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Susan Sage Heinzelman. *Riding the Black Ram: Law, Literature, and Gender*. Stanford: Stanford Law Books, 2010. xxv + 168 pp. \$50.00 (cloth), ISBN 978-0-8047-5680-8.

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King on Heinzelman

The questions what is real, what is true, and who provides those answers from a legal or literary standpoint in late seventeenth- and early eighteenth-century England serve as a point of departure for *Riding the Black Ram*, a slim volume based upon extensive research by Susan Sage Heinzelman. The author, who does not promise a seamless historical account but one focused sharply on the management of the figurative unruly woman, takes on the task of proving that British law and literature were intimately related before the turn of the eighteenth century, when law was not extraliterary and literature not extralegal. Yet, these seemingly disparate disciplines diverged due to constant struggles in which the body of woman, with or without controlled sexuality, was integral to the outcome.

Decision-making men began to view (and judge) female novelists' personal character along with the licentious private lives of the characters they created. Over time, the authors of such "dangerous or irrelevant" works were restricted to a specific popular genre and displaced by men who produced texts of ostensible moral value.

Concomitant with the changes in literature were shifts in the legal profession. Customary law as practiced in rural seventeenth-century England when familiarities existed among all parties began to disappear in favor of a more formal centralized structure supported by elite men who engaged in the commercialization and interpretation of knowledge. As a result, uncontrolled women were more readily subjected to legal restrictions.

Heinzelman insists that "the historical timing of this emerging distinction between legal discourse and novelistic discourse" was not accidental but "coincided with the gradual marginalization of women writers in the literary marketplace" (p. ix). The moment of this occurrence is at the heart of *Riding the Black Ram*. And, Heinzelman employs sophisticated comparative and historical analyses to show "both the occasions when the collusion renders women powerless as well as those when women are empowered by the generic confusion of legal and literary forms" (p. xi).

Women were associated with romance narratives which contrasted with the intellectually rigorous legal narratives produced by men. Although there are apparent contrasts in the genres, some romance novels incorporated facts along with fiction to reflect a political and social consciousness in both the public and private realms.

The versatility of the specific novels raises questions about gender representation which Heinzelman addresses in a discussion of *nomos*, an entity that requires what she labels a "necessary supplement," *nostos*. One may think of *nomos* as the normative or regulated aspect of society, but critics suggest that *nomos*, despite its claims of equity, is male-centered. Therefore, the complementary *nostos* creates space for the unarticulated gendered narrative of desire in literature and law. *Nostos* is associated with disruptions to the normative narrative, and women, especially unruly ones, figured importantly

in alterity or *nostos*. The women who stepped away from the normative into the alterity were the likely candidates for “riding the black ram.”

The author uses the trope, “riding the black ram,” to represent both excess and discipline in relationship to women, real and imagined, throughout the text. The trope, based on nearly five hundred political cartoons published in the 1820s, represents competing concepts of law. One is centered on the popular customary law of rural people and associated with women. The other is grounded in statutes of urban populations and linked to men. In either case, the perceived sexual excesses of women made restraint and legal authority necessary.

Riding the Black Ram poses three questions: “(1) Why is it so difficult to rewrite the narrative of women’s unequal status? (2) What narrative and generic strategies have enforced the impression that women’s position vis-à-vis power and knowledge must repeatedly be reclaimed, restated, or reimagined? And (3) why do the powerful appear to be detached from the struggle to make meaning, from the contest to define the terms and structures of our lives, even though they are as caught in the contestation for meaning as the seemingly powerless?” (p. xv).

The answers are found in the five-chapter study, beginning with “Termes Queinte of Lawe’ and Quaint Fantasies of Literature: Chaucer’s Man of Law and Wife of Bath.” These selections from *The Canterbury Tales* provide the source for comparing the relationship between law and literature with a gendered lens.

The Man of Law, an embodiment of judicial statutes and legal system, or *nomos*, presents a succinct tale about Constance, a Christian, whose father, the emperor of Rome, gives her hand in marriage to the Muslim sultan of Syria. He promises to convert his subjects to Christianity rather than lose her. Constance submits but endures painful woes as her mother-in-law kills her husband and sets the bride adrift upon the sea. The long-suffering Constance, who represents constancy and fidelity, eventually returns to her father’s realm and is ultimately recognized as the spiritual mother (if not a martyr) who gave authority to the Christian kings of medieval England in romance and law.

The contrasting tale told by the five-times widowed Wife of Bath is disruptive for she questions the court, clergy, and legal system, all male-dominated entities in society, as they create anxiety in their efforts to control widows, especially propertied ones. The Wife, an out-

spoken woman, “offers her own experience as an alternative to masculine authority, arguing that such knowledge is sufficient evidence to legitimate her narrative” (p. 11). In short, the Wife questions male authority, is independent, and shows herself as both creative and clever when adding the necessary *nostos* to her transformative tale grounded in Arthurian romance.

The author uses chapter 2, “Public Affairs and Juridical Intimacies: Seventeenth- and Eighteenth-Century French and English Women Novelists,” to address questions about the nature of love as private intimacy and linkages to the creation of shared public space. The author, an associate professor of English, maintains that the novels should not be seen as completely separate entities but that the interconnection between the British and French novels can enrich the understanding of novels by British women. Novels written by these women argued that affairs of the heart were intricately linked to affairs of the state, but they rejected the idea of patriarchal absolutism in kings. The novel offered an alternative and “played an important role in constructing and validating a plausible realm of intellectual and political freedom for women of a certain class,” writes Heinzelman (p. 28).

Heinzelman selects Marie-Madeleine de Lafayette’s *La Princess de Cleves* (1678) to illustrate the relationship between the erotic and political, private and public. Lafayette fuses historical narratives with a romantic narrative of improper love and creates a story that critics labeled implausible. Lafayette’s deliberate implausible construction diverts attention from what she actually accomplished. The author breeches the proper boundary for women writers and in the process produces historical fiction in which women displace men. “What Lafayette and other French women novelists imply,” Heinzelman proffers, “is that personal relationships and individual characters are the stuff of politics and the fate of nations hangs on the particularities of its subjects’ affairs” (p. 34). *Nomos* and *nostos* meet.

The high point of *Riding the Black Ram* is the third chapter, “Black Letters and Black Rams: Law, Gender, and the Novel in Early Eighteenth-Century England,” containing a thorough analysis of the marginalization of women novelists. Heinzelman achieves the desired results by exploring the relationship between the codification of specific laws and the elevation of a certain novelistic aesthetic, “suggesting that to achieve homogeneous, representative judicial subject, the romance narrative and its concomitant idea of a flexible legal sphere had to be suppressed” (p. 48).

The accessibility of the “black letters” to all desacralized the law. Among the publications of the time was *A Treatise on Feme Coverts: or, The Lady’s Law* (1732), a self-help book, which included anecdotes, and instructed women on how to “preserve their Lands, Goods and most valuable Effects” (p. 48). *A Treatise* also reminded women, especially the legal and literary transgressors, that they were subject to judicial intervention and restraint as indicated in the verse

Here I am,

Riding upon the Black of a black Ram,

Like the Whore as I am;

And for my Crincum Crancum,

I have lost my Binkum Bankum;

And for my Tail’s Game,

Have done this Worldly Shame;

Therefore pray, Mr. Steward, let me have my land again. (p. 47)

The verse calls attention to one facet of the changes occurring in England. Another concerned the novel and the efforts to replace the popular scandalous romances by women with serious moral narratives crafted by men. Such a realignment allowed the novel “to become the literary equivalent of the law and of political, religious, and social doctrine” (p. 66). The jurisprudential style is highly visible in serious novels of the day. Furthermore, this shift in literary forms excluded women but helped to settle questions regarding virtue and truth.

Questions about virtue and truth are fully explored in chapter 4, “How to Tell a Story That Might Prevent a Hanging: Mary Blandy, Parricide, 1752,” based on the murder of Francis Blandy by his love-sick daughter. Heinzelman uses a plethora of pamphlets about the case and other accounts, including Mary Blandy’s *Miss Blandy’s Own Account of the Affair Between Her and Mr. Cranstoun* (1752). The defendant’s behavior defied expectation regarding filial relationships. It is against such a background that her account is portrayed as the stuff of a sentimental romance novel. By contrast, perceptions about her guilt are located within judicial narratives

based upon circumstantial evidence.

In the final chapter, “Statues, Statutes, and Queens on Trial,” Heinzelman returns to the cartoon and trope “riding the black ram,” to illustrate how “the interplay between legal and literary representations produces convention that mask the historicity of the relationship between law and literature, making it appear static and universal rather than ... historically specific and gendered” (p. 92). At this point, Heinzelman presents a convincing argument for alternative versions of women’s relationships with the law and its practices.

Such an argument is based upon the author’s reading of the “Caroline Affair” and *The Winter’s Tale* (c. 1610). One example is based on fact, and the other is based on fiction. First, the “Caroline Affair” focuses on Caroline, who had married the prince regent George in 1895, given birth to his daughter Charlotte in 1896, and separated from him that same year. Once he ascended to the throne as King George IV in 1820, Caroline attempted to claim her place as his queen. George objected, and she was charged with treasonous adultery but was exonerated. Second, the author’s literary choice is *The Winter’s Tale*, a Shakespearian play locating domestic discord between King Leontes of Sicily and his queen Hermione, whom he had accused of adultery. The play was written within the historical context of royal authority, parliamentary statutes, and common law. Heinzelman’s abilities as a critical theorist are readily evident in this chapter and elsewhere. The combined discussion of the two queens will remind readers of the overlapping realities in affairs of the heart and affairs of the state as well as the political consequences of “riding the black ram.”

It bodes well that Heinzelman remained vigilant in fulfilling her promise to define the moment at which British law and literature underwent a significant change. Also of importance is the facility with which she fastens an ever-present gendered dimension to the discussions. To be sure, the author’s evenhandedness in the treatment of law and literature as it changes over time, with well-placed intertextual discussion or further explications in notes, is a strength of *Riding the Black Ram*. No doubt *Riding the Black Ram* will be a welcomed addition to the interdisciplinary scholarship on law and literature as well as to studies of law, literature, and gender.

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