

Less Favored – More Favored: Queenship and the Special Case of Margrete of Denmark, 1353-1412

by

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Medieval female regents

Some ten years ago, the German historian Armin Wolf published an article on reigning queens, that is, queens ruling in their own right not as spouse or widow of a king in medieval Europe. Among the women, he dealt with, was the Danish queen Margrete whom he considered representative of a general European pattern according to which women could inherit the throne and under special circumstances remain there.¹ Margrete, however, does not fit into this pattern. She was regent and for a brief period reigning queen of three countries with different traditions and legislation concerning royal succession. The legal foundation of her reign was not inheritance, but a combination of traditional regency for a minor king and exceptional regency for the three kingdoms of Denmark, Norway and Sweden in general. The career of Margrete was founded on a mixture of rules and practices for female exercise of power, which combined with her great political intelligence produced an unusual career. The history of Margrete illustrates well the legal conditions in which gender could offer women advantages as well as disadvantages.

Female regents were not unknown during the Middle Ages. During the period 1000-1500 several female rulers make their appearance, queens regnant as well as queen regents. The evidence, that Armin Wolf marshals, leads in my view to the conclusion that it is difficult to see a pattern concerning queens regnant, except that they appear most frequently in Spain, Portugal and Spanish-dominated parts of Italy. In contrast, they are the exception in Europe north of the Alps and the Pyrenees. Undoubtedly, the explanation for this is that in most of the Northern kingdoms the thrones could be gained through election only, not inheritance, as was the case in Denmark and Sweden throughout the Middle Ages. We do not, however, find in medieval legislation a rule specifically prohibiting female succession until the late Middle Ages, when such a rule, purported to be part of the ancient Salic law, appears in France.

¹ Armin Wolf, "Reigning Queens in Medieval Europe: When, Where, and Why," *Medieval Queenship*, ed. J.C. Parsons, Phoenix Mill, Gloucestershire, 1998 (1994), 169-188.

The Salic law and Early Modern political debate

The Salic law, which dates to the period 500-800, is introduced into the political debate in the early 15th century and becomes the object of much discussion in Early Modern France concerning the rights of women to inherit the throne. The roots of this debate are found in the succession crises of 1316 and 1328, which was solved by passing over female heirs and their offspring. Yet, the Salic law is not mentioned during the 14th century and none of the French ordinances of 1375, 1392, 1403 and 1407 regulating royal succession explicitly prohibits female succession.

The ancient Salic law had several contradictory rules concerning women's right to allodial lands but, in fact, no rule explicitly prohibiting female succession – at least not in manuscripts older than 1390. Such a rule does appear in a manuscript dating to the 1390's and it is this rule that is cited in the debates of the following centuries, first and foremost by Jean de Montreuil (c.1361-1418) who was provoked by Christine de Pizan's argument for female rulers and implicitly female succession that she promoted in her writings from 1405. The debate over female succession thus became part of the general gender debate, the "Querelle de femmes", which Christine de Pizan initiated and which continued for the next 400 years.² The arguments against female succession is marked more by male prejudices towards women than of legal scholarship, in fact by just those prejudices that Christine fought against in her writings.³ A distant echo of this debate found its way to a Danish town chronicle (see below). In her works, Christine did not focus specifically on female succession but by giving many examples of good and intelligent female rulers she did stress the important role that female members of ruling families could and should play, especially as peacemakers.⁴

The political debate in France of the late Middle Ages and the ordinances concerning succession had also another aim, namely to ensure stability at the death of the ruler, especially when the successor was a minor. The ordinance of 1407 established the principle that the king never dies. Upon the death of a reigning monarch his powers of rule are immediately transferred to his successor even if that person is a minor. A minor king may and should receive help and support by those who raise him, including the king's mother, and the ordinance of 1407 allows for the possibility that the widowed queen as mother of the king can

² Joan Kelly, "Early Feminist Theory and the *Querelle des femmes*, 1400-1789," in her *Women, History & Theory: The Essays of Joan Kelly*, Chicago, The University of Chicago Press, 1984, 65-109

³ Sarah Hanley, "The politics of identity and monarchic governance in France: the debate over female exclusion," *Women writers and the early modern British political tradition*, ed. Hilda L. Smith, New York, Cambridge University Press, 1998, 289-304

⁴ Kate Langdon Forhan: *The political theory of Christine de Pizan*, Women and gender in the early modern world, Aldershot, Ashgate, 2002, 62ff.

become regent thereby functioning as the liaison between the old king and the new – admittedly together with princes of the blood, that is male members of one of the branches of the Capetian family.

The queen mother thus became a key figure during periods of transition and thereby a guarantor for the continuity of the monarchy. Influenced by the bitter experiences from the ongoing war (the Hundred Years' War) when princes of the blood had been fighting each other rather than the English, the ordinance also limited the role of regents for minor kings and thereby promoting further the queen mother's role as an important element of the monarchic institution. She could expand the role of being the king's mother to becoming a regular regent – but the role of regent does not bring into question the late medieval interpretation of the Salic law prohibiting female succession.⁵

It is, then, the gender-defined role as mother, which influences the interpretation of the Salic law and the relationship between women and power during the late Middle Ages. An additional influence is the role of the female guardian. A common trait in medieval European legislation – and unique to that legislation – is the visibility of the widow. Widows of all classes had the right to own and the control their own property and that of others. There is no tradition, such as that found in neighboring cultures, the Muslim and Jewish, for enclosing the widow in the household of her brother, brother-in-law or other male relative.⁶ Historians have, therefore, traditionally viewed the status of widows as indicating that medieval Europe was a golden age for women. A fictive character, Chaucer's Widow from Bath, has contributed to the image in historical literature of the "merry widow", that is the wealthy, independent and authoritative widow. As historical research is uncovering more and more evidence for the lives of widows in medieval Europe, it becomes clear that widows were neither particularly merry nor particularly wealthy, but independent they were in that they had the right to live outside the patriarchal household and become heads of household themselves, at least as long as they had minor children.⁷

The traditional perception of the role of widows in medieval European society is also important to understand the possibilities that the widowed queen had as the new king's

⁵ Fanny Cosandey, "De lance en quenouille: la place de la reine dans l'état moderne (14e-17e siècles)" *Annales: Histoire, Sciences Sociales* 52:4, 1997, 799-820; eadem, *La reine de France: Symbole et pouvoir XV^e-XVIII^e siècle*, Galimard, 2000, 295-332; "Du pouvoir de la reine; eadem, "La blancheur de nos lys': la reine de France au coeur de l'État royal," *Revue d'Histoire Moderne et Contemporaine*, 44:3, 1997, 387-403

⁶ Jack Goody, "Inheritance, Property and Women: Some Comparative Considerations," in *Family and Inheritance: Rural Society in Western Europe, 1200-1800*, ed. Jack Goody, Joan Thirsk, E.P. Thompson, Cambridge, Cambridge University Press, 1976, 11f

⁷ *Widowhood in Medieval and Early Modern Europe*, edited by Sandra Cavallo and Lyndan Warner, Harlow, Longman, 1999

mother. Queens had property in their own name and if they had minor sons they could also become guardians of their property. It is also presumed that they, more than anyone else, would place the interest of their children above all, or as it has been expressed: the perfect “amour” is a mother’s love.⁸ This would presume – although I have not seen this point raised in the literature – that it was not expected that queens in medieval Europe would remarry but instead that they would devote their widowhood to the well-being of their children.

A general formula for the authority of the female regent would be to state the combination of a female regent and minor king equals authority. This holds true as well for other countries that do not have nor promote anything equivalent to the Salic law rule concerning female succession. This formula did not allow for other variations, however, as the history of the English queen Margaret of Anjou shows. Margaret was married to Henry the Sixth and gave birth to a son and heir in 1453, the same year as England lost her last possessions in France and Henry suffered a mental collapse, which left him in a catatonic condition for more than a year. While her husband was unable to rule, Margaret attempted to assume power in order to safeguard her son’s interests, but she never achieved legitimacy as a regent because her husband was alive.⁹ Isabelle of Bavaria who was married to the French king, Charles the Sixth, who also suffered from periodic insanity, had faced the same problem a generation earlier. So not all mothers were allowed to express their maternal love by assuming power and rule in their son’s interests.

Margrete of Denmark

One such woman, who was allowed to assume power even while her husband was alive, was Margrete, born as princess of Denmark in 1353, the daughter of the Danish king Valdemar the Fourth (ca. 1320-1375, king 1340-1375), and his queen, Helveg of Schleswig (d. ca. 1374).¹⁰ Margrete was born in a kingdom that for several decades had suffered from war, plague and economic hardship. Owing to financial problems, her grandfather had been forced to pawn the entire kingdom to a group of North German princes, first and foremost the Count of Holstein during the 1320’s. Margrete’s father had with great skill, luck and brutality redeemed the kingdom and established himself as the king of Denmark. He and Helveg had two daughters and one son who reached adulthood. The oldest daughter,

⁸ Cosandey, *La reine* (note 5), 297

⁹ Helen E. Maurer, *Margaret of Anjou: Queenship and Power in Late Medieval England*, Woodbridge, The Boydell Press, 2003

¹⁰ An excellent biography in English of Margrete and her times is Vivian Etting, *Queen Margrete I (1353-1412) and the Founding of the Nordic Union*, The northern World, 9, Leiden, Brill, 2004

Ingeborg, married into the ducal family of Mecklenburg, while the youngest, Margrete, married the Norwegian king, Hakon the Sixth (1341-1380, king 1355-1380) in 1363 and thus became queen upon her marriage.

Due to an unsuccessful war Valdemar left upon his death in 1375 a kingdom still threatened, this time by the Hanseatic League. His son had died a few years earlier, and Valdemar left, therefore, no direct male heirs. His oldest daughter, Ingeborg, had also died which meant that his sole surviving child was the youngest daughter, Margrete, the 23-year old queen of Norway and the mother of a 5-year old son. This son, Oluf (1370-1387) was elected king of Denmark within a few weeks after the death of his grandfather with his mother, Margrete, as guardian, in spite of the fact that another male candidate, also a minor, to the throne was available: duke Albrecht of Mecklenburg, son of Ingeborg. Albrecht's uncle, also an Albrecht of Mecklenburg, occupied the Swedish throne, and neither the Hanseatic League nor the Danish nobility savored the prospect of the Mecklenburg family becoming that powerful in the Baltic Region which situation Margrete took advantage of to have her son elected king.

In the first documents issued after the death of her father, she calls herself queen of Denmark, Norway and Sweden or queen of Norway and Sweden, daughter and heiress of Valdemar. One should probably not read into this that Margrete claimed the right of female succession, rather she signaled that she had legitimate right to dispose of the royal domains upon the death of her father as the heiress of her father's property.¹¹ In Oluf's coronation charter of 1376 Margrete is mentioned in a traditional manner as wife and mother. The signers of the coronation charter are: Oluf, by God's grace king of the Danes, Slavs and Goths, Hakon, by God's grace king of Norway and Sweden, Margrete, by God's grace queen of these kingdoms (that is Sweden and Norway)¹² together with seven bishops, thirteen knights and four esquires. The inclusion of the latter groups of nobles and clerics among the signers of the coronation charter may signal that these 24 men should form regency for the young king together with his parents.¹³ Oluf's father, king Hakon of Norway quickly disappeared from the Danish scene, however, and at a meeting of the Danish Council of the Realm in June of 1377, at which the Crown and the high nobility mutually obliged each other to uphold the

¹¹ Anders Bøgh, *Sejren i kvindens hånd: Kampen om magten i Norden ca. 1365-89*, Århus, Aarhus Universitetsforlag, 2003, 75

¹² "... Olauus dei gracia Danorum, Sclauorum, Gothorumque rex ... Haquinus, dei gracia rex Suecie et Norwegie, et Margareta, eadem gracia regina ibidem..." *Den danske rigsløvgivning indtil 1400*, ed. by Erik Kroman for Det danske Sprog- og Litteraturselskab, Copenhagen, Munksgaard, 1971, 284

¹³ Bøgh, *Sejren* (note 10), 220

existing law and order, the signers for the Crown were "Olavus dei gracia Danorum, Sclavorum, Gottorumque rex" and "Margareta eadem gracia Swecie et Norwegie regina".¹⁴

In the documents dealing with royal actions on policy matters (internal as well as foreign) from the years immediately following, the co-signers include those men, who held the highest-ranking positions of the realm, the *drost* or viceroy who acted in the king's place during the latter's absences from the kingdom, and the *marsk* (marshal), who was responsible for troops and ships to defend the country. From 1380 on, however, Margrete is acting together with the Council of the Realm as a body. That year, her husband died, and Oluf became king of Norway as well, making Margrete guardian of both kingdoms, which apparently added to her power and authority.¹⁵

As guardian Margrete was busy securing the Crown and the kingdoms economically, first and foremost by loosening the iron grip in which the Hanseatic League held the kingdoms after the peace of Stralsund of 1370. She had reached this goal in the summer of 1387 when Oluf suddenly died without leaving any heirs. At once, the foundations of Margrete's power crumbled. Even though Oluf had become of age in 1385 and in principle assumed power, Margrete had continued to play a dominant role as regent.¹⁶

Denmark was an elective kingdom, and while the king traditionally had been picked among male members of the royal family, there was no precedent for female members to ascend to the throne. The idea was, however, not foreign to the royal family. A century earlier, another Margrete had attempted to introduce female succession. The Vatican Archives contains a draft to a papal letter from 1263, citing a petition from the Danish king in which is explained that it is the custom of the Danish kingdom that only male children can ascend to the throne, and, as the king fears that foreigners will inherit the kingdom if he dies without leaving legitimate children, he has asked for the pope's assent to female succession as he has several legitimate sisters. According to the draft, the pope gives his consent to the proposal, which means that if the king at his death leaves no sons but legitimate daughters, his oldest daughter shall succeed him, and should he leave neither sons nor daughters, the oldest surviving sister shall succeed him.¹⁷ The king, Erik the Fifth (1249-1286, king 1259-1286), was still a minor in 1263, and the originator of the letter to the pope was his mother and guardian, Margrete Sambiria, a Pomeranian princess, and the "foreigners" were in fact the first cousins of Erik (and like him grandsons of a Danish king) whom Margrete sought to exclude from the

¹⁴ *Den danske rigsgivning indtil 1400* (note 11), 319

¹⁵ Bøgh, *Sejren* (note 10), 254f

¹⁶ *Ibid.* 275

¹⁷ *Diplomatarium Danicum*, 2. Rk. nr. 410 (c.1263)

throne by this maneuver.¹⁸ The papal letter was apparently never officially issued and the plan for female succession did not become necessary as Erik left several sons, two of whom became kings successively of Denmark.

In 1387, Margrete and her supporters probably did not know of her great-great grandmother's attempt to introduce female succession in Denmark, but the situation was the same: male members of another branch of the family were considered unwelcome candidates to the Danish throne. The earlier mentioned duke Albrecht of Mecklenburg, son of Margrete's older sister, was still alive but found himself rejected once more in favor of Margrete, who however was not pronounced queen of Denmark. The extraordinary event in her life – and in legal history – occurred one week after Oluf's death when a provincial assembly declared her "sovereign lady and lord and guardian of the entire kingdom of Denmark",¹⁹ a double-gendered title which bestowed upon the holder the power and authority of a man ("husbonde" = lord), of a woman ("fuldmægtige frue" = sovereign lady) and of the gender-neutral guardian ("formynder"). She was given this title partly because she was the daughter of Valdemar and mother of Oluf, both past lords of Denmark, partly because of the good will and favors towards the kingdom, she had demonstrated, or – as one contemporary chronicler put it – because of the great wisdom, God had given her.²⁰ The other two provincial assemblies subsequently approved her election as "sovereign lady and lord and guardian of the entire kingdom of Denmark." At the same time, an accord was made between the queen and the high nobility that the two parties were to come to a mutual agreement concerning a new king, indicating that the intention was not for Margrete to rule for life.

Margrete herself had a somewhat different interpretation of the event as is apparent from three notarial acts, she had drawn up and certified by a papal and imperial notary then residing in Denmark. From these acts it appears that she had been elected because there were no male of royal blood closer than her to the throne, thereby emphasizing the fact that she was the true heir to the crown and the one who had the right to appoint a successor.²¹

¹⁸ Aksel E. Christensen, *Kongemagt og aristokrati: Epoker i middelalderlig dansk statsopfattelse indtil unions-tiden*, Copenhagen, Københavns Universitets Fond til Tilvejebringelse af Læremidler, 1968 (1945); Niels Skyum-Nielsen, *Fruer og Vildmænd, 1: Dansk Middelalderhistorie 1250-1340*, Copenhagen, Akademisk forlag, 1994, 53f.

¹⁹ "futlmechtech fruwe ...husbunde...gantze righens af Danmark formunder", *Diplomatarium Danicum*, 4. Rk. nr. 222 (10. august 1387). Etting calls this "a revolution in the constitution" (Etting (n. 10) p. 56)

²⁰ *Annales Danici Medii Aevi*, ed. Ellen Jørgensen, Copenhagen, Selskabet for Udgivelse af Kilder til dansk Historie 1920, 191

²¹ Bøgh, *Sejren* (note 10), 280f; documents in *Diplomatarium Danicum*, 4. Rk. nr. 233-34 (26. august 1387), 257 (16. november 1387). Bøgh has been criticized for this interpretation of the documents by Esben Albrechtsen in *Historisk Tidsskrift*, 105:1 (2005) 266-70, 211-13. Bøgh has responded *ibid.* 205-10 and I have chosen for the reasons, given by Bøgh to follow his interpretation.

These letters must express Margrete's own point of view of the events and of the right of women to ascend to the throne. The notarial acts were not made public during her lifetime showing that she was wise enough not to persist in her point of view unless it became necessary or politically expedient. It never did, and so the acts were never made public.

Another indication of Margrete's view on the issue of female succession may be found in an English document from 1402, written by the ambassador of Henry the Fourth of England during the negotiations between him and Margrete for a marriage between her adopted children and his oldest son and youngest daughter. The ambassador, the bishop of Bangor, recounts the rules for inheriting the crown of Denmark and Norway arguing that Margrete had inherited the Danish crown as daughter of a Danish king and the Norwegian crown as mother of a Norwegian king who had died leaving no heirs. He based his argument on the Roman law principle of *Senatus Consultum Tertullianus* that allows the mother to inherit a deceased son who has died without leaving issue.²² The Norwegian inheritance laws were more complicated than that, but we may venture to guess that his informant was the queen herself and that it is her interpretation of the situation that the English ambassador repeats.

From a European perspective, then, we find in Denmark in 1387 the reverse situation of that of France in 1316 and 1328 where female descendants of kings were rejected in favor of a cadet branch of the royal dynasty. In Denmark, a woman was preferred to a man. That, however, did not produce a positive Salic law, that is, one establishing the right of women to inherit the throne. Instead, Margrete received the special double-gendered title of "sovereign lady and lord and guardian of the entire kingdom of Denmark". In 1388 she was accorded the same title in Norway on the condition that she presented an acceptable candidate for the Norwegian throne. She found him in the person of her sister's daughter's son, Bugislav of Pomerania, born around 1382, who assumed the name of Erik and was elected king of Norway the same year. Margrete adopted him and his sister, Catherine, making Erik acceptable as a candidate to the Danish throne as well (fig. 1). She hereby signaled that the Danish and the Norwegian throne could be inherited through women (her sister and niece, grandmother and mother respectively of the two children). She followed this up by having Catherine named as heir to her brother in case he died without leaving children in letters issued to holders of royal fiefs between 1405 and 1406.²³ In 1406, Erik married Philippa, daughter of

²² Aksel E. Christensen, *Kalmarunionen og nordisk politik 1319-1439*, Copenhagen, Gyldendal, 1980, 180f.; Eldbjørg Haug, *Provincia Nidrosiensis i dronning Margretes unions- og maktpolitik*, Skriftserie fra Historisk Institutt, nr. 13, Trondheim, Historisk Institutt, NTNU-Trondheim, 1996, 282f.

²³ Aksel E. Christensen, *Kalmarunionen*, 181-84

Henry the Fourth of England, but as the marriage remained childless, Erik began naming his paternal cousin, Bugislav of Pomerania, as heir. This was not, however, accepted by the nobility of the three countries. When, in 1438/39 they rebelled against Erik, the Danish and Norwegian nobility elected his nephew, Christopher, son of Catherine in her marriage with the Count Palatine of Bavaria, king of Denmark and Norway in 1440, and when he died in 1448 without leaving heirs, they elected as king of Denmark and Norway count Christian of Oldenburg, a descendant through both male and female lines of Erik the Fifth, whose mother, as mentioned above, had attempted to introduce female succession in 1263 (fig. 2). However private Margrete's own ideas of female succession to the Danish and Norwegian thrones remained, she did set precedence for two later elections of kings to the Danish and Norwegian thrones.

Like Denmark, Sweden was an elective kingdom, and when the reigning monarch, Albrecht of Mecklenburg, became unpopular with the powerful Swedish nobility, the latter turned to Margrete in 1388 and elected her "sovereign lady and lord and guardian of the entire kingdom of Sweden," consolidating her position the following year when she defeated Albrecht at the battle of Falköping on February 24th, 1389. She continued as lady, lord and guardian of the three kingdoms until 1392, when Erik was crowned king of Norway. In 1397, he was proclaimed king of Denmark and Sweden at a great meeting in Calmar, Sweden, when the Calmar Union²⁴ was established thereby ending Margrete's *de jure* rule as sovereign lady; but she remained the *de facto* ruler of the union until her death in 1412.

Margrete did not create legislation dealing with female succession but she did leave her fingerprints on other medieval Danish legislation. In 1396, the last year she officially was "sovereign lady and lord and guardian" of Denmark and Sweden, she issued an ordinance in which she proclaimed that one should to a higher degree than hitherto respect and enforce peace towards church (*pax dei*), houses, farms, legal assemblies, workers in the fields – and women, expressed in the word "kvindefred".²⁵ This is the only place that the word, "kvindefred" appears in medieval Danish legislation. Punishment for rape was common in Danish as well as foreign legislation,²⁶ but not associated with the other forms for upholding peace in the tradition of *pax dei*. This may be an expression of Margrete's perception

²⁴ The Calmar union was a union of the three Nordic kingdoms, Denmark, Norway, Sweden and their dependencies Iceland, Finland, Faroe Islands and Greenland under the same king. The Union lasted until 1522 but Sweden broke her ties to the union several times during the 15th century.

²⁵ *Den danske rigslovgivning indtil 1400* (note 11), 335, 340

²⁶ Nanna Damsholt, "Margrete – Power in the Hands of Woman. On the sexing of qualities", in *Margrete I Regent of the North: The Kalmar Union 600 years. Essays and Catalogue*, Copenhagen, Nordisk Ministerråd; Nationalmuseet, 1997, 268-71

of women as being particularly vulnerable in times of unrest, and for her own interpretation of the ruler as protector of *personae miserabiles*, which included maiden and widows. A reflection of this is her testamentary dispositions of 1411 through which she asked that the sum of 500 marcs be distributed among the women and maidens who had been ‘violated and debased’ during the wars between Sweden and Denmark 1388-1389.²⁷

Female rulers in Danish legislation

Margrete’s legacy was a strong kingdom and union, whose inhabitants had suffered from wars but also enjoyed prosperity during her reign, and who were conscious, at least in Denmark, of her efforts and success in creating peace and prosperity. This is apparent in a town chronicle from Malmø, established in 1420. On one of the pages one finds a poem about Margrete’s victory over king Albrecht in 1389 together with a poem about the Danish hero Niels Ebbesen, the leader of the 1340 uprising against the German counts, who then controlled the country,²⁸ a clear indication that Margrete was considered a heroine who had liberated Denmark from enemies.

In spite of this positive view of Margrete, one also finds in the chronicle the following citation, which sounds as if it had been lifted from a libel against women: “It is better that the State is governed by the best man than the best law. Aristotle, *Politica*, second book. Women govern the state poorly”.²⁹ The quotation is found at the bottom of a page containing a copy of a town law from about 1413, some undated rules concerning fines and a copy of a privilege from 1360.³⁰ The clerk has not remembered his Aristotle correctly. The original quote is: “It is better that the State is governed by the best man than by the best woman or law.”³¹ That ruling women should not be of benefit to society is not expressed explicitly by Aristotle but in the commentary of Thomas Aquinas to the works of Aristotle.³² The concept

²⁷ ”Item the thusande løthug mark ... sculæ wii skifte en deells i bland quinnor og møør, som man kan spørge oc fa at wide at krænchte og nethræthe ære wordne i thisse orløgh i thisse thry righe østen Øressund” (“Tre Gavebreve af Dronning Margrethe fra Aaret 1411,” ed. Kr. Erslev, *Kirkehistoriske Samlinger*, 3:3, 1881-82, 372)

²⁸ *Registrum Ville Malmøyge*, (*Malmö Stads medeltida minnesbok*), ed. Ingvar Andersson and Leif Ljungberg, Malmö, Jan Kroon, 1937, fol. 37v

²⁹ *Registrum Ville Malmøyge*, fol. 24v: “Melius est civitatem regi a viro optimo quam a lege optima. 2° Politicorum. A mulieribus male regitur civitas”

³⁰ The quote may have been written by the town notary of the early 15th century, Aage Jenssøn Dyekn, who initiated the volume

³¹ J.Hamesse, ed., *Le auctoritates Aristotelis*, Philosophes Médiévaux, 17, Louvain-Paris, 1974, 256: auctoritates III libri Politicorum Aristotelis, 15,62: "Melius est civitatem regi uno optimo viro quam una optima, scilicet muliere vel lege"

³² "A mulieribus non bene regitur civitas" (ibid. p.255: auctoritates II libri Politicorum Aristotelis, 15,45). The editor (J.Hamesse) refers to Thomas Aquinas' *Politica*-commentary, II, lect. 13, n.303

expressed by the quote must be one that the good clerk has heard or read about as being the correct description – even if his experiences with female rulers contradicted this perception.

The unambiguous concept of the gender of the ideal ruler is mirrored in the medieval Danish legislation of the 15th and 16th centuries in which no trace is found of the fact that there had been a “sovereign lady and (female) lord and guardian” of the Danish kingdom. The role of the queen as consort is mentioned several times and this is also the role that we find all Danish queens until 1972 when the present queen, also named Margrete, ascended to the throne as a consequence of the revision of the Danish constitution in 1953 which explicitly established the right of the oldest daughter of a reigning king to ascend to the throne in case she has no brothers. The right had been implicit since the introduction of Absolutism in Denmark in 1660, as the “constitution” of the Danish Absolutist Monarchy, the *Lex Regia*, promulgated in 1665 gave women the right to inherit the throne if there were no male heirs in any of the branches of the royal family.

The first appearance of the queen’s role as consort in the Danish legislation for the entire kingdom dates to the 1250s, when an ordinance concerning crimes against the Crown was promulgated, containing the rules and punishment for crimes against the king, the queen, the king’s children, his relatives, who are “of the king’s body” as well as crimes against the bishop and the duke.³³ Whether this indicates that the queen could exercise power, as could the king, bishop and duke, or that she merely represented her husband’s power, is not evident.

A regular exercise of power is given the queen to demand food, money and services. According to an ordinance of 1251 both the queen and the king can demand *ægt* that is transportation of servants and goods from their subjects.³⁴ In his coronation charter of 1282 king Erik the Fifth had to promise that “no one be asked to transport provisions for us, our wife, our children and our *drost* (viceroy) outside his home county”.³⁵ This rule is repeated in later Danish and German versions of the charter but is not found in the coronation charters of Christoffer the Second in 1320 and Valdemar the Third in 1326 in spite of the fact that a later source identifies this as one of the most frequent abuses of the Crown during the 14th century. In his coronation charter of 1376, Oluf and his guardians, including Margrete, had to promise, “the king’s peasants shall not transport provisions for the king, his wife, their children and the

³³ “Preterea domini episcopi, dux, regina et liberi regis et collaterales ipsius membra regis esse dinoscuntur” *Den danske rigslovgivning indtil 1400* (note 11), 59

³⁴ *Den danske rigslovgivning indtil 1400* (note 11), 51, 56 (§ 5, § 7)

³⁵ *Ibid.* 77-78 (§ 5)

viceroys outside the borders of their home county.”³⁶ This duty is not mentioned in the coronation charters of the 15th century, but reappears in the coronation charter of Frederick the First of 1523, giving the king the right to demand transportation of provisions for his court that is accompanying him during his travels through the realm, as long as his demands are moderate,³⁷ but there is no mention of his queen.

During the 15th century it was apparently accepted that the queen could exercise economic power on behalf of the Crown. She is mentioned in the privileges issued in 1460 by king to the estates of Schleswig and Holstein, in which he promised, “we and our successor shall not donate or pawn any (Crown) property to our wife nor any other resident of the realm without the advice and consent of our knights of the same realm.”³⁸ His son also had to promise that neither he, nor his wife or their children should buy or pawn any property belong to the nobility.³⁹ This is also apparent from the coronation charter of Christian the Second of 1513 in which the economic competence of the queen requires two chapters. In the first the king has to promise, like his father and grandfather, that neither he, nor his wife nor their reeves shall purchase or pawn any property belonging to the nobility.⁴⁰ In the second he has to promise that neither he, nor his wife nor their reeves shall assume guardianship of property belong to noble minors.⁴¹ Christian broke both rules, according to the complaints raised by the noble party who in 1522/23 rose against him, deposed him and elected his uncle king (Frederick the First). In the latter’s coronation charter it is mentioned, that Christian had assumed possession of free fiefs and castles and given them to his wife and children against his royal oath and ordinance.

Medieval Danish legislation provides only scattered glimpses of the role of the Danish queen during that period. Only in the late 15th and early 16th centuries does the legislation hint that the queens have actively assumed the role of royal consort. We do know, however, that several queens, from the 13th to the early 16th centuries took active part in government, including Margrete, who as a young queen of Norway was active in the government of that country, although we find no legal rules to uphold her involvement.

³⁶ Ibid. 280 (§ 18)

³⁷ *Samling af danske Kongers Haandfæstninger og andre lignende Acter*, in Geheimearchivets Aarsberetninger, 1856-58; repr. Selskabet for Udgivelse af Kilder til dansk Historie, Copenhagen, 1974, 72

³⁸ “Item wy unde unse nakomelinge scholen unsen husfrowen edder nemande sunder inwanere desser land nene gudere vorgeven edder vorplichtiges ane na rade unde vulbord unser redere dersuluen land”, *Den danske rigslovgivning 1397-1513*, ed. by Aage Andersen for Det danske Sprog- og Litteraturselskab and Selskabet for Udgivelse af Kilder til dansk Historie, Copenhagen, C.A. Reitzel, 1989, 126 (§ 8)

³⁹ Ibid., 152 (§21)

⁴⁰ *Den danske rigslovgivning 1513-23*, ed. by Aage Andersen for Det danske Sprog- og Litteraturselskab og Selskabet for Udgivelse af Kilder til dansk Historie, Copenhagen, C.A. Reitzel, 1991, 28 (§39)

⁴¹ Ibid., 28 (§42)

The role of the Queen as guardian is not mentioned in the legislation concerning the entire realm. For that we have to turn to the provincial laws dealing with the rights of widows in general. An important chapter in the provincial law of Jutland from 1241 gives “clerics and widows” the right to pledge security in cases concerning money, “as they have property of their own with which to pay.” Widows had the right to dispose of property, including that of their minor children. This holds true for queens as well, and Margrete was not the first queen in Scandinavia who had been an active guardian for a minor king. Margrete Sambiria (died 1282), who had attempted to introduce female succession, as well as her daughter-in-law, Agnes (died 1304) had created precedence for this role as did the Danish-born queen of Norway, Ingeborg, who was crowned queen in 1261 and received a formal role in the regency of her minor sons who both became kings.⁴²

Conclusion

From a gender perspective, the story of Margrete is the story of a woman, born with opportunities (as a princess) and obstacles (as a woman). Being female she could not inherit the throne in Denmark, which was an elective kingdom, and where by tradition only male candidates were eligible. She married the king of Norway, a kingdom that could be inherited, and during period 1302-1450 by a woman as well as a man.⁴³ However, as a wife, not the daughter of a Norwegian king, Margrete had no rights in this inheritance. In both kingdoms she could, as wife and mother, assume the role of guardian for a minor son. She did have a son who inherited one kingdom (Norway) and as an eligible candidate was elected to the throne of the other (Denmark) and as his guardian, Margrete had the opportunity to exercise power as a ruler, an opportunity she as a highly talented politician knew how to exploit fully and she succeeded in retaining actual power during her lifetime.

She was in a favorable position compared to many other queens of the period in that she was married into a society, similar to and closely tied to her native society, and so did not come as a complete “foreigner”. She had as her closest supporters and servants the Nordic nobility whose family- and network-ties crossed the borders of the Scandinavian kingdoms. The woman in charge of her household in Norway and of the education of the 10-year old queen was Märta Ulfdaughter, wife of a leading Norwegian nobleman, and daughter of a high-ranking Swedish nobleman. Märta’s mother was the famous Saint Bridget of Sweden

⁴² *Med kønsperspektiv på norsk historie fra vikingtid til 2000-årsskiftet*, ed. Ida Blom and Sølvi Sogner, Oslo, Cappelen Akademisk forlag, 1999, 76f.

⁴³ *Kulturhistorisk Leksikon for Nordisk Middelalder fra vikingtid til reformationstid (1956-78)* s.v. ”Tronfølge”.

who had played a prominent role at the Swedish court of Margrete's in-laws before she left for Rome to found her order. Margrete was succeeded by series of queens, Philippa of England, 1394-1430, Dorothea of Brandenburg, 1430-1495, Christine of Saxony, 1461-1521 and Elisabeth of Habsburg, 1501-1526, who all as consorts and/or widows left their marks on society and who were contemporaries with the many female regents of late medieval Europe.⁴⁴

Margrete was indeed favored, but her achievements remained tied to her person, and were not attached to the gender, she represented. We may discern her influence on her successors as queen consorts but laws and perceptions concerning gender and royal succession remained unchanged in the three Scandinavian kingdoms, showing no trace of the appointment of a woman as “sovereign lady and lord and guardian”.

⁴⁴ Cosandey, “De lance en quenouille,” (note 5) 816ff. (on Anne de Beaujeu, Anne of Brittany and Louise of Savoy); Sharon L. Jansen, *The Monstrous Regiment of Women: Female rulers in Early Modern Europe*, New York, Palgrave Macmillan, 2002

FIGURE 1

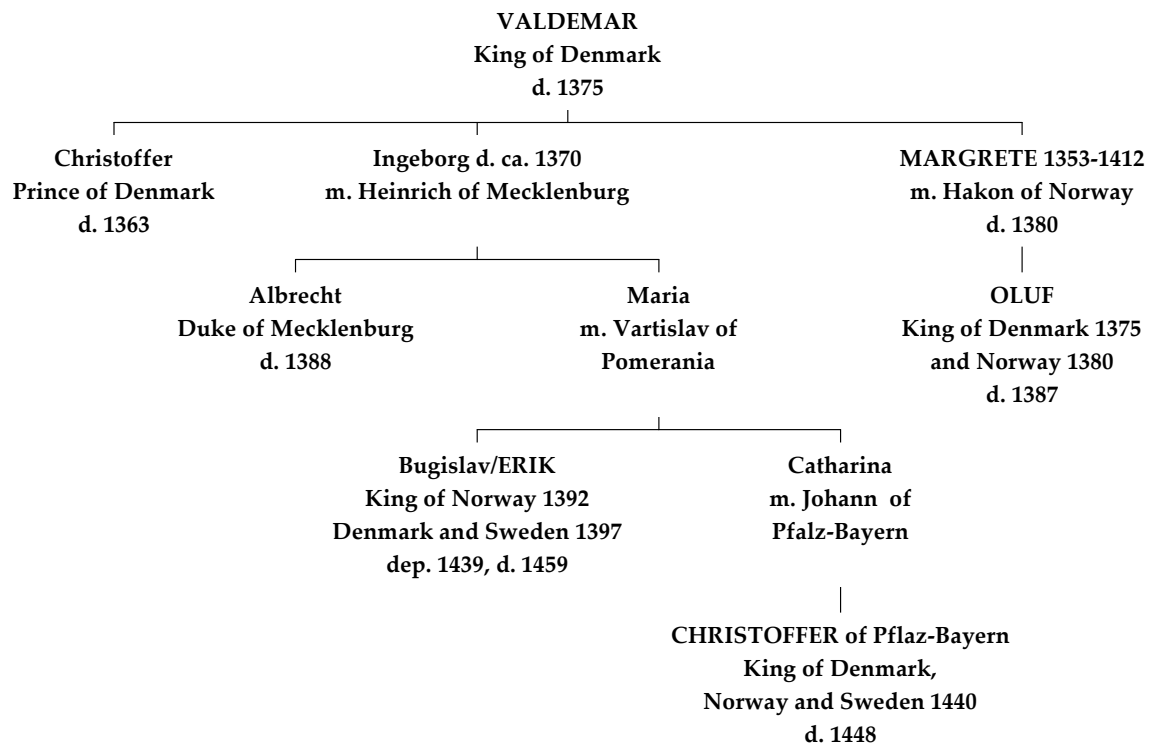


FIGURE 2

