

RALEIGH LECTURE ON HISTORY

The Elizabethan Exclusion Crisis and the Elizabethan Polity

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I

MY TITLE NEEDS TO BE EXPLAINED, and perhaps defended. By ‘the Elizabethan Exclusion Crisis’ I refer to the sustained concern of much of the ‘political nation’ in the reign of Elizabeth I to forestall the accession to the English crown of Mary Queen of Scots; and, indeed, to prevent any other remedy for the dangerous vacuum of an uncertain succession which would threaten the protestant religious and political settlement and all that it stood for. These contingencies included a royal marriage to a foreign catholic prince, and in particular to the French duke of Anjou, the last to tango with Elizabeth, in the late 1570s. The formulation ‘Elizabethan Exclusion Crisis’ is not canonical and may not catch on. It is a question whether a crisis can endure for as many as twenty-seven years, which was the time it took finally to put paid to Mary Stuart’s claim in that bloody drawing room at Fotheringhay. (Was the forty-five year Cold War a ‘crisis’?) But historians do speak of an Elizabethan succession problem, often distinguishing between an ‘early’ (1560s) and ‘late’ (1590s) succession problem. But in truth this was a problem which lasted the entirety of Elizabeth’s reign, exactly the length of the Cold War, only finding a final solution at the moment of her death in 1603. As with the Cold War, the fact that the Exclusion Crisis ended with less of a bang than

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a whimper has discouraged the legitimate exercise of counterfactual history. For the might-have-beens of the past have their own lessons to tell about the capacities of former societies.

'Exclusion Crisis' is filched from the inflamed politics of a full century later, the period from 1677–83, which Restoration historians have supposed to have centred on a campaign to exclude from the succession James duke of York, the brother of Charles II, who had made public his conversion to Catholicism in 1673.¹ It may seem perverse to invent an Elizabethan Exclusion Crisis at the very moment when Dr Jonathan Scott invites us to abandon the traditional fixation on a supposed Exclusion Crisis in the reign of Charles II, 'an historical invention', he tells us. Instead we should think of the Restoration Crisis, an affair concerned more with the politics of the present under the merry but treacherous monarch than with apprehensions about the future, its content and concern summed up in the title of a famous pamphlet by Andrew Marvell, published in 1677: *The Growth of Popery and Arbitrary Government*. Concern about the succession was only a part of these fears, and exclusion of the future James II only one of several possible solutions to the problem. So to speak of an Exclusion Crisis is to define a greater whole in respect of only one of its parts; in Scott's vivid image to dwell upon the horn of the rhinoceros while ignoring the charging beast itself.² According to Scott's critics, this is to underestimate 1673 and the shock to the political system of York's conversion, which, if true, strengthens my hand in talking about an earlier Elizabethan Exclusion Crisis.

However, there is no conflict between Dr Scott and my intentions in this lecture, even though Scott thinks that Restoration historians would do better to talk about succession rather than exclusion, while I, an Elizabethan historian, substitute 'exclusion' for the more conventional 'succession'. For (Scott suggests) to speak of an exclusion crisis in his period is to look forward to 1688, anticipates a revolution, and connects the political manoeuvres of 1677–83 with the so-called 'long eighteenth century' and its political culture; whereas 'succession', the term actually employed by contemporaries, pulls back towards the earlier Elizabethan problem of the succession, and so recovers 1677–83

¹ J. R. Jones, *The First Whigs* (London, 1961); K. H. D. Haley, *The First Earl of Shaftesbury* (Oxford, 1968); J. R. Jones, *Country and Court: England 1658–1714* (London, 1978).

² Jonathan Scott, *Algernon Sidney and the Restoration Crisis, 1677–1683* (Cambridge, 1991), Part One 'The Restoration Crisis'.

for the seventeenth century, indeed for a long seventeenth century which may be said to have had its roots in the late sixteenth century. The Restoration Crisis, apart from recapitulating all the elements of the pre-Civil War crisis of 1640–2 (and finding a different outcome only with the benefit of post-1642 hindsight), also tapped within the national memory a repertoire of notions and mantras about an Elizabethan past.

So if I prefer to talk of the Elizabethan Exclusion Crisis rather than in more neutral terms of certain problems relating to marriage and the succession, it is because of the strength of an essentially Protestant exclusionist sentiment in the context of the long-lasting uncertainties of Elizabethan politics. So far as the marriage question was concerned, it is true that in 1563 the House of Lords petitioned Elizabeth to marry 'where it shall please you, with whom it shall please you, and assone as it shall please you.'³ In the 1560s the subject was as full of a certain 'tabloid' fascination as of foreboding.⁴ It is also likely that marriage to the Habsburg Archduke Charles would have been widely acceptable, although it was the archduke himself who in terminating the negotiations spoke of 'the impediment of religion'.⁵ King Eric XIV of Sweden, though a Protestant, was a less plausible candidate, while the consequences of a domestic match with Robert Dudley earl of Leicester remain to this day incalculable. But we can be sure about apprehensions at the prospect of a foreign catholic prince which were never far below the surface, and which in the later 1570s emerged in what appears to have been a political campaign both concerted and orchestrated to frustrate the diplomatically advantageous marriage to Anjou: in effect a mini-exclusion crisis so long as it lasted.⁶ The ultimate rejection of a biologically somewhat improbable

³ *Proceedings in the Parliaments of Elizabeth I*, vol. I, 1558–1581, ed. T. E. Hartley (Leicester, 1981), p. 59 (All further references to Hartley.)

⁴ Norman Jones, *The Birth of the Elizabethan Age: England in the 1560s* (Oxford, 1993), p. 119.

⁵ Susan Doran, 'Religion and Politics at the Court of Elizabeth I: The Habsburg Marriage Negotiations of 1559–1567', *English Historical Review*, CIV (1989), 908–26; Jones, *The Birth of the Elizabethan Age*, p. 150.

⁶ Wallace T. MacCaffrey, 'The Anjou Match and the Making of Elizabethan Foreign Policy', in *The English Commonwealth 1547–1640*, ed. Peter Clark, Alan G. T. Smith, Nicholas Tyacke (Leicester, 1979), pp. 59–75; Wallace T. MacCaffrey, *Queen Elizabeth and the Making of Policy 1572–1585* (Princeton, 1981), *passim*; Wallace T. MacCaffrey, *Elizabeth I* (1993), Chapter 16 'The Anjou Match'. The earl of Leicester set the scene for the perception of the courtship in his own country of Warwickshire in a letter to Lord Burghley of 20 October 1578: 'In the meane tyme ther ys no newes here to wryte but such as was somewhat strange

suit signalled the public unveiling of the protestant virgin queen. This is the Elizabethan persona most familiar to us, and perhaps always most congenial to her, but one which was fully developed only towards 1580 and back-projected into the earlier years of the reign by William Camden.⁷ That was an exclusion crisis successfully surmounted, but at the cost of perpetuating that other exclusion crisis which concerned the succession.

The problem of the succession was always the more ineluctable and pressing, as Elizabeth herself noted caustically in 1566, only placed second to marriage (in the parliamentary petition of that year) 'as for manere sake'. A speech in the same parliament put the common predicament poignantly: 'If God should take her Majestie, the succession being not established, I know not what shall become of my self, my wife, my children, landes, goodes, friendes, or cuntrie . . .' 'I tell you, Mr Speaker, that I speake for all England.'⁸

to fynd, for I do assure your lordship, since Q. Marys tyme the papists were never in that jollytye they be at this present in this country.' (BL, MS. Harl. 6992, no. 56, fol. 112.) One may loosely link this with the report of a Warwickshire minister who 'upon rumor of a change of Religion in Mounsiers daies did shave his beard.' (*The Seconde Parte of a Register*, ed. Albert Peel (Cambridge, 1915), vol. II, p. 166.) Sir Francis Knollys later wrote of the match as 'the French bondage, agreed uppon by that holy father the poope and plotted owte by the serpentyne subtyltye of Queen mother's head'. (PRO, S.P. 12/139/3.)

⁷The late adoption of the cult of the virgin queen is argued by John N. King in 'Queen Elizabeth I: Representations of the Virgin Queen', *Renaissance Quarterly*, XLIII (1990). See also his *Tudor Royal Iconography: Literature and Art in an Age of Religious Crisis* (Princeton, 1989), Chapter 4 'The "Godly" Queens'. Susan Doran links the relatively new cult to the Anjou courtship and the instruction of the queen by opponents of the match, pointing particularly to the masques and pageants idealising chastity written by Thomas Churchyard and performed at Norwich in August 1578 during the royal East Anglian progress of that summer. (Susan M. Doran, 'Juno v. Diana: The Treatment of Elizabeth I's Marriage in Drama and Entertainments', *Historical Journal* (forthcoming, 1994); Thomas Churchyard, *A discourse of the queenes maiesties entertainment in Suffolk and Norffolk* (1578). Thomas Bentley's *The monument of matrones* (1582) contains a much more copious and still early celebration of the queen's virginity. Bentley is discussed by King, *Tudor Royal Iconography*, pp. 243–56, and by Patrick Collinson, 'Windows in a Woman's Soul: Questions About the Religion of Queen Elizabeth I', in his *Elizabethan Essays* (London, 1994), pp. 104–8, 116–17. William Camden's account of Elizabeth's speech to her first parliament, 10 February 1559, a reply to the speech that she should marry, differs from the many MS versions by committing her more unreservedly to virginity and marriage to her kingdom. (William Camden, *The History of the Most Renowned and Victorious Princess Elizabeth Late Queen of England: Selected Chapters*, ed. Wallace T. MacCaffrey (Chicago and London, 1970), pp. 28–30; Hartley, pp. 44–5.)

⁸Hartley, pp. 137–8. The Commons speech of 1566 'on nominating an heir and a bill of succession' (PRO, S.P. 46/166, fols. 3–11') is a document of some notoriety and importance. G. R. Elton attributes it to William Lambarde or 'Lambert' (who he thinks was not one and the same as the noted antiquary), while Dr James Alsop (who is convinced that there was

Mary Stuart was never without support, and there may have been not a few of the politically aware and active, including perhaps that speaker,⁹ whose whole concern was to have the matter settled one way or the other, as it were 'where it shall please you, with whom it shall please you', simply in the interest of stability and damage limitation. Nevertheless, most of the voices we hear were loud with a resolve, often expressed in religious terms and perhaps religiously motivated, to exclude Mary. That concern led in 1584 to the first of those associations and covenants, binding the realm, which were to punctuate the long century to come, the anti-Marian Bond of Association.

It would be absurd to pretend that Elizabethan and Restoration England were not very dissimilar political societies, or to forget the mountain range of the Civil Wars, Commonwealth and Protectorate, which separated two very different landscapes. But in the broad configurations underlying the concept of an Elizabethan Exclusion Crisis there were striking similarities.

1 First, the Catholic Factor. A dread of popery in the 1560s and 1570s, as in the 1670s, appears to have been already the strongest of all political emotions and imperatives, if not yet as extensive, every bit as intensive. Professor Wallace MacCaffrey calls this 'almost reflexive anti-Popery' 'a permanent low-grade infection in the body politic which could be raised to a fever pitch of fear and suspicion by the prospect of a Catholic consort.'¹⁰ Dr Scott has insisted, for his period, that hostility to popery, although an idiom symbolic of other concerns and interests, should not be reduced to some more secular and rational programme. Nor was it so irrational an ideology as the secular assumptions of historians have traditionally made it.¹¹ Certainly, if our desire is to understand the mentality of the age, neither reduction nor dis-

only one William Lambarde) believes that the speaker was John Molyneux. (G. R. Elton, *The Parliament of England, 1559–1581* (Cambridge, 1986), pp. 370–2; J. D. Alsop, 'Reinterpreting the Elizabethan Commons: the Parliamentary Session of 1566', *Journal of British Studies*, XXIX (1990), 216–40.)

⁹ Molyneux, if not a Catholic, had strong catholic connections. (P. W. Hasler, *The House of Commons 1558–1603 (The History of Parliament)* (London, 1981), vol. III, pp. 60–2.) (All further references to Hasler.)

¹⁰ MacCaffrey, *Elizabeth I*, p. 213.

¹¹ Jonathan Scott, 'England's Troubles: Exhuming the Popish Plot', in *The Politics of Religion in Restoration England*, ed. Tim Harris, Paul Seaward and Mark Goldie (Oxford, 1990), pp. 107–31.

dain is helpful.¹² When, in January 1563, the House of Commons petitioned the queen to limit the succession, they spoke in surprisingly vicious terms of a ‘faccion of heretickes in your realme, contentious and malicious papistes’, who were lying in wait ‘to advauce some title under which they may renue their late unspeakeable cruelty.’ ‘Their unkindness and cruelty we have tasted.’¹³ Although the voice on this occasion may have belonged to the impeccably protestant Thomas Norton, the petition professed to speak for the Commons as a whole and ostensibly had the backing of the Lords to boot. Yet a majority of the lay peers were probably still, at this date, ‘papists’.¹⁴

To have spoken in 1563 of Catholics as heretics is more than merely rhetorically striking. According to Sir Geoffrey Elton, ‘heretic’ was a term used of Protestants by Catholics but never reciprocated.¹⁵ The strength of such ardent, heart-on-sleeve Protestantism in these early Elizabethan parliaments has never been adequately explained, and indeed has become harder to account for with the current advance of ‘revisionism’ in both reformation and parliamentary studies.¹⁶ The fact that all MPs were supposed to have taken the Oath of Supremacy would not have been sufficient in itself to have given these assemblies such a partisan flavour. Church papists, if not yet so identified, must have been very abundant,¹⁷ and, as the bishops reported in 1564, a majority of the magistrates in most counties were still ‘adversaries of true religion’, or at best neutral. In Warwickshire, for example, where

¹² Robin Clifton, ‘Fear of Popery’, in *The Origins of the English Civil War*, ed. Conrad Russell (London, 1973), pp. 144–67; John Kenyon, *The Popish Plot* (London, 1972); Peter Lake, ‘Anti-popery: the Structure of a Prejudice’, in *Conflict in Early Stuart England: Studies in Religion and Politics 1603–1642*, ed. Richard Cust and Anne Hughes (London, 1989), pp. 72–106; John Miller, *Popery and Politics in England 1660–1688* (Cambridge, 1973).

¹³ Hartley, pp. 91–2.

¹⁴ The forthcoming Cambridge Ph.D. thesis by Mr David Crankshaw will demonstrate as never before the conservative religious leanings of perhaps a majority of the Elizabethan peerage and members of their families.

¹⁵ G. R. Elton, ‘Persecution and Toleration in the English Reformation’, in *Persecution and Toleration, Studies in Church History*, vol. XXI, ed. W. J. Sheils (Oxford, 1984), pp. 163–87.

¹⁶ Reformation revisionism in J. J. Scarisbrick, *The Reformation and the English People* (Oxford, 1983); Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England, 1400–1580* (New Haven, 1992); Christopher Haigh, *English Reformations: Religion, Politics, and Society Under the Tudors* (Oxford, 1993); parliamentary revisionism in Elton, *The Parliament of England*; Michael A. R. Graves, *Elizabethan Parliaments 1559–1601* (London, 1987); *The Parliaments of Elizabethan England*, ed. D. M. Dean and N. L. Jones (Oxford, 1990). See N. L. Jones, ‘Parliament and the Governance of Elizabethan England: A Review’, *Albion*, XIX (1987), 327–46.

¹⁷ Alexandra Walsham, *Church Papists: Catholicism, Conformity and Confessional Polemic in Early Modern England* (Woodbridge, 1993).

Shakespeare was born in that same year, only eight out of forty-two JPs were identified as 'favourers of true religion'.¹⁸ Even in East Anglia, a region dominated in the 1560s by the crypto-catholic Howard dynasty, papists and semi-papists would remain prominent in county government until they were somewhat forcibly removed and replaced in 1578.¹⁹

Yet parliamentary speeches, petitions and votes were already indicative of a kind of protestant political ascendancy. Religious conservatives and Marian sympathisers like Arthur Hall, the man from Grantham, or Francis Alford, stick out like sore thumbs, rather less typical of Elizabethan parliamentarians than puritan zealots like the Wentworth brothers, Peter and Paul. For Sir John Neale, this was no problem. He wrote that with Elizabeth's succession 'the English Reformation ceased to be a partisan story: it became a national one.' It is no longer easy to believe that.²⁰ But what will explain the Protestantism of those early parliaments? Perhaps bits and pieces of well-coordinated patronage and electoral machinery of which scant record remains. It may well be that the staunchly protestant Francis Russell earl of Bedford, with as many as twenty-five West Country boroughs in his pocket, was part of the explanation. Add Robert Dudley earl of Leicester and we may have the makings of an answer.²¹

2 The second and self-evident point of resemblance between Elizabethan and Restoration political mentalities and configurations was the resolve to exclude from the succession known papists, or from the appropriation of an interest in the crown through marriage of a party likely to advance popery: Mary Queen of Scots and the duke of Anjou in their times, James duke of York in his; and, in between, the extreme concern in 1623 to avoid an unpopular, foreign and catholic marriage for the heir to the throne.²²

¹⁸ 'A Collection of Original Letters from the Bishops to the Privy Council, 1564', ed. Mary Bateson, *Camden Miscellany*, IX. Camden Society NS LIII (1883), especially 7–8.

¹⁹ Diarmaid MacCulloch, *Suffolk Under the Tudors: Politics and Religion in an English County 1500–1600* (Oxford, 1986), pp. 195–7.

²⁰ J. E. Neale, *Elizabethan Essays* (London, 1957), p. 24.

²¹ For the earl of Bedford, see Hasler, vol. I, pp. 60–3. Mr Hasler is perhaps properly cautious about the extent of Bedford's electoral influence and its politico-religious implications, which I believe Sir John Neale would have made something of if he, as originally intended, had written the 'Introductory Survey' to the Elizabethan *History of Parliament* volumes. For Leicester, see Simon L. Adams, 'The Dudley Clientele and the House of Commons, 1559–1586', *Parliamentary History*, VIII (1989), 216–39.

²² Thomas Cogswell, 'England and the Spanish Match', in *Conflict in Early Stuart England*, pp. 107–33. See also Thomas Cogswell, *The Blessed Revolution: English Politics and the Coming of War 1621–1624* (Cambridge, 1989).

3 A third factor in common was fear of arbitrary government, fully integrated with anti-Catholicism by the 1670s but already linked with the protestant cause as early as the 1570s, nationally and internationally. One can detect the linkage in the Elizabethan Exclusion Crisis since, although publicly and ostensibly the reigning monarch was perceived to be the principal bulwark against popery, she was not fully trusted in that role, particularly given her reluctance to cut Mary Stuart out of the succession, either by legal disablement or by the ultimate excluding agency of the axe, and her apparent willingness to contemplate a marriage of diplomatic convenience with a popish consort. Given the overwhelming evidence of her personal religious conservatism, it appears that much enthusiastic praise of 'the only pyller wheron God's Chirch in Christendome at this day chefely leaneth'²³ was prescriptive rather than frankly descriptive.²⁴

It was feared with some good reason that Elizabeth was deaf to good advice, fatally open to false and flattering counsel. These were certain attributes of tyranny, unless checked, rather than of sound monarchy. Given Elizabeth's childlessness (as, later, Charles II's lack of legitimate offspring) there was a never absent, perceived threat to the protestant religious settlement and to the state as defined and constructed by that settlement implicit in the principle of hereditary monarchy itself, a threat at the very heart of the constitution, just as there was a threat to the constitution in these particular dynastic and religious circumstances. It was conceived extrinsically as a foreign threat, arbitrary government in the form of foreign catholic powers and foreign catholic consorts: Spain in the 1570s and 1580s, as well as the 1620s, Frenchness if not France itself in 1579.

Intrinsically, it was perceived as the threat of an arbitrary dislocation of the ancient constitution and specifically to the political, balanced elements of the constitution, indeed to that elusive quality, liberty, whose name, said Peter Wentworth, was sweet indeed.²⁵ So in

²³ Words used by Thomas Digges and Thomas Dannet in the context of the 1572 Parliament. (Hartley, p. 294). In a discourse of 1577 attributed to Sir Humphrey Gilbert it was said: 'It is right well knowne that the Queens Maiestie is the chiefe head of the Church of Christ.' (PRO, S.P. 12/118/12.)

²⁴ See my essay 'Windows in a Woman's Soul' in Collinson, *Elizabethan Essays*, pp. 87–118, which differs in its assessment of Elizabeth's own religious position from Christopher Haigh, 'The Queen and the Church', in Haigh, *Elizabeth I* (London, 1988), pp. 27–46.

²⁵ Hartley, p. 425. And note the question put in the House of Commons in 1566 by Peter Wentworth's brother Paul: 'Whether hyr Hyghnes' commawndment, forbyddyng the lower house to speake or treate any more of the successyon and of any theyre excuesses in that behalffe, be a breache of the lybertie of the free speache of the Howse or not?' (Hartley, p. 154).

both crises there was a contention not only against a menacing future but with a disturbing and unsatisfactory present; fear of the collusion of the reigning incumbent with popish and arbitrary tendencies. That, under Elizabeth, this was not often said, in as many words, is perfectly understandable.

4 Fourthly, it follows that the circumstances of the 1570s and 80s, superficially at least like those of the 1670s and early 80s, tended to separate the interests of the political nation, or of significant portions of it, from those of the reigning sovereign, dramatising the fact that any monarch, and more apparently a monarch without an obvious heir to his or her body, has only a life interest in the crown. This was to open up a certain space between the life and the reversionary interest, which is as much as to say between the king's (or the queen's) two bodies, the natural body and the body politic.²⁶ It was to emphasise on the one hand the fragility of the natural body and uncertainty as to its future location, the next year, the next week, the next hour; and on the other the near equation of the body politic with the state, which would in any circumstances survive and must therefore look to its own preservation according to the ancient political principle of self-defence, by means of those who could claim to be its representatives.

Elizabeth was repeatedly urged to limit the succession or to execute justice on the Scottish queen not only for her own safety but for that of her realm and people. And while it was conventional to insist that these two safeties were no more separable than two bodies, or the head from the body, the longer Elizabeth failed to do what was required of her, the more they tended to pull apart. As the bishops insisted in 1572, when the issue was what to do with Mary Stuart:

In conscience ought she to have a singuler care of her safetie, if not for her selfe sake yet at the leaste for the furtherance of Gode's cause and stay of her countrye, to the maintenance whereof she is bounde before God.²⁷

We shall return to that form of the verb to owe which is ought: in conscience *ought* she. These sentiments were echoed in the House of Commons:

Since the Queene in respect of her owne safety is not to bee induced

²⁶ Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, 1957); Marie Axton, *The Queen's Two Bodies. Drama and the Elizabethan Succession* (London, 1977). John Stubbs in his *Gaping Gulf* (see p. 76 below) described the queen's natural body as 'her very self or self self' (p. 68).

²⁷ Hartley, p. 281.

hereunto, let us make petition shee will doe it in respect of our safety. I have hearde shee delighteth to be called our mother. . . .²⁸

One speaker suggested that the case ‘touched the Queene only’. This was the man from Grantham, Arthur Hall, who in the Elizabethan House of Commons was well accustomed to finding himself in a minority of one. He was answered by the obscure John French, evidently a more representative voice for all that he sat for Old Sarum: ‘He thinketh it good that he that soe said were caused to declare whie the offence is not as well to the whole state as to her Majestie.’²⁹ Thus the circumstances of the Elizabethan Exclusion Crisis activated what may be properly called the Country (although the hidden hand of interests in the Court cannot be excluded), an activation which was the very taproot of Whiggery in the forthcoming English political tradition.

It was with some such considerations in mind that I referred on an earlier occasion to ‘the monarchical republic of Elizabeth I’,³⁰ bearing in mind that in the sixteenth century, ‘commonwealth’ and ‘republic’ were more or less equivalent and interchangeable terms, the titles in English and Latin respectively of Sir Thomas Smith’s treatise on the English state and constitution, *De Republica Anglorum*. There was no perceived incompatibility between ‘monarchy’ and ‘republic’. To speak of a ‘monarchical republic’ was not, of course, to suggest that this generation sought or so much as dreamed of an acephalous republic with only elected officers. They would have found 1649, cutting off the king’s head with the crown on it, nearly inconceivable. But it was precisely because the integrity, security and very being of the state required an uncontested monarch that the Elizabethan protestant political nation was quasi-republican in its thinking and methodology. One might say that monarchy was too important a matter to be left to monarchs. Dr Blair Worden, investigating the roots of seventeenth-century English Republicanism, suggests that the form of government

²⁸ Hartley, p. 376. The speaker was Robert Newdigate, a Bedfordshire gentleman returned as ‘earnest’ in religion by his bishop in 1564 (but as ‘indifferent’ in Buckinghamshire, where he also had interests). In 1576 he would be a supporter of Arthur Hall. (Hasler, vol. III, pp. 128–9.)

²⁹ Hartley, pp. 354, 356.

³⁰ Patrick Collinson, ‘The Monarchical Republic of Queen Elizabeth I’, *Bulletin of the John Rylands Library, University of Manchester*, LXIX (1987), 394–424; reprinted, Collinson, *Elizabethan Essays*, pp. 31–57. See also ‘*De Republica Anglorum*: Or, History With the Politics Put Back’, *ibid.* pp. 1–29.

mattered less to republicans than its spirit. For John Pocock, civic humanism was 'a language, not a programme'. In the same spirit, Worden suggests that the 'republicanism' of this period was first and foremost a criticism of tyrants rather than a rejection of kings.³¹ Professor Quentin Skinner is in agreement. It was characteristic of humanist political thought, the source of classical republicanism, to be concerned less with the fabric of institutions than with 'the spirit and outlook of the men who run them.'³²

5 Finally, there is a link between my Exclusion Crisis and Jonathan Scott's in the name of Sidney, to which before this lecture is ended we shall return in search of some of the ideological resonances and refractions of Elizabethan exclusion politics: a link, that is to say, between the Elizabethan Sir Philip Sidney, the posthumously symbolic incarnation of quasi-republican values and virtues, and his grand nephew, Algernon Sidney, victim of the Restoration Crisis and martyr of English Republicanism. In that proto-Whig manifesto *The Life of the Renowned Sir Philip Sidney*, a work not published until Algernon Sidney's time, Sir Fulke Greville spoke of the Elizabethan danger to which Sidney had opposed himself, of the 'metamorphosing' 'our moderate form of Monarchie into a precipitate absoluteness', a threat especially implicit in the Anjou marriage plan, against which Sidney had spoken boldly and with damaging consequences for his public prospects. For Greville, that excellent prince Elizabeth was the best safeguard against tyranny, with the public spiritedness of Sidney acting as a kind of backstop. In his actions and speeches in the politics of this critical episode (and not only in his affecting death at Zutphen), Greville declared that Sidney 'left an authentical president to after ages, that howsoever tyrants allow of no scope, stamp, or standard, but their own will; yet with Princes there is a latitude for subjects to reserve native, and legall freedom, by paying humble tribute in manner, though not in matter, to them.'³³

³¹ Blair Worden, 'English Republicanism', in *The Cambridge History of Political Thought 1450–1700*, ed. J. H. Burns with the assistance of Mark Goldie (Cambridge, 1991), pp. 443, 446.

³² Quentin Skinner, *Foundations of Modern Political Thought*, vol. I; *The Renaissance* (Cambridge, 1978), p. 46.

³³ *Sir Fulke Greville's Life of Sir Philip Sidney etc. First Published 1652*, ed. Nowell Smith (Oxford, 1907), pp. 54, 69. Since Sidney was devoted to his uncle Robert Dudley, earl of Leicester ('My cheefest honour is to be a Dudlei'), we may compare Greville's words with Leicester's self-defence when he was in disgrace at the time of the Anjou courtship and of his own marriage. He had served the queen 'so faythfully, carefully and chargeably' 'almost

With a comparable ambivalence and sense of the difference between true princes and tyrants, Algernon Sidney could write on the same page of his own *Discourses*: ‘Nothing is farther from my intention than to speak irreverently of kings’; and ‘monarchy can be said to be natural in no other sense, than that our depraved nature is most inclined to that which is worst.’³⁴ That ironical paradox is as much as to say that, for the line of the Sidneys, the truest republicans were the best monarchists, true monarchists true republicans, which is to say, anti-tyrannicists. This was Penshurst politics. In 1680 a pamphlet was published, its title echoing Greville: ‘a pattern or president for princes to rule by and for subjects to obey by’: its content Elizabethan and Sidneyan.³⁵

II

Nowadays it is unfashionable to find in Elizabethan politics, and especially in Elizabethan parliamentary politics, any premonition of seventeenth-century politics, any prolepsis of civil war and revolution, or even of parliamentary assertiveness. Sir John Neale thought that the tactics of the House of Commons in 1566–7 over the succession represented ‘a dawn of a new age’, ‘harbinger of Stuart conflicts’.³⁶ Current revisionism laughs him to scorn and declares those perspectives utterly discredited. Parliament existed to legislate, not to play politics: so, very insistently, Sir Geoffrey Elton.³⁷ Neale may indeed have exaggerated, even invented, the constitutional precocity of the Elizabethan House of Commons in opposing the queen and the regime on such matters. But revisionism goes too far not only in playing down

more than a bondman may a yere together, so long as one dropp of comfort was left of any hope’ (*scil.*, of marriage), but ‘was yet never abased in anye slavyshe manner to be tyed in more than unequall and unreasonable bandes.’ (Leicester to Burghley, 12 November 1579; BL, MS Harl. 6992, no. 57, fols. 114–15.) I have benefitted very greatly from discussing Sidney with Dr Blair Worden, and from hearing and reading his papers on the subject. Dr Worden is engaged on a study of the political context and content of the *Arcadia*.

³⁴ Jonathan Scott, *Algernon Sidney and the English Republic 1623–1677* (Cambridge, 1988), p. V.

³⁵ *Ibid.* Chapter 3 ‘Family Background’.

³⁶ J. E. Neale, *Elizabeth I and her Parliaments, 1559–1581* (London, 1953), p. 152.

³⁷ Elton, *The Parliament of England*. See also G. R. Elton, ‘Parliament in the Sixteenth Century: Functions and Fortunes’, in Elton, *Studies in Tudor and Stuart Politics and Government*, vol. III (Cambridge, 1983), pp. 156–82.

confrontation (for confrontations there most certainly were, if along different lines from those drawn by Neale) but in asserting that in Elizabethan England ‘no thread of continuity can be found, no premonition of future tensions.’ (Here I quote not from Elton but from Dr Jim Alsop, whose anti-Neale revisionism is even more pronounced.)³⁸ ‘No premonition’ is plausible. No historian would be so naïvely Whiggish as to suppose that Elizabethan politicians looked forward in that sense, or considered themselves to be ‘harbingers’. But ‘no thread of continuity’ will not wash. Threads can be picked up at the other end, and they were apparent to the politicians of the Restoration Exclusion Crisis, who could and did look *back*. Dr Scott speaks of the issue of the succession in the late 1670s carrying ‘the unmistakable echo of its Elizabethan past’, of a crisis ‘saturated as a whole with Elizabethan nostalgia and imagery’.³⁹

A particular backward point of reference was the Elizabethan Bond of Association, a document with a persistent afterlife in the seventeenth century, and one which sheds a distinctive light on our subject. Let us remind ourselves of the circumstances. The year was 1584, the autumn of that year. Mary Stuart’s head was still on her shoulders. But William of Orange was dead, the victim of the assassin’s bullet still to be seen, embedded in a staircase at Delft. In England, what was intended to look like the entire political nation put its hands and seals to a document, a bond which required its signatories to avenge the violent death of the queen, or even an unsuccessful assassination attempt, by a kind of lynch-law, to be perpetrated on those responsible by all or any of its members. Those subscribing ‘joyntly and severally in the bonde of one fyrm and loyall societie’ were bound ‘to withstande, pursue and suppress,’ all manner of persons of what estate soever who should attempt anything that might tend to the harm of her Majesty’s royal person ‘by force of armes as by all other meanes of revenge’. Moreover, those so committed declared that they would never allow, accept or favour any such ‘pretended successor’ ‘by whom or for whom’ such an act should be either committed or attempted, who would be ‘unworthy of all government in any Christian realme or cyvill societie’: clear notice given of resistance to be offered to a

³⁸ Alsop, ‘Reinterpreting the Elizabethan Commons’, See also J. D. Alsop, ‘Parliament and Taxation’, in *The Parliaments of Elizabethan England*, pp. 91–116.

³⁹ Scott, *Algernon Sidney and the Restoration Crisis*, pp. 17–19.

pretender who might in all other respects be the legitimate heir to the throne.⁴⁰

There could be no shadow of doubt that this weapon was directly targetted on the Scottish queen. It was signed and sealed by the Privy Council, the more senior of the clergy (bishops, archdeacons, the heads of Oxbridge colleges), 115 Cornish gentry, more than 200 townsmen of Cardigan and 140 north Yorkshire farmers from around Richmond.⁴¹ This was not precisely a subscription list of English Protestants in 1584. Can Cardigan have contained as many as 200 protestant householders in any very meaningful sense?⁴² Mary herself offered to sign. One can see how it would have been prudent for catholics and crypto-catholics to have been bound, cunning for a protestant regime to have welcomed their signatures, which would have made the papal bull of excommunication against Elizabeth a dead letter for as many as put their names to the Bond. However, such was the strength of sectarian sentiment that in Kent there were those who thought it inappropriate that any known papist should be admitted to 'this loyall societie'.⁴³ It would be interesting to know (we don't have the evidence) whether the catholic and semi-catholic gentlemen of Norfolk and Suffolk who had been removed from local office six years earlier (men of substance like Sir Thomas Cornwallis) subscribed, were prepared to do so, were expected to do so, were allowed to do so. For the Bond of Association defined

⁴⁰ Examples of the Bond are in PRO, S.P. 12/174; earlier drafts in S.P. 12/173/81–4. For convenience of reference I follow the text printed in *The Egerton Papers*, ed. J. Payne Collier, Camden Society (1840), 108–11. This copy bears the signatures of 95 members of Lincoln's Inn, headed by Sir Thomas Egerton, then Solicitor-General. (The original is in the Huntington Library, MS EL 1193.) A letter from Henry Killigrew to William Davison of 29 December 1580 is suggestive of the background to the Association in the Dutch arena: 'God defend the good Prynse of Orange . . . If he were taken from us we might here in England justly feare . . .' (PRO, S.P. 15/27/65). See David Cressy, 'Binding the Nation: the Bonds of Association, 1584–1696', in *Tudor Rule and Revolution: Essays for G. R. Elton from his American Friends*, ed. Delloyd J. Guth and John W. McKenna (Cambridge, 1982), pp. 217–34. See also Alison Heisch, 'Arguments for an Execution: Queen Elizabeth's "White Paper" and Lord Burghley's "Blue Pencil"', *Albion*, XXIV (1992), 591–604.

⁴¹ Examples in PRO, S.P. 12/174.

⁴² Perhaps it did. Lord Burghley wrote in November 1585: 'A grett multitude of people both of gentlemen and Merchants and vulgar people especially in good towns, where they be taught by discreet preachers, very zelous towards God, and thereby earnestly bent to all services for hir Majestie savety.' ('The state of the Queene and the realm by Gods providens'; PRO, S.P. 12/184/50.)

⁴³ Thomas Scott and Edward Boys to Sir Francis Walsingham, 20 November 1584, PRO, S.P. 12/176/9. For Mary Stuart's willingness to sign, see Peter Holmes, *Resistance and Compromise: The Political Thought of the Elizabethan Catholics* (Cambridge, 1982), p. 179.

an essentially protestant political nation and ascendancy; and a loyalty defined and expressed confessionally.

It was a document which, while it ought to fascinate historians, terrified the Elizabethans. Solemn binding oaths were not trivial things. If Mary Stuart was indeed Elizabeth's true and authentic successor, then this oath was in conflict with a more fundamental oath to obey and serve the queen and her lawful successors, whosoever they might be. Moreover, the Bond constructed a scenario beyond belief, not so much for the Elizabethan conscience as for the Elizabethan imagination. Those subscribing were not distinguished by office or rank. They may indeed have taken the oath in due hierarchical order, which was the case in Lancashire, where the earl of Derby and the bishop of Chester were the first to be sworn, in Wigan church.⁴⁴ But in the document itself there was no respect of persons. Every man's hand would be against Mary Stuart and the Marians, and, in the ensuing confusion, normality would cease to exist. Thomas Digges, mathematician, engineer and MP, wrote:

Breefly me thought I did behowld a confused company of all partes of the Realme of all degrees and estates then rising in Armes att such a tyme as ther is No Cowncell of Estate in Lyfe, No Lawfull generall, . . . no presidents, no Judges, no Sheriffes, no Justices, breefely, noe officers in Lyfe or authoritie to maytayne Justice, preserve peace, or with Lawfull power to commaund obedience, or to guyde and direct such a distracted chaos of armed men confuzedly rising . . .⁴⁵

In so far as the signatories were never formally released from their bond, it remained in force, which may have tempted Elizabeth in the winter of 1586–7 to think of summary assassination rather than judicial execution, or at least to use the existence of the Bond as a tactical ploy. Elsewhere⁴⁶ I have investigated the efforts of Lord Burghley, with the advice of Digges and no doubt others, to find an acceptable prophylactic against a worst-case scenario within the terms of the Bill 'for Provision to be Made for the Surety of the Queen's Most Royal Person', which the 1584–5 Parliament would enact. Should the Bond itself, which had hitherto proceeded 'mearelie and voluntarilie without

⁴⁴ Earl of Derby to earl of Leicester, 7 November 1584; PRO, S.P. 12/175/4.

⁴⁵ Digges's paper is headed: 'The daungers that may in sue by the oath of Assotiacon hereafter yf yt bee not qualified by a convenient Acte of Parliament'; PRO, S.P. 12/176/26; further copies in Folger Shakespeare Library, MS V.b.303, fols. 95–9, BL, MS Lansdowne 98, fols. 14–18, MS Add. 38823, fols. 14ff.

⁴⁶ Collinson, 'The Monarchical Republic of Queen Elizabeth I.

coercion of lawe', be built into the statute and legally enforced? Burghley plumped instead for a regularised Interregnum, to be provided for in an appendix to the statute.

This was a kite which had briefly flown in the 1560s. In the absence of Elizabeth Tudor, the Privy Council would remain in being and would be augmented to form a Great or Grand Council, acting in the name of the imperial crown of England: 'magnum consilium coronae Angliae' it would be called, a phrase inserted in some drafts of this clause in Burghley's own hand. Parliament would continue to sit, or would be recalled. Within thirty days, it would determine the succession, accepting and receiving 'such a person to the Crown of the Realme as shall to them upon their peaceable deliberations and trials had of them appear to have best right to the same in blood and by the royal lawes of the Realme.'⁴⁷

Right in blood and by the laws of succession preserved, as a kind of outer casing to this scheme, the due form and legality of the constitution. And yet in its inner workings, as envisaged, and in the genuine uncertainties surrounding claims and titles, we are not a thousand miles away from the Polish electoral monarchy. And that the institution of monarchy was in its origins and even in principle elective was a concept as accessible to the devisers of this scheme as it was in the France of the religious wars. Digges feared that it would all prove very messy and reflected on the character of the interregna which accompanied papal conclaves: 'Hell it selfe, every man by force defending his owne, all kind of owtrage, ryot and villanye.'⁴⁸ It speaks volumes for the perceived depth of the Elizabethan Exclusion Crisis that someone who claimed knowledge of that 'hell', had perhaps witnessed it, should nevertheless back the device of a dubiously legal Interregnum. England, after all, lacked the benefit of a college of cardinals. Burghley noted what Americans would call the bottom line: 'The government of the realme shall still contynew in all respectes.'⁴⁹ His son, in another critical political context, that of 1610, which concerned money, would invoke the same principle of *epikeia*: 'The King must not want.'⁵⁰ And Oliver Cromwell would continually plead 'necessity'. In Burghley's perception, the kingdom could not continue without 'an Interreyn',

⁴⁷ PRO, S.P. 12/176/11, 22, 23, 25, 28, 30; Huntington Library, MS EL 1192.

⁴⁸ PRO, S.P. 12/176/26.

⁴⁹ PRO, S.P. 12/176/28.

⁵⁰ *Proceedings in Parliament 1610*, ed. Elizabeth Read Foster (New Haven, 1966), vol. II, p. 301.

and that was the end of the matter. Or rather, it was not. The queen would have none of it and the 'addition' to the Act for the Queen's Safety proved a dead letter. As a footnote to this episode, we may observe that there was another and perhaps more realistic scenario, in the event of a sudden vacuum of power. There might well have been a regency, assumed by the earl of Leicester. But on behalf of whom? And would it have been uncontested?

The Elizabethan Bond of Association was to have a long afterlife, much like some other Elizabethan documents of emblematic significance, such as the so-called 'Golden Speech' delivered to Elizabeth's last parliament.⁵¹ The yellowing Bond would be pulled out of the drawer in 1621, in 1641,⁵² and in the context of the political crisis of 1677–83, as it would be in 1696.⁵³ 'What a story you tell of associations in Queen Elizabeth's time!' So, in March 1682, wrote a Tory, or perhaps Lord Halifax, addressing a Whig opponent, probably none other than the earl of Shaftesbury.⁵⁴ A new Association to protect the protestant religion against the threat posed by Charles II's brother and heir had been proposed from time to time in both Houses of the so-called Exclusion parliaments, either as an alternative to exclusion, a form of 'limitation' on the future monarch's powers, or as a means of implementing exclusion itself. A copy of such a document, supposedly discovered in Shaftesbury's closet, was brought in evidence at his trial

⁵¹ In the early 1950s Sir John Neale used to urge me to write the posthumous history of the Golden Speech. Fortunately, Professor David Harris Sacks now has this in hand.

⁵² In the 1621 Parliament, John Pym called for 'somme speedy course against Papists', 'the enemy at home' and proposed 'that every man may take his oath of association or not to be admitted into the Commonwealth'; 'an Oath of Association to be taken and framed for the defence of your Majesty's person, and for the maintenance and execution of the laws made for the establishing of religion.' (*Commons Debates 1621*, ed. Wallace Notestein, Frances Helen Relf, Hartley Simpson (New Haven, 1935), vol. III, pp. 461–2; Edward Nicholas, *Proceedings and Debates in the House of Commons in 1620 and 1621* (Oxford, 1766), vol. II, p. 239–40.) In May 1641 in the Long Parliament, the reaction to the Army Plot led to demands for an oath of association on the Elizabethan model, this leading directly to the Protestation. (Conrad Russell, *The Fall of the British Monarchies 1637–1642* (Oxford, 1991), pp. 294–5.) I am grateful to Professor Conrad Russell for these references. Professor Russell informs me that the seal of Pym's uncle John Colles is still attached to the original Somerset Bond in PRO, S.P. 12/174.

⁵³ Cressy, 'Binding the Nation'.

⁵⁴ The words occur at p. 336 in the exchanges which follow 'Remarks upon the New Project of Association, in a Letter to a Friend' and 'A modest Vindication of the Earl of Shaftesbury: In a Letter to a Friend concerning his being elected King of Poland', in *The Somers Collection of Tracts*, vol. VIII (1812), pp. 303–42. Some of this material was 'fixed' on Lord Halifax. The respondent may have been Shaftesbury himself. I am indebted to the Revd. Dr Andrew Coleby, who first drew this material to my attention.

for treason in November 1681, but it failed to impress the hand-picked Whig jury which duly returned its 'ignoramus' verdict; although legal opinion was later supplied to the king that the Bond (neither signed by Shaftesbury nor in his hand) constituted at least a fineable misdemeanour as a seditious libel, unlawfully given house-room.⁵⁵

How closely did the two Associations, of the 1580s and 1680s, resemble each other, and how parallel were the political circumstances which occasioned them? There can be no doubt that the exclusionist association in the form found in Shaftesbury's study was textually and verbally derived from the Bond of 1584 (as was a later Association of 1696, in William III's time). In both cases, we encounter an apparently spontaneous and extraordinary endeavour on the part of subjects to frustrate the replacement of an ostensibly protestant monarch without an immediate heir of his or her own body by a known Catholic with a good hereditary claim to succeed, but who was thought to threaten the protestant settlement. But Professor J. R. Jones has written of 'deceptively similar circumstances',⁵⁶ and whether the circumstances were similar in any way became in itself a debated issue between the emergent and embattled political tendencies of the time. In the perception of the Tories, the circumstances were not at all the same. The 1584 Association had been a loyal undertaking to defend the legitimate sovereign power against pretensions upon a false title, implying on the part of the associators 'indispensible obedience in the subject'. Shaftesbury's Association (if it was his) was no worthy successor to this loyal declaration but a replica of the Solemn League and Covenant of the 1640s, 'the instrument of a treasonable conspiracy against his majesty and the government, under the countenance of a religious association': covert republicanism and pointing to the great crime of January 1649.⁵⁷

By contrast, the Whig perception was of nearly identical circumstances, the main difference being that whereas the Elizabethan Association had been supported by, in a manner of speaking, the entire kingdom, 'courtiers as well as others', 'promoted by the chief ministers of state', in Charles II's time 'many of all orders and ranks', 'calling themselves protestants', had put themselves on the wrong side, a factor

⁵⁵ On the history of the quasi-Elizabethan Association in the Exclusion Crisis, see Haley, *First Earl of Shaftesbury*, pp. 471, 483, 516, 603, 614–15, 677, 687, 692, 694.

⁵⁶ Jones, *The First Whigs*, p. 146.

⁵⁷ *Somers Tracts*, vol. VIII, pp. 305–13.

which in itself licensed the damaging imputation that what was in truth the national religious cause was merely the obsession of a disaffected faction. 'Do we live in the same clime that our ancestors did?'⁵⁸

Tory polemic made much of the fact that Shaftesbury's Association appeared to exclude from its terms and scope both lords and king. It was composed *rege inconsulto*; whereas the queen had been privy to the Elizabethan Association and had approved of it. Otherwise, in those times, 'no *ignoramus* jury should have rescued the abettors and concealors from the gallows': a recognition of that fact of life which historians would later call Tudor Despotism. Shaftesbury disagreed. Elizabeth had been ignorant of the whole undertaking, which had been mounted on her behalf but without her knowledge. The claim was that on both occasions, true-hearted protestant subjects had taken their own unprompted and voluntary initiative by erecting a 'loyal societie or association'. The question was, whether the first Whigs were entitled to find their quasi-republican roots in Elizabethan precedent, and specifically in resistance to the reversionary interest in the English crown of Mary Queen of Scots?

Restoration historians have tended to agree with the Tory version of this story. Dr Scott, even Dr Scott, believes that while the Elizabethan case was a device to protect the crown undertaken, in effect, by the crown, the Restoration revival of the device was a statement made against the regime and ministry. It is understandable that later seventeenth-century historians should have this perception. Not only was Queen Elizabeth glorious and popular, a sun queen, but her after-life, the sunset glow she left behind, was even more benignly mellow. All the Elizabethan points of reference in the later Stuart political crisis referred back to a time of consensuality, when the protestant settlement was endangered only from the outside, not from within. But an Elizabethan historian, this historian at least, may wish to go even somewhat beyond Shaftesbury's account of Elizabethan political conditions. I am by no means as sure as Professor Jones that the 1584 Bond was 'national in character', and I am more sceptical than Shaftesbury, for whom it represented 'the carriage of the whole kingdom'.⁵⁹

⁵⁸ *Somers Tracts*, vol. VIII, pp. 326–31.

⁵⁹ Jones, *The First Whigs*, p. 146; *Somers Tracts*, vol. VIII, pp. 329–30. Professor J. P. Kenyon described the supposedly 'national' Association of 1696 as 'that bitter faction instrument'. (*Robert Spencer Earl of Sunderland 1641–1702* (London, 1958), p. 322.)

The question whether Elizabeth knew of the Bond, had even herself proposed it, or whether it was in its own time a composition *rege inconsulto*, cannot be answered on surviving evidence. To be sure, copies reached the burghers of Cardigan and the farmers of Richmondshire in the equivalent of the HMSO envelope which arouses so much foreboding when it drops on the doormat. We are not deceived by the words which Sir Francis Walsingham inserted in the circular letter to lords lieutenant, drafted by Burghley, which accompanied the document as it went out into the country:

Your lordship shall not need to take knowledge that you receyved the coppye from me, but rather from some other frende of yours in thes parts; for that her Majestye would have the matter carryed in such sorte as this course helde for her [safety] may seeme to [come more] from the pertyculer care of well affected subiects then to growe from any publycke directyon.⁶⁰

It may be that this postscript conveyed the queen's personal wishes. And even if it did, Walsingham's words have the most interesting political-theoretical implications. But knowledge of Elizabethan politics suggests that 'her Majesty would have the matter carryed in such sorte' may have meant 'we [Walsingham and Burghley, and Leicester, whom Camden named as behind the Bond] would have the matter carryed in such sorte.'

For the regime was not the same thing as the queen. The 'and' in the formulation 'the queen and her ministers' was not a simple copulative, fusing monarch and government in one. In Elizabethan conditions, and especially in the 1570s and early 1580s, it was a problematical and even distancing 'and'. Both Burghley and Leicester had occasion to complain of the difficulty they found in fulfilling their obligations, Leicester writing on one occasion: 'Our conference with Her Majesty about affairs is both seldom and slender.'⁶¹ Elizabeth did not like Walsingham. 'God open her Majesty's eyes', was a recurrent refrain. When we say that there was confrontation in successive Elizabethan

⁶⁰ PRO, S.P. 12/173/87, 88.

⁶¹ Quoted, Penry Williams, *The Tudor Regime* (Oxford, 1979), p. 32. A particularly striking example of mutual wound-licking among Elizabeth's principal servants is the letter of Sir Francis Walsingham to Lord Burghley of 27 May 1580, when the lord treasurer was out of favour. 'I would to God her Majestye were not so easely drawn to be an instrument to execute others passyons . . . lettyng her understande howe greatly yt wyll discourage others that succeed you . . . I nothing dowbt, but in tyme, her Maiestie whoe of her owne nature is inclyned to deale gratywosly with every boddye wyll see her error . . . And so commytyng your lordship to the protectyon of him whoe hathe the hartes of prynces in his handes . . .' (PRO, S.P. 12/138/26.)

parliaments, but that the lines need to be redrawn (that is to say, Neale's account of the matter corrected), we mean that in respect of some issues the political components of the regime were so much at odds with the royal that they used the occasion of a parliament to orchestrate these differences and unhappinesses; and not with respect to trifles but in matters concerning the very survival of the state in the perception of its governors. The 1584 Bond of Association professed to be a means to preserve the life of the Queen, and likewise the prophylactic legislation with which it was presently replaced. But in truth these were measures to protect the interests of the regime and the state in the event of her untimely death.

III

Moreover, the 'regime' in the relatively open conditions obtaining in the middle Elizabethan years (the 1590s were more repressive) had an extent and a depth which it is hard to square with that notion of 'Tudor Despotism' which the late Professor Joel Hurstfield attempted to revive in the 1960s, asking 'was there a Tudor Despotism after all?', and proposing the concept of 'minority government'.⁶² That was more unhelpful than helpful to our understanding of the management of Elizabethan England, unless we mean that its affairs were passing progressively into the hands of a segment of society which may indeed have comprised a statistical minority: Protestants, whose discursive commentary on affairs was 'godly'.

One dimension persistently underestimated in conventional Elizabethan political history, a history organised around the queen and on the devotion paid to her as the mainspring of the whole system, is that of the commonwealth, an idealised and evocative construct and symbol, and the principal vehicle of social and much political comment. 'Commonwealth', a term apparently originating in fifteenth-century conditions⁶³ and maturing into intense scrutiny in the generation of Thomas More and its immediate sequel, carries many distracting resonances: for one, demotic resonances, so that in the 1530s Sir Thomas

⁶² Joel Hurstfield, 'Was There a Tudor Despotism After All?', in his *Freedom, Corruption and Government in Elizabethan England* (London, 1973), pp. 23–49.

⁶³ David Starkey, 'Which Age of Reform?', in *Revolution Reassessed: Revisions in the History of Tudor Government and Administration*, ed. Christopher Coleman and David Starkey (Oxford, 1986), pp. 13–27.

Elyot preferred to speak of the 'public weal';⁶⁴ for another, socio-economic, as if to be concerned with the common 'wealth' was to be interested only in bread-and-butter matters, which was manifestly not the case. Consequently, historians have confined their interest in commonwealth rhetoric, and even their use of the word, to the middle years of the sixteenth century, a time of alleged 'mid-Tudor crisis', when social moralists, the so-called 'commonwealth men', claimed to have the conscience of the community in their pockets and to speak for the common good over and against private interest, on such social problems as enclosure, rack-renting, inflation, poverty, and sheep.⁶⁵

When Sir Geoffrey Elton protested that there really were no commonwealth men, at least that there was no commonwealth party, only a gaggle of publicists and preachers who were better at conventional moral diatribes than at economic analysis,⁶⁶ he almost denied that Tudor England was a commonwealth, or at least proposed that perception of the commonwealth was weak. In this he agreed with others who had assumed that a publicly aroused concern for the commonwealth was something Utopian, Platonic and transient, an aspect of the Edwardian minority becoming fast redundant under the firm monarchical governance of Elizabeth.⁶⁷ A less localised and very traditional argument denies the survival into the second half of the century of the civic humanism of More and Thomas Starkey, leading Professor John Pocock to suggest that while the Elizabethans were theoretically familiar, from their education and their playgoing, with citizenship in the classical Roman sense, they themselves were subjects, not citizens, and knew it.⁶⁸ Somewhat outmoded perceptions of the lamentable death of humanist England at the hands of protestant reformers have led Dr Brendan Bradshaw to characterise Elizabethan political and literary culture as 'a political morality that lacks a social conscience', that

⁶⁴ Thomas Elyot, *The booke named the governour* (1531), fol. 1.

⁶⁵ Whitney R. D. Jones, *The Tudor Commonwealth 1529–1559* (London, 1970); see also Whitney R. D. Jones, *The Mid-Tudor Crisis 1539–1563* (London, 1973).

⁶⁶ G. R. Elton, 'Reform and the "Commonwealth-Men" of Edward VI's Reign', in *Studies in Tudor and Stuart Politics and Government*, vol. III, pp. 234–53.

⁶⁷ The tradition runs back to Frederic Seebohm, *The Oxford Reformers: John Colet, Erasmus and Thomas More, Being a History of their Fellow-Work* (London, 1869); and can be traced through J. K. McConica, *English Humanists and Reformation Politics Under Henry VIII and Edward VI* (Oxford, 1965).

⁶⁸ J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, 1975). For a more positive but still limited appreciation of the persistence of civic humanist values in later sixteenth-century England, see A. B. Ferguson, *The Articulate Citizen and the English Renaissance* (Durham, N. C., 1965).

conscience having been replaced by the invidious and uncharitable Calvinist division of society into elect and reprobate. The elect could consign the reprobate (equivalent to the socially dependent?) to Hell with a good conscience.⁶⁹

These are false premisses. It may be that that positive discrimination in favour of the poor which was a feature of mid-Tudor public discourse was replaced by something like the reverse. But concern for the commonwealth as an interest equivalent to the body politic and committing all of its responsible members was constantly reiterated throughout Elizabeth's reign and beyond.⁷⁰ Here, for example, is a treatise on certain problems and conflicts of interest in the cloth trade, composed in the reign of James I by one Walter Morrell:⁷¹

For as I am noe principall in the Common Wealth, soe neither am I a meere stranger thereunto, and therefore can noe more safelie exclude my self from carefullnes of the well beinge thereof then one being in a shipp in danger of wreck maie exclude himself from danger, because he is neither master nor pilot.

The motto set out on the title-page of this manuscript treatise is: 'Not borne for our selves but for our countrie.' This was a Ciceronian commonplace, as conventional as the metaphor for the commonwealth of a ship. 'Commonwealth matters' might, it is true, be distinguished from matters of state and regularly were, for example, in the organisation of parliamentary business. But in the context of the Elizabethan Exclusion Crisis, they embraced a concern for the nation's security and destiny which was politico-religious rather than socio-economic, an even livelier apprehension of shipwreck. Indeed, a good part of the documentation of an active 'commonwealth' sentiment concerned, quite literally, shipping and naval matters, from coastal security to the supply of rigging and cables.⁷²

⁶⁹ Brendan Bradshaw, 'The Tudor Commonwealth: Reform and Revision', *Historical Journal*, XXII (1979), 474. See also Brendan Bradshaw, 'Humanitas and the Christian Commonwealth', in *Cambridge History of Political Thought 1450–1700*, pp. 114–31.

⁷⁰ I share an interest in Elizabethan commonwealth discourse and owe much of my sense of it to Dr William Sherman. See his Cambridge Ph.D. thesis (1992) '“A Living Library”: the Readings and Writings of John Dee', especially Chapter 6, 'Brytannicae Reipublicae Synopsis: A Reader's Guide to the Elizabethan Commonwealth'. I am grateful to Dr Sherman for sharing with me a forthcoming article, 'The Discourse of the Commonwealth and the Anatomy of the Elizabethan Body Politic'.

⁷¹ 'Morrells Manufacture for the Newe draperie into Three Bookes', Huntington Library, MS HM 53654. This is a substantial treatise of 100 pages.

⁷² I owe this point to Bill Sherman. It has particular reference to his work on John Dee.

The fact that Morrell's treatise was never printed is indicative of much Elizabethan and post-Elizabethan writing on commonwealth matters and the point is highly significant, for in contrast to the printed pamphlets of the mid-Tudor years, with their propagandist implications, these 'plots' or 'platforms' or 'devices' were often intended 'for your eyes only', the eyes of government. They were written by those intellectual 'men-of-business'⁷³ who had the time and the learning to read books for others, or with others, and to make their knowledge available for the public good.⁷⁴ In order to understand the gestation and application of ideas in the Tudor state, it is relevant but often difficult to know when such advice was requisitioned, when volunteered. Thomas Norton, the great 'parliament man', claimed that all that he had composed on such matters had been written to order, but that was perhaps merely tactful.⁷⁵ On the one hand we have clear evidence that Norton, or the clerk of the Privy Council, Robert Beale, were on occasions asked to spend their leisure time on writing white or green papers on such topics as policy towards catholic recusants and their children, or on matters of constitutional and legal history. In Norton's case, the leisure was secured through a period of enforced residence in the Tower.⁷⁶ On the other, Burghley and other members of the government received radical advice papers which they can hardly have commissioned. One example is the memorandum sent to Burghley in per-

⁷³ M. A. R. Graves, 'The Management of the Elizabethan House of Commons: the Council's "Men-of-Business"', *Parliamentary History*, vol. II (1983), pp. 11–38; M. A. R. Graves, 'Thomas Norton the Parliament Man: an Elizabethan M.P. 1559–1581', *Historical Journal*, XXIII (1980), 17–35.

⁷⁴ Lisa Jardine and Anthony Grafton, '“Studied for Action”: How Gabriel Harvey Read his Livy', *Past and Present*, no. 129 (1990), 30–78.

⁷⁵ These words of Norton deserve quotation in full: 'Among the thinges here advised by authoritie in England, which it hath greatly greved me for my contreys sake and for my reverence to the power of her Maiestie and her Counsell to see not followed or not to proceade to the gracious effectes required, I have sometime noted these following and I confesse I have busied my selfe to thinke of some meanes of remedie to be offred secretly to some such personages of her Maiesties counsell as might by power do somewhat toward reformation.' A varied list of topics follows (BL, MS Add. 48023, fol. 28^v). Norton warned Sir Francis Walsingham that the burdens placed upon him had won him the reputation of a 'busy body'. (Ibid. fol. 42^v.)

⁷⁶ Walsingham wrote to the lieutenant of the Tower, apparently without irony: 'Sir for that Mr Norton is presently at leysure by reason of his restraint of his libertie . . .'. (BL, MS Add. 48023, fol. 41). Drafts of Norton's 'Devices' sent to Walsingham as they were completed are in BL, MS Add. 48023, fols. 45–8, 49^v–51, 51^v–2^v, 53^v–6^v, 57^r; copies of the completed Devices in PRO, S.P. 12/177/59, fols. 143–70, BL, MS Lansdowne 155, fols. 87ff. For the case of Robert Beale, see Collinson, *Elizabethan Essays*, p. 82.

haps 1572 by the radical puritan soldier, entrepreneur and MP George Carleton.⁷⁷ Carleton analysed the state of the realm, distinguishing three religious parties, defined as papists, atheists and protestants, who in his account sound like puritans, ‘the servants of God and such as do tread the straight path of the Lord to salvation’. Carleton recommended that the first two parties be not only ‘misliked’ but ‘removed’, and that faithful Protestants, ‘the Queen’s own bowels’, be either concentrated as a protective militia in the twenty counties nearest London, or permitted to colonise Ireland. Burghley duly endorsed and filed this startling document.

Other cases are more problematical. They include that ‘Device for the Alteration of Religion’ which has figured so prominently in discussion of the religious settlement of 1559;⁷⁸ and that other early Elizabethan advice paper, perhaps a recension of an Edwardian document, ‘An order for redresse of the state of the Realme’, dated May 1559. This was a well-informed and visionary paper which recommended substantial changes in the relations of the component parts of government and military organisation.⁷⁹ But let us by all means assume that normally such contributions to policy formation will have been asked for, by some body or bodies at the centre of power. It nevertheless tells us a world about participation in Elizabethan governmental processes, inspired not merely by obedience but by the acknowledgement of a shared public duty.

And certainly rhetorical patriotism in Elizabethan public texts was extremely widespread. Authors on all kinds of topics, and not least the antiquarians and historians, from Leland to Camden, loudly published that their compelling motive as writers was love of country. Political historians of the reign make a serious mistake if they leave all that sort of thing to the cultural historians, as if such sentiments were part

⁷⁷ PRO, S.P. 15/21/121. See Patrick Collinson, *The Elizabethan Puritan Movement* (London, 1967), pp. 144–5. For Carleton more generally, see Hasler, vol. I, pp. 552–4.

⁷⁸ J. E. Neale, ‘The Elizabethan Acts of Supremacy and Uniformity’, *English Historical Review*, LXV (1950), 304–32; Neale, *Elizabeth I and her Parliaments, 1559–1581*, pp. 37–8, 51–3; Norman L. Jones, *Faith by Statute: Parliament and the Settlement of Religion 1559* (London, 1982), *passim*. The ‘Device’ is printed (from BL, MS Cotton Julius F.6, fol. 161) in Henry Gee, *The Elizabethan Prayer-Book & Ornaments: With an Appendix of Documents* (London, 1902), pp. 195–202.

⁷⁹ This memorandum exists in two states among the Egerton MSS in the Huntington Library: MS EL 2580 and MS EL 2625. The two documents share the same heading and endorsement and early paragraphs are nearly identical. But EL 2625 subsequently diverges into a wider range of topics, monetary, commercial and fiscal.

of a disembodied humanist rhetoric which neither sought nor gained any purchase on the world of practical politics. In fact, the adversarial politics of the Elizabethan Exclusion Crisis were clamorous with claims to have acted in response to patriotic sentiment and duty, even if loyalist and royalist sentiments often came first, as Elizabeth might have cynically remarked, 'for manners' sake'.

Take, for example, the outspoken book written by the lawyer John Stubbs at the climax of the Anjou marriage negotiation: *The Discoverie of a Gaping Gulf Whereinto England is Like to be Swallowed by an other French Mariage, if the Lord forbid not the banes, by Letting her Maiestie See the Sin and Punishment Thereof* (1579).⁸⁰ This was a remarkable publishing event, not only for its sequel, the severing of its author's right hand, but for the sophistication both of its intelligent as well as highly polemical representation of international politics, and in its thoroughly digested understanding of Machiavelli. Stubbs was above all a patriot. These are phrases plucked out of Stubbs's text: 'This faithful household of England', 'a region purged from idolatry, a kingdom of light'. 'It is natural to all men to abhor foreign rule as a burden of Egypt, and we of England if to any other nation under the Sun.' Stubbs's professed concern was that 'she and we may lose this English paradise', and he professed to speak for 'every English heart'. But what was said in reply to Stubbs by Lord Henry Howard, the future earl of Northampton, the most neglected of Elizabethan intellectuals, a crypto-papist and supporter of the match? This is Howard's first sentence: 'Dutifull affection to my native country enforceth me at this present to disclose my opinion and conceit in a case now in question and debate of much consequence and importance to the state of this realm.' And here is his last sentence: 'And what herein I have done I humbly refer to the grave and gracious consideration of Her Most Excellent Majesty, my dutiful regard to whom, as also to my country, constrained me to put pen to paper . . .'⁸¹

Two hands were struck off by the executioner's axe, with surgeons

⁸⁰ *John Stubbs's Gaping Gulf With Letters and Other Relevant Documents*, ed. Lloyd E. Berry, Folger Documents of Tudor and Stuart Civilization (Charlottesville, 1968). Stubbs's letters suggest a strong sense of common evangelical commitment within a network of like-minded, semi-public men. See a letter to William Davison of 30 April 1578: 'The Lord knit us faster and faster in our faith, and love and hope of everlasting life, where we shall be forever together with our head, Jesus Christ, whom I beseech to keep you ever his for his mercy.' (*John Stubbs's Gaping Gulf*, pp. 106–7.).

⁸¹ 'Lord Henry Howard's Answer to *The Gaping Gulf*', in *John Stubbs's Gaping Gulf*, pp. 155–94.

in attendance, outside Whitehall Palace on 3 November 1579. The other belonged to a certain William Page, long thought to have been a mere publisher or bookseller, since Camden described him as 'the disperser of the copies'. In fact Page was a Member of Parliament and secretary and man-of-business to the earl of Bedford, whose interests were in the West Country.⁸² Page was currently MP for the Bedford borough of Saltash, having in Mary's reign lived in Venice, where he plotted against the Marian regime, at least in his head. So perhaps he too knew his Machiavelli. His offence in 1579 was to have sent fifty copies of Stubbs's book to his friend Sir Richard Grenville. We know from another West Country source what was likely to happen to a sensational and provocative book released into that environment.⁸³ It would pass from hand to hand and be seen by many more than fifty pairs of eyes. So we understand not only why Page was mutilated, but why the royal proclamation against the *Gaping Gulf*, a lengthy statement, was copied out in full in the register of the bishop of Exeter.⁸⁴ The networks involved in this affair were surely more extensive than we now have means of telling. The printer of the *Gaping Gulf* was the elderly Hugh Singleton, a veteran of militant protestant publication, who seems to have received a last-minute pardon on account of his age. Now Singleton's presses were at that very moment turning out Edmund Spenser's *Shepherd's Calendar*, with its thinly concealed critical comments on the Anjou marriage; and Spenser had just become secretary to the earl of Leicester, who was probably orchestrating much of this agitation. Spenser's poem also reflected on the downfall at this time of the archbishop of Canterbury, Edmund Grindal, another victim of this mini-exclusion crisis.⁸⁵

⁸² Kenneth Barnes, 'John Stubbe, 1579: the French Ambassador's Account', *Historical Research*, LXIV (1991), 421–6.

⁸³ The reference is to the diary of the Cornishman, William Carnsewe (PRO, S.P. 46/16) which records (fols. 39^v–40^r, 42^r) receiving in 1576 'the Admonition of Cartwright for the new order of discipline, and the slipping of the Church of England', reading it, and passing it on to 'Ford the preacher'. Carnsewe presumably referred to *A second admonition to the Parliament*, which had been printed four years earlier. From his diary and other sources it is clear that Carnsewe was a strongly committed Protestant, not to say Puritan. He was a Member of the 1559 Parliament and of no other parliament, which tends to confirm a point made earlier in this lecture. He was a neighbour and close friend of the Grenvilles (Hasler, vol. I, p. 557).

⁸⁴ The letter from the Privy Council 'for suppressing a certain book intituled the gaping gulf', dated 5 October 1579, was copied into the register of Bishop Woolton of Exeter in full. I owe this reference to Mrs Jane Ladley.

⁸⁵ H. J. Byrom, 'Edmund Spenser's First Printer, Hugh Singleton', *Library*, 4th ser. XIV (1933), 121–56. However, John King doubts whether Singleton is properly described as a specialist 'puritan' publisher. (John N. King, *Spenser's Poetry and the Reformation Tradition*

One may readily cross-reference to the fate of Thomas Norton, who sat in Parliament for the last time in 1581, perhaps sitting alongside Page, whose mutilation will not have made him ineligible to sit in this prorogued assembly. After the dissolution of what was to be his last parliament, Norton was sent to the Tower for reasons which seem to have included known opposition to the Anjou marriage. From prison he darkly hinted that what he had done he had done for public figures more eminent than himself.⁸⁶ According to the French ambassador, the queen, at the time of the Stubbs affair, knew perfectly well what was going on. She said that Stubbs and his collaborators were merely the agents, 'les secretaires' of others, 'plus méchants que eulx'. Mauvissière had earlier reported that Stubbs and his abettors would not have done what they did 'sans le consentement de quelques ungs de ce conseil'.⁸⁷ For that matter, Sir Philip Sidney would probably not have written what he wrote, directly to the queen, opposing the marriage, without the 'consentement' of 'quelques ungs', primarily his uncle, Leicester.

Such were the 'men-of-business' whom recent parliamentary studies have brought to the forefront and dressed in new clothing.⁸⁸ Neale had called them 'puritans'. But now we are told that they, and Norton can stand for all, were nothing but good Protestants, working with and for the regime, inside and presumably outside Parliament, in no sense members of a puritanically-inspired opposition. This is helpful, but only if we appreciate that the regime itself was sometimes in opposition, and not least in the delicate and dangerous area of exclusion politics, in which fish were fried and chestnuts pulled out of the fire by the likes of the courageous Stubbs, the obscure Page and the famous Norton. The use of Robert Beale and William Davison in bringing Mary Stuart to the block in 1587 is an episode too well-known to require more than a passing mention.

(Princeton, 1990), Appendix, 'Was Spenser a Puritan?', pp. 233–8.) See also Anthea Hume, *Edmund Spenser: Protestant Poet* (Cambridge, 1984) and Paul McLane, *Spenser's 'Shepherd's Calender': A Study in Elizabethan Allegory* (Notre Dame, 1961). For the Grindal angle, see Patrick Collinson, 'The Downfall of Archbishop Grindal and its Place in Elizabethan Political and Ecclesiastical History', in Collinson, *Godly People: Essays on English Protestantism and Puritanism* (London, 1983), pp. 371–97; Patrick Collinson, *Archbishop Grindal 1519–1583: The Struggle for a Reformed Church* (London, 1979).

⁸⁶ Collinson, 'Puritans, Men of Business and Elizabethan Parliaments', in Collinson, *Elizabethan Essays*, pp. 73–6.

⁸⁷ Barnes, 'John Stubbe, 1579'.

⁸⁸ Graves, 'The Management of the Elizabethan House of Commons', 'Thomas Norton the Parliament Man'.

The danger, with all this talk of ‘men-of-business’, has been to make such men mere catspaws and instruments, often in the conduct of more or less routine business. In fact, in a manner typical of the politics of the middle Elizabethan years, they were not courtiers and government stooges. Norton only once and uncharacteristically called himself ‘obsequious’. They were their own men, motivated as much by patriotism and protestant conviction as by service obligations to the queen or to their political patrons. Patronage was never a simple top-down relationship in sixteenth- and seventeenth-century politics. And herein, of course, lay their political value, in the conditions of mid-Elizabethan politics. As Walsingham wrote in 1584: you shall not need to say that you heard this from us. You thought of it yourself. And Stubbs, Page and Norton were capable of such thoughts.

These were some of those missiles which remained in their siloes during Elizabeth’s long reign, only poking their noses above the surface: missiles in the event never fired, but perhaps ensuring by their presence that they would not be fired. Everyone in this political generation was dead before the queen herself died.

IV

The name of Machiavelli has cropped up in connection with Stubbs and Page. We may ask: were these minor activists in the Elizabethan Exclusion Crisis harbingers in their intellects of English classical republicanism? Professors Lisa Jardine and Anthony Grafton have shown us with what intensity Livy was read in these middle years of the reign by Gabriel Harvey, for what purposes and with whom he read the Roman historian.⁸⁹ Professor John Salmon has explained how a heady mixture of Seneca’s stoic philosophy and Tacitus’s imperial Roman history (a cocktail which on the Continent was imbibed for the purpose of state-building on a proto-absolutist model) in England became an ideology of critical detachment from the increasingly overbearing late Elizabethan and Jacobean state.⁹⁰ This was a tradition running from Leicester through the Sidney circle to the earl of Essex and on into

⁸⁹ Jardine and Grafton, ‘“Studied for Action”’.

⁹⁰ J. H. M. Salmon, ‘Seneca and Tacitus in Jacobean England’, in *The Mental World of the Jacobean Court*, ed. Linda Levy Peck (Cambridge, 1991), pp. 169–88. An earlier version of this essay appeared in *The Journal of the History of Ideas*, L (1989), 199–225, under the title ‘Stoicism and Roman Example: Seneca and Tacitus in Jacobean England’.

the early years of James I, Prince Henry and his partly disaffected and soon to be disappointed affinity. According to Salmon, the English devotees of Seneca and Tacitus were members of circles 'soured by suspicion and defeat', and their partial alienation was institutionalised in some elements of the Society of Antiquaries, soon suppressed, and in Sir Robert Cotton's semi-public library with its busts of Tacitean emperors, too dangerous a resource to be tolerated by Charles I. This was indeed a very long fuse laid through the reigns of the first Stuarts to the powder keg of civil war.

One of the last Elizabethan neo-stoics, and the first to attempt the writing of modern Tacitean history, was Sir John Hayward, who, with remarkable temerity and from motives far from clear, published a history of the deposition of Richard II and the first year of the usurping Henry IV.⁹¹ This was in the context of the unresolved late Elizabethan succession problem and two years before the Essex rebellion. Hayward dedicated his book to Essex. 'I am Richard the Second, know ye not that?' Elizabeth would ask William Lambarde. Holinshed's 1577 *Chronicle* had included an approving account of Richard II's deposition, suppressed in the 1587 edition, and Stow's *Chronicle* spoke of the 'election' of Henry IV. All the Elizabethan printed texts of Shakespeare's *Richard II* omit the deposition scene. Hayward's book was said to cunningly insinuate that the like abuses being then in the realm that were in the days of Richard II, the like course might be taken for redress. The attorney-general, Edward Coke, wanted to know, as well he might, why Hayward had published a book limited 'to that story only'. Elizabeth sent Hayward to the Tower (but not immediately, seventeen months after the publication of his history) and wanted to know if he might not be guilty of treason. No, said Sir Francis Bacon, but of felony, yes, 'for he had taken most of the sentences out of Cornelius Tacitus, and translated them into English, and put them into his text.'⁹²

But I digress. It is more to the point that Hayward also plagiarised Sir Philip Sidney. In his *Annals of Queen Elizabeth* (a post-Elizabethan text which joins in the canonisation of the woman who would gladly

⁹¹ *The First and Second Parts of John Hayward's The Life and Raigne of King Henrie IIIII*, ed. John J. Manning, Camden 4th ser. XLII (1991).

⁹² *Ibid.* 21, 2. See also Blair Worden, 'Ben Jonson Among the Historians', in *Culture and Politics in Early Stuart England*, ed. Kevin Sharpe and Peter Lake (Basingstoke, 1994), pp. 67–89. Miss Lisa Richardson is currently working on the publication history of Hayward's *Henrie IIIII*, including publication in handwritten copies, after the suppression of the first edition.

have seen him executed) we find this account of the state of England as Mary Tudor lay dying:

For every man's mynd was then travayled with a strange confusione of conceits, all things being immoderately eyther dreaded or desired. Every report was greedily both inquired and received, all truths suspected, diverse tales beleaved, many improbable conjectures hatched and nourished. Invasions of strangeres, civill dissentione, the doubtfull dispositione of the succeeding Prince, were cast in every man's conceite as present perills; but noe man did busy his witts in contriving remedies.⁹³

That sounds like the state of the nation at the worst moments of the Elizabethan Exclusion Crisis; and no wonder, for it comes straight from Sidney's account of the state of Arcadia, betrayed by the negligence of its ruler, the duke Basilius, 'a notable example', Sidney had written

how great dissipations monarchical governments are subiect unto; for now their princes and guide had left them, they had not experience to rule, and had not whom to obey . . . but everything was either vehemently desireful or extremely terrible [compare Hayward's 'immoderately eyther dreaded or desired']. Neighbours' invasions, civil dissension, cruelty of the coming prince, and whatsoever in common sense carries a dreadful show was in all men's heads, but in few how to prevent; hearkening on every rumour, suspecting everything. . . .⁹⁴

In his *Defence of Poetry*, Sidney had compared the roles of history and poetry (fiction), representing them as essentially different. But if Hayward's history borrowed from Sidney's fiction, the fiction was a restatement of Sidney's own role in history, the discourse which he had written to the queen, boldly opposing the Anjou match, in the tradition of honest, plain-speaking counsel. It had done his career no good at all and his Continental mentor and father figure, Hubert Languet, had wrung his hands over such fatal impetuosity.⁹⁵ Sidney had then retired to the country, and the sublimation of *Arcadia* was the result. Arcadia's ruler had been warned (in vain) by a faithful counsellor: 'Let them see

⁹³ *Annals of the First Four Years of the Reign of Queen Elizabeth*, By Sir John Hayward, ed. J. Bruce, Camden Society (1840), p. 1.

⁹⁴ Sir Philip Sidney, *The Countess of Pembroke's Arcadia (The Old Arcadia)*, ed. Katherine Duncan-Jones, World's Classics (Oxford, 1985), p. 277. I am grateful to Blair Worden for drawing this striking parallel to my attention.

⁹⁵ *The Correspondence of Sir Philip Sidney and Hubert Languet*, tr. Stuart A. Pears (London, 1845). See Richard C. McCoy, *Sir Philip Sidney: Rebellion in Arcadia* (Hassocks, 1979). Sidney's 'Discourse to the Queenes Majesty Touching Hir Mariage with Monsieur' is in *The Prose Works of Sir Philip Sidney*, ed. Albert Feuillerat (London, 1912), vol. III, pp. 51–60; and forms a set piece in Greville's *Life*.

the benefits of your justice daily more and more; and so must they needs rather like of present sureties than uncertain changes.' These words closely parallel the final peroration of Sidney's discourse to the queen 'touching hir mariage with Monsiur': 'Against contempt at home . . . lett your excellent vertues of piety Justice and liberality daily, if it be possible more and more shine . . .'⁹⁶

The rejection of good advice is followed by the inevitable violence of civil war. It is a striking feature of the psyche and imagination of the Elizabethan Exclusion Crisis that apprehension scenarios of the most bloody kind regularly repeat themselves, in perceptions of the real world and its prospects, and in art. We have heard Thomas Digge's lurid comments on the dangers of the Bond of Association. But very early in the reign there were those fearful prognostications of bloody civil strife which punctuate the succession play *Gorboduc* (part written by Thomas Norton),⁹⁷ from which both the *Arcadia* and later *King Lear* seem to have borrowed bits of their plots. Only in the present tense did Elizabethan England experience 'halcyon days'.

V

A suppressed, critical, neo-stoicist republicanism was the product of the last Elizabethan years, an ideology nurtured in reaction to the rather different political climate which, in wartime and old age, had succeeded the politics of the Exclusion Crisis of the middle years, a climate less consensual, more dirigiste, even, in Fulke Greville's words, 'metamorphosing' 'into a precipitate absoluteness', the climate of the 'regnum Cecilianum' (contested by the earl of Essex) which was the 1590s.⁹⁸

The principal intellectual resources of the queen's critics in the Exclusion Crisis of earlier years were not Seneca or Tacitus, but legal-historical principles from the English past, and the Bible, on which, in what little space remains, we shall concentrate. It was from Scripture, with explicit reference to Old Testament history, and especially to Old Testament rulers and dynasties, that Elizabeth was incessantly

⁹⁶ *The Countess of Pembroke's Arcadia*, p. 7; *Prose Works of Sidney*, vol. III, p. 60.

⁹⁷ *Gorboduc or Ferrex and Porrex* by Thomas Sackville and Thomas Norton, ed. Irby B. Cauthen (Lincoln, Nebraska, 1970); Axton, *The Queen's Two Bodies*.

⁹⁸ John Guy's analysis of the political shift of the 1590s, amounting to the 'second reign' of Elizabeth I, or to the beginning of the Stuart epoch, will appear in John Guy, ed., *The Reign of Elizabeth I* (Cambridge, forthcoming).

admonished. Dr Margaret Aston wittily imagines her saying: 'I am Hezekiah. Don't tell me *that!*' Hezekiah was the godly king who had declared war on idolatry (2 Kings 18, 2 Chronicles 29). In particular, Hezekiah had broken in pieces the brazen serpent in the Temple, once a symbol of healing but now an idol, a mere 'piece of brass'. Elizabeth was repeatedly admonished to do the same to that modern idol, the cross.⁹⁹ 'This is a notable example for all princes, first to establish the pure Religion of God, and to procure that the Lord may be honoured and served aright' (2 Chronicles 29:3, Geneva Bible marginal note).

It was with an utter confidence erected on such scriptural foundations that the Oxford divine Laurence Humphrey in a dedicatory epistle instructed the admittedly young and still untried monarch:

We advaunce not your might, not your armie, not your wisdom: but wonder at your weakness and infirmitye. We praise not mannes power: but ascribe it to the bountye and mercy of God.¹⁰⁰

That was at the beginning of the reign, when John Hales, called by a parliamentary sketch writer in 1567 'Hales the hottest',¹⁰¹ a man who took great risks in the public debates about the succession, told the queen:

Ye see [God's] power, what he is able to do: he alone can save, and he can destroy; he can pull down, and he can set up. If ye fear him, and seek to do his will, then he will favour you, and preserve you to the end from all enemies, as he did king David. If ye now fall from him, or juggle with him, look for no more favour then Saul had showed to him.

'Thus must your grace do, if ye mind the advancement of God's glory, your own quietness and safety, and the wealth of this your body politic.'¹⁰² A reader of Stubb's *Gaping Gulf* has inscribed on the title-page: 'Per me reges regnant'.¹⁰³

Elizabeth was to be repeatedly reminded that she 'juggled' with God in failing to ensure the perpetuation of secure government by determining the succession. In 1563 the House of Lords, after piling

⁹⁹ Margaret Aston, *The King's Bedpost: Reformation and Iconography in a Tudor Group Portrait* (Cambridge, 1994), 'Elizabeth as Hezekiah', pp. 113–27, and *passim*.

¹⁰⁰ Laurence Humphrey, *The nobles, or of nobilitye* (1563), Epistle.

¹⁰¹ Hasler, vol. II, pp. 238–9. The character of 'the hottest' refers to his intemperate intervention in the politics of the succession, which led to imprisonment in the Fleet and the Tower and 'ruined him'.

¹⁰² *The Acts and Monuments of John Foxe*, ed. S. R. Cattle, vol. VIII (1839), pp. 677–8.

¹⁰³ Cambridge University Library, class mark SSS.18.19.

up the biblical examples which ought to guide her conduct (and they were without exception biblical examples, suggesting, as the queen suspected, that this task had been committed to the bishops) concluded: 'Most excellent Princes, the places of the scriptures conteyning the said threatenings be sett furth with much more sharp wordes then be here expressed.'¹⁰⁴ A House of Commons speech four years later resounded with those 'oughts' to which attention was drawn earlier. Her Majesty *ought* to be an upholder and not an overthrower of the people. 'She ought carefully, naturally, and religiously to end all titles and contentions . . . She ought not to denie th'establishment of a successor.'¹⁰⁵ In 1572, Elizabeth was warned, again by the bishops (there is no reason to link such sentiments and *démarches* exclusively to something called 'Puritanism'), that she juggled with God in failing to put Mary Queen of Scots to death. 'Because Saule spared Agag although he were a kinge, God took from the same Saule his good sperite and transferred the kingdom of Israell from him and from his heires for evere.'¹⁰⁶

By theis and such othere wordes in many places God signefyeth yf his people perishe either in soule or bodie by the slacke or remisse government of them that are appoynted rulers over them and as it weare sheppardes and hearde men to keepe them from daunger, that he will require the blood of his people at their handes.¹⁰⁷

We may note that in this biblical rhetoric it is not 'your people' but 'his people', God's, which we may regard as transitional to 'the people'.

If Elizabeth thought it improper to shed the blood of kings, she was otherwise instructed by the margin of the Geneva Bible, which commented thus on David's honourable refusal to kill Saul, the Lord's anointed, when he had him at his mercy: he did right, 'to wit in his owne private cause: for Jehu slew two kings at Gods appointment. 2 Kings 9:22' (1 Samuel 26:10). It was this same Jehu who put wicked Queen Jezebel to death without any trial, as the Geneva Bible margin reads 'by the motion of the Spirit of God' (2 Kings 9:33). In the House of Commons in 1572 this was a precedent for killing Mary Stuart ('Jezebel') with no great ceremony: 'Cut of her head and make no

¹⁰⁴ Hartley, pp. 58–62.

¹⁰⁵ *Ibid.* p. 134. This is the speech variously ascribed to Lambarde and Molyneux. (See n. 8 above.)

¹⁰⁶ Hartley, p. 275. The biblical reference is to 1 Samuel 15:11.

¹⁰⁷ *Ibid.* p. 278.

more adoe about her.¹⁰⁸ When Bishop Sandys prepared the book of 1 Samuel for the Bishop's Bible of 1567, he incorporated the Geneva note on 1 Samuel 26:10, which continued to appear in many editions of the Authorised Version of 1611, far into the seventeenth century.¹⁰⁹ Another Geneva note, particularly irksome to James VI and I, Mary Stuart's son, commented on King Asa's failure to kill his wicked mother (or grandmother) Queen Maacah, whom he had justly deposed, thus ignoring clear directives in Deuteronomy 13 to execute idolaters without mercy, whosoever they might be. 'And herein he shewed that he lacked zeale', moved by 'foolish pitie' (2 Chronicles 15:16, Geneva marginal note). The keeper of Mary Stuart in the last months, Sir Amyas Paulet, had that scripture ringing in his ears when he wrote: 'Others shall excuse their foolish pity as they may.' For 'others', read Queen Elizabeth.¹¹⁰

The bishops' address of 1572 is the most remarkable single document to have been generated by the Elizabethan Exclusion Crisis, containing, as it does, a kind of doubly distilled resistance doctrine. In the first place, Mary Stuart had been justly and properly deposed by her own subjects. She was 'the late Queen', called in the accompanying Commons statement 'a queene of late tyme and yet through her own actes now iustely no queene.' Thomas Norton said: 'Why she should be counted a queene he knoweth not.'¹¹¹ In the second place, the bishops threatened Elizabeth with the loss of her own throne, at the hands of God by an instrumentality not specified, if she failed to execute justice upon this former queen.

These choice quotations and 'examples' by no means exhaust the relevance of 1 and 2 Kings, 1 and 2 Chronicles, and their Geneva expositors for the institution of monarchy. On this subject both the Old Testament and its commentators display a certain ambiguity. The Geneva comment on 1 Chronicles 29:23 informs the reader that 'the kings of Judah were figures of Christ.' Yet these 'figures', even David, the principal figure, all erred. Godly King Asa erred in consulting the

¹⁰⁸ The speaker was Richard Gallys, a townsman and innkeeper of Windsor (Hasler, vol. II, p. 163). This version of his words was recorded by an anonymous diarist. Thomas Cromwell's version would have it that Gallys said: 'She may have her head cutt of and noe more harme done to her.' (Hartley, pp. 324, 349).

¹⁰⁹ Gerald Bowler, 'English Protestants and Resistance Theory, 1553–1603', unpublished London Ph.D. thesis, 1981, pp. 291 *et seq.*

¹¹⁰ Patrick Collinson, *The English Captivity of Mary Queen of Scots* (Sheffield, 1987), pp. 4–5.

¹¹¹ Hartley, pp. 274–82, 283, 408.

physicians rather than the Lord about his gout (1 Kings 15:23, 2 Chronicles 16:12). And taking account of the rulers of Israel, good Old Testament kings were heavily outnumbered by bad, the institution itself having been a divine concession to human weakness (1 Samuel 8:20). Of the first king in recorded history, Nimrod, the mighty hunter, the Geneva margin declared: 'His tyrannie came into a proverbe as hated both of God and man' (Genesis 10:9). In the seventeenth century, radical critics of monarchy had no difficulty in finding scriptural support for the view that monarchy and tyranny were synonymous. 'In that they were kings they were tyrants.'¹¹² On 1 Kings 12:9, the Geneva Bible comments: 'There is nothing harder for them that are in authoritie, then to bridle their affections, and follow good counsell'; on 2 Chronicles 22:4: 'He sheweth that it must needs follow that the rulers are such as their counsellors be, and that there cannot be a good king, that suffereth wicked counsellors.'

Historians of political theory tell us that resistance doctrine, such as the exiles Christopher Goodman, Bishop John Ponet and John Knox constructed in the reign of Mary, was redundant under the wholly acceptable rule of her protestant sister. The voice of militant Calvinism fell silent, or addressed only matters of ecclesiastical polity, except, of course, in France, the Netherlands and Scotland, where politics were both violent and religiously exacerbated. Apart from failing to take account of some of the evidence which has now been rehearsed, these conventional perspectives ignore the intellectual and active commitment of Elizabethan Protestants to the international scene, and even the hard fact that the leading foreign resistance theorists, Hotman, de Mornay, the Scot Buchanan, were all published in Elizabethan London. And in what year was Buchanan's *De iure regni apud Scotos* printed in London? What year but 1579.¹¹³

Professor Quentin Skinner has written of 'a few wisps' of resistance

¹¹² Christopher Hill, *The English Bible and the Seventeenth-Century Revolution* (1993), p. 218. And see much more to the same effect in Hill's chapter 'The Bible and Radical Politics', pp. 196–250. On the politics of the Geneva Bible marginalia, see also Richard L. Greaves, 'Traditionalism and the Seeds of Revolution in the Social Principles of the Geneva Bible', *Sixteenth-Century Journal*, VII (1976), 94–109, Richard L. Greaves, 'The Nature and Intellectual Milieu of the Political Principles in the Geneva Marginalia', *Journal of Church and State*, XXII (1980), 233–49.

¹¹³ This paragraph owes much to Dr Bowler's thesis, 'English Protestants and Resistance Theory', which is forthcoming in published form. And see his article, '“An Axe or an Acte”: the Parliament of 1572 and Resistance Theory in Early Elizabethan England', *Canadian Journal of History*, XIX (1984), 349–59.

theory lingering on in the marginalia of the Geneva Bible, its survival there and almost only there presumably indicative of its literal marginality.¹¹⁴ They were some wisps! The fact that ideological and political missiles remained in their cold war siloes and were never fired, that the Elizabethans, like Elizabeth herself, for the most part died in their beds, with none of Cassandra's prophecies fulfilled, means not so much that the real history of the reign of Elizabeth has not been written as that, in a manner of speaking, it never happened.

Appendix: the Interregnum Scheme of 1584–5

The documents generated in 1584–5 by the plans for a legislated Interregnum are, from a constitutional point of view, among the most revealing to have survived from the reign of Elizabeth. Although in the event abortive, and so not much noticed by historians, they shed an unusual light on contemporary perceptions of the role of Parliament in the English polity, and on the political capacities potentially inherent in an acephalous monarchy. If these ideas had been only the brain-child of the mathematician and MP Thomas Digges they would be of some interest, since Digges was an exceptionally interesting man. But, as we learn from one of these drafts,¹¹⁵ the interregnal scheme was backed by the regime, almost as a whole, if that is a correct reading of this statement: 'This was the summe of the things remembered in a conference at the L[ord] Chancellors house these being present.' Those named, in order, were, the lord chancellor (Sir Thomas Bromley), the lord treasurer (Lord Burghley), the earl of Leicester, the lord chamberlain (Lord Hunsdon), the vice-chamberlain (Sir Christopher Hatton), the chancellor of the exchequer (Sir Walter Mildmay) (all these Privy Councillors); together with the three senior judges and the three law officers of the Crown. (The preponderance in this gathering of legal clout, and the absence of such secretarial members of the Privy Council as Sir Francis Walsingham and Sir Ralph Sadler is no doubt significant.) The device of an informal meeting of the Council, out of Court and at the house of the lord chancellor/lord keeper, had been

¹¹⁴ Skinner, *Foundations of Modern Political Thought*, vol. II, pp. 221–2.

¹¹⁵ 'xxim. Jan. 1584 [5] De Interregno'. This 'platt' (as it describes itself) survives among Sir Walter Mildmay's papers, Northamptonshire Record Office, MS F.(M) P.184. I am grateful to the Trustees of the Late Earl Fitzwilliam for permission to cite the Fitzwilliam of Milton papers.

resorted to in 1577 in an attempt to make progress in the critical and legally perilous affair of Archbishop Grindal and the queen.¹¹⁶

The documents in question are: PRO, S.P. 12/176/11, 22–3, 25–6, 28–30, 32; Huntington Library, MS EL 1192; Northamptonshire Record Office, MS F.(M) P.184. They date from the parliamentary recess of 19 December 1584 to 4 February 1585. The paper headed ‘The Dangers that may ensue by the Othe of Association’ (PRO, S.P. 12/176/26; copies in BL, MS Lansdowne 98, fols. 14–18, MS Add. 38823, fols. 14 et seq.) rehearses the unsuccessful attempts before the recess to find an acceptable parliamentary substitute for the Bond of Association. ‘An exceeding great Committee’ which met in the Exchequer Chamber had been not so much divided as fragmented in opinion. The queen had signalled her opposition. One copy of this paper is endorsed by Burghley: ‘Mr Digges discourse upon the Association’.¹¹⁷ The discourse presents the device of an Interregnum as a means to resolve the conflict of sworn loyalties and obligations potentially created by the Bond, and to avoid anarchy.

Most of these drafts, some of which are annotated in Burghley’s hand, differ in detail while agreeing on the main outlines: an augmented ‘Grand’ or ‘Great’ Council with executive powers; all other officers to remain in post and all laws to remain in force; a parliament to be summoned by the Grand Council within thirty days to prosecute and punish those who had plotted or contrived the queen’s violent death, ‘actor or privie’, and to hear claims and determine the title to the Crown: ‘in which parliament every competitor shall have libertie to exhibit his title there to receive iudgment’; until such time, an Interregnum.

But MS EL 1192 (annotated by Burghley) envisages that Parliament will be summoned by the Privy Council within ten days of the queen’s violent or unnatural death, and will elect the thirty persons who, with the three senior judges, are to form the ‘Great Counsell of the Realme’. This draft seems to assume that the principal if not the only task of Great Council and Parliament will be to prosecute and execute the guilty parties. They will exercise their powers if necessary for as much as a year. It is not clear how the Interregnum is to be ended, nor

¹¹⁶ Collinson, *Archbishop Grindal*, pp. 259–61. Curiously enough, the evidence for this meeting also survives, uniquely, among Mildmay’s papers.

¹¹⁷ J. E. Neale, *Elizabeth I and her Parliaments 1584–1601* (London, 1957), pp. 44–5; Hasler, vol. II, p. 38. Neale also attributes to Digges a related paper recommending the raising of an emergency military force of 40,000. (BL, MS Lansdowne 119, fols. 123–32.)

whether Parliament will have the power to end it. Perhaps not: 'that the sayd parlyment have power onely to geve justyce and sentence against the offenders . . .'. MS EL 1192 is a statement of what will be done, almost as if the queen were already absent from the scene. Each clause states 'that' various measures 'shall' be taken.

However, the otherwise most substantial and formal of these papers assumes the form of a petition to the queen: 'A breefe discourse against succession knowen, discovering a moste assured meane for your maiesties safete'.¹¹⁸ In the past I (and Professor Lehmberg) have attributed what the writer calls 'these rude notes and collections' to Digges. This must be a mistake, for all the affinity of the discourse to papers more confidently attributable to Digges, including a 'platt' of 21 January 1585, 'De Interregno', which may be profitably read alongside the discourse. The author of the discourse claims to utter not only as a 'faithfull subiect' but as a 'sworne servant', which seems to indicate a Privy Councillor, which is consistent with the evidence of the conference at the lord chancellor's house. I am now inclined to attribute the discourse to none other than Lord Burghley: for reasons having to do with his seniority, his known involvement in the scheme, the emphasis placed on 'a meane way', typical of the temper of his mind, and the no less typical dependence on the intellectual originality of someone else, in this case Digges.

The so-called 'breefe discourse' differs from other drafts in substituting for the Grand Council, or at least complementing it with, an executive of '5 or 7 principall persons of this land, as well spirituall as temporall', exercising, 'absolute governmente'. The supporting argument concerns on the one hand the 'commodityes' of such a device, on the other, various 'objections' and 'daungers'. Among the more arresting of the alleged 'commodities' (especially for the purposes of this essay), it is said that 'that sinister opinion of foreyn Nations, how yowr Maiestie seaketh only yowr owen safetie with owt regardes of the peryll of yowr Realme will be confuted.' (Was it only overseas that this 'sinister opinion' was entertained?) The overwhelming imperative appears to be to substitute a rational process for the blind arbitrament

¹¹⁸ Copies in PRO, SP 12/176/32; and Northamptonshire Record Office, MSS F.(M) P.96, F.(M) P.4. Stanford Lehmberg (*Sir Walter Mildmay and Tudor Government* (Austin, Texas, 1964), pp. 248–9) who attributes the brief discourse to Digges, identifies MS F.(M) P 4 as the discourse converted into a speech which Mildmay may have intended to make.

of the sword, it being all but assumed that civil war will otherwise follow the queen's death.

Given that assumption, the writer is not deterred by fears (I think Digges's fears) that experience of a Roman papal election, 'hell it selfe, every man by force defendinge his owen, all kynd of owtrageous Ryott and villanye', suggests that any interregnum would be 'monstrous' and 'disordered'; in the English case 'much more horrible', since there would be no accustomed procedure, no College of Cardinals. Moreover, it is predicted that all papists will be united in leaning one way (Mary Queen of Scots is meant), whereas faithful protestant subjects, 'true Christians', are 'uncertayne and in opinion distracted'.

Further objections, and those of the greatest constitutional interest, condemn the proposed Interregnum as an unprecedented innovation. When the fourteenth-century French estates declared in favour of Philip of Valois, Edward III, sure of his right, very properly paid no attention. As for the English Crown, it was hereditary (according to 'De Interregno', imperial, 'not subject to any but to God alone'), so that Parliament would be exceeding its powers by 'intermeddling' in the disposition of the Crown. England was not Poland, nor Denmark. A fine distinction was drawn in responding to this point. Parliament's role would not be 'to create a Prynce against right, but as grave, wise, syncere, honorable Judges to decerne of the rights', the right heir without such judgment exercised being 'not aparant'. The safety of the realm properly concerned 'a supream government called *Aristocratia*, next *Monarchy* of most perfection; the Polleticke Bodye of the Realme in full Lyfe.' 'I confess Innovations perilouse', unless they were medicinal. But the circumstances were themselves without precedent, calling for the strongest medicine.

And there were in fact many precedents of parliamentary estates playing the kind of role proposed, from English, Scottish, French, and very recent Iberian history. If Philip II had 'patiently' awaited the ruling of the estates in the case of the Portuguese crown, so had Edward III in the case of the French crown, two hundred years earlier. If the English Parliament, a 'presumptuous Parliament', had had the power in 1460 to acknowledge the usurping claims of the duke of York, *a fortiori* it could lawfully proceed in this case, empowered, as was proposed, by the reigning monarch and by Act of Parliament. But even if there had been no precedents, 'so much the more Honour' would accrue to the queen for taking an unprecedented step, 'so rare a provision', and this would be a matter of pride and satisfaction to her

successors, 'a cause to immortalize your Maiesties fame and renown with all posteritie'. Here, surely, Digges was ventriloquising through Burghley (if it was Burghley); for this was not the kind of argument we tend to associate with the Polonius-like lord treasurer.

Many other difficulties were envisaged. The proposed military force of 40,000,¹¹⁹ which would have to be deployed forthwith, would be burdensome, would be a threat to civil liberties, and might be recruited by those very contenders for the succession it was meant to deter, so many praetorian guards. The nominated five or seven 'select persons' would be resented by those not selected, those 'left out'. And members of the Grand Council would very probably fall out. The reign of Edward VI was not an encouraging precedent. Members of Parliament forced to declare for one or another 'competitor' would be afraid to speak their minds.

The author of the brief discourse was not unresourceful in argument. The last objection could be met by parliamentary voting Venetian style, by secret ballot, bills and nominations to be deposited in 'a great publicke vesell in the midst of either howse', to be taken out and read by the clerk at random and without naming names, before being burned. If the two houses were to find themselves divided, they should meet as one House, each of the peers to have the votes of three or four MPs.

But the most substantial objection of all was that, when push came to shove, there could be no guarantee that the rival claimants, and especially their foreign backers (here, again, Mary Stuart was meant), would respect these arrangements, which would depend upon goodwill, fair play and fundamental patriotism, commodities likely to be in short supply. Against this, the proponent of the scheme could only suggest that in such a worst case scenario, the country would be no worse off than if nothing had been done to prevent it. To ram home the need for emergency legislation, the discourse ends with a spine-chilling account of events across the North Sea: 'The Perills that your Maiestie and Realme standeth in untyll the State be thus settled, by example of the Prynce of Orange.'¹²⁰

Nevertheless, in these documents the ayes do not seem to have had

¹¹⁹ There is a cross-reference at this point to 'a particular Breef discourse of that matter'; i.e. BL, MS Lansdowne 199, fols. 123–32. This strengthens the case for attributing 'De Interregno' to Digges.

¹²⁰ This is followed in the copy in Mildmay's papers (MS F. (M) P. 96) by 'A conference of your majesties sacred estates Royall with this Patterne of the Prince of Orange'.

it, even in statements which were ostensibly intended to promote the interregnal strategy. 'So as this kynde of provision . . . will hardely serve to avoyde the confusion that is like to followe and settle the realme as is desired.' If the queen, in effect, vetoed these proposals, as it has been thought she did, then this may well have been one of those cases in which her negative voice registered not so much a personal view or idiosyncrasy as a perception within the regime itself of insuperable difficulty. It was very characteristic of Burghley to advance discussion of such a difficult and contentious matter by the erection of counterbalancing arguments, and in the course of that process to argue himself into a conservative and inactive position. And perhaps what everybody now decided was that the best and next thing to accomplish was the extinction of Mary Stuart.¹²¹

¹²¹ I have benefited from discussing these points with Professor Wallace T. MacCaffrey.