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Melissa M. Mowry

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THIEVES, BAWDS, AND COUNTERREVOLUTIONARY FANTASIES:

The Life and Death of Mrs. Mary Frith

MELISSA MOWRY



This is an essay about a failed polemic. In 1662, bookseller William Gilbertson offered his patrons the anonymously written *Life and Death of Mrs. Mary Frith. Commonly called Mal Cutpurse. Exactly Collected and now Published for the Delight and Recreation of all Merry Disposed Persons*. In this work, readers found a shocking transformation. Mary Frith, alias Moll Cutpurse, had metamorphosed from the rebellious imp of Renaissance stage and street culture to a royalist heroine and counterrevolutionary whose life emphasized the perils of public interactions voided of principles of obligation and duty. Not only did the late Stuart period produce the majority of biographies on Frith, but all three of the extant biographies emphasize Frith's royalism. As late as Alexander Smith's version of her life, published as part of his *A Complete History of the lives and Robberies of the Most Notorious Highwaymen, Shoplifts, and Cheats of Both Sexes* (1714), Moll appears as a cavalier champion in contrast to Oliver Cromwell, the "Arch-traitor" (149). Smith even embellishes the earlier biographies' presentations of Frith's royalism by fabricating an episode in which she is "known" to have accosted and robbed the Parliamentarian general Thomas Fairfax on the road to Hounslow Heath (142–43). The emphasis on Frith's political disposition, however, proved not to be enduring. For by 1722, just eight years after Smith's work, Daniel Defoe used Moll Cutpurse as shorthand for Moll Flanders' deft pick pocketing, describing her as "dexterous, as ever Moll Cut-Purse was," without any apparent refer-

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ence to her political reputation (175). The question is why did late Stuart loyalists undertake this peculiar transformation in the first place?

I argue here that Mary Frith emerged in 1662 as a Royalist heroine because her life as a member of the “meanest of the Commonality,” focused key aspects of the ongoing debate about political rights and the public sphere in ways that few other figures could (Lilburne). In the end, Frith’s social status, her notorious outlawry, and her sojourn as a bawd—three things that should have eliminated her as a candidate for cavalier champion—were vastly overshadowed by her devotion to preserving a traditional sense of property as movable wealth and the homosocial circuits of exchange along which that property circulated. For these are the features of Frith’s life that the Gilbertson biography (the longest of the 1662 versions) consistently offers as evidence of Moll’s devotion to king and country. In so doing, the Gilbertson biography offers us rare insight into the political stakes underlying the late Stuart period’s use of sexual satire.

To say that *The Life and Death of Mrs. Mary Frith* surmounts its heroine’s social status and various unsavory occupations is not to say that those biographical features failed to pose challenges to the work’s writers, however. Indeed, that Frith’s biographers managed to cut from the cloth of her life a cavalier heroine is truly remarkable. So much so that we can really only understand how and why they may have undertaken such a project by turning to the biography’s “deep” cultural context in the 1640s and 1650s, when public debate about government and civic relations reached an unprecedented din.¹ For among the obstacles Frith’s biographers faced was a widespread antipathy, entrenched over two decades, to accepting plebeian participation in public political debate. As English political life erupted in the civil wars, individuals from virtually every social station felt authorized to exhort, cajole, plead, inveigh, or otherwise persuade those who held the reigns of power. For many, this appropriation of ancient aristocratic privilege raised serious questions about whether England could sustain both a plebeian public sphere and stable government. Political radicals and sectarians typically viewed such participations as part of the “natural” liberties with which every Englishman was endowed (Macpherson 137–59). Royalists and constitutional conservatives like Henry Ireton and Oliver Cromwell, on the contrary, viewed public debate as cacophonous and a dangerous usurpation of the very foundations of property on which stable government inevitably rested (Macpherson 138). For the duration of the Commonwealth, the views of Ireton and Cromwell carried the day as a series of censorship measures were put in place. However, by the

Commonwealth's waning years the "machinery of enforcement had broken down" (Potter 4), and Stuart polemicists resurrected the old rhetoric of the conflict, vilifying this democratized public sphere as one organized by acquisitiveness and social ambition—an "Envy" that "One should have what All desire" (*A Worthy Panegyrick on Monarchy; Written Anno MDCLVIII*).

Significant generic obstacles compounded this ambient social bias. For although several biographies of cavalier outlaws had been published prior to *The Life and Death*, there were no narratives of cavalier bawds on which Frith's biographers could model their efforts. On the contrary, mass culture *indictments* of radical and sectarian political claims about public space and personal rights were far more likely to take the form of sexual satire—pornography (Hughes 175), in which bawds like Frith often figured as the chief villains.² It was this subgenre against which Frith's biographers had to work most strenuously.

Seventeenth-century political pornography is a difficult genre to decipher. Although it was used predominantly by loyalists, parliamentary sympathizers also deployed sexual satire to undermine the legitimacy of radicals and sectarians. Oftentimes, radical women like Mary Overton bore the brunt of these polemics. But more moderate women like Elizabeth Cromwell also were singled out for scurrilous attack (Gillespie), as were women petitioners who occasionally included royalists, and radical men like Henry Marten. The orthodox interpretation of these sexual satires, as Ann Hughes and others have pointed out, has been that they registered genuine alarm over real "assertion[s] of female rights" (174). Thus, James Grantham Turner has suggested recently that loyalists focused on sectarian women because their belief in "free love" seemed to offer material proof of the axiomatic relationship between radical politics and "heterodox" sexuality (80–81). Similarly, Sharon Achinstein has argued that loyalist political pornographies were popular because they imagined for readers the ways in which Parliament's usurpation of crown authority would likewise result in women usurping familial authority in the home—a world turned upside down (131). Certainly, seventeenth-century England was anxious both about the more prominent role women were accorded in the most radical of the sects and the way women of varying political stripes used parliamentary petitions to sway public policy. Yet neither of these interpretations of seventeenth-century pornographic satire sufficiently explains why loyalists deployed these scurrilous portraits so persistently. Even a casual glance at the evidence indicates that most satirists were not responding to a "historical change in women's agency" (Turner 76).³ Not only was peti-

tioning an “ancient right” often encouraged by Parliament itself (Lee 243), but women petitioners also typically couched their pleas in terms that made it abundantly clear they sought patriarchal protection rather than a disruption of the status quo (246–47).⁴ Even Elizabeth Lilburne, often coached by her husband (Hughes 170), petitioned to have John released from Newgate on the grounds that she and her children were “very nigh ruine and destruction” (*To the Chosen and Betrusted Knights, Citizens, and Burgesses, Assembled in the High and Supream Court of Parliament*). Moreover, the radical sectarians who served as polemicists’ favorite target hovered on the fringes of mid-century political life after the 1649 purges, never constituting much more than a nuisance. If political pornography’s deployment of what Frances Dolan has elsewhere described as “inverse couverture” (127) functioned primarily as a metaphor rather than a transparent representation of “real” changes, what specific social/political claim did it seek to undermine?

In fact, mid-century polemicists turned to pornography’s dystopic visions of inverted gender hierarchies, amazonian whores, and monstrous bawds because these images reified fears of the radical claims that property is primarily public insofar as every person has property in himself. Non-aristocratic women and their sexuality inevitably focused these concerns because of a long-standing cultural elision between the identities of women of the commons and “common women,” the traditional colloquialism for prostitutes. For the term “common women” conceptualized early modern sex workers’ identities in terms of public property (Karras 3). Already understood as public property themselves, the expressions of such common women could not be seen as other than public property, as well. Both royalists and constitutional conservatives, then, feared the political specter raised by petitions and other forms of public expression not because they made a specific plea for women’s suffrage, but rather because they seemed to instantiate the radical belief that political rights were founded on the “natural” right to ownership in oneself (Macpherson 140). Indeed, Lilburne’s 1646 petition to have her husband freed from Newgate argued for her right to address Parliament on the grounds that the “Meanest of the Commonality, may enjoy their own birth-right, Freedome, and liberty of the Lawes of the Land, being equally (as you say) intituled thereunto With the greatest subject.”⁵ Public opinion, for Lilburne, was not just an ancient right, it was a piece of cultural property—“an equall inheritance,” clearly accessible to all. Yet the underlying logic of Lilburne’s petition also opens the possibility that although public women did not own *private* property in themselves, understood as something that could be safeguarded from incursions by others, they

could at least gain access to their identities in the public sphere. To loyalists, radical concepts of political rights and the newly emergent public sphere were locked in a mutually constitutive, dangerous relationship. For inasmuch as mid-century radicalism entitled everyone to participation in public political debate, public political debate itself expanded the ground on which possessive individualism might be constructed.

Among political pornographies, no subgenre illustrated the semiotic equation that underlay these conservative attacks better than the “Mistress Parliament” pamphlets and broadsides. Almost without exception, the women in these satires embrace the pun on which mid-century pornographic satires rested. Traditionally from the working poor sections of London’s East End, these characters understand that their social status transforms them in the eyes of their culture into “common women.” However, their self-identification is not an abjectional fit of confession wherein they submit to being circulated as public property among men. Rather, the aim of the satire is to show how women of the commons shrewdly hew their traditional status as public property to radical political principles that subsequently give them a “right” to political power. Thus in *Now or Never, or a New Parliament of Women* (1656), a late Interregnum satire sold by George Horton, one of Mary Frith’s publishers, women of the commons have gathered “neer the Popes-Head in Moor-Fields With Their Declaration, Articles, Rules Laws, Orders, and Proposals, to all London-Prentices, Young-men, Batchelours, and Others,” in order to lament the “depriv[ation] of [their] Liberties, living in bonds of servitude, and in the Apprentiship of slavery.” Like other radicals, these women “disclaim” “Tyrannical Government” in order to secure “such priviledges as are fit for *free-born* women” (emphasis mine) (3). As Moll’s biographers make explicit, their aim is to undermine these radical version(s) of a “Publike,” predicated on something like Lilburne’s claim that even the “meanest of the Commonality” were entitled to liberty as their inalienable personal estate. Such a “Publicke,” they contended, was based on a “prostituted Faith,” and the proto-democratic plebeian public sphere of the 1640s and 1650s could not be anything other than one in which the “Publike was Mad” (58).⁶

As I have shown elsewhere, the debate encapsulated in these mid-century pornographies continued throughout the late Stuart period, ebbing and flowing in response to what crown polemicists perceived as resurgent republican sympathies (Mowry, “Dressing Up and Dressing Down” 82–84). But the continuing interest in arguments about the nature of political rights and the “right” to public political expression reached an early peak during the

early 1660s as the Stuart regime recognized it had returned to a country where the “growing importance of opinion ‘out-of-doors’” had become a simple fact of political life (Harris, “Understanding Political Life” 125). Indeed, the Marquis of Newcastle warned Charles II just prior to the king’s arrival in England that public opinion could not be shaped easily since “Every man is now become a state man” (Pincus, “Coffee Politicians” 807). Although celebratory bonfires and bell ringing marked the Stuart restoration, they also masked the fact that Londoners had turned to the monarchy out of desperation over the Commonwealth’s political conservatism and disastrous economic policies (Harris, *London Crowds* 39–47). Initially, Charles II and his advisors were sensitive to this fact and took steps to acknowledge divisions within English culture by protecting those less than enthusiastic about the monarchy’s return. On the day after his arrival in London, Charles II issued “A Proclamation Against Vicious, Debauch’d and Prophane Persons.” He warned that those who “assume to themselves the liberty of Reviling, Threatening, and Reproaching others . . . so to prevent that reconciliation and union of hearts and affections which can only with God’s blessing, make Us rejoyce in each other, and keep our Enemies from rejoycing,” would be prosecuted. The crown’s sincerity on this score is somewhat questionable, though, since very early Restoration satires like *Select City Quæries* (1660) and *The Wandring Whore* (1660) deviated little from their Interregnum antecedents and continued to paint London’s franchise as dissolute, unfit to govern, and traitors to the very political liberties they vociferously claimed to defend.

Part of the “symbolic crisis of representation,” (Sawday 171) that loyalists faced entailed not merely “reinscrib[ing] the monarchy on [the] country” (Backscheider 5) but rather reconstructing a loyalist commons and plebeian public sphere outside the radical paradigm that posited political rights as a form of natural property. By 1662, the need for myths and narratives that highlighted the honor of supporting King and country was becoming increasingly evident. The regicide trials, which had attempted to reunite the will of crown and subjects by being held at the Court of Common Pleas rather than the King’s Bench, had concluded in 1660, eliminating an important stage for the symbolic reunification of the people and the crown. Charles II’s efforts to extend the theater of Stuart majesty and further cement his bond with his subjects with three elaborate processions into London—his formal return in May 1660, the return of the court to Whitehall that November, and the two-day extravaganza that marked his coronation in April 1661—had been challenged even before they were completed. In January 1661, Thomas Venner had at-

tempted to lead the Fifth Monarchists in a rebellion, albeit a failed one, against the crown (Harris, *London Crowds* 60 and Greaves 49–57). By May 1661, Charles II's generosity toward the City commons was waning. Reinstating the Elizabethan and Jacobean poor laws in "A Proclamation for the due Observation of certain Statutes made for the Supressing of Rogues, Vagabonds, Beggars, and other idle disorderly persons, and for Relief of the Poore," the King illustrated the difficulty of reimagining the City's commons beyond the standard conventions of a dissolute, self-interested mob. Relations continued to deteriorate when in 1663, Charles II reneged on his promise to limit taxation—an important precondition of Parliament's willingness to return the nation to Stuart rule. A hearth tax was levied against the City, and the number of goods subject to an excise tax began to grow significantly (Harris, *London Crowds* 61).

Both publishers who offered the public versions of Frith's biography were likely acutely aware of the history of Interregnum political polemic as well as the exigencies that pressed upon Charles II's regime in 1662. Like so many publishers and writers whose careers spanned the mid-century upheavals and the Restoration, both William Gilbertson and George Horton appear to have undergone political conversions during the late 1640s or 1650s. If Horton's extant inventory can be taken as an indication of his political sympathies, the bookseller was among those who initially supported Cromwell and Parliament only to shift sympathies in the mid to late 1650s. In 1652, Horton was selling radical texts such as *The Levellers Remonstrance, sent in a letter to his excellency the Lord Gen. Cromwel* and *Articles of high-treason drawn up in the Name of all the Commoners of England*. In fact, Horton had worked on the early Commonwealth newsbook *The Impartial Scout* until 1650 when he withdrew and was replaced by Elizabeth Alkin, aka, "Parliament Joan" (Nevitt 95). Two years later he sold John Lilburne's *A Declaration to the Free-born people of England*. Somewhere around the same time, perhaps disillusioned by Lilburne's treason trial, the cavalier highwayman James Hind captured Horton's imagination. Horton published three versions of Hind's biography, each emphasizing the highwayman's royalism (Faller 10–13). By 1656, Horton's political transformation appears to have been complete as he himself forayed into the world of pornographic satire as the publisher of *Now or Never: or a New Parliament of Women*.

William Gilbertson's royalism seems to have been a more consistent feature of his public life. Only moderately active during the Interregnum, Gilbertson, like Horton, was drawn to the myth of the cavalier highwayman. And

among those works he published during the 1650s was a biography of highwayman Richard Hannam, *Hannam's Last Farewell to the World* (1656). By the time the Stuart restoration transpired, Gilbertson was clearly established as a bookseller whose sympathies lay with the crown. In 1660, Gilbertson published *A looking-glass for traytors* and *A true and perfect relation of the grand traytors execution*, which related the regicides' executions. Gilbertson also often worked with a cohort of other booksellers to disseminate pamphlets. Most frequently, his name is listed alongside Thomas Vere's with whom Gilbertson published the 1659 satire *The Ranting Whore's Resolution*, as well as a biography of the populist and loyalist Robin Hood in 1662, *The Noble Birth and Gallant Atchievements of that Remarckable Out-law, Robin Hood*.

Despite Horton's and Gilbertson's political sympathies, the writers whose work they agreed to sell struggled with the task that lay before them.⁷ For although Mary Frith professes her royalism at numerous points in her history, "Vale"'s address "To the Reader," replicates the old *royalist* saw that the political allegiances of women of the commons are mirrored in their dress and behavior. He writes,

She was the Living Discription and Port[r]aiture of a Schism and Separation, her doublet and Petticoate, understanding one another, no better than Presbytery and Independency; and it was wondered by some, that in imitation of the latter, and in honour of the Rump she wore not the Breeches; but it seems she was Loath to innovate in her Old Years. (4)

The description, of course, reflects the disturbing divisions that royalists felt afflicted England during the 1640s, and given the tensions emerging during the early Restoration, it would also have held some currency for audiences in 1662. But the significance of "Vale's" opening extends beyond its allegorical dimensions. This particular passage also reveals the extent to which Moll Cutpurse's transformation from populist heroine to counterrevolutionary could not be accomplished in purely symbolic terms but would require a full-blown narrative explanation. Under the auspices of a conservative social semiotic, Moll's skirt should symbolize her political conservatism and her underlying commitment to social convention. In Vale's introduction, however, her skirt marks her as an iconoclast, dangerously aligned with the Rump parliament. Notwithstanding Stephen Orgel's point that the fictional Moll Cutpurse was always a conservative figure, Frith's biographers faced the task of construing the circumstances of her life so that they redefined what it meant to be a common woman and thus a loyalist commoner beyond the conventions of public property.

Early on, Frith's biographers reveal that the key to understanding their heroine's eccentricity is her disdain for the "effect of too much familiarity" (13). Like so many rogue figures, Moll was "born of Honest" parents, "her Father being by his Trade a Shoemaker" (8). Like her father, who loved a "good Fellow next to Himself," Moll was "sociable" as she "kept of all sorts" (8). Here is where the parallel ends. For Moll's biographer understands that the case for her royalism depends on his heroine's showing an early antipathy for conventional life among the "Meanest of the Commonality." Quickly, readers are told "she was too great a Libertine, and lived too much in common to be enclosed in the limits of a private Domestique Life" (11), as Moll "dislike[d] and "could not endure the Bake-house, nor that Mag-pye Chat of the Wenches" (11). James Grantham Turner has suggested recently that late seventeenth-century satires of bawds and whores typically elide libertinism with freedom, conflating social mobility with sexual promiscuity (x). Indeed, there is within Frith's biography a sense that she craves the freedom of association that public life enables. Yet her biographers are also careful to distinguish between social freedom and sexual freedom. For Moll to "live in common" and a libertine life is not at all the same as being "familiar." On the contrary, her flight from the "Mag-pye Chat of the Wenches" leaves Moll "not much taxed with any Loosenesse or Debauchery" (12).

Moll's disdain for other women's company had been a feature of her biography at least since Dekker's and Middleton's *Roaring Girl*. Though the 1611 drama lacks the explicit political references that dominate Restoration anxieties toward a plebeian public sphere, Dekker's and Middleton's play helps clarify what it might have meant for Frith to live a "libertine" public life. During a spirited exchange with Mistress Openwork, a shopkeeper's wife, Moll defends her own nefarious activities by acknowledging that the public space of commerce and conversation should be a patriarchal space—shared but not familiar. In contrast, Openwork defies this principle by using her husband's shop to facilitate her business as a "private pandress," thereby confounding commercial exchange with sexual intimacies (II. i, 1373). So corrosive does Moll see Openwork's activities, that she later exhorts Openwork's husband, who would rather go off and drink with Moll, to "tend thy shop and prevent bastards" (II. i, 1376). In addition to differentiating Moll from other women of the commons, her exchange with Openwork evokes a polemic already afoot aimed at excluding women from public places of economic exchange. As Laura Gowing has illustrated, women's business activities blurred the distinction between public and private space during the late six-

teenth and early seventeenth centuries (137). Not only did women manufacture things within the home for sale in the city, they often wandered the streets selling produce and other items (137–41). In fact, city officials were so desperate to constrain these activities that in 1595, the Common Council decreed that there should be only 160 women selling fruit and fish and that “all of them [should] be wives and widows of freemen, ‘of honest fame and behaviour and every of them to be of the age of thirty years at the least’” (142).

By the time Moll’s Restoration biographers come to write her life story, women’s ability to “contaminate” commerce has receded to the background, although anxieties about lost wealth and power continue to underwrite *The Life and Death*. Instead, Frith’s biographers celebrate her entrepreneurial success and validate her alternative legal authority in terms of her commitment to the status quo distribution of wealth and goods. For this reason, her Restoration biographers minimize the chaotic potential of Frith’s pickpocketing and focus instead on her tenure as a fence for stolen goods. One remove from an admittedly “Lawless Vocation,” the adult Frith parlays the inclination toward social formality that characterized her childhood and adolescence into an economic and ultimately political formality. As a fence, Frith aimed to help the “Losers . . . recover their Goods again” (23). She explicitly construes this as a public service. So much so, that she brags, “the Hue and Cry [were] always directed to me for the Discovery of the Goods not the Takers” (23). Indeed, as Gustave Ungerer observes, “given the fact that there was neither an effective statute against receiving stolen goods nor a professional police force, the local authorities welcomed women as paralegal intermediaries in the return and custody of stolen goods.” Viewed from the vantage point of the Restoration, it’s not surprising that Moll’s biographers construed her antebellum contributions to public peace in such sanguine terms. As the narrative continues, the notorious rogue becomes increasingly prince-like. Disabusing “obstinate Thieves . . . [who] would stand to their Possession as stiffly as if it had by right accrued to them,” Frith “us[es her] Authority” to convince them to relinquish their ill-gotten gains and “stand to [her] agreement and arbitrement” (24–25). Frith even possesses a kind of divine omniscience that gives her knowledge of the comings and goings in London’s underworld:

I could have told in what quarter of the Town a robbery was done the Evening before by very early day next morning, and had a perfect Inventory of what they had taken as soon as it came to the Dividend; Nor were ever the Custom-House Bills shewing what Goods and from whence they are imported more duely published for the advantage of Trade, than was

the Account of those Robberies entred with me for the satisfaction of the Owners. (24)

More often than not, the robbery victims are grateful to Moll for returning their property and see her “enterprise” as something of a public service.

At this point in the biography the political/legal subtext comes into sharper focus as Frith’s biographers risk enabling precisely the sense that property “had by right accrued” to the commons. The balance between Frith’s commitment to restoring property to its rightful owner and her defiance of the law was delicate. But within the context of Restoration England, Frith’s increasingly hostile relationship with those who administered England’s common law serves as a proxy royalist complaint about anti-monarchists’ misuse of that jurisprudence during the civil wars. Throughout the late Stuart period, English common law was habitually and loudly associated with the “People’s Power” (L’Estrange 2) and with efforts to establish a “state Democratical” (*Coll. Henry Marten* 92), as it was the common law that loyalists believed Parliament had misappropriated to justify their usurpation of political authority. Thus, as Tim Harris has pointed out, part of the polemical burden loyalists shouldered at the Restoration was a realignment of the crown with the law. “Most Anglicans and Cavaliers concurred in seeing the Restoration as marking a return to the rule of law and constitutional propriety after the illegal activities of the civil war and interregnum” (*Tories and the Rule of Law* 12). In fact, the Stuarts had little choice. They were heavily reliant on the common law’s jurisprudence given the fact that Parliament had refused to restore civil courts such as the Star Chamber and had crippled ecclesiastical courts.

By and large, Frith’s biographers sustain the royalist complaint that anti-monarchist appropriations of common law were illegal by using Moll’s first legal entanglement as a foil for her prudent government of London’s underworld. Historically, Moll’s first altercation with the law is fairly consistent with what we know of Mary Frith’s life.⁸ As with other pivotal moments in Moll’s biography, this one foregrounds her status as a public figure. Because of that status, her biographers argue, Moll’s fencing business necessitates the conversion of her “private Chamber” into a “publique dwelling, well-stored and well accomodated . . . making it an Exchange and place of Entercourse” (22), where she “perfect[ly] regulat[es] this ‘theivish Mystery,’” reducing it to “rules and orders” (24). At this juncture in the biography, London is a tolerant and peacable city in which Moll enjoys the “civil though wondring respect” of her “Neighbours” (25). These amicable relations, based on Moll’s crypto-aristocratic privilege, again encourage her to take “all freedome” (25),

and she often wanders the streets late at night. Moll quickly discovers that the acceptance of her “freedom” is not universal, and she finds herself taken in by the nightwatch.

The ensuing conflict develops an account of urban social relations that foregrounds the corruption royalists believed underlay London’s betrayal of Charles I. But, in order to sustain this sense of injustice, the biography must suppress any hint that crown statutes, such as the poor law under which Moll was arrested, played a role in the structuring of urban space. The biography also manipulates the social relations within the common law court structure to suggest Moll had attracted unwarranted suspicion. On the night in question, Moll crosses paths with an overly zealous nightwatchman who commits her to the Counter prison in east London until she can be brought before the magistrate, who in this particular case happens to be London’s Lord Mayor. It is indeed possible that Moll appeared before the City’s supreme elected official. The Lord Mayor was elected from London’s Court of Alderman from their own members. And all aldermen had the ability and the obligation to serve as a city magistrate.⁹ However, at least during the Restoration, London’s Lord Mayors seldom oversaw petty cases like Moll’s as they were usually amply occupied with the City’s other business. His intervention here, real or imagined, marks a stage in the City’s relationship with the crown, whose proxy Moll has become. Upon her plea, the Lord Mayor is lenient with Moll, being “contented” to “remit [her] to [her] good behavior” (27). At this juncture the City is interested in emphasizing its authority, but it wields that power judiciously. The impetus for Moll’s persecution and the City’s rejection of crown authority comes from the lower ranks. For Moll the incident is far from resolved as she turns her anger against the Headborough who arrested her. When she hears that he has been gloating about the “trick he had served” her, she resolves to do him one better by sending him on a fool’s errand to collect a non-existent inheritance. Throughout Moll’s elaborate ruse, her biographer emphasizes the Headborough’s status, and readers are repeatedly reminded that what is significant about Moll’s antagonist is that he is a “cobbler” and thus a *mere* artisan. He becomes more and more like those “obstinate Thieves” who thought they had a “right” to their stolen goods (24).

Moll’s relations with the City’s governing franchise deteriorate fairly rapidly from this point and anticipate the political turmoil that awaits England during the civil wars. Her second run-in with the Lord Mayor when she is arraigned at sessions for having a stolen watch in her possession does not end nearly so amicably. She escapes punishment this time only because one of

her pickpockets steals the evidence from the courtroom, keeping it out of circulation. Here, as elsewhere in her biography, property serves as a political metaphor. Moll's biographers persist in comparing her to Charles I, characterizing these times when she admits to having headed several gangs of pickpockets as the period when she "raigned, free from the danger of the Common Law" (33). With the advantages of hindsight, Moll's biographers are able to construe the City's crackdown on her shady activities as coextensive with Parliament's theft of political authority. The difference between Moll's thefts and Parliament's, the erstwhile fence explains, is that she acknowledges the dubious legality of her efforts to reunite people with their stolen property, whereas Parliament "needed no body to sell their *stollen Goods*, having Authority though little better than mine to countenance them therein" (24). The indictment becomes even more explicit when Moll expresses her sympathy for a counterfeiter who was hung for clipping half crowns. The unfortunate man earns Moll's approbation on the scaffold when he points out that "he was adjudged to die but for Counterfeiting of a half Crown, but those that Counterfeited its Seal, were above justice and escap'd unpunished" (25).

The hostility Moll directed toward the Headborough in her first altercation with the law becomes amplified when the civil wars break out. Moll then finds herself at odds not only with legal and political authorities within the City, but also with the same neighbors who had often defended her against the magistracy. Those who had once been friends are now, in her eyes, "Rabble," pursuing a "bloody Prosecution, most implacable revenge and impotent rage" (49). Although Moll admits that her chief concern at this juncture is her awareness that a "glancing blow at me might have been feared" from the "Prentices [who] ran down almost every day crying Justice and Execution" (50), she does not abandon her support of the Stuart cause. And her biographers tellingly choose to emphasize Parliament's political and legal impotence by revealing how incapable it is of ordering public discourse. Venturing into the same print culture of which she herself would soon become an artifact, Moll publishes a pamphlet that describes a Bull-baiting and names the triumphant "Bull that threw off all the Dogs" after Charles I's ill-fated advisor the Earl of Strafford (50). She names the dogs Pym and St. John for John Pym and Oliver St. John, two prominent parliamentary leaders. Readers, of course, were aware of the joke and accused Moll of "Dishonour[ing] Parliament and those famous Patriots and Assertors of its Priviledges and the Liberty of the Subject" (50). In retaliation, Parliament attempts to have Moll committed. But Moll seeks refuge with a "Nobleman" who "interpose[s] his Power and

Authority, and supersede[s] the Warrant for seizing [her]" (51), thus revealing the extent to which her biographers are invested in the ability of ancient privilege to trump elected authority even in such troubled times.

Now the full-blown object of parliamentary rage, Moll is forced to abandon fencing for bawdry. And it is here that the royalist narrativization of Moll's life becomes most critical. For if justifying Moll's defiance of common law required some elaborate rhetorical contortions, the justification of her bawdry entailed an argument that was entirely counterintuitive for late Stuart culture. Not only did the circumstances of Frith's life have to be constructed in such a way that bawdry no longer appeared as the inevitable consequence of radical politics, it also had to construe Moll's embrace of bawdry as a defense of patriarchal power and the formality of homosocial property exchange. This was no small task.

When Frith's biographers composed *The Life and Death*, bawdry was the only aspect of London's thriving sex industry that was illegal as such. Non-marital, adulterous, or homosexual sex had long been violations of canon law and were punished under a variety of moralistic labels including whoredom, abuse, and others. When the Stuarts were restored in 1660, civil authorities took up those transgressions only as misdemeanors—not crimes (Shoemaker 20–21). Bawdry, on the other hand, had a different legal status. Though still a misdemeanor, its status was less legally ephemeral because it was considered a violation of common law. Indeed, it was considered grave enough to constitute an exception to the principle of coverture as it was one of only three offenses for which a married woman could be prosecuted independent of her husband.¹⁰

Practically speaking, bawdry is simply the process of procuring sexual partners for clients. Then, as now, the partners were usually young women and the clients were usually men. But in the seventeenth century, the law was less interested in bawds peddling illicit sex than it was interested in bawdry's ability to transform the spaces in which economic transactions could take place into spaces of familiarity and intimacy. As one late Stuart source put it, a bawdy house was "a House of Convenience for Gentlemen and Ladies; [that] goes under several Denominations" (*The London Bawd* 113). Bawdy houses had a tendency to spring up in neighborhoods unannounced and often masqueraded either as private residences or public inns. Historically, brothels that functioned as public houses were viewed as violations of the crown's prerogative to regulate commerce in two key ways. First, such establishments violated the crown's ability to limit the number and proximity of spaces where transactions might take place, so no public inns were permitted "when there are

enough ancient inns before,” or where they are “inconvenien[t] of the place or situation” (Hale 121). Second, bawdy houses threatened the state’s ability to secure public space as peaceable space by limiting the number of inns where “disorders” are “there committed” (Hale 121). Although the prohibitions against bawdy houses had a relatively minimal impact on sexual practices of late Stuart England, they were integrally involved in shaping the way Stuart partisans reimagined public space as an arena governed by formal social relations rather than the intimacy of natural rights and personal property that governed the mid-century radical, democratic concepts.

No episode from the late Stuart period demonstrates this reclamation more palpably than the 1668 Bawdy House riots in which one of Mary Frith’s reputed confederates, Damaris Page, was strenuously reconfigured to serve as state’s evidence against the riots’ ringleaders. In 1668, five years after *The Life and Death of Mrs. Mary Frith*, the political resentments of London’s commons erupted in a four-day riot as several gangs of apprentices and working poor tore down almost all the brothels that had sprung up in London’s east end. The ringleaders were tried and convicted of high treason. Among the more prominent brothel owners deposed was Page, one of the most notorious bawds of the Restoration, who at the time Moll claims her acquaintance was “newly then from a whore Rampant separated to the Office of a Procurer in that Profession” (51). Page’s complaint against the rioters was handled by Robert Manley, a magistrate with a track record for prosecuting prostitutes and bawds. After hearing her story, Manley ordered Page to turn state’s witness and

Appear at the next sessions of the peace to be holden for the county Midd. and then and there present one bill of Indictment against John Sharpless for being a principal agitator amongst the riotous tumult of [?] persons, that went under the character of London apprentices and spoyled the house and goods of the said Damaris and the said Thomas Thorpe, John Harding and (MJ/SR/1350—20 Charles II March 30)

The elaborate contortions Manley undertook to mask Page’s occupation and establish her as a viable authority who could bear witness against other criminals suggests a good deal about the conceptual obstacles Frith’s biographers had to overcome to transform their heroine from bawd to counterrevolutionary. For Page’s recognizance is distinctive among those issued after the riots. It is the only one issued ordering a single individual to present evidence about the destruction of more than one house. As such, it weighed more heavily

against the accused. All the other recognizances order witnesses to present evidence against multiple offenders or single offenses perpetrated during the riot. Moreover, the recognizance makes no mention of Page's profession. On the face of it, the omission was likely done to avoid the contradiction between the illegality of the kind of property she owned and the illegality of property destruction in general. But if avoiding this contradiction had been Manley's only motive, the simple omission of her profession would surely have done the trick. Manley, however, does not stop there. Page's recognizance conjoins the destruction of her brothel with the destroyed property of two of her male neighbors. The recognizance itself thus symptomatically enacts anti-republican pornography's core complaint that bawdry violates patriarchal property rights, by recognizing Page's testimony can only be creditable when it is contextualized within the circuit of patriarchal property exchange.

In contrast, other bawds did not fair as well. Elinor Gwyn was also caught up in the flurry of judicial activity spurred by the riots. She, too, encountered the disapproving presence of Manley, who this time ordered that,

Elinor Gwyn shall personally appear at the next sessions of the peace to be holden for the county of Middlesex and then and there answer unto all such matters as on his majesties behalf shall be objected against her by Samuel Thompson of [Shoreditch] for keeping a reputed house of bawdry and [?] and entertaining suspected lewd, young wenches by means whereof the house of the said Samuel where in the said Elinor liveth was in the time of the insurrection very much broken, destroyed and spyled, etc. (MJ/SR/1352—5 May 20 Charles II)

Like most recognizances, Gwyn's is structured through legal formula that helped magistrates ensure they remain consistent with the language of statute and proclamation, thereby reducing the possibility that a given charge might be thrown out (Shoemaker, "Using Quarter Sessions Records" 149, 151). For the most part magistrates adhered to those formulas fairly faithfully. But those recognizances were also far less rigid than is ordinarily recognized. When it served the King's representatives, magistrates knew how to manipulate the restrictions imposed upon them by the law as in Eleanor Gwyn's case. Gwyn was charged with a nuisance—bawdry. In contrast, John Sharpless, charged with destroying Damaris Page's brothel, was accused of felony trespass against the crown. Yet, according to Manley, it is Gwyn, not Sharpless, whose case warrants a more overt expression of the state's investment as Gwyn, rather than the rioters, is held responsible for the destruction of Samuel Thompson's house. Thus Thompson is ordered to object against Gwyn on "majesties behalf."

Manley's different responses to Page and Gwyn vividly illustrate the extent to which magistrates were aware of and actively reinforced the crown's foundation in homosocial hierarchies of exchange. An apparently unmarried woman and notorious bawd, Page is rendered legally acceptable when her property interests can be aligned with those of her male neighbors and when her testimony supports the stability of the crown. By the same token, Gwyn, who has "neither House nor Lands to secure [her]," remains illegal because her business compromises the property interests of her landlord, despite the fact that she herself is married and thus arguably more securely under the mantle of patriarchal government than Page could ever possibly be.

The rhetorical contortions Manley undertook to differentiate the state's relationship between bawds during the 1668 prosecutions for the Bawdy House Riots suggest the symbolic freight polemicists had to negotiate in their political representations of bawdry. Indeed, Moll's royalist biographers tread gingerly in their treatment of this episode. Generally, they resist celebrating her foray into bawdry, and her descent remains something for which they feel Moll must apologize (56–57). Apologies notwithstanding, the writers of *The Life and Death* justify their heroine's role in London's sex industry during the Protectorate as a consequence of the monarchy's dissolution and the breakdown of homosocial formalities. The argument had two advantages for Stuart sympathizers. First, insofar as they continued to represent bawdry as an errant form of business, Moll's activities preserved the anti-republican polemic that bawdry violated the crown's dominion over public space, since Moll turns to bawdry only in the absence of crown authority. Moll's staunch royalism further allowed her biographers to amplify their anti-republicanism by emphasizing the lengths to which loyalists were driven in their resistances to Parliament's usurpation of governmental authority. As Moll describes the sentiments of those who believed the Commonwealth unjust, loyalists felt that it, "it was no deceit, to deceive the Deceivers, such were the Grandees of those wretched Times" (25). So much a part of the war effort does Moll imagine her bawdry that she compares her position as head of the bawdy house to a "Generalissima or some great Military Officer" (52).

It is the episode that concludes Moll's foray into procuring that best highlights Moll's bawdry as a counterrevolutionary enterprise. Moll ends her narrative here with a cautionary tale of a young woman who was able to marry no higher than an "ordinary Citizen" (51). The story became a mainstay of late Stuart pornographic satires as the citizen's wife is soon thereafter "Corrupted and Tainted," unleashing an insatiable sexual desire (54). Moll con-

cludes then that the woman “was as free for my turn as for any bodies” (54). Unlike the conventional satires of citizen’s wives, however, this woman’s debauching offers Moll an opportunity to close a homosocial circuit of exchange by returning the favor done by the nobleman who earlier saved her from Parliament. Moll, subsequently “gratified [this] friend with [the woman’s] first acquaintance” (55), reinforcing two sets of hierarchical social relations between herself and the nobleman, but also between the citizen’s wife and the nobleman as the sexual exchange between the two reiterates aristocratic privilege and power over the commons.

So consistent are Moll’s biographers on the socially adhesive value of debt repayment that when Moll’s ability to repay the Nobleman opens another rupture in the social fabric by violating the husband’s patriarchal privilege in his wife’s body, Moll takes it upon herself to repay that debt as well. Consistent with the lore about citizens’ wives, the nobleman proves only to be the woman’s first lover, and Moll becomes aware of the “evil [she] had done” (55). For the Citizen learns upon his wife’s death that he has sired only one of his twelve children. Fascinatingly, Moll combines her two professions of fencing and bawdry to “make him a gainer by his hard Fortunes” (56). She “procur[es] him round sums of Money from his respective Rivals, to the maintenance of their Illegitimate Issue, which they honestly paid; and all was husht up in a contented secrecy, and he and I as good Friends and Companions as ever” (56). Moll’s bawdry thus offers an alternative to the standard anti-republican argument that bawds ripped open the social fabric, creating a world driven purely by personal “interest” where power and sex are available to anyone. Instead, the child support Moll secures functions as a tacit acknowledgment from the wife’s lovers that they transgressed against her husband. Additionally, the financial recompense also functions as an acknowledgment that they transgressed against more formal political relations. For the child support also keeps the bastard children from becoming either burdens on the parish or being sent to secular institutions like Bridewell, where poor orphan boys were apprenticed to prevent them from becoming vagrant.

In many ways, *The Life and Death of Mrs. Mary Frith’s* conclusion is indicative of the cultural climate into which Frith’s biography was interjected. For there is a sense in which her biographers knew that their efforts to present Moll as an alternate model of populist loyalism was not destined to succeed at the historical juncture of the early Restoration. The rest of Moll’s narrative consists of her continued laments about England’s political state of affairs and her celebrations of cavalier highwaymen James Hind and Richard Hanam,

whose exploits she claims to have engineered (65–67). But by the time Moll recognizes her life is in its waning moments in early 1659, she has become despondent. Both her cultural and her economic capital have been exhausted and the Stuart cause all but lost. “[O]ut of my kind heartedness to my old Friends, the distressed Cavaliers, to help them in their compositions, and other relieve they had formerly, I had not a 100£ command” (72). Thus impoverished, Moll laments in true cavalier fashion that “The Money that might have been designed [for the building of Almes Houses],” and constraining the idle rebellious poor “as it came from the Devil, returning to the Devil again, into the Rumps Exchequer and Treasury at Haberdashers and Goldsmiths Hall” (72). Using the shape of their title character’s life as a metaphor for their own polemic, Moll’s biographers finally concede that their efforts had been “preposterous” (73).

The paradigm for the 1662 Gilbertson biography of Mary Frith was never successfully exported to other cavalier women. Frith’s life remains the sole explicit example of a common woman so committed to preserving the traditional circuits of homosocial property exchange. For the late Stuarts and the aristocratic culture with which those rulers were allied never really reached an emotional accommodation with London’s commons, in part because the crown continued to insist on the ownership of movable property as the sole legitimate ground of political rights—property that most commoners did not own in sufficient quantity to earn political inclusion.¹¹

NOTES

1. Thanks to a good deal of recent historical work, we now know that a “plebeian public sphere,” understood as an arena in which members of the working poor and other commoners debated issues of national policy and politics, was not an aberration of the French Revolution as Habermas claims (Fraser 113–14).

2. For more on the limited influence of these figures on mid-century political thought and conversation see Steve Pincus, “Neither Machiavellian Moment nor Possessive Individualism: Commercial Society and the Defenders of the English Commonwealth,” *American Historical Review* 103.3 (1998): 705–36.

3. For more on the problems with Turner’s arguments in *Libertines and Radicals*, see my review H-Albion, October 2002.

4. James Grantham Turner grossly overstates the radical implications of women’s petitions during the civil wars and Interregnum (*Libertines and Radicals* 76–77). As Patricia Ann Lee points out, the petition was not only traditionally available to a wide variety of the disenfranchised—“Apprentices, seamen, poor men of various depressed trades”—it was the very form assumed by Parliamentary legislation.

5. C.B. Macpherson first illuminated this thread in Leveller thought in his classic *The Political Theory of Possessive Individualism: Hobbes to Locke*. "It was on a concept of natural property right much wider than has yet been noticed that [the Levellers] based their case not only for property as a natural right (and hence for a wide range of actual property rights) but also for government by consent, and for civil and religious liberties. The fundamental postulate was that every man is naturally the proprietor of his own person" (139).

6. For more on the development of "individual interest" as a principle of English republicanism, see Steve Pincus, "Neither Machiavellian Moment nor Possessive Individualism: Commercial Society and the Defenders of the English Commonwealth," 103.3 (1998) *American Historical Review*: 705–36.

7. In her edition of the Gilbertson biography, Elizabeth Spearing argues that the text is a composite from three different writers. (*Counterfeit Ladies* xiii).

8. However, it appears that the episode related in *The Life and Death* is not among those for which Gustave Ungerer has found evidence in the Middlesex Sessions Rolls ("Mary Frith alias Moll Cutpurse"). Whether this encounter with the law actually occurred is difficult to tell. In the narrative structure of *The Life and Death*, however, it helps to establish Moll's affinity for ease with the City's working poor and members of the underworld. More significantly, it begins to unfold the standard set cavalier complaints against London's citizenry, thus separating the people from the citizens.

9. In fact, during the Restoration, this double construction of Aldermen's identities as both legal and political authority enabled Bridewell's Court of Governors, over whom the Lord Mayor held titular authority, to meet as a court of petty sessions.

10. The other two were murder and counterfeiting.

11. Indeed, this ground remained so contested that when William III quashed radical efforts within the City to lower the financial requirement for membership in London's franchise, it precipitated a backlash against Whig radicalism and the emergence of Tory populism in the 1690s (DeKrey and Rogers).

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