

The.holie.Bible.

conteynyng the olde
Testament and the newe.



*Non me pudet Euangely Christi
Virtus enim Dei est ad salutem
omni credenti Rom. 1. 16*

ELIZABETHAN ESSAYS

PATRICK COLLINSON

THE HAMBLEDON PRESS
LONDON AND BIG GRANDE

The Monarchical Republic of Queen Elizabeth I

I first met Professor Neale (as he was always content to be known) on a Monday evening in early October 1952,¹ in the England Room of the Institute of Historical Research. I had just come down from Cambridge and Neale seemed pleased with this rare recruit from one of the ancient universities, although most of the new 'Tudorbethans' of that cohort had received a superior education at his own University College. After the regular Monday evening seminar we arranged to meet to discuss a topic. 'Hurstfield!' he said to the late Joel Hurstfield who was standing nearby, 'tell him where my room is. You know where my room is.' One recalls such trivial circumstances in vivid detail, even if one's name is not Richard Cobb. Going down the stairs, an American woman said: 'Don't let him give you something *awful*.' This was helpful, for I was in the foolish position of the acolyte researcher who does not know what he wants to research. I only knew that I wanted to work under Neale, and that was because someone had suggested it. But the outcome could not have been happier. Although Dr A.L. Rowse is not unique in regarding the Puritans as a truly *awful* subject (my wife shares his view), they have kept me out of mischief ever

¹ The title of this collection has been used at least once before. In 1957 J.E. Neale published his own *Elizabethan Essays*. Neale, who had recently retired from the Astor Chair of English History at University College London, was both the supervisor (from 1952) and examiner (in 1957) of my Ph.D. thesis, 'The Puritan Classical Movement in the Reign of Elizabeth I'. In 1955-6 I was his research assistant, completing the editorial work of Miss Helen Miller on the Elizabethan parliamentary diaries and other materials now in the course of publication by Dr Terry Hartley and the Leicester University Press as *Proceedings in the Parliaments of Elizabeth I*. Neale continued to take a flattering and, as it were, fatherly interest in my work. It was largely thanks to him that my first substantial book was published by the firm of Jonathan Cape with which he was so closely linked. This was *The Elizabethan Puritan Movement* (1967). And but for Neale my biography of Archbishop Grindal, which followed in 1979, would not have been published by Cape or, in all probability, by anybody else. We discussed the desirability of *Archbishop Grindal* seeing the light of day on the last occasion on which we met, at his house in Beaconsfield, in 1974. Sir John Neale has been commemorated in two annual memorial lectures, one at Manchester, where he taught at an early stage of his career, the other at University College London.

The two essays which follow derive from the Neale lectures which I was invited to deliver in Manchester in 1986 and at U.C.L. in 1987. It will be clear from the opening remarks on both occasions that I continue to hold in high regard and even some retrospective affection a scholar and

since. And but for Jimmy Neale, as everyone called him,² it would not have happened. 'Collinson,' he said, after a while, 'I like to think of you spending the rest of your life on this subject!' And although I laughed 'within myself', like Abraham's wife Sarah when the angel announced her pregnancy (Genesis 18:12), Neale, like the angel, was right. Incidentally, the highest praise Neale could confer on anyone was that he wrote 'like an angel'. He liked my style but did not find it angelic.

My topic was not the only thing I owed to Neale. He was not an intrusive supervisor and to a considerable extent one was left to one's own devices. The thesis, when at last it came together, was emphatically all one's own work, not ghosted by the supervisor. But what Neale *did* impart and in generous manner, pressed down and running over, was enthusiasm and encouragement. You were made to feel that perhaps tomorrow you would make that notable discovery which had eluded all earlier historians of the subject: perhaps another minute book of a clandestine presbyterian classis, to match the Dedham Minutes which first brought me to Manchester (Rylands English MS 874). Nowadays, what might be called the 'dark continent' approach to history – pushing into the interior in the hope of discovering some hitherto unsuspected tribe, or species, or waterfall – is denigrated for its conceptual and methodological naivety, and suspect for its complacent practice of the bourgeois ethic of possessive individualism. It must be said, with due deference to the late Sir John Neale, that in many respects it was (and is) a magnificent and fruitful tradition, kept alive and in good heart by some of Neale's severer critics.

II

The Monarchical Republic of Queen Elizabeth I is a phrase with which Neale would not have been altogether happy. To explain it it will be helpful to travel to Swallowfield, a place equidistant from Reading and Wokingham, physically within Berkshire but by an odd anomaly politically part of Wiltshire, which meant that the village was almost outside the scope of normal local government. That was the occasion for a town meeting held on 4 December 1596, when Swallowfield constituted itself, in effect, a self-governing republic of the 'chief inhabitants'.³ Further and regular assemblies were planned, at which those present were to speak in order of rank and without fear of interruption: for 'none of us is ruler of himself, but the whole company or the most part is the ruler of us all'. Procedures were

² I believe that the nickname derived from certain early concert party performances which became linked with the character of Sunny Jim as depicted on packets containing the breakfast cereal Force. Not long after the conferment of his knighthood, John Ernest Neale was referred to in print as 'Sir James Neale', H.J. Habakkuk, 'The Market for Monastic Property, 1539-1603', *Economic History Review*, 2nd ser., 10 (1958), p. 363.

³ Huntington Library MS FI 6162, fols 24v-26r.

adopted for dealing with a variety of common offences and abuses: strife between neighbours, bastardy, alehouse disorders, marriage between young people 'before they have a convenient house to live in', and 'malapert' insubordination on the part of the unruly poor. If all else failed, offenders in these and other respects were to be reported to the justices. But in the normal course of events, Swallowfield hoped to govern itself. For 'we will be esteemed to be men of discretion, good credit, honest minds, and christianlike behaviour, one towards another.'

'Self-government at the king's command' was what a great historian taught us to call that kind of thing, whether at the level of Swallowfield or of the gentry republics which comprised the regime in so many Elizabethan counties.⁴ It has become a weary cliché, and yet we are far from having exhausted its implications. Swallowfield's ringing affirmation, the voice of all village Hampdens, 'we will be esteemed to be men of discretion', anticipated the voice of the Clubmen who a generation or two later rose in the agony of the Civil War to defend their homes against the marauding armies of both sides. In Dorset the Clubmen resolved to be represented in every parish by 'three or more of the ablest men for wisdom, valour and estate, inhabitants of the same'.⁵

Swallowfield and the Dorset Clubmen demonstrate the vitality in early modern England of traditions of localised self-government, involving men of very humble status. This was a salient feature of its political culture.⁶ It could no doubt be demonstrated that in this society more considerable sums of money were collected and disbursed for public purposes locally than ever found their way to the Exchequer in the form of national taxation. When the sea broke through the flood banks at Terrington in Norfolk in 1600, the cost of repairs was put at £2000, a sum equivalent to almost three quarters of one per cent of the annual ordinary revenue of the Crown at that time. The Norfolk bench subsequently reported that the damage could be made good for a mere £700, 'which some, wee are credibly informed,

⁴ See Diarmaid MacCulloch, *Suffolk and the Tudors: Politics and Religion in an English County, 1500-1600* (Oxford, 1986); and, on the successful 1553 revolution of this 'local ruling establishment' against Westminster, Dr MacCulloch's edition of 'The Vita Mariae Angliae Reginae of Robert Wingfield of Brantham', *Camden Miscellany*, 28, Camden 4th ser., 29 (1984), pp. 181-301. Dr MacCulloch's account of a gentry republic which worked pretty well may be contrasted with Professor A. H. Smith's study of neighbouring Norfolk, which indulged more recklessly and openly in factional struggle, *County and Court: Government and Politics in Norfolk, 1558-1603* (Oxford, 1974). On parliamentary aspects of gentry republicanism, see Mark A. Kishlansky, *Parliamentary Selection: Social and Political Choice in Early Modern England* (Cambridge, 1986).

⁵ John Morrill, *The Revolt of the Provinces: Conservatives and Radicals in the English Civil War, 1630-1650* (1976), p. 199. Compare Diarmaid MacCulloch's account of 'Alternative Patterns of Politics', chapter 11 of his *Suffolk and the Tudors*.

⁶ Keith Thomas, 'The Levellers and the Franchise', in Gerald Aylmer, ed., *The Interregnum*

maie be easily borne by the land occupiers of the said towne.⁷ If the little community of Terrington could 'easily' find £700 (and in the end it was obliged to spend £500 on inadequate stopgap repairs) it is not clear why the 9 or 10,000 Terringtons which made up Elizabethan England could not between them have provided the queen with an annual income of 5 or 6 million pounds, 50 times what it in fact was. But Elizabethan England was not that kind of polity. In 1621 James I, who had put a price tag on the coming war with Spain of as much as a million pounds in one year, was told that all England did not contain so much money.⁸ Nowadays, central government claims the power through rate-capping to curb expenditure by local government. In the sixteenth century, it was the locality which habitually starved the centre of resources, and had the capacity, through tax strikes, to bring national governments to their knees.

III

When Picasso came to Sheffield to attend a peace rally, he sat on the platform making sketches and dropping them on the floor. Nobody picked them up. These preliminary sketches – Swallowfield and Terrington – can lie where they have fallen. Our subject is neither local government nor village republics but the political culture of England at its centre and summit, in the age of Elizabeth I. Swallowfield has been invoked because its situation was that of all England in miniature, at this critical moment. As an enclave of Wiltshire isolated in Berkshire, the town was practically without magistrates and had to make arrangements for its own government: and this it did by means of a town meeting of the kind later set up in the vastly greater isolation of New England. And yet it was doubtless the case that a thousand other villages with a similar social structure, lacking a resident magistrate or gentleman, had the capacity to do something similar, in effect to constitute themselves republics, and a good many did, if with less formality. But the whole commonwealth – or republic – of Elizabethan England was potentially in a situation where the chief magistrate might be not merely 'far off' but totally absent, non-existent. This would have been the state of affairs (which many Elizabethans for much of their lifespan thought more likely than otherwise) if the queen had died suddenly and violently, leaving the vacuum of an uncertain succession behind her.

The sketches with which I shall end have to do with that scenario and with the political responses to it. They will not have the spontaneous originality of Picasso's idle scribbles on a Sheffield platform. We all know that Elizabeth I was a woman and that she died unmarried and without issue, the last of her immediate family line, dynastic ambitions unfulfilled because

⁷ Smith, *County and Court*, pp. 98-9.

⁸ Conrad Russell, *Parliaments and English Politics, 1601-1629* (Oxford, 1979), p. 100.

she had none. But the consequences of her singular endgame for the perceived political future of her people are not always squarely faced. The reason is not far to seek. Elizabeth's subjects professed to be so dazzled by their queen's regal splendour as to be incapable of looking beyond her or of contemplating any feature of their political culture other than her radiant presence. Peter Wentworth dared to say in the House of Commons that 'none is without fault, no not our noble queen', but he was not suffered to continue with his speech.⁹ The lawyer and parliament man Thomas Norton, languishing under house arrest, reflected: 'Lord! how I wonder at my self that I shold offend my Queen Elizabeth! and therefore no marvel though all the world wonder at me, that wonder at my self.' Laurence Humphrey had written in the opening moments of the reign: 'We aduance not your might, not your arme, not your wisdom, but wonder at your weaknes and infirmity.'¹⁰ Later he knew better. When we read John Aylmer's apology for Elizabeth's fitness to rule, composed in 1559, along the lines that the government of a woman was tolerable because in England it would not be so much her government as government in her name and on her behalf,¹¹ we feel sorry for the poor man, who in spite of having served as a tutor to royal and semi-royal personages had to wait another eighteen years for his bishopric. One might as well have justified the government of Mrs Thatcher on the grounds that her cabinet could be trusted to keep her in order.

Historians for the most part share in the general bedazzlement and Neale it must be said, was more uncritical than most. 'This woman', he wrote on one occasion, 'was as vital as Winston Churchill.'¹² Like the older, Victorian, historians J.A. Froude and Bishop Creighton, I am sometimes tempted to exclaim about 'this' or 'that woman' – and to leave it at that. Lest I offend, I hasten to explain that I have no motive to reduce Elizabeth in stature, or to diminish her vitality, if such a thing were possible. I know that her power to overawe, having first won the devotion of those personally and politically closest to her, has rarely been equalled.

Whether this power was predominantly personal, what Max Weber called 'charismatic', or was encased in the office itself and so more traditional, we cannot say. Sir Thomas Smith observed that the prince (in principle, any prince) 'is the life, the head and the authoritie of all thinges that be doone in the realme of England'. The kings of England were 'farre more absolute then either the dukedome of Venice is, or the kingdome of

⁹ J.E. Neale, *Elizabeth I and her Parliaments, 1559-1581* (1953) [henceforth Neale I], pp. 318-26.

¹⁰ Thomas Norton to William Fleetwood, 8 January 1582, BL, MS Add. 48023, fol. 49 r; Laurence Humphrey, *The nobles, or of nobilitye* (1563), sig. Aii v.

¹¹ John Aylmer, *An harborowe for faithfull and trewe subiectes* ('at Strasborowe' but recte London, 1559), sigs. H3-4 r.

¹² J.E. Neale, *Essays in Elizabethan History* (1958), D. 124.

the Lacedemonians was'.¹³ Constitutionally speaking, this was faultless. Everything which was done, publicly and by due legal authority, was in a sense done by the monarch. The legislation of Henry VIII admitted of no rival, no alternative government. If there had been doubt on that score in 1533 it was gone by 1536. But although personal monarchy under the Tudors was often literally personal, Smith was giving expression to what Kantorowicz called 'an abstract physiological fiction',¹⁴ and it is a naive mistake to convert that fiction into a statement of simply literal fact, as if the queen really did attend personally to everything of any consequence which was done in her name. The Jesuit Philip Caraman published an anthology illustrating the experience of the Elizabethan Catholics under the title *The Other Face* (1960). My concern is with the 'other face' of Elizabethan public life, the Elizabethans without Elizabeth. For if Smith described the queen as 'the life, the head and the authoritie of all thinges that be doone in the realme of England', he also defined England, politically, as 'a society or common doing of a multitude of free men collected together and united by common accord and covauntes among themselves for the conservation of themselves aswell in peace as in warre'.¹⁵

That sounds like a good description of a republic, and both statements appeared in a book to which Smith gave the title *De Republica Anglorum*. To be sure, *republica* in sixteenth-century parlance did not mean, as it has meant since the late eighteenth century, a type of constitution incompatible with monarchy. It was simply the common term for what we call the state. Smith's book was entitled in its English version *Of the Commonwealth of England* and that was a perfectly neutral term, albeit one which the Henrician Thomas Elyot in *The booke named the governour* (1531) found dangerously plebeian in its implications, preferring 'public weal'.¹⁶ Nevertheless, that staunch republican Machiavelli – equally no democrat – would have recognised in Elizabethan England a species of republic, what the Englishman Thomas Starkey called 'living together in good and politic order',¹⁷ not a kind of tyranny or despotism: a state which enjoyed that measure of self-direction which for him was the essence of liberty, but with a constitution which also provided for the rule of a single person by hereditary right. This needs to be said, since historians used to talk about a 'Tudor despotism' and an attempt was made a few years ago to revive this

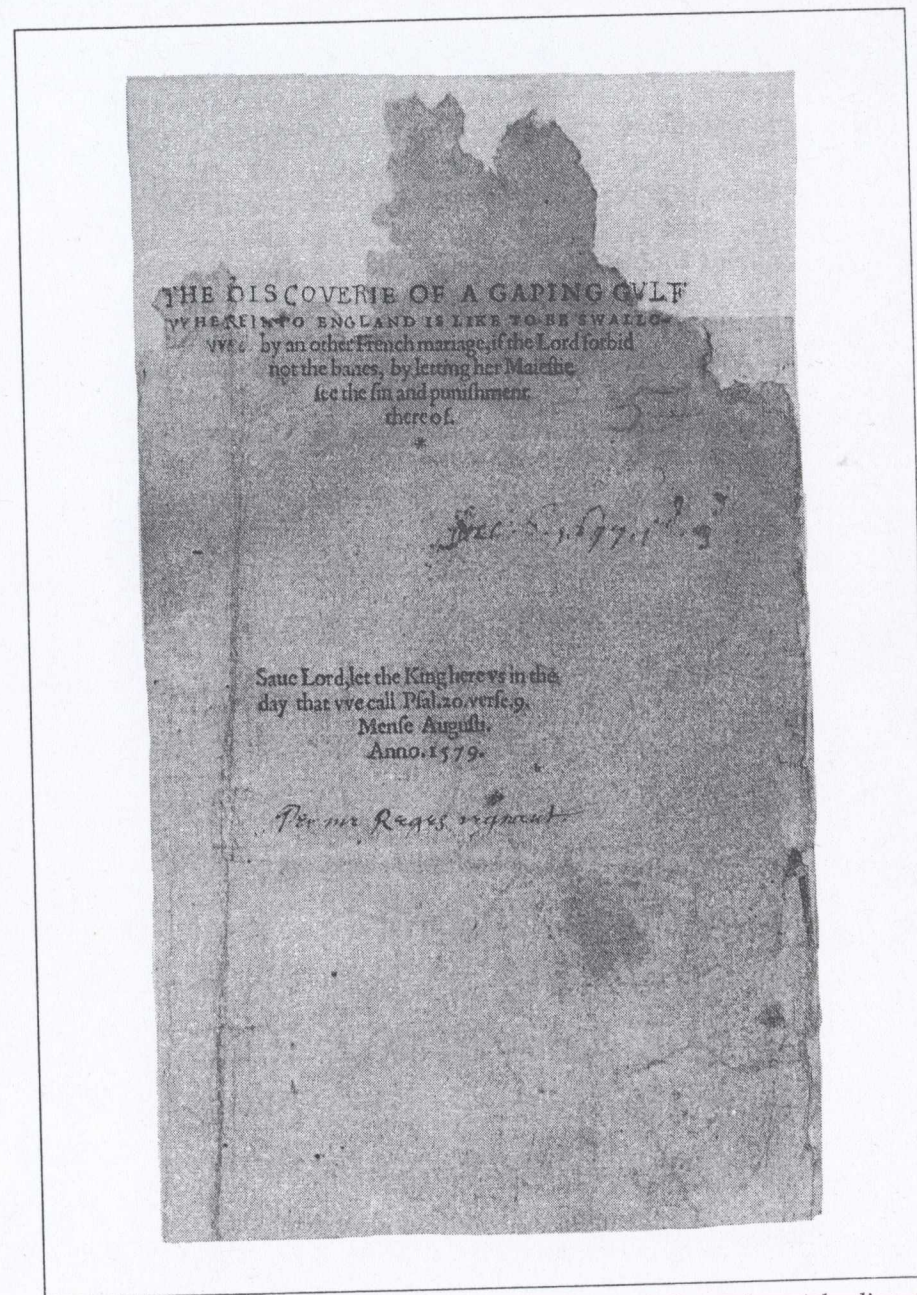
¹³ *De Republica Anglorum* by Sir Thomas Smith, ed. Mary Dewar (Cambridge, 1982), pp. 88, 85.

¹⁴ Ernest H. Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, 1957), p. 4.

¹⁵ *De Republica Anglorum*, p. 57.

¹⁶ Michael Mendle, *Dangerous Positions: Mixed Government, the Estates of the Realm, and the Making of the Answer to the XIX Propositions* (University, AL, 1985), p. 43.

¹⁷ Quoted, Quentin Skinner, *The Foundations of Modern Political Thought* (Cambridge, 1978), i.



John Stubbs' *Gaping Gulf* is an excellent example of 'forwardness' leading to 'frowardness' (see 'Puritans, Men of Business and Elizabethan Parliaments'). Stubbs' outspoken attack on the Anjou marriage cost him his hand and William Page, who distributed the book, suffered the same fate. Both sat in the House of Commons minus their right hands. A reader has noted 'per me Reges regnant' a slogan for

unpromising and unhelpful phrase.¹⁸ It is a striking circumstance, recently underlined in a study of Charles I's *Answer to the xix propositions*, that in sixteenth- and seventeenth-century England it was possible to use the language of classical republicanism in order to deny that England was a republic.¹⁹

The very fact that 'republic' was an acceptable term for a variety of political systems in itself implies an important historical-etymological assumption about the origins of government, as well as the perseverance of the doctrine, to be found in Plato, that monarchy, aristocracy and democracy in their pure forms are all less desirable than a judicious blend of all three. So the Elizabethan Bishop Aylmer asserts that

the regiment of England is not a mere monarchie, as some for lacke of consideration thinke, nor a meere oligarchie, nor democracie, but a rule mixte of all these ... thimage whereof, and not the image but the thinge in deede, is to be sene in the parliament house, wherin you shall find these three estates.²⁰

None of this impresses John Pocock in his account of the origins of republicanism among the English-speaking peoples called *The Machiavelian Moment*. Pocock is satisfied that in sixteenth-century English thought the theory of corporate rationality served merely as an ideal and historical account of how political society had begun, and of how the single ruler emerged whose government subsequently excluded the intelligent participation of the subjects. In no way was Tudor England a *polis* or its inhabitants citizens.²¹ Nor, according to Pocock, did conciliar government ever imply an acephalous republic. Every privy councillor took a separate oath to the monarch and gave counsel severally, each sitting in his place. To strengthen Pocock's point it may be noted that the death of the monarch, who in life had an absolute discretion and power to summon and dissolve parliament, led to an immediate dissolution of any parliament which might have been in session at that moment, which happened on 17 November 1558. Only a new monarch could renew and revive governmental and political activity, by appointing a new council and (only if he or she chose) summoning parliament. The implication is that the commonwealth of England had no existence, apart from its head. If so, then the origins of 'civic consciousness' must be sought outside the political economy of the sixteenth century, in exceptional modes of thought, mostly religious, which is where Pocock

¹⁸ Joel Hurstfield, 'Was there a Tudor Despotism After All?', in *Freedom, Corruption and Government in Elizabethan England* (1973), pp. 23-49.

¹⁹ Mendle, *Dangerous Positions*, p. 15.

²⁰ Aylmer, *An harborowe*, sig. H3 r.

²¹ J.G.A. Pocock, *The Machiavelian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, 1975). But see A.B. Ferguson, *The Articulate Citizen and the English Renaissance* (Durham, NC, 1965), esp. pp. 42-69.

looked for them. *Coriolanus* was written for an audience familiar with the notion of a balanced republic but not itself republican, nor experiencing republicanism. Nevertheless, we must take care not to underestimate both the political sophistication and the political capacity of high Elizabethan society, a society which had cut its political teeth in the acephalous conditions of Edward VI's minority. We should also not forget about Swallowfield.

IV

At this point, and before returning to the sketch pad, I shall offer a kind of manifesto on the subject of Elizabethan history and historiography, consisting of five points:

- (1) In the phrase 'the queen and her ministers', the copulative usually serves to weld the two elements indissolubly together, as if it scarcely matters how they interacted. Thus the Elizabethan religious settlement is attributed to 'the queen and her advisers', or to 'the queen and Cecil', as if they were the front and rear legs of a pantomime horse. Neale departed from this tradition when he attributed the shaping of the settlement (which, since it made England a Protestant state, is no trivial circumstance) to an independent political initiative taken against the queen by a strongly Protestant House of Commons.²² Now that brilliant reconstruction of poorly documented transactions in the first Elizabethan parliament (which Neale never represented as anything more than a plausible hypothesis) has been demolished. The religious settlement looks like government policy after all.²³ But the question who, in the inner counsels of government, whether at court or council board, determined that policy remains not only unanswered (and probably it cannot be answered) but so far unasked.
- (2) Sir Geoffrey Elton, addressing himself to the Elizabethan parliaments in general, describes the more active elements in the Commons as cooperating and interacting with the privy council, or with particular councillors and courtiers. In the helpful perception of Elton and his pupils this means that they cease to be figures of opposition and become 'men of business'.²⁴ But it is not clear why that should make the true history of the Elizabethan parliaments any less political, and Elton has declared it to be a history which

²² J.E. Neale, 'The Elizabethan Acts of Supremacy and Uniformity', *English Historical Review*, 65 (1950), pp. 304-32; Neale I, pp. 51-84.

²³ Norman L. Jones, *Faith by Statute: Parliament and the Settlement of Religion 1559* (1982); Winthrop S. Hudson, *The Cambridge Connection and the Elizabethan Settlement of 1559* (Durham NC, 1980).

²⁴ M.A.R. Graves, 'The Management of the Elizabethan House of Commons: The Council's "Men-of-Business"', *Parliamentary History*, 2 (1983), pp. 11-38; idem, 'Thomas Norton the Parliament Man: An Elizabethan M.P., 1559-1581', *Historical Journal*, 23 (1980), pp. 17-35. Cf. G.R. Elton,

was not political at all.²⁵ Surely our new and more sophisticated understanding of these parliaments makes them more, not less political: although the politics is now seen to have been one of differences and contentions within a regime, not of 'government' versus 'opposition'.

(3) 'Regime' has proved a helpful expression, particularly as employed by Professor Wallace MacCaffrey in his book *The Shaping of the Elizabethan Regime*, which describes the coming together and settling down together of a group of politicians to form a collective, quasi-organic and, for some considerable time, stable governing group. A similar approach to Elizabethan public life, owing something to Washingtonian studies of the making and unmaking of presidencies, is adopted by Professor Winthrop Hudson in his book on the religious settlement. But these are (significantly) the insights of American scholarship. English historians use 'regime' in a different sense, as in Dr Penry Williams's admirable study *The Tudor Regime*,²⁶ in which a chapter called 'The Servants of the Crown' discusses the acquisition and enjoyment of office by individuals and the performance of functions by individual office-holders, but not the workings of a regime in MacCaffrey's sense.

(4) The currently fashionable topic of court faction, the tendency of the regime, of perhaps any regime, to divide against itself, is also helpful and has been ever since Neale delivered his famous Raleigh Lecture on 'The Elizabethan Political Scene'.²⁷ But too much attention has been paid to factional in-fighting as the main principle of politics, too little to the practical cooperation of leading members of the regime, its centripetal rather than centrifugal tendencies.²⁸ In particular, Lord Burghley and the earl of Leicester are supposed to have been mortal enemies and leaders of mutually exclusive rival factions, anticipating the deadly struggle of Elizabeth's declining years between Burghley's son Robert Cecil and Leicester's step-son and legatee, Essex. Conyers Read believed that in the 1570s the Privy Council was effectively polarised.²⁹ Yet Leicester could write to Burghley as he did in July 1584, apologising for an impromptu descent made by himself and his countess on the lord treasurer's house at Theobalds, at three o'clock in the afternoon, 'without any jote of warning in the world': 'I have byn bold to make some of your staggas afrawd but

²⁵ G.R. Elton, 'Parliament in the Sixteenth Century: Functions and Fortunes', *Studies in Tudor and Stuart Politics and Government*, iii (Cambridge, 1983), pp. 156-82.

²⁶ W.T. MacCaffrey, *The Shaping of the Elizabethan Regime* (Princeton, 1968); Hudson, *The Cambridge Connection*; Penry Williams, *The Tudor Regime* (Oxford, 1979).

²⁷ J.E. Neale, 'The Elizabethan Political Scene', in *Essays in Elizabethan History*, pp. 59-84.

²⁸ Simon L. Adams, 'Faction, Clientage and Party: English Politics, 1550-1603', *History Today*, 32 (1982), pp. 33-9; S.L. Adams, 'Eliza Enthroned? The Court and its Politics', in *The Reign of Elizabeth I*, ed. C. Haigh (1984), pp. 55-77.

²⁹ Conyers Read, 'Walsingham and Burghley in Queen Elizabeth's Privy Council', *English Historical Review*, 28 (1913), pp. 34-58.

kyllled none. Yf I had your lordship should have been presentyd with our good fortune'.³⁰ These are not the words of implacable enmity.

It should also be said that altogether too much deference is paid to the report of the Jacobean Sir Robert Naunton, made a quarter of a century after Elizabeth's death, that factions were devices by which the queen strengthened her own rule, making and unmaking them 'as her own great judgment advised'.³¹

(5) The subject of my fifth and final affirmation is policy. It is often said that Elizabethan policy was the queen's policy, in the sense that she alone determined what was to be done, or, as often as not, not done.³² No doubt. But this directs attention away from policy discussion and policy making, and it buries in oblivion the interesting matter of policies which were constructed but never implemented. In 1577 the English ambassador in the Low Countries received welcome news that Robert Dudley, earl of Leicester, was to cross the North Sea with an expeditionary force. 'This is his full determination, but yet unknown unto her Highness, neither shall she be acquainted with it until she be fully resolved to send...'³³ And of course Elizabeth was *not* at that time 'fully resolved' to send a single soldier to the Netherlands. A few months later rumours still persisted that Leicester was about to embark with 10,000 men. But a ranking government official who gave currency to the report added: 'I would this were a true prognostication.'³⁴

Another not untypical episode occurred in April 1580, when Sir Francis Walsingham wrote to the queen's viceroys in the north to advise them that the privy council had thought fit to despatch a thousand troops to the borders to shore up a crumbling Scottish policy. But 'when ytt came to hyr Majesties consent she wolde none of ytt' and proceeded to cut the force by half, to five hundred men. Later the same day she thought better of this – and decided to send no troops at all. Before news of this second decision had reached Walsingham, and when he still expected to have some force at his disposal, he had signed and sealed a letter which said this: 'I see that Scotland is clene lost and a great gate opened whereby for the losse of Ireland. My lords here have carefully and faithfully discharged their dueties in sekinge to stave this dangerous course, but God hath thought good to dispose other wyse of thinges, in whose handes the heartes of all princes are.'³⁵ On another occasion Walsingham wrote: 'I am sorrye to thincke of the dayngerouse inconveniences lykely to issue by thes straynge

³⁰ PRO, S.P. 12/172/37.

³¹ Sir Robert Naunton, *Fragmenta Regalia*, ed. E. Arber, English Reprints (1870), pp. 16-17.

³² W.T. MacCaffrey, *Queen Elizabeth and the Making of Policy, 1572-1588* (Princeton, 1981).

³³ PRO, S.P. 15/25/35.

³⁴ PRO, S.P. 15/25/74.

³⁵ Lord Hunsdon to the earl of Huntingdon, 14 April 1581; Sir Francis Walsingham to

courses: but I see no hope of redresse. God dyrect her Majesties harte to take an other waye of counsell...'³⁶

'God open her Majesty's eyes' is consequently a recurring refrain in the state papers of the period, and it built up in the Victorian historian Froude a strong prejudice against the queen and an indignant sympathy for her ministers.

Vain as she was of her own sagacity, she never modified a course recommended to her by Burghley without injury both to the realm and to herself. She never chose an opposite course without plunging into embarrassments from which his and Walsingham's were barely able to extricate her. The great results of her reign were the fruits of a policy which was not her own, and which she starved and mutilated when energy and completeness were most needed.³⁷

That was unfair in its exaggeration, but anyone who has read the state papers knows why and how Froude arrived at such a verdict.

My manifesto concludes with two comments. If Leicester could complain, as he did in 1578, that 'our conference with her Majesty about affairs is both seldom and slender',³⁸ that implies a high-handed autocracy which councillors found unacceptable and which limited their capacity to be useful. Elizabethan government was often government without counsel, or with unorthodox or irregular counsel. But it also suggests that the privy council, with whatever futile consequences on some occasions, was in a position to contemplate the world and its affairs with some independent detachment, by means of its own collective wisdom and with the queen absent: headless conciliar government. Secondly, one does not have to share Froude's low estimation of the queen's effectiveness and decisiveness (and what we now know of the conduct of the Spanish War in the 1590s makes it impossible to agree with Froude unreservedly)³⁹ to perceive that at times there were two governments uneasily coexisting in Elizabethan England: the queen and her council, the copulative now serving to distance rather than unite two somewhat distinct poles of authority, as it were the magnetic pole and the true pole. This is not to say that for much and perhaps most of the time the queen and her sworn advisers did not participate harmoniously and constructively in the conduct of public business.

³⁶ PRO, S.P. 12/175/35.

³⁷ J.A. Froude, *History of England from the Fall of Wolsey to the Defeat of the Spanish Armada* (n.d.), xii, p. 508.

³⁸ Quoted, Williams, *Tudor Regime*, p. 32.

³⁹ R.B. Wernham, *After the Armada: Elizabethan England and the Struggle for Western Europe, 1588-1595* (Oxford, 1984). And now see Wallace T. MacCaffrey, *Elizabeth I, War and Politics, 1588-1603* (Princeton, 1992).

V

Elizabethan England was a republic which happened also to be a monarchy: or vice versa. The dichotomy is suggested by one of several 'devices' or memoranda proposing administrative reforms, drawn up at the start of the reign but apparently dating from the acephalous conditions of Edward's time. In this 'Ordre for Redresse of the State of the Realme',⁴⁰ one senses a political society taking stock and ordering itself with an attempt at efficiency and rationality. Totally new connections are proposed between court and council, and between both council and court and the country, thus on paper solving some of the most vexing problems of Tudor and Stuart government. But our concern is not so much with the details of this green paper, important though they are, but with the fact that it seems to have been an afterthought that the whole scheme would require royal approval if it were to take effect. For another hand has written in the margin: 'It would do well if it might please the prince to...', and so the memorandum is made to flow on from that essential precondition.

We return to the sketch pad and to two images of the other, non-adulatory face of Elizabethan politics, two moments in the sense that political scientists speak of convulsive episodes in history: 1572 and 1584. Students of Elizabethan history have been here before and the furniture and decorations are familiar: the queen's safety, the succession crisis, Mary, Queen of Scots. Yet what has sometimes been omitted from the story is the readiness of the political nation, including its leading statesman, William Cecil, Lord Burghley, to contemplate its own immediate political future, a future not only without Queen Elizabeth but without monarchy, at least for a season. This was the Elizabethan Exclusion Crisis.

To take the measure of our two moments something must first be said about what is vulgarly called 'resistance theory' but which is better described as the polemical critique of monarchy. No such critique is supposed to have survived the scorching sun of Elizabeth's benign rule except among certain marginalised Catholic elements.⁴¹ The Protestant resistance theses of Knox, Goodman and Ponet were now as redundant as the Communist Manifesto at a Conservative Party Conference. By all her true Protestant subjects, Elizabeth was adored with unwavering devotion. Even if their

⁴⁰ Huntington Library, MS EL 2625. Another version of this essay, diverging substantially from it, bears the endorsement 'the xvth of Maii 1559. Toching the redresse of the comyn welth' (Huntington Library, MS EL 2580). I have benefited from discussing these documents with Dr Peter Roberts and Dr David Starkey.

⁴¹ But see Gerald Bowler, 'English Protestant and Resistance Writings, 1553-1603' (unpublished London Ph.D. thesis, 1981) and his article "'An Axe or An Acte": The Parliament of 1572 and Resistance Theory in Early Elizabethan England', *Canadian Journal of History*, 19 (1984), pp. 349-59.

queen had not been a paragon of all conceivable virtue, resistance, criticism almost, would have been unthinkable. Churchgoers were taught by the Homily of Obedience that rebellion was worse than the worst government of the worst prince.⁴² This was the outward face of Elizabethan political ideology. But there was another face, an anti-monarchical virus which was part of the legacy of early sixteenth-century humanism. Had not Erasmus preferred the 'lofty-minded beetle' to both eagle and lion, making the meaning of his imagery quite clear in a frankly mordant attack on 'people-devouring kings'? 'They must be called gods who are scarcely men, ... magnificent when they are midgets, most serene when they shake the world with the tumults of war and senseless political struggles'.⁴³

Elizabeth was not actively resisted by her Protestant subjects but it does not follow that there was no ideological capacity for resistance, just as it would be a serious mistake to infer from the second Elizabethan peace that this country had no nuclear capability between 1951 and the 1980s. In fact, important weapons of resistance theory were still serviceable, like so many threatening missiles hidden in their siloes. These included the conviction that monarchy is a ministry exercised under God and on his behalf; that it is no more and no less than a public office; that as a public officer the monarch is accountable, certainly to God and perhaps to others exercising, under God, other public offices of magistracy or respecting an overriding and transcendent duty to God himself; and that there is a difference between monarchy and tyranny. Sir Francis Hastings noted these points of doctrine delivered at a Leicestershire sermon:

The Magistrate is the minister of God and must submit him selfe to his worde as a rule to directe him in all his government... The Magistrate must commande in the Lorde. The subiecte must obey in the Lorde... Obedience, what it is: it is due unto the Lorde only.⁴⁴

When the lawyer and parliamentarian Thomas Norton advised his son (writing under house arrest in December 1581): 'I have no dealing with the

⁴² *Sermons or Homilies, Appointed to be Read in Churches* (1811 edn), pp. 124-38.

⁴³ The references are to the adage 'Scarabeus aquilam quaerit': Margaret Mann Phillips, *Erasmus on his Times: A Shortened Version of the 'Adages' of Erasmus* (Cambridge, 1967), pp. 47-72. To read this adage in connection with the allegorical passage in Spenser's *Shepherd's Calendar*, in which the downfall of Archbishop Grindal is approximated to the classical legend of the eagle dropping a shellfish (or tortoise) on the bald head of Aeschylus in mistake for a stone, is to appreciate Spenser's barely suppressed republicanism. Erasmus uses this tale to demonstrate that the eagle, cruelly rapacious rather than truly courageous, is also myopic rather than 'eagle-eyed'. 'Anyone who considers all this will almost declare that the eagle is unworthy of being taken as an example of kingly rule.' On Grindal and Spenser, see Patrick Collinson, *Archbishop Grindal, 1519-1583: The Struggle for a Reformed Church* (1979), pp. 275-6; Paul E. McLane, *Spenser's Shepherd's Calendar: A Study in*

queen but as with the image of God'; and when he wrote to another correspondent 'it is the onely religion of God that knitteth true subiectes unto her',⁴⁵ his words would not have pleased Elizabeth entirely, if she had pondered their implications. In translating Calvin's *Institutes* the same Norton chose to speak of 'the outraging licentiousness of kings' as that fault which parliamentary estates existed to correct. Peter Martyr's *Commentary on Romans* (in English translation in 1568) spoke of inferior magistrates 'putting down' and 'constraining to do their duty' princes who transgressed 'the endes and limits of the power which they have received'.⁴⁶

Quentin Skinner writes of 'a few wisps' of resistance theory lingering on in the marginalia of the most popular Elizabethan version of the Bible, the Geneva Bible. That is too dismissive. Geneva Bible readers were taught from sundry Old Testament examples that God takes vengeance on tyrants, even in this life. Queen Jezebel's example of 'monstrous cruelty' was delivered to us by the Holy Ghost that we should abhor all tyranny and (a telling point) especially in a woman. Her terrible death was a spectacle and example to all tyrants. When David refused to kill Saul on the grounds that he was the Lord's anointed, the Geneva Bible turned the apparent moral upside down. It would have been wrong for David to have slain the king in his own private cause, but as a public act it would have been lawful: 'for Jehu slew two kings at God's appointment, 2 Kings 9:24'.⁴⁷ It would be wrong to label, still less to dismiss such sentiments as 'Puritan' and therefore peripheral. The note on David's sparing of Saul was repeated without alteration in the Bishops Bible, the official version, as was a highly acerbic comment on King Asa who spared the life of his own wicked and usurping mother (2 Chronicles 15:16). The note reads: 'Herein he shewed that he lacked zeale: for she ought to have dyed both by the covenant and by the lawe of God, but he gave place to foolish pity.' This was the passage in the Geneva Bible which so offended James I, and for the most understandable of reasons. For was not his mother in the eyes of many a wicked usurper, and had he not consented unto her death? But James could have found the same comment in the Bishops Bible and it survived without alteration in the Authorised (or King James) version of 1611.⁴⁸ According to Dr Bowler, its

⁴⁵ BL, MS Add. 48023, fol. 33.

⁴⁶ Bowler, 'English Protestant and Resistance Writings', pp. 305-7.

⁴⁷ Skinner, *Foundations of Modern Political Thought*, ii, pp. 221-2; Geneva Bible annotations to 1 Kings 21:15; 2 Kings 9:33; 1 Samuel 26:9. By contrast, the second part of the Homily of Obedience taught that David was absolutely inhibited from harming Saul. 'But holy David did know that he might in no wise withstand, hurt or kill his sovereign lord and king ... Therefore, though he were never so much provoked, yet he refused utterly to hurt the Lord's anointed', *Sermons or Homilies*, pp. 131-2.

⁴⁸ Bowler, 'English Protestant and Resistance Writings', pp. 291-9. See also Richard L. Greaves, 'Traditionalism and the Seeds of Revolution in the Social Principles of the Geneva Bible', *Sixteenth-*

author was none other than Edwin Sandys, who ended his days as archbishop of York, no longer a radical in reputation or spirit but, as an old Marian exile, unreconstructed in his opinions.

This serves to usher us into the debates of the 1572 parliament when the issue was whether Mary Stuart should be executed or simply excluded from the succession: 'an axe or an act?' as one M.P. tersely put the question.⁴⁹ The mind of the political nation had been well prepared for this crucial debate by ten years of anxious indecision on the subject of the succession. The arrival in England of the deposed Scottish queen, with her pretensions to the English throne, had fanned the political temperature to white heat, especially after the exposure of the Ridolfi Plot, in which Mary was apparently implicated together with England's premier peer, the duke of Norfolk, already judicially condemned for his part in the affair. In the parliamentary oratory of the summer of 1572 both Queen Jezebel and King Asa's mother were never far from the speakers' thoughts. When one M.P. proposed that Mary's head should be cut off 'and make no more ado about her' (another version of the speech has him say 'her head cut off and noe more harme done to her'), this was an echo of a frequent comment on Jehu's execution of Jezebel 'without any ado made', that is, by lynch-law. But it was not so much the Commons as the bench of bishops who advanced these chilling precedents, M.P.s adding little to the episcopal argument beyond the violence of the language with which they referred to what one speaker called 'the monstrous and huge dragon and mass of the earth'.

In the lengthy episcopal indictment of the Scottish queen we find a kind of double-distilled resistance theory. The act of deposition which had removed Mary from her throne was enthusiastically endorsed. For the bishops she was 'the late queen of Scots'. But if the queen of England were to fail in her manifest duty to put the deposed Scottish queen to death, she herself would have cause to fear for her throne. Here the most telling precedent was that of King Saul, who allowed his enemy Agag to live. As the bishops put it, 'because Saul spared Agag, although he were a king, God took from the same his good Spirit and transferred the kingdom of Israel from him and from his heirs for ever'. The moral was spelt out in the New Testament in Romans chapter 13, a passage of Scripture normally cited in support of total obedience and non-resistance. For according to St Paul in that place, the magistrate is the minister of God and the avenger of wrath towards him that hath done evil. But 'yf the magistrate do not this, God threateneth heavie punishment... Her Majesty must needs offend in conscience before God if she do not punish the Scottish queen to the

⁴⁹ *Proceedings in the Parliaments of Elizabeth I, 1558-1581*, ed. T.E. Hartley (Leicester, 1981), pp. 259-418. Particular references are to pp. 376, 324, 325, 312. The bishops' 'certeine argumentes collected out of the Scriptures against the Queen of Scotland' (1572), pp. 874-90. I am most

measure of her offence in the highest degree'. The only other Reformation preacher known to me who turned Romans 13 on its head in this fashion was Thomas Müntzer, the arch-Bolshevik of the age.⁵⁰

For our purpose, the most telling implication of the memorials and debates of 1572 is that monarchy is taken to be not an indelible and sacred anointing but a public and localised office, like any other form of magistracy. Even if Mary had not been deposed, as queen of Scotland she had never been a queen in England, the lawyer Christopher Yelverton asserting 'but for certaine she is to be tryed as a subiect of another nation'.⁵¹ Only two M.P.s took her part, the part of a queen of Scotland. Francis Alford insisted on the sacrosanctity of anointed kingship. Arthur Hall of Grantham thought that Mary's indelible regality would eventually embarrass her enemies: 'Yow will hasten the execucion of such whose feet hereafter yow would be glad to have againe to kisse.' It is no accident that Hall was openly and scandalously contemptuous of the pretensions of the House of Commons, in effect a complete absolutist.⁵² The queen herself shared Hall's view, but it was the view of an isolated minority. Moreover the threatening implication of the debate was that Elizabeth was herself little more than the temporary custodian of her kingdom. The bishops insisted that 'being ... a publicke person', the prince ought to have a greater care of her own safety than a private person, 'if not for her selfe sake yet at the leaste for the furtherance of Gode's cause and stay of her cuntrye...'⁵³ As one speaker put it in the Commons: 'Since the Queene in respect of her owne safety is not to bee induced hereunto, let us make petition shee will doe it in respect of our safety.' And then he added, perhaps with sarcasm: 'I have heard shee delighteth to bee called our mother.' In a paper urging the execution of the duke of Norfolk, Thomas Digges (of whom more anon) observed that the queen's safety was 'not her private case', while Thomas Dannet warned that if she were to continue unmindful of 'our safetie' 'after her death', 'her true and faithfull subiectes despairing of safetie by her meanes shalbe forced to seke protection elsewhere, to the end they be not altogether destitute of defense'. Dr Bowler rightly calls the implications of these remarks, which Elizabeth in all probability never saw, 'staggering'.⁵⁴

In the event, M.P.s and bishops alike, privy councillors no less, were bitterly disappointed. At first they were told to expect an act rather than an axe. That was disturbing enough, if only because an act of parliament to remove Mary's title to the succession (and what would such an act be worth

⁵⁰ Müntzer's sermon is in G.H. Williams, ed., *Spiritual and Anabaptist Writers*, Library of Christian Classics, 25 (1957), pp. 47-70. See also E.G. Rupp, *Patterns of Reformation* (1969), pp. 201-2.

⁵¹ Hartley, *Proceedings*, p. 391.

⁵² *Ibid.*, pp. 315-16, 328, 334-5, 273, 365-6. On Hall, see Neale, I, pp. 333-45; G.R. Elton, 'Arthur Hall, Lord Burghley and the Antiquity of Parliament', *Studies*, iii, pp. 254-73.

in the future?) suggested that Mary had a title of which she could be deprived. 'This disabling shall be an enabling.' Robert Snagge said that the bill 'were not to do nothing but to do starke nought ... He trusteth we were not called hyther for nought'.⁵⁵ And yet even this unsatisfactory second best was withdrawn by the queen's veto of the disabling bill at the close of the session.

VI

Twelve years later 'the late Scottish queen' was still bearing her head on her shoulders and breathing the bracing air of Sheffield. But in the Netherlands William of Orange was very dead and with the state papers as full of plots as today's newspapers are of terrorism the never-ending Elizabethan political crisis seemed more desperate than ever: sufficiently menacing to call for the extraordinary measure known as the Bond of Association.⁵⁶ This document engaged those who were sworn to its terms and who had applied to it their signatures and seals to pursue 'to the uttermost extermination' anybody attempting by any act, counsel or consent to bring harm to the queen's royal person, their comforters, aiders and abettors: and to resist the succession of any individual on whose behalf such acts might be attempted or committed. This was to hang a sword over Mary's head, to threaten this modern Jezebel with lynch-law in the event of an assassination attempt against Elizabeth, successful or not; and in such circumstances to disable not only Mary but her son, James VI.

To examine surviving copies of the Bond in the Public Record Office (they are huge parchments and a special table has to be cleared for the purpose) is to be given a vivid insight into both the autonomous political capacity of the Elizabethan republic and its extent and social depth, a carpet, as it were, with a generous pile. Not only the privy council was at Hampton Court on 19 October 1584 to sign and seal its own copy but much of the seniority of the clergy of the southern province. Bishops, archdeacons, deans and heads of houses had made their way to the court for this purpose, gathering in a kind of informal convocation. The Cornish bond bears 115 names, that for Hertfordshire 106. The Dorset bond was signed by the mayors of Blandford, Lyme, Weymouth and Melcombe, representing their fellow burgesses. More than 200 inhabitants of the town of Cardigan took the oath, signed or marked and applied their seals. The earl of Huntingdon forwarded to the council the names of 140 principal freeholders and farmers of Richmondshire who had committed themselves

⁵⁵ *Ibid.*, pp. 374-5.

⁵⁶ Examples of the Bond are in PRO, S.P. 12/174; earlier drafts in S.P. 12/173/81-4. The most recent discussion of the Bond is in David Cressy, 'Binding the Nation: The Bonds of Association, 1584 and 1606' in *Tudor Rule and Revolution*, pp. 100-11.

to the 'Instrument of Association'.⁵⁷ Some sixty residents of Lincolns Inn, headed by Thomas Egerton, the future Lord Ellesmere, subscribed the Bond.⁵⁸ The circumstances in which the Bond was subscribed respected hierarchy. The gentlemen of Lancashire came to Wigan church to witness the earl of Derby taking the oath first of all, bare-headed and on his knees before the bishop of Chester, who in his turn administered it to the bishop, followed by the gentry, six at a time.⁵⁹

Later it would be said that the Bond spoke for 'the moost parte of us, your lovinge subiectes'.⁶⁰ But 'the moost parte' consisted of Protestants, or of those who would gladly be mistaken for Protestants. In Kent it was thought inappropriate that any known Catholic Recusant should be admitted into 'this loyall societie'. Thomas Digges later proposed that all office holders should be obliged to take the oath of association 'for the defence and perpetuation of religion now publiquely professed within the realme'.⁶² Dr Diarmaid MacCulloch has demonstrated that in Suffolk the county government by this time (the critical date was 1578) had transferred into the hands of a group, not to say clique, of gentry whose outstanding quality was their reliability as Protestants, 'Gods flocke', to the exclusion of the East Anglian Catholics, many of whom might in other circumstances have ranked among the 'natural' leaders of their communities. This had happened not by accident but by a careful design in which the privy council played the leading part and the queen probably none, beyond allowing this provincial *coup d'état* to happen, under her very nose and in the course of a summer's stately progress.⁶³

Now the Protestant state (for that is what it was, and in a partisan and prejudicial rather than consensual sense) was to be reinforced by the creation of what Burghley called a 'fellowship and societie'.⁶⁴ The Bond bore some resemblance to the Catholic leagues springing up in France at this same time, but with this difference: that whereas the League was a device to oppose the crown in the name of a higher religious loyalty, the

⁵⁷ PRO, S.P. 12/174/1, 2, 3, 5, 8, 7, 14, 13.

⁵⁸ Huntington Library, MS EL 1193; printed, *The Egerton Papers*, ed. J. Payne Collier, Camden Society (1840), pp. 108-11.

⁵⁹ Earl of Derby to the earl of Leicester, 7 November 1584 (PRO, S.P. 12/175/4).

⁶⁰ Huntington Library, MS EL 1191.

⁶¹ Thomas Scott and Edward Boys to Sir Francis Walsingham, 20 November 1584 (PRO, S.P. 12/176/9).

⁶² Thomas Digges, *Humble motives for association to maintaine religion established* (1601), p. 6. I have compared this printed text with the MS in the Folger Shakespeare Library, MS V.b.214.

⁶³ Diarmaid MacCulloch, 'Catholic and Puritan in Elizabethan Suffolk: A County Community Polarises', *Archiv für Reformationsgeschichte*, 72 (1981), pp. 232-89. See also MacCulloch, *Suffolk and the Tudors*.

⁶⁴ PRO, S.P. 12/173/87. My remark about partisan rather than consensual Protestantism is intended to conflict with Sir John Neale's suggestion that with the accession of Elizabeth 'the English

English bond was the handiwork of the regime itself. However, the government found it politic to disguise its interventionist role with the appearance of spontaneity. Sir Francis Walsingham inserted these words into a form of letter which his colleague Burghley had drafted for circulation, probably to lords lieutenant in the counties:

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 Majesty would have the matter carryed in such sorte as this course held for her [safety] may seeme to [come more] from the pertyculer care of her well affected subiects then to growe from any publycke directyon.⁶⁵

This revealing piece of evidence might seem to tell against the 'republican' argument of this essay. But I think that we can substitute for 'her Majesty would' 'we would'.⁶⁶

In content, the Bond was paradoxical. Its ostensible purpose was to defend the life of the queen, which was said to be almost the only concern and function of her people. One is reminded of Edith Sitwell's metaphor of the bees and the hive. (So potent and persuasive was this implausible convention that it comes as rather a shock to find Lord Keeper Bacon frankly arguing in 1570 that if Elizabeth were to remain unmarried she would progressively forfeit the loyal duty of her subjects, whose first instinct was always, as we say today, to look out for number one: 'for that the naturall care in the moste parte of them that have possessions and families' was 'to see to the preservacion of them selves, their children and posteritie that must folowe her life'.⁶⁷) Yet the Bond was also a quasi-republican statement. The circumstance it envisaged was the extinction of the queen and it provided for the sequel to that terrible event without reference to any laws or rights of succession. The inescapable consequence of its silence on this matter was to imply that the act of vengeance it provided for would be enforced by no other authority than that residing in the body politic. In form it was a covenant, constituted by the oaths and subscriptions of all those bound by it, and its sanctions were those of collective responsibility, investing none of its signatories with greater power or responsibility than any other, and not attributing any defined role to office holders, as public men. In this respect its republicanism was more advanced than that of Christopher Goodman or John Ponet. According to Goodman, it was only if and when magistrates and other officers failed in their duties that the people were 'as it were without officers' and obliged to take the law – and

⁶⁵ PRO, S.P. 12/173/88.

⁶⁶ See the exchange of letters between Burghley and Walsingham about tactical matters

the sword – into their own hands.⁶⁸ But the Bond of Association knew no officers, no magistrates.

Consequently a critic of the enterprise, probably the mathematician, engineer and M. P. Thomas Digges, pointed out its 'perils':

Breefly me thought I did behowld a confuesed company of all partes of the Realme of all degrees and estates then risinge in Armes at such a tyme as there is no councell of estate in Lyfe, no Lawfull generall, ... no presidente, no Judges, no sheriffes, no justices, breefly no officers...⁶⁹

Yet the devisers and promoters of this putative exercise in total anarchy were not members of the sectarian political fringe but Lord Burghley and Sir Francis Walsingham, in effect the Prime Minister and Foreign Secretary of the day.

The extreme irregularity of the bond was soon remedied in a parliamentary Act for the Surety of the Queen's Most Royal Person,⁷⁰ which imposed by law a general obligation on loyal subjects to revenge the queen's violent death and by statute excluded from the succession those complicit in procuring her death; and further made the proceedings it envisaged conformable to due legal process. This was the process which duly took effect after the Babington Plot, when Mary was tried, sentenced and, in February 1587 and another parliament, executed. However, the 1584 Act was as silent as the Bond itself on the delicate subject of who, or what, in the scenario envisaged, would wield the sovereignty by which the tribunals allowed for were to sit and armed force be raised and deployed. Although the statute explicitly excluded and disabled any person pretending a title to the crown who might by armed force resist the implementation of the act, it did not presume to say who *should* succeed. Legally, sovereignty and all power to act, all offices and courts, would have lapsed with the queen, to be at once transferred to her lawful successor – whoever that was. But on that matter the act was as silent as the Bond, so appearing to condone an irregular, acephalous, quasi-republican state of emergency.

If this was to happen in any case, why not make it legal, or as legal as an English parliament could make anything? Why not a regularised interregnum? This, as a series of documents written or emended in his hand proves, was Burghley's preferred course of action.⁷¹ Burghley was the political veteran of Edward VI's minority and had lived through more than one

⁶⁸ Christopher Goodman, *How superior powers ought to be obeyed of their subjects* (Geneva, 1558). See Skinner, *Foundations of Modern Political Thought*, ii, pp. 221-4.

⁶⁹ PRO, S.P. 12/176/26; further copies in Folger Shakespeare Library, MS V.b. 303, fos. 95-9; BL, MS Lansdowne 98, fos. 14-18; MS Add. 38823, fos. 14ff. See J.E. Neale, *Elizabeth I and her Parliaments, 1584-1601* (1957) [henceforth Neale II], p. 45.

irregular and potentially violent change of regime, first in 1549 and then in 1553.⁷² It was understandable that he should take a very personal interest in the most rational means of handling the emergency in which he, of all people, would be exposed to the greatest risk. Besides, behind the deeply unoriginal mind of William Cecil, Lord Burghley, there often lurked a more inventive intelligence, in this case that of the instinctive analyst, Thomas Digges.⁷³

Digges was an able, confident, not to say arrogant, man, one of those middling political and administrative animals, 'men of business' and brokers for the regime, whose importance Elizabethan historians are belatedly beginning to recognise.⁷⁴ Others were Thomas Norton 'the parliament man', William Fleetwood, recorder of the city of London, and the exceedingly perspicacious diplomat and clerk of the Privy Council, Robert Beale. Digges was at this time centrally and controversially involved in the Elizabethan equivalent of the Channel Tunnel project: the works to extend and improve the facilities of Dover Harbour, the details of which occupy whole volumes of State Papers Domestic. His reports to his masters of his 'proceedings' at Dover reverberate with such claims as 'I was the first that discovered the grosse errors...' or, 'I affirmed the contrary.'⁷⁵ The notion of a legalised interregnum was not new in 1584 but Digges made a new and original attack on the problem in a so-called 'Brief Discourse',⁷⁶ which saw the device as a tolerable compromise between the nomination of an heir apparent, which Digges conceded was not practical, and the no less dangerous vacuum of inactivity.

The root idea of several versions of the interregnum plan was that the privy council, or the parliament, or both, together with all officers and all courts for the administration of justice, institutions which would normally cease to exist or to have any power to act at the moment of the monarch's death, should on the contrary continue in being. Digges proposed that either the parliament then sitting (the 1584 parliament) should remain undissolved during the natural life of the queen (that would have been a 'long parliament' indeed – it would have sat for twenty years!) – or that upon its dissolution some other parliament should be immediately summoned: 'so that some parliament by your Majesty's summons may be in esse at your highness's decease'. Within thirty days such a parliament should hear and determine all challenges to the throne, having a special regard to candidates whom the late queen would by then be known to have preferred. That is to say, the parliament would, among other evidences, contemplate the

⁷² On the events of 1553 see *The Vita Mariae Angliae Reginae*.

⁷³ For Digges, see *D.N.B.* and *The History of Parliament: The House of Commons, 1558-1601*, ed. P.W. Hasler (1981), ii, pp. 37-9; and PRO, S.P. 12/171/13, 13 I, 175/18.

⁷⁴ Graves in *Parliamentary History*, ii, pp. 11-38.

⁷⁵ PRO, S.P. 12/171/13, 13 I-V, 30, 301; S.P. 12/175/18.

⁷⁶ PRO, S.P. 12/175/18.

late queen's last will and testament, without, apparently, being bound by it. Pending this process, all officers of church and state were to remain at their posts and the helm of the ship of state was to be handled by five or seven magnates, temporal and spiritual.

Digges anticipated various objections to this scenario, amongst them the mere fact that it entailed an innovation, without precedent. He met head-on the point that innovations were a bad thing, and added that anyone who had been in Rome at the time of a papal conclave (had this happened to Digges?) would have some sense of 'the monstrous nature of an Interregnum': 'Hell it selfe, every man by force defending his owne, all kind of outrage, ryot and villanye.' In England it would be worse, since there was, after all, no equivalent to the college of cardinals. But Digges seemed to think that the alternatives would be worse still. And if there were no precedents for filling the throne, Polish style, virtually by election, so much the more honour would accrue to the queen for inventing (in effect) a new constitution. That was truly radical, and not how most sixteenth-century political intelligences worked.

But that very unradical mind which belonged to Lord Burghley differed only in matters of detail, and in Burghley's single-minded, Reagan-like concentration on ensuring the successful pursuit, prosecution and execution of those guilty of terrorism. It was to achieve this end, primarily, that an interregnum would be necessary. Burghley's thinking is contained in a number of documents: two pages of notes in his own inimitable hand;⁷⁷ a draft of a bill in the solicitor general Popham's hand, extensively corrected by Burghley (this residing among the Ellesmere MSS in the Huntington Library in California);⁷⁸ and, thirdly, what appears to be the most advanced version of these devices: a parliamentary bill endorsed by Burghley 'January 1584[5]. A Bill for the Queen's Safety', and otherwise described as 'to be added to the Bill for the Queen's Safety' – thus indicating that what was in hand was an extension of the 1584 Act 'for Provision to be Made for the Surety of the Queen's Most Royal Person'.⁷⁹

The commanding idea running through these drafts is that, in the event of the queen's untimely death, 'there remainn an ordinary power, to remedy all violence committed agaynst her'. 'The government of the realme shall still contynew in all respectes.' 'This', says Burghley in his rough notes, 'cannot be without an Interreyn.' 'Ther shall be decreed an Interreyn for some resonable tyme.' Government was to reside in a great council or grand council, acting 'in the name of the Imperiall Crown of England'. At first Burghley seems to have thought of a body consisting of the Privy Council with the addition of all the major offices of state. But in the Ellesmere

⁷⁷ PRO, S.P. 12/176/28, 29.

document he (or Popham) conceives that this body should come into being by the privy council recruiting from the House of Lords (or as much of it as could be assembled within ten days) to make up a grand council of thirty persons, plus the four senior judges. Within thirty days (corrected by Burghley to twenty days) of the queen's assassination, the great council should recall the last parliament back to Westminster. Thereafter, the Great Council having actively promoted the apprehension and due punishment of all offenders against the queen's life, 'of what estate so ever they be', Parliament would give sentence against them. Anyone attempting during this period of time to lay claim to the throne by force would be *ipso facto* disabled from succeeding and would be actively resisted by the great council. The style to be employed in respect of this body in all writs, warrants, patents and the like would be thus, in Latin: *Magnum Consilium Coronae Angliae*, a phrase inserted in the documents in Burghley's own hand. One wonders whether such a device would have succeeded in defeating the *coup de théâtre* which brought that other Mary to the throne, against all the odds, in 1553.⁸⁰

The Ellesmere document proposes that the Great Council 'with the said Parliament' shall continue 'above one year, but shall then cease', and sooner if due execution had by then been passed on the public enemy. But it is as uninformative as all previous papers of this kind, white, green or rainbow-coloured, on how the interregnum is to be terminated and England to find itself once again with a monarch in whose name writs would run. On this the parliamentary bill of January 1585 is more helpful. No one was to acknowledge any claimant as king or queen or affirm any one person to have more right than another. But the act of the great council in summoning a parliament – in composition the last parliament to have sat – was now seen as necessary 'because it is likely and very probable that the state of both the Realms [*sc.* England and Ireland] cannot long endure without a person that by justice ought to be the successor of the Crown shall be known'. 'Ought to be' referred to the law of succession. Accordingly, parliament would in peaceable manner consider and hear any pretensions to the throne and finally (in Burghley's inserted words 'in the name of God and as it were in his presence')

accept and receive such a person to the Crown of the Realm as shall to them upon their peaceable deliberations *and trials had of them* [Burghley's interpolation] appear to have best right to the same in blood by the royal lawes of the Realm and such a person *so by the said Parliament allowed* [Burghley's hand again] they shall by a Proclamation warranted with the Great Seal of England in form of an Act of Parliament published to the people of the Realm to have the most right to the Crown.

In Burghley's telling interpolations, Poland was not far away.

It was known to Neale and therefore to us that Burghley's own ever-active pen inserted into this parliamentary draft the words 'uppon sure hope of the assent of our Soverayn Lady'. That is to say, Burghley expressed a hopeful presumption of the bill's successful passage and of the royal assent. It is equally well known that not only did the idea of an interregnum not commend itself to Elizabeth but that (so far as we know) there was, after Christmas 1584, no discussion of it on the floor of either house. Burghley had proposed; Elizabeth disposed. And that was that. What would have followed a successful attempt on the life of Elizabeth I we do not know, and Protestants may prefer to avert their imaginations: an interregnum possibly, but not one enjoying the legality, however constitutionally dubious, afforded by an act of parliament.

There has been no attempt on this occasion to suggest that that was not how the business of politics proceeded, so long as this remarkable woman lived. Two years later, in 1586, the political nation was back where it had been in 1572, beseeching the queen to carry out the sentence of death now passed against the Scottish queen. And it is remarkable that their petition, the petition of both houses of parliament, was buttressed with threats, the same biblical threats. And it is more striking still that this document too is extensively corrected and interpolated in Burghley's hand, in the copy which survives in San Marino, California.⁸¹ We may note in particular this passage:

The neglecting wherof [*sc.* the carrying out of the sentence] maye procure the heavy displeasure and punyshment of Almightye God as by sundry severe examples of his great Justice in that behalfe lefte us in the Sacred Scriptures doeth appere.

The drift of this essay has not been in the least 'whiggish', to employ the historical cant term. I have not argued for the incipience in Elizabethan England of a kind of constitutional monarchy, still less of a headless republic or even of a continuous, coherent republican movement. When Thomas Digges proposed that parliament should be always 'in esse' he was not writing in favour of parliamentary sovereignty. I do not see 1649 foreshadowed proleptically in 1572 or 1584. It is Neale, not I, who remarks of Burghley's interregnum plan: 'more congenial to the Commonwealth period of the next century than to the Tudor constitution'.⁸² Nor have I set out to argue that late sixteenth-century England could, still less that it should, have been ruled more or less permanently by a rational regime composed of a team of political equals, experiencing effective collegiality. Early modern European history suggests that few such regimes ever

existed, or were likely to survive for very long. The rule of a single person under the crown, a Richelieu or an Olivares or a Buckingham, was to be almost the norm in the seventeenth century. And perhaps we have found something like that in these documents. The notion of a *regnum Cecilianum* was a canard invented by the enemies of the Cecils but it was not a total falsification of political realities. Cynics might find in the sketch-pad of papers examined in this essay, so many of them annotated or corrected in the spidery Cecilian italic hand, reflections not of the republican machiavellianism of the *Discourses* but of the individualistic *virtù* of *The Prince*: Burghley perpetuating his own kingdom, which he ruled in Elizabeth's name, using the likes of Thomas Digges as catspaws.

My argument has been less speculative, less ambitious. I suggest no more than that Burghley and his colleagues (and Cecil *did* have colleagues), like Swallowfield, were responding resourcefully and intelligently to a most unusual situation. The strangeness of the Elizabethan scenario, which so captivated Sir John Neale, was commented on soon after its passing by a more jaundiced observer, Francis Bacon. For Bacon, the whole episode of the later Tudors, contained within half a century, had been unique and bizarre: 'The strangest variety that in a like number of successions of any hereditary monarchy hath ever been known: the reign of a child, the offer of a usurpation, the reign of a lady married to a foreign prince, and the reign of a lady solitary and unmarried.'⁸³ Surely this was not what the inventor of the English monarchy had intended. For Bacon the Tudors were 'these barren princes', and, by contrast, he welcomed the advent of Scottish James and his fruitful progeny as a dynasty likely to endure 'for ever'. Bacon was not to know that the violent death of the second of these perpetual Stuarts would be followed by an interregnum – *the* Interregnum – and a shortlived English Republic. And nor, I think, do Elizabethan historians need to know that.

Appendix

On 30 July 1582 Sir Francis Walsingham sent the following advice to the earl of Shrewsbury, who had Mary queen of Scots in his custody:

For answer wherunto her Majestie doth thinke it meete that you shold lett her [*sc.* the Scottish Queen] understand that, first, shee doth find it straunge that shee shold directe her lettres unto her Counsell, as unto principall members of this Crowne (for so doth shee in her said letters terme them, a cowrse that hertofoer hath not bene held), wherof her Majestie cannot otherwise conceave but that there shee doth not repute her to be so absolut as that without thassent of such whom she termeth 'principall members of the Crowne' she cannot direct her pollicie; or els, that uppon this charge given by her of delay used in satisfying of her requests, shee wer by them to be called to an accompt. Of which misconcept of the said Queen and misunderstanding of the absolutenes of her Majesties government, shee thinketh meet shee shold by yor Lordship be better enfourmed: For althoughe her Highnes doth carry as great regard unto her Counsell as any of her progenitors have done, and hath just cause so to do in respecte of their wisdom and fidelity, yet is shee to be let understand that they are Councillors by choyce, and not by birth, whose services are no longer to be used in that publike function then it shall please her Majestie to dispose of the same; and therefore her Highnes cannot conceave to what ende a complainte shold be made unto them, unlesse ether shee repute her to be in her minoritye, or els doth meane to use her Counsell as witnesses against her.

Edmund Lodge, *Illustrations of British History* (1791), ii, pp. 276-7.