gender and sexuality. According to the author of *Plain Reasons for the Growth of Sodomy*, when the Romans turned to “*Luxury and Effeminacy* ... they quite lost the Spirit of Man-hood, and with it their Empire. For they grew so *Womanish* in Mind, Gesture, and Attire; and withal so fearful of hurting their sweet Faces ... gave up their Liberty to preserve their *Effeminacy*.”¹⁸⁹ Signifying not a sexual act but a whole gendered regime of the mind and body, sodomy threatened not just the reproductive futurity of the population but its citizens’ masculine vitality and capacity for imperial domination. As a witness to the execution of mollies in 1726 put it, “It is a melancholy Sight to see Men in full Strength and Vigour go to publick

¹⁸⁹ *Plain Reasons for the Growth of Sodomy, in England*, 19. See also, *The Sodomites Shame and Doom* (London, 1702), 2.

Executions unpity'd, and, unlamented.”¹⁹⁰ Here is not a lamentation for the executed, who received no pity from the crowd, but for the loss of manly strength and vigor necessary for political rule.

As sodomy appeared to spread throughout the country, moral reformers argued that the usual punishments of fines, pillorying, and hanging were not enough to contain the contagion of sodomy. Some claimed that sodomites should also be castrated or burned alive.¹⁹¹ Others argued that, whatever the penalty, sodomy should not be punished publicly. The criminal's exhibition could provoke what Jody Greene calls “spectatorial mimesis,” as witness to the sin could “potentially infect the population at large.”¹⁹² Still others claimed that just punishing sodomites was insufficient. Men must guard against any potential sodomitical seduction, they argued, by changing their practices of homosociality. “The first *inlet* to the detestable *Sin of Sodomy*” is “this *Unmanly, Unnatural Usage*” of “Men's *Kissing* each other,” wrote *Plain Reasons for the Growth of Sodomy*.¹⁹³ Although kissing did not inherently signify sodomy, the text nonetheless calls for the abolition of this gateway gesture. Doing so, the author argues, would fortify men's manliness and combat the effeminacy making men susceptible to homosexual desire.

No Step will be more Effectual [to stop the spread of sodomy] than at once to Abolish the Fulsome Custom of *Men Kissing* each other, and to admit of no Plea or Exception in Favour of so Detestable a Practice.... I hold it so ridiculous foolish Custom for a Man to *Kiss* even his own Brother, it Savours too much of *Effeminacy*, to say the best of it.”¹⁹⁴

Ordinary gestures of affection like kissing feminized men, eroding a manliness that was anything but natural and sturdy. In softening men, kissing made their fraternal relations more suspectable to the pleasures of sodomy, even going so far as to threaten the incest taboo between brothers. Calls for kissing's abolition formed one part of a larger disciplinary apparatus for governing the ordinary

¹⁹⁰ 1726 *Weekly Journal or British Gazetteer*, May 7, 1726, London, England Issue: 54

¹⁹¹ *Plain Reasons for the Growth of Sodomy, in England*, 13; *Weekly Journal or British Gazetteer*, May 14, 1726, London, England Issue: 55; *Caledonian Mercury*, 7 December 1731; *Kentish Weekly Post or Canterbury Journal*, 25 December 1731 in “Newspaper Reports, 1731”, *Homosexuality in Eighteenth-Century England*, (ed.) Rictor Norton (2022) <http://www.rictornorton.co.uk/eighteen/1731news.htm>.

¹⁹² Jody Greene, “Public Secrets: Sodomy and the Pillory in the Eighteenth Century and Beyond,” *The Eighteenth Century* 44, 2/3 (2003): 203-232, quotes from pages 207 and 208.

¹⁹³ *Plain Reasons for the Growth of Sodomy*, 11-12

¹⁹⁴ *Ibid.*, 14-15.

practices of intimacy and sociality shared among men. Critiques of men's bodily practices demanded that men turn their gaze to their own bodies and urged them to rearrange its practices in order to prevent corrupting what appeared to be an easily corruptible male body.

In the first half of the century, such recommendations were neither self-evident nor uncontroversial. "I know" that "I shall be laught at by all the Votaries of Sodom and Effeminacy," concedes the author of *Plain Reasons* around 1730.¹⁹⁵ Yet, he claims that there already exist some "Manly and Generous *Britons*" who have taken up his proposals and "will not on any Account *Kiss* any Friend or Relation of the same *Sex*." Indeed, the author is even a member of a society founded on the refusal of kissing. "I am of a Society of Gentlemen, and with Pride I declare it; who have made a solemn Vow, never to give, or take from any Man a *Kiss*, on any Account whatever."¹⁹⁶ Unlike the masons or the mollies, the contract that bonds this fraternal society is based on the rejection of men's physical intimacies. Here is an organization of men who wish to publicly signify and secure the heterosexuality of their union by banning the bodily gestures of affection that played a central role in the development of the fraternal public sphere. However, such changes to men's public modes of address were not readily accepted. As the author proudly admits, he and others of his society have been "so punctual ... in Observation of this Injunction [not to kiss], that many times at the Expence of a Quarrel, this Rule has been most inviolably kept among us."¹⁹⁷

In the early decades of the 18th century, it was not uncommon to see men greet their male relations with a kiss or walk down the street in their "Friend's embrace."¹⁹⁸ By the end of the century, however, these embodied forms of sociality seemed to have disappeared. In 1782, a German visitor to London observed that "Only among men is the embrace not in use, and one would be laughed at for

¹⁹⁵ Ibid. 15.

¹⁹⁶ Ibid, 16.

¹⁹⁷ Ibid.

¹⁹⁸ Gay, *Trivia: Or, the art of walking the streets of London*, 59.

doing so, since no other forms of civility and tokens of friendship are recognised except bowing and hand-shaking” (Fig. 15).¹⁹⁹ Remarking on this lack of embrace between men, another visitor reasoned



Fig. 15. George Du Maurier, “Two Men Shaking Hands,” *Punch, Or the London Chirivari*, February 22, 1879, page 73.

that the custom disappeared due to English fears of sodomy. “The kiss of friendship between men is indeed avoided as inclining towards sins utterly abhorred in England.”²⁰⁰ The refusal to kiss no longer aroused quarrels between men, as the proposals put forward in *Plain Reasons* half a century before had now become taken for granted. “Instead of embracing, they *shake hands*,” noted Johann Wilhelm von Archenholz, “People sometimes act this *pantomime* in such a *forcible* manner, that they make each others hands and arms ache.”²⁰¹ Against the signifiers of femininity and the dangers of sodomy they evoked, men interacted with

one another in overly exaggerated masculine ways to constitute and reinforce the heterosexuality of their relations.

Alongside these legal and social efforts to combat sodomy, civil authorities sought to encourage heterosexuality. Over the course of the century, charges and punishments against heterosexual coupling diminished. Police largely ceased to arrest men found with prostitutes in bawdy houses or in the street after 1730, and adultery was prosecuted as a misdemeanor for the last time in 1746.²⁰² Just

¹⁹⁹ „Nur unter Mannspersonen ist die Umarmung nicht im Gebrauch, und man würde sich dadurch dem Gelächter aussehen, da man ausser einer Verbeugung und Händedruck keine andern Höflichkeits und Freundschaftsbezeugungen kennt.“ Friedrich Wilhelm von Schütz, *Briefe Über London: Ein Gegenstück Zu Des Herrn Von Archenholz England Und Italien* (Hamburg, 1792), 222.

²⁰⁰ „Der Freundschafts-Kuß unter Männern wird, als hinneigend zu in England äußerst verabscheuten Sünden, durchaus vermieden.“ Johann W. J. Bornemann, *Einblicke In England und London im Jahre 1818* (Berlin: E. S. Mittler, 1819), 179.

²⁰¹ Johann Wilhelm von Archenholz, *A picture of England: Containing a description of the laws, customs and manners of England* (Dublin, 1790), 198.

²⁰²Randolph Trumbach, “Sex, Gender, and Sexual Identity,” 194; Dabhoiwala, *Sex and the Societies for Moral Reform*,” 297.

as public intimacy between men became increasingly unacceptable and suspect, heterosocial forms of intimacy became more tolerated and widespread. As von Archenholz observed, “If *kissing* is not allowed among the men, this prohibition is amply recompensed by the right of publicly embracing the ladies. The husbands themselves are not vexed at this agreeable custom. Neither jealousy nor shame can prevent it.”²⁰³ Heterosocial forms of touch thus came to replace earlier gestures of homosocial intimacy in public, as men increasingly turned to women’s bodies to help secure the heterosexuality of their fraternal unions.

Over the course of the 18th century, therefore, concerns that sodomites unmade men and destabilized the natural grounds from which they could claim freedom and equality meant that men’s homosocial intimacy became increasingly subject to suspicion. As George Parker argued in 1781, men should be punished based on “the most light glance of just suspicion” of sodomy.²⁰⁴ With the formation of new legal categories such as “in-decent assault” in the early 19th century, “no more than a suggestive touch was necessary to bring about a prosecution.”²⁰⁵ As a result, “cases of homoerotic offenses were heard at a rate of about one a week in London’s magistrates’ courts.”²⁰⁶ In 1806, more men were executed for sodomy than for murder.²⁰⁷ The repression of the molly houses in the early 18th century shows how the punishment of homosexuality constituted a key mechanism to establish and enforce the gender order of bourgeois democracy. Their history demonstrates how a history of democratic embodiment *is always already* a queer and trans history, in the sense that the negation of the conditions of possibility of queer and trans life and their transformative experiments in gender and sexuality actively shapes what democracy has come to mean. The mollies reveal how resistance to

²⁰³ von Archenholz, *A picture of England*, 198.

²⁰⁴ George Parker, *A view of society and manners in high and low life; being the adventures in England, Ireland, Scotland, Wales, France, &c.*, Vol. II (London, 1781), 87-88.

²⁰⁵ Charles Upchurch, *Beyond the Law: The Politics of Ending the Death Penalty for Sodomy* (Temple University Press, 2021), 7.

²⁰⁶ Cocks, *Visions of Sodom*, 218.

²⁰⁷ A. D. Harvey, “Prosecutions for Sodomy in England at the Beginning of the Nineteenth Century,” *The Historical Journal* 21, 4 (1978): 939-948.

normative practices of gender and sexuality threaten the foundations of a class society that disavows the reality of class inequality and excludes women from public life all in the name of fraternity.

Conclusion: Intellectual History, Bodily Practice, and the Crisis of Democracy

In a society permeated with chains of subordination and submission at the peak of which the king ruled, how did the revolutionary idea of equality take hold and eventually become taken for granted as a part of our political common sense? How did people born into naturalized hierarchies of rank and status become attached to and practice democratic principles in their everyday lives? This dissertation answered these questions by providing a new account of the democratic revolution. Investigating fraternity as a critical part of our democratic heritage, I examined how fraternity emerged as a symbolic idea, material practice, and felt relation of political equality over the 18th century. Novel practices of gender and sexuality emerging in the aftermath of the 1688 Revolution displaced ordinary forms of comportment organizing an aristocratic society. The repeated exercise of new bodily practices of homosociality habituated men to new ways of acting, feeling, and relating constitutive of new democratic sensibilities. Egalitarian sensations generated by intimate practices of touch attached men to fraternity as a symbolic ideal of a democratic society. Neither fraternity's meaning nor its status as a privileged symbol were uncontested, as struggles over new political forms of embodiment produced divergent principles of freedom and equality. These struggles reveal how the hetero-patriarchal vision of fraternity organizing a bourgeois society committed to principles of civic equality was a contingent outcome of ongoing conflicts taking place on the embodied terrain of everyday life.

This account of the democratic revolution forms a small part of a larger story about the shift from a monarchical to a democratic society. The historical arc I chart stops shortly before what is often called the "Age of the Democratic Revolutions" that gripped the Atlantic World in the latter half of the 18th century when groups excluded from political life based on race, gender, class and other social and political categories struggled for equality and spread the democratic ideal to farther reaches of

society. How might this dissertation's focus on affective bodily practices of gender and sexuality alter our understanding of these revolutions?

On July 7, 1792, France's Legislative Assembly was on the brink of collapse. Against the background of a teetering monarchy, revolutionary upheaval, and raging war, the Assembly was split into opposing factions and its members seemed "bent on massacring one another."¹ The leader of the Girondins, Jacques Pierre Brissot, was about to take the floor to speak about measures for general security when a bishop and deputy from Rhône-et-Loire asked to make a motion on the subject. Antoine Adrien Lamourette explained that "the position of the legislative body is the true barometer of the state of the nation," and so "disunity" in the Assembly could only mean disunity in the nation.² Calling for an end to factionalism, Lamourette proposed an oath in defense of the constitutional monarchy. "Let's swear eternal fraternity," he exclaimed, "let's all merge into one unified mass of free men."³ Enthusiastic cheers erupt in the assembly. Rising with acclamations of "yes, we swear," deputies on opposing sides "rush to the middle of the assembly and embrace each other," hugging and kissing amidst applause that continues for over half an hour.⁴ When the time comes for Brissot to speak, he decides to postpone his speech until the next day so as "not to disturb the fraternal reunion which has just taken place."⁵

The practices and feelings of fraternity depicted in this episode of the French Revolution are easy to dismiss.⁶ After all, the constitutional monarchy would be abolished the following month, and Louis XVI beheaded six months later. Yet, the ideal of fraternity was critical at this moment and the

¹ Robert Darnton, *The Kiss of Lamourette: Reflections in Cultural History* (W. W. Norton & Company: 1990), xiv.

² "La position du corps législatif est le véritable thermomètre de l'état de la nation." *Projet de réunion entre les membres de l'Assemblée nationale par M. Lamourette, Député du Département de Rhône-et-Loire, imprimé par ordre de l'Assemblée nationale*, Paris, de l'Imprimerie Nationale, 1792.

³ "Jurons-nous fraternité éternelle, confondons-nous en une seule et même masse d'hommes libres." Ibid.

⁴ "les membres de chaque côté se précipitent dans le côté opposé: ils se rencontrent au milieu de la salle: ils s'embrassent tous." M. Ducos, *Journal de L'Assemblée Nationale ou Journal Logographique*, vol. 23 (Paris: 1792), 319-320.

⁵ "ne pas perturber la réunion fraternelle qui vient de s'opérer," quoted in Caroline Chopelin-Blanc, "Le « baiser Lamourette » (7 juillet 1792)", *Annales historiques de la Révolution française*, 355 (2009) : 73-100.

⁶ As Robert Darnton writes, "the 'kiss of Lamourette' has been passed over with a few indulgent smiles by historians who know that a month later the Assembly would fall part before the bloody uprising of August 10." Darnton, *The Kiss of Lamourette*, 17-18.

revolution more broadly. One year after the king's execution, two delegates from the French colony of Saint-Domingue arrived at the National Convention to deliver speeches on the abolition of slavery. When Jean-Baptiste Belley, a formerly enslaved person, and Jean-Baptiste Mills, a mixed-race man, entered the assembly, deputy Jean-François Delacroix "demand[ed] that their introduction be marked by the President's fraternal embrace."⁷ As the men shared a *baiser fraternel*, a kiss either on the mouth or cheek, the Convention rang out with applause. The next day, Belley delivered a speech supporting the Revolution's ideals and implored the Convention to abolish slavery. No one spoke after him. One deputy motioned that the Convention not "dishonour itself by a discussion." The assembly rose in acclamation, and the President announced slavery abolished. The "two deputies of colour appeared on the tribune and embraced while the applause rolled around the hall from members and visitors. Lacroix led the Mulatto and the Negro to the President who gave them the presidential [fraternal] kiss, when the applause started again."⁸

Politically, these two episodes of the French Revolution could not be further apart. One was an attempt to pull the break on the revolution and defend the monarchy, while the other drove the revolution's ideals forward, extending its attack against the aristocracy to what revolutionaries called the aristocracy of skin. Yet, in both cases, fraternity was central, as a shared brotherhood of men *as men* served not only to re-unite a legislative body in disarray but also mark a new age of equality.⁹ On the floor of the National Convention on February 4, 1794, deputies passed a juridical decree proclaiming men of color to be equal to white Frenchmen and they shared a series of highly charged bodily gestures in what may be the first recorded instance in French history of public intimacy between white and Black men. In the months following abolition, paintings and engravings memorialized the interracial kiss and embrace under the banner of *fraternité* (fig. 16). Across France, citizens organized festivals

⁷ C. L. R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution* (New York, 1989), 139.

⁸ *Ibid.*, 140.

⁹ Efforts to create a new Republic of equal brothers were soon cut short with the re-establishment of slavery in 1802.

where they re-enacted the event of abolition, reading Belley's revolutionary speech and sharing "le baiser fraternel" with "nos frères de couleur [our brothers of colour]."¹⁰ Gender served as a critical political category, as the embodiment of fraternity among men promised to overturn historical relations of racial inequality and domination.

As this dissertation argued, such shared hugs and kisses can deeply affect citizens' capacities to re-imagine and re-create a democratic society. How did new bodily practices of intimacy cultivated in the revolutionary episode of abolition alter or mutate a colonial order of inequality? The European



Fig. 16. "Fraternité" (1794). Engraver: Duchemin. Musée Carnavalet, Histoire de Paris, G.23468.

colonial imaginary figured contact with Black bodies as a threat to its racial purity and biological health, and laws segregating social space shaped embodied relations of racial sociality among strangers.¹¹ Did new practices of touch and proximity contest dominant forms of embodiment that materialized colonial relations of domination? In what ways did the failure to transform these embodied practices and relations cut short the promise of racial equality formalized by the law? While the story of the democracy extends far beyond this dissertation's account, the methods of analysis I developed are portable enough to help answer these and other questions about the role of bodily practice in the creation of and attachment to political relations of freedom and equality. As such, I conclude with

¹⁰ Caroline Crouin, "Étude scénographique des fêtes en faveur de l'abolition de l'esclavage en France (février - juillet 1794), *Annales historiques de la Révolution française* 339, (2005): 55-77, quotes are from pages 69-70.

¹¹ Frantz Fanon, *Black Skin, White Masks* (New York, 2008), 91-93; Sean Quinlan, "Colonial Encounters: Colonial Bodies, Hygiene and Abolitionist Politics in Eighteenth-Century France," *History Workshop Journal* 42 (1996): 107-125; George Yancy, "White Embodied Gazing, the Black Body as Disgust, and the Aesthetics of Un-Suturing" in *Body Aesthetics*, (ed.) Sherri Irvin (University of Oxford, 2016), 244-261; George Yancy, *Black Bodies, White Gazes: The Continuing Significance of Race in America* (Rowman & Littlefield, 2017).

some reflections on the conceptual and methodological principles highlighted in the dissertation and how they might help us rethink the democratic revolution and the contemporary crisis of democracy.

I. What is Intellectual in Intellectual History?

In what ways can a history of bodily practice constitute a history of an idea? How should we make sense of the embodied domain of empirical history and the domain of things we call ideas, which political theorists and intellectual historians have claimed as their object of study? Current methods of intellectual history make it difficult for scholars to analyze how forms of embodiment can generate seemingly abstract political concepts. Indeed, the privileging of linguistic practice in dominant methodologies of intellectual history seems to share a strong affinity with the repressive hypothesis of the body in democracy. To better understand how the non-linguistic practices of the body can have signifying effects and produce meaning requires re-thinking familiar binaries of the ideational and the material that currently underwrite much intellectual history. In doing so, I offer new methodological insights for intellectual history that can expand its archives beyond the traditional genre of texts to reveal how a host of seemingly ‘mute’ and non-linguistic artifacts carry philosophical and political meaning.

In this section, I investigate how intellectual historians have conceived of the relationship between “ideas” and “action.” The English word “idea” originates from the Greek word *eidos* (εἶδος), meaning something that is seen. But if ideas can be seen, where do they exist and how do we see them? Despite sophisticated developments in the study of ideas, intellectual history remains tethered to a mentalist picture that portrays ideas as immaterial objects existing in a metaphysical domain, which we can only access via logocentric practices associated with language, speech, and reason. According to this mentalist picture, ideas are related to but ultimately separable from the world of matter and the body, which is believed to be mute and ultimately incapable of signifying meaning without the linguistic apparatus of speech.

In 1933, Arthur Lovejoy outlined the methodological principles for the emerging disciplinary field of the history of ideas.¹² Critical of historians for taking “very little interest in an idea when it does not wear philosophical full dress,” he argued that understanding how ideas became dominant requires studying not just canonical philosophers but a variety of fields and thinkers. According to Lovejoy, historians must study what he called “unit-ideas,” the elementary building blocks that make up larger systems of thought.¹³ Lovejoy believed that the number of “essentially distinct” unit-ideas are “decidedly limited.” Any intellectual innovations in history are “due solely to the novelty of the application or arrangement” of these primary unit-ideas.¹⁴ Systems of thought may change, but unit-ideas are ultimately stable across time. As such, the historian’s task is to uncover these perennially existing unit-ideas and understand how they constitute the intellectual system under investigation. As critics argued, Lovejoy’s assertion that there exist a basic set of unchanging unit-ideas across history led the historian of ideas to discount the unstable and shifting dynamics of empirical history.¹⁵ In portraying ideas as mental phenomena independent from a changing historical context, Lovejoy’s methodological principles meant that the history of ideas took flight from the empirical and had difficulty accounting for intellectual novelty in history.

In the mid-20th century, Marxist historiographers rethought the relationship between the ideational and the material and argued that studying empirical history is central to intellectual history. Exemplary of this Marxist intervention, Christopher Hill’s *Intellectual Origins of the English Revolution* takes historical discontinuity as its point of departure.¹⁶ Pointing to the historical rupture marked by the first juridically sanctioned regicide in 17th century Europe, Hill argued that the English Revolution was a

¹² These principles were outlined in Lovejoy’s William James Lectures at Harvard University and would be published by Harvard University Press in 1936 under the title of *The Great Chain of Being: A Study of the History of an Idea* (Harvard University Press, 2001)

¹³ Lovejoy, *Great Chain of Being*, 7. In his study, three unit-ideas make up the idea of the great chain being, which are the principles of plenitude, continuity, and gradation.

¹⁴ Lovejoy, *Great Chain of Being*, 7.

¹⁵ Quentin Skinner, “Meaning and Understanding in the History of Ideas,” *History & Theory* 8 (1969): 3-53.

¹⁶ Christopher Hill, *Intellectual Origins of the English Revolution* (Oxford University Press, 1965 / 1997).

novel event that laid the theoretical foundations for the democratic revolutions of the 18th century.¹⁷ Rejecting Lovejoy's presumption of perennial ideas in favor of historical discontinuity, Hill contends that historians cannot study ideas abstracted from their historical context. However, he did not embrace a crude sociological Marxism that claimed "men's ideas were merely a pale reflection of their economic needs, with no history of their own."¹⁸ Instead, he argued that novel events required novel ideas because "a great revolution cannot take place without ideas."¹⁹ How did Hill understand the relationship between revolutionary acts and ideas?

According to Hill, the historian of ideas "must attach equal importance to the circumstances that gave these ideas their chance. Revolutions are not made without ideas, but they are not made by intellectuals. Steam is essential to driving a railway engine; but neither a locomotive nor a permanent way can be built out of steam."²⁰ Just as steam cannot build a train or the path of its tracks, neither can an idea build a revolutionary movement. Yet, just as steam can drive an engine, so too can ideas drive people to act. Considering how thinkers of various classes justified their activities by studying their ideas' inner logic and philosophical rationality, Hill's approach to intellectual history suggests that revolutionary actors must first be philosophically convinced before undertaking revolutionary action.²¹ To study the history of ideas is to study the "ways in which minds were being prepared" to justify action.²² After all, he writes, "most men have to believe quite strongly in some ideal before they will kill or be killed."²³ According to Hill, a revolution cannot take place without revolutionary ideas

¹⁷ As he puts it in the 1997 revised edition, "Partisans of Parliament used arguments against the King which after the civil war democratic radicals could use for 'the people' against Parliament itself" (355).

¹⁸ Hill, *Intellectual Origins of the English Revolution*, 5.

¹⁹ *Ibid.*, 3.

²⁰ *Ibid.*, 5.

²¹ Rachel Foxley summarizes Hill's method as follows: "the broad outlines of a body of ideas might be determined by the inner logic of those ideas and their natural implications; these would then be cemented into social place by their economic implications, and interpreted in the light of the interests of the group who had latched onto them." Rachel Foxley, "The logic of ideas in Christopher Hill's English Revolution," *Prose Studies: History, Theory, Criticism*, 36, 3 (2015): 199-208.

²² Hill, *Intellectual Origins*, 256.

²³ *Ibid.*, 3.

because ideas provide the justificatory context for action and it is philosophical justification, he suggests, that moves individuals to act.

In his 11th thesis on Feuerbach, Marx distinguishes between philosophers' ideational activities and the material action necessary to change the world. "Philosophers have only interpreted the world. The point is to change it." In focusing on those classes that turned the world upside down, Hill shows how understanding those who changed the world requires understanding how they interpreted the world. Despite this attention to historical context, however, Hill's method remains committed to a mentalist picture of ideas. Hill aims to reveal the rational grounds of belief that enabled subjects to justify their actions by focusing on the philosophical logic of arguments articulated in texts. He presumes a mind-body dualism that posits ideas as analytically distinct from the world of action. Like Lovejoy, he locates ideas in the rational mind, even if these are the historically contextual minds of different classes. As with Marx's 11th thesis, Hill's methodology distinguishes between the philosopher's act of interpretation and the revolutionary's act of change.

By the latter half of the 20th century, developments in intellectual history appeared to overcome this binary between the ideational and the material. Several intellectual historians nominally categorized as the Cambridge School claimed that ideas are not (just) rational justifications for action but are themselves a form of worldly activity. Exemplary of this approach, Quentin Skinner argued that ideas articulated in texts have an "independent explanatory role in accounting for the processes of social change."²⁴ Influenced by Ludwig Wittgenstein's insight that words are deeds and J. L. Austin's theory of performative utterances, Skinner conceived of texts as linguistic acts in the world. He argues that the intellectual historian must "grasp not merely what people are saying but also what they are *doing in* saying it."²⁵ By tracking the intervention that an idea-*qua*-speech-act makes in a particular linguistic

²⁴ Quentin Skinner and Hansong Li, "Ideas in Context: Conversation with Quentin Skinner," *Chicago journal of history* 7 (2016), 119-127, quote is from page 126.

²⁵ Skinner, "Meaning and Understanding," *Visions of Politics Volume I: Regarding Method* (Cambridge, 2002), 82.

context, the historian reveals how an idea's textual utterance is a material act that can effect political change. "Political thinking is not an activity that stands apart from politics but is part of politics itself."²⁶ Against Marx's 11th thesis, Skinner demonstrated that to speak about and interpret the world differently *is* to change it.

According to intellectual history's reigning methodology, ideas neither reflect the features of the world nor (merely) justify action in it. Rather, ideas help constitute the world itself. Applied to the study of intellectual history, a performative theory of speech acts seems to undermine the binary between the material realm of action and the ideational realm of meaning. Yet, Skinner's understanding of linguistic speech maintains a privileged relationship to the domain of meaning that reifies a mentalist conception of ideas. Ideas "help to construct" the world, Skinner argues, because "we can only hope to succeed in doing what we can manage to legitimize. As a result, we are generally committed to acting only in such ways as are compatible with the claim that we are motivated by our professed principles.... This is because *our conduct will always in part be limited and directed by the need to legitimize what we are doing.*"²⁷ Skinner's language of legitimacy may seem to echo Hill's arguments about justification, but ideas-*qua*-speech-acts for Skinner render what we do normatively thinkable and thus doable. Ideas do not justify action so much as create the horizon of intelligibility that makes action possible in the first place. While linguistic acts have the power to create principles of meaning that "limit" and "direct" our body's conduct, the rest of our non-linguistic activity appears ideationally impenetrable. Bodily practice is unable to generate these normative principles. Our bodily activities remain mute, lacking the power of signification.

It has become a readily accepted principle among social science and humanities scholars that discourse is an activity with material effects in the world. Yet, far from undermining the distinction

²⁶ "Interview with Quentin Skinner," *Making History* (2008), [accessed July 2023]: https://archives.history.ac.uk/makinghistory/resources/interviews/Skinner_Quentin.html

²⁷ Skinner and Li, "Ideas in Context," 126-127, emphasis added.

between the ideational and the material, Skinner's understanding of speech-acts has transferred the action associated with the domain of the material to the realm of speech, all the while leaving uncontested the possibility that matter itself can generate meaning. Speech-acts maintain a privileged relationship to the world of ideas and a priority in the intellectual historian's archive. Dominant methods for the study of intellectual history thus remain tethered to a mentalist vision of ideas that associates meaning-making solely with the activity of speech. Where Skinner extended the materiality of bodily action to the signifying practices of language, I propose that historians should also extend language's signifying power to the non-linguistic acts of the body. How should we understand the ideational effects of bodily action?

II. Bodily Practices of Signification

To attend to the capacity of bodily practice to signify meaning, this dissertation drew inspiration from Norbert Elias's work in historical sociology. According to Elias, bodily actions are not logically prior to signification, as if an act's meaning only emerges once a gesture's movement ends. Rather, he explains that when we ask of a gesture – what does it mean? – the analyst should not look for meaning outside the action but rather in what the gesture communicatively signals to others. Much like Erving Goffman, Elias claimed that forms of embodiment acquire their meaning in and through social interactions with others.²⁸ When a subject bows before the king or two citizens embrace, such non-verbal actions generate meaning by signalling to the actors in a particular interactive context their relative status and standing. However, bodily practices do not have inherent meaning and what they communicate is not pre-determined. The body's gestures are part of the signifying world and enter it already overdetermined with various associations. Understanding a bodily act thus requires attending to its historical context, both synchronically in terms of what it interactively signals among social actors and diachronically in terms of the longer chains of association and meaning attached to the act.

²⁸ Erving Goffman, *The Presentation of Self in Everyday Life* (University of Edinburgh, 1956).

Elias developed his approach to historical sociology partly out of analysis of the absolutist court in France.²⁹ He argued that public displays of conduct, whether in everyday forms of etiquette or spectacular ceremonies, are structurally central to the organization of power and prestige in an aristocratic society. Elias's microscopic attention to ordinary forms of conduct at the royal court illustrates how subjects exercise symbolic thinking on and through their bodies. Bodily actions in and across space signifies the symbolic standing of individuals and the repetition of these practices over time sediments social and political relations. As Sara Ahmed writes, "in moving this way, rather than that, and moving in this way again and again, the surfaces of bodies *in turn* acquire their shape. Bodies are 'directed' and they take the shape of this direction."³⁰ Within a political context such as the absolutist court, the repetitious practice of downward movements of the body acquire normative force, such that bowing signals subordination and produces asymmetrical relations of power. Consequently, the sedimentation of a symbolic form of society takes place in and through patterned forms of action, "forms that get repeated, again and again, until they are 'forgotten' and simply become forms of life."³¹

Despite Elias's astute analysis of the role of embodiment at the royal court, his disregard to how political ideas such as the doctrine of the king's two bodies constitute a critical element of historical context cuts short his sociological insights on the body's capacity to produce symbolic meaning. Elias's *The Court Society* is to the king's supernatural body what Kantorowicz's *The King's Two Bodies* is to the king's natural body. Where Kantorowicz's inattention to the natural body leaves him unable to analyze how bodily practices produce the symbolic power of kingship, Elias's inattention to the symbolic thought of the monarchy leaves him unable to specify why bodily conduct is central to the production of political power. Elias ultimately subordinates the independent role of bodily practice to what he calls a court "rationality" organized around the embodied display of prestige. With the

²⁹ Norbert Elias, *The Court Society* (Oxford: Basil Blackwell Publishing, 1983).

³⁰ Sara Ahmed, *Queer Phenomenology* (Duke University Press, 2006), 16.

³¹ *Ibid.*, 82.

emergence of a new “bourgeois-industrial rationality” no longer concerned with prestige but capital, the body is displaced as a symbolic figure of power.³² Bodily conduct “no longer played the same role as in the preceding phase. More exclusively than before, money has become the basis of social differences.”³³ Rather than trace the transformations in the structure of bodily etiquette and conduct in the rise of bourgeois society, Elias succumbs to a repressive hypothesis of the body. Consequently, he ends up undermining his own sociological insights on the signifying effects of bodily practice for the reproduction of political power.

Given Elias’s overly rationalist and structuralist analysis of the transformation from an aristocratic society concerned with etiquette to a bourgeois society concerned with money, how do we explain the disruption to a dominant form of society rooted in certain forms of embodiment? How do people become habituated to new ways of relating with and to others, such that a new symbolic form of society gains traction and eventually replaces the old social order? To answer these questions, this dissertation highlighted the place of feeling and affect as forces that attach individuals to principles generated by discursive and bodily action.

III. Signification, Attachment, and Affect

Around the mid-1990s, a number of scholars associated with “the affective turn” in the social sciences and humanities critiqued what they claimed was a hegemony of a linguistic model of analysis that presented a vision of the body that “could only be a ‘discursive’ body.”³⁴ Theorists such as Brian Massumi and William Connolly questioned the capacity of language and meaning to account for the full resonances of the world.³⁵ Instead, they articulated a vision of the body as an apparatus of sensation rather than signification, arguing that bodily affect not only exceeds the grasp of discursive signification

³² Elias, *Court Society*, 111.

³³ *Ibid.*, 90-1.

³⁴ Brian Massumi, *Parables for the Virtue: Movement, Affect, Sensation* (Duke University Press, 2002), 2.

³⁵ William E. Connolly, *Neuropolitics: Thinking, Culture, Speed* (Minneapolis, MN: University of Minnesota Press, 2002).

but “is destructive to it, because [sensation] appeals to an unmediated experience.”³⁶ According to these theorists, affect describes a felt bodily experience that does “not operate through the structures of language, discourse and meaning.”³⁷ It “escapes or remains in excess of the practices of the ‘speaking subject.’”³⁸ By directing attention to the somatic and sensory, affect theorists called on scholars to attend to the body’s sensual, haptic, and kinaesthetic dimensions and to study the body’s proprioceptive responses to the sensations, feelings, and intensities of the world.

In their endeavors to sidestep linguistic models of analysis and theorize embodied sensation, many affect theorists sought to escape dualisms of the mind and body, the symbolic and the material. However, as Ruth Leys and Linda Zerilli argue, affect theorists commonly reify these binaries by embracing a disembodied and mentalist conception of meaning to theorize affect as beyond cognition and signification.³⁹ To conceive of affect as an intensive and visceral flow of embodied life autonomous from and in excess to discursive signification constructs an ontological gap between embodied sensation and symbolic meaning. Like many readers of Lefort discussed in the Introduction, many affect theorists present this gap to necessitate a choice between the material domain of the body and the symbolic domain of discourse. Where most radical democrats favor discourse, affect theorists side with embodiment. Yet, as this dissertation showed, we need not present the relationship between bodily sensation and discursive signification in polarizing and oppositional terms. How else should we theorize their relationship?

Attempts to overcome this division usually appear in one of two ways, which are necessary but insufficient for studying the imbrication of affect, discourse, and bodily practice. First, scholars of bodily gesture often adopt a Cambridge School approach to historical analysis and argue that, like

³⁶ Massumi, *Parables for the Virtual*, 2. Cf. Nigel Thrift, *Non-Representational Theory: Space, Politics, Affect* (Taylor and Francis, 2007).

³⁷ Lisa Blackman and Couze Venn, “Affect,” *Body and Society* 16, 1 (2010): 7–28, quote is from page 9.

³⁸ *Ibid.*, 11.

³⁹ Ruth Leys, “The Turn to Affect: A Critique,” *Critical Inquiry* 37, no. 3 (2011): 434–72; Linda Zerilli, “The Turn to Affect and the Problem of Judgment,” *New Literary History*, 2015, 46: 261–286; Sasha Newell, “The Affectiveness of Symbols: Materiality, Magicality, and the Limits of the Antisemitic Turn,” *Current Anthropology* 59,1 (2018): 1–22.

speech-acts, bodily practices can signify meaning. As Michael Braddick puts it in his review of the burgeoning field, “scholarship on gesture as a distinct form of expression represents a kind of linguistic analysis.”⁴⁰ In interpreting bodily action mainly as a form of communicative utterance, scholars forego questions of bodily sensation in favor of linguistic signification. As such, they have difficulty explaining how certain meanings become associated with specific bodily gestures and, more importantly, how individuals become attached to some signifying practices rather than others.

Second, scholars more attentive to affect have argued that the discursive production of meaning relies on language’s power to affect the body’s senses. Often turning to rhetoric as the affective form of discourse, political theorists argue that “rhetoric moves the passions through vivid images and ingenious similarities where formless, abstract ideas and distant notions of the good cannot. The power of symbols and figural language [is] an essential means by which to make that which is absent feel present, and the distant and ineffable, accessible.”⁴¹ Rhetoric is a semiotic transmitter of affect. Symbolic figures like fraternity or sodomy can make seemingly abstract ideas such as equality or freedom sensorially legible and shape one’s attachments to different forms of meaning. Moreover, the signifying power of language is an affective force that can also transform how subjects move, act, and feel in the world. For example, rumors of sodomy increased the use of homosocial practices of handshaking by re-signifying more intimate bodily gestures like hugging or kissing as signs of sexual desire, rendering sensations of homosocial friendship and brotherly love into feelings of sodomitical suspicion and fear. Symbolic language thus contains the affective force of sensation capable of shaping subjects’ ideational attachments and bodily practices.

Alongside its focus on the affective power and effects of speech-acts, this dissertation also demonstrated how bodily practice can generate visceral and felt forms of meaning that cannot be

⁴⁰ Michael J. Braddick, “Introduction: The Politics of Gesture,” *Past & Present*, 203, 4 (2009): 9–35, quotes are from pages 11-12.

⁴¹ Shanks, *Authority Figures*, 96.

conveyed simply by words. Embodied sensations do not exceed signification but gain meaning in the social contexts of interaction from which they emerge. As Ahmed argues, “the locations of sensation on the skin surface shows that the sensation is not ‘in’ the object or the body but instead takes shape as an effect of their encounter.”⁴² As a constitutive feature of embodied encounters between people, affect is not inside individuals but between them. Movements of the body across space in vertical and horizontal arrangements produce affectively charged relations that invest the body’s communicative gestures with felt meaning. We can locate a bodily feeling’s meaning by attending to the interactive context of its emergence. Sensations of awe or reverence generated from repeated actions of kneeling or keeping distance from others can invest these practices with meanings of deference and subordination. By repeating these signifying practices and becoming habituated to the feelings they trigger, subjects develop attachments to seemingly abstract symbolic forms. Focusing on the body’s affective practices thus discloses how political principles are made somatic and lived as embodied structures of feeling.

Though bodily sensations emerge in concrete situations of interaction, affective reactions are embedded in a history of symbolic associations. Feelings emerging in encounters between people are overdetermined by traces of social histories already affectively marked.⁴³ Felt reactions when bowing before a king, for instance, are shaped by institutional and cultural memories of practices of prayer and genuflection before God. Such historical associations shape which felt meanings gain traction between individuals. Both synchronic and diachronic contexts thus determine how subjects interpret and make sense of bodily feelings and sensations. While social and political institutions shape these contexts in their effort to produce and organize affective relations between people, affect remains, as Clare Hemmings describes, “excessive, in the sense that it cannot be fully limited to the uses it is generated

⁴² Ahmed, *Queer Phenomenology*, 54.

⁴³ Sara Ahmed, *The Cultural Politics of Emotions* (Routledge, 2015).

through or put to.”⁴⁴ As this dissertation illustrated, institutionalized practices of brotherly love can generate forms of affection capable of transgressing class distinctions and the heterosexual intimacy of the family. The feelings of fraternity organizing a patriarchal public sphere can and sometimes do exceed their normative boundaries, producing illicit affective relations of sodomy. Bodily sensation is thus neither opposed to nor reducible to signification. A limit to discourse remains, as forms of affection can escape normative strictures of meaning and give rise to new affective practices of signification. It is the political theorist’s task to track where these practices take us, the types of meaning they produce, and the new political forms of society they make possible.

IV. New Avenues in the Study of Democracy

Democracy is in crisis. Authoritarian backsliding, constitutional rot, democratic backsliding, democratic erosion, democratic decay. The names used to describe this crisis vary, but over the last several years, a growing chorus of political scientists, constitutional lawyers, and sociologists have been sounding the alarm on the durability of democratic regimes in countries such as France, Poland, Hungary, Turkey, Brazil, Japan, South Africa, Israel, India, the United Kingdom, and the United States.⁴⁵ Since the end of the 20th century, democracies across the globe have been witnessing abuses of civil rights, attacks against constitutional systems of checks and balances, and the subversion of free elections. Compounding these threats are signs of a growing breakdown of democratic norms. Heightened polarization, increasing support for authoritarian leaders, and decreasing support for democracy a system of government indicate that citizens are becoming increasingly alienated from

⁴⁴ Clare Hemmings, “Affect and feminist methodology, or what does it mean to be moved?” in *Structures of Feeling: Affectivity and the Study of Culture*, (eds.) Sharma Devika and Frederik Tygstrup (Walter de Gruyter & Co., 2015), 147-158

⁴⁵ Roberto Foa and Yascha Mounk, “The Danger of Deconsolidation: The Democratic Disconnect,” *Journal of Democracy*, 27, 3 (2016): 5-17; Tom Gerarld Day, “Democratic Decay: Conceptualising an Emerging Research Field,” *Hague Journal on the Rule of Law* 11 (2019): 9-36; Susan Hyde, “Democracy’s Backsliding in the International Environment,” *Science* 369, 6508 (2020) 1192-1196; Ariel Malka, Yphtach Lelkes, Bert Bakker, Eliyahu Spivack, “Who Is Open to Authoritarian Governance within Western Democracies?” *Perspectives on Politics* 20 3 (2020): 808–827; Hauke Hartmann and Peter Thiery, *Global findings: Resilience Wearing Thin* (Gütersloh: Bertelsmann Stiftung, 2022); International Institute for Democracy and Electoral Assistance, *The Global State of Democracy 2023: The New Checks and Balances* (Stockholm, Sweden: International IDEA, 2023).

democratic principles and beliefs. Many citizens are no longer committed to democracy as the best way of organizing society.

This contemporary crisis brings to the forefront our long-held and often taken for granted investments in democracy as a normative ideal of political society. Recent years have seen a surge of literature attempting to decipher why these attachments to democracy are coming undone.⁴⁶ Many political scientists have focused on attacks to democracy's formal institutions resulting from spiraling economic inequality, the expansion of executive power, the rise of autocratic leaders, and public emergencies such as war and environmental degradation. While these elements are certainly part of the story, they do not explain the decreasing commitment to democracy as a system of government among many citizens. After all, problems such as economic disparity could serve as a reason why we need to strengthen democracy, not abandon it. Some commentators have thus turned to more cultural explanations, lamenting the rise of "identity politics" or "wokism" as authoritarian ideological trends that promote polarization and discourage dialogue and deliberation. These explanations often seem more interested in participating in the cultural wars they denounce than in diagnosing why citizens are increasingly alienated from democratic institutions and norms. Despite worries about democratic disaffection, few thinkers have queried how our attachments to democracy formed in the first place.

For over two centuries, representative democracy was believed to be the superior system of government for a society made up of free and equal individuals. "For all men being originally equals, no one by birth could have a right to set up his own family in perpetual preference to all others for ever," wrote Thomas Paine on the eve of the American Revolution.⁴⁷ However, the 'natural' equality of men that Paine took to be common sense in 1776 was almost unimageable less than a century before.

⁴⁶ Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (New York: Crown, 2018); David Runciman, *How Democracy Ends* (London: Profile Books, 2018); *Constitutional Democracy in Crisis?* eds. Mark Graber, Sanford Levinson, and Mark Tushnet (Oxford, 2018); Adam Przeworski, *Crises of Democracy* (Cambridge University Press, 2019); Stephan Haggard and Robert Kaufman, *Backsliding: Democratic Regress in the Contemporary World* (Cambridge University Press, 2021)

⁴⁷ Thomas Paine, *Rights of Man, Common Sense, and Other Political Writings* (Oxford University Press, 1995), 15.

Around the turn of the 18th century, a new democratic common sense began to emerge, as new bodily practices of sociality began to spread and elicit new kinds of feelings between people. How might this dissertation's historical revision of the democratic revolution alter how we conceptually make sense of and methodologically study the crisis of democracy today?

One of the central ways that scholars assess democratic decline is by measuring the level of freedom of expression or freedom of assembly in a country. Such measures are largely conceived of discursively without attention to the role of embodiment. For instance, the widely used V-Dem dataset measures and ranks democracies globally according to five core indices: electoral democracy, liberal democracy, participatory democracy, deliberative democracy, and egalitarian democracy. Aside from having an index dedicated to deliberation, the electoral democracy index measures a country's level of freedom of expression according to the extent to which ordinary people can "discuss political matters at home and in the public sphere" without fear or harassment.⁴⁸ Given that citizens must first be able to meaningfully inhabit and share the same space before they can engage in discussion, how might these measures change if we took into consideration non-linguistic variables, such as the existence of infrastructures that enable citizens to assemble and share public intimacy or the level of proximity and distance between bodies in public. How can we conceive of the freedom of expression differently if we do not reduce it to discussion and instead include embodied modes of expression? How can we understand the democratic significance of elections if we do not reduce them to mechanisms for choosing leaders but consider their role in gathering citizens physically together in and as a public? How might the disappearance of public space, the turn to online spaces, or policies that prevent assembly, such as measures of social distancing implemented during the COVID-19 pandemic, affect

⁴⁸ *V-Dem Varieties of Democracy: Codebook*, v11.1 (Gothenburg: V-Dem Institute, 2021), 46. Similarly, the participatory democracy index largely measures the level of citizen participation in terms of discursive modes of engagement evident in deliberative settings such as "public hearings," "town halls," "party primaries," and "assemblies." See, pages 403 and 411.

these bodily freedoms, and what effects do they have on citizens willingness to deliberate with one another?

This dissertation's historical revision of the democratic revolution suggests that our ability to assess the vitality of a democratic society will be improved when social scientists start attending more closely to forms of bodily practice and interaction as variables of measurement. In addition to highlighting the significance of embodiment, this dissertation also demonstrated the importance of centering gender and sexuality as analytic categories for the study of democracy. Studies of democratic erosion rarely prioritize or even emphasize questions of gender and sexuality. Yet, since the turn of the 21st century, almost all the countries that are case studies of democratic backsliding have witnessed the rise of social movements targeting gender and sexual minorities. Concerned that the natural order of the family and the sexes are being subverted, campaigns against "gender ideology" or "genderism" have been successfully pushing for laws against abortion and gender-affirming care and for defunding gender studies programs in universities.⁴⁹

Scholars of anti-gender movements have rightly stressed the need to attend more seriously to the gendered aspects and implications of democratic erosion.⁵⁰ Unfortunately, much of this literature has an underdeveloped understanding of the relationship between gender and democracy. Some researchers suggest that attacks against gender and sexual equality are one outcome of a larger trend of de-democratization. In this sense, gender and sexuality are not analytically remarkable but rather just one among many casualties of democratic erosion. More commonly, however, researchers argue that gender is significant insofar as it operates as a symbolic glue linking together a broad and disparate

⁴⁹ *Anti-Gender Campaigns in Europe: Mobilizing against Equality*, eds. Roman Kuhar and David Paternotte (Rowman and Littlefield, 2017); Haley McEwen, *Un/knowning & un/doing sexuality & gender diversity: The global anti-gender movement against SOGIE rights and academic freedom* (Oslo: SAIH, 2020); "De-Democratisation and Opposition to Gender Equality Politics in Europe," eds. Emanuela Lombardo, Johanna Kantola, and Ruth Rubio-Marin, *Social Politics: International Studies in Gender, State & Society*, 28, 3 (2021): 521-681; Agnieszka Graff and Elzbieta Korolczuk, *Anti-Gender Politics in the Populist Moment* (Routledge, 2022).

⁵⁰ Andrea Krizsan and Conny Roggeband, "Towards a Conceptual Framework for Struggles over Democracy in Backsliding States: Gender Equality Policy in Central Eastern Europe," *Politics and Governance*, 6, 3 (2018): 90-100; Matthijs Bogaards and Andrea Pető, "Gendering De-Democratization: Gender and Illiberalism in Post-Communist Europe," *Politics and Governance*, 10, 4 (2022): 1-5.

set of claims. As Andrea Pető explains, “at first sight, these movements are anti-gender,” but “gender is only the symbolic glue.... The representatives of these anti-gender movements only use these gender policy arguments as a cover up for fostering a deeper and profound change in the European political and value system.”⁵¹ As this dissertation showed, attacks against gender and sexuality are not a “cover up” for some other more fundamental challenge to the democratic system. Gender and sexuality are not epiphenomenal but constitutive of modern democracy. As such, any attempts to alter democratic norms and values must necessarily target the organization of gender and sexuality in society.

Conceptually and methodologically, therefore, we cannot make sense of democracy unless we center gender and sexuality as embodied political categories of analysis. From panic about hormones altering children’s bodies to fears of sharing space with trans people in bathrooms, what appears to be a crisis in the gender order is intimately connected to the current crisis of democracy. Attending more seriously to bodily practices of gender and sexuality thus promises to provide us with more insight into why democratic norms are currently breaking down. More importantly, this attention may also direct us to more emancipatory visions of the future, as our bodily practices – the way we move, gesture, interact with, and relate to others – give shape and attach us to political visions of freedom and equality.

⁵¹ Andrea Pető, “Epilogue,” in *Gender as Symbolic Glue: The Position and Role of Conservative and Far Right Parties in the Anti-Gender Mobilizations in Europe*, ed. Eszter Kováts and Marri Põim (Foundation for European Progressive Studies, 2015), 127.

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