

Jesuites ghostly wayes:
Catholic Political Policy and the Control of Catholic Recusancy during the Reign
of Elizabeth I

A Senior Honors Thesis

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I: Introduction

A Leader for God and Men

I pointed out to her that it would also be very damaging to any settlement of religious affairs if she made any such demonstration, because everyone expected her to prove herself a very good and catholic princess and added that if she abandoned God, then both God and men would abandon her.

- *Count Feria, Spanish Ambassador to England, 1559¹*

In the closing months of 1558, Elizabeth I ascended to the throne of England after the untimely death of her Catholic sister Mary I. One of her first duties as sovereign was to determine a settlement for the religious debate within the country, the issue being whether to continue her sister's Catholic restoration or revive the Protestant Reformation begun by her father and continued by her brother. It was an important decision that cannot be understated as her choice would determine the character of her entire reign. It was a verdict that could either enflame Catholic sentiment against her or crush the hopes of Protestants throughout Europe.

Records are incomplete concerning the nature of the debates within the government regarding the actual intent of the Queen during the first monumental Parliament. Some historians like Brian Magee maintain that Elizabeth intended a wholly Protestant settlement before Parliament even began, giving her favor to returned Protestant exiles and even going so far as to create an unspoken directive that radical Catholics were not welcome.² J.E. Neale writes that the Protestant settlement was the work of a few Parliamentary radicals and was merely successful because the majority of officials were flexible enough to follow main lines of opinion.³ Meanwhile, contemporary historians such as Wallace MacCaffrey and Norman L. Jones hold the opinion that the Queen did not intend a radically Protestant settlement all. In fact, they assert that

she actually did her utmost to keep the settlement as conservative as possible and continually battled against radical Protestants who wished to move farther than she would ever want to go.⁴

Whatever the accuracy of such statements, the process of the Parliaments is as important as the results. The settlement itself once again broke with Rome, reestablished royal supremacy over the Church of England, and instituted a series of laws which implemented the new English language Book of Common Prayer containing Protestant practices. The proceedings themselves though reveal that Catholic sentiment still existed within the country and not just with the common people. Whatever the truth about the strength or magnitude of Catholic presence in the first monumental Parliament, there were members of the gentry who showed at least some favor to the old religion. The decision to move towards Protestantism was not uncomplicated or unanimous, indicating that gentry would not be changed as easily as doctrine would be.

Because of this reality, while Catholicism was planned to be a thing of the past, the government was not trying to utterly eliminate Catholic practice as Mary had hoped to do with Protestantism; Elizabeth's sanctions were not acts of religious bigotry. The intention was, given the prohibitions against Catholic teaching and the requirement of all subjects to attend church and use the Book of Common Prayer, that the old religion would slowly die out and leave behind a new generation of born English Protestants.

The success of this plan relied upon one major factor, however: the gentry. In local areas, they served as representatives of the Crown in the absence of any national police or army force. Throughout the first years of Elizabeth's reign, she relied on these men to enforce her religious doctrine, their possible failure to do so having dangerous implications for national peace. Yet as the settlement indicated, these gentry were not as loyal as they would seem to be.

In 1569, Elizabeth would face her first crisis resulting from the religious settlement and a betrayal by her aristocrats. Mary, Queen of Scots, had fled her own country in 1567 due to scandal and dangers at her own court. Since arriving in England, she had become the focus of Catholic hopes for the nation as she was the most valid successor to Elizabeth's throne. Within two years she would involve herself in a plot to wed the Duke of Norfolk, one of Elizabeth's Privy councilors, conspiring with some of the most powerful men in the country to do so. When Elizabeth attempted to recall the conspirators to London to account for their actions, the northern earls revolted and claimed they were trying to restore the country to the true religion. In fact, the earls disagreed amongst themselves as to how to gain support for their uprising and the revolt did fail before accomplishing any real gains. Despite this though, the event itself revealed endemic difficulties within the country.

Firstly it showed that there was a powerful center for revolution in the very presence of Mary in the country. She could serve as a figurehead upon which to pin Catholic hopes for England's future and obviously could stir up dissension in the very core of officials Elizabeth relied upon. Secondly, it served to reveal the weakness of the gentry in enforcing the Crown's laws, a lack of true devotion to the government line which had been seen in the Parliament. If even Leicester and Norfolk could conspire against her then there was little ability for her to unquestioningly trust lesser members of the gentry she could not regulate personally.

This problem was quickly followed by the Papal Bull in 1571 and the Ridolfi Plot, both of which only further shook the Queen's confidence in her people. Now Catholics were legally dissolved of their loyalty to the Queen and while the Bull did not specifically call for subjects to rise up and kill her as a heretic, the fear of what the Bull did do was enough to induce a new wave of sweeping religious legal reforms.

These reforms, which would continue throughout her reign, would attempt to make it impossible for anyone to continue practicing Catholicism in England. Over the years, it would become illegal to employ any teachers of Catholic doctrine or send children abroad to schools that could teach Catholic methods. Fines would increase to crippling levels if subjects did not attend church and it was even illegal to speak out against the Queen or her policies. The scope of the Act of Uniformity would be widened beyond those merely serving the government and the printing, possession, dissemination, or writing of any seditious books, pamphlets, or transcripts could be tantamount to treason. Legally speaking, it would seem as though the government did everything it could in the years following the Northern Rebellion to choke the life out of Catholicism in England. Passive prohibition was replaced with active and ever-sharpening government policy that would seemingly prevent the survival of any Catholics anywhere in England. Yet upon closer inspection of the literal situation in the country, it is even clearer that such legal action was hardly enough.

Parliament after parliament increased the penalties for recusancy and proclamation after proclamation railed against every aspect of maintaining Catholic practice. Yet if such laws were a success from the outset, there would be no need for increased honing of the law over time nor would successive proclamations have to prevent the same things again and again. The government was required to do this, however, because there was a fundamental and continuing inability to enforce the laws the central government would create.

The reasons for this failure are numerous, each as important as the other, and all combined to create the need for other methods of protection for the Queen. The law in this period was simply not enough to eliminate the threat of Catholic plots against Elizabeth because the ability

and even the desire to widely and efficiently institute such laws did not exist. The elimination of Catholicism was simply not possible.

The Crown therefore turned to alternative means of protection. Intelligence networks were not a new invention of the Elizabethan regime but it could be argued that they had rarely been so useful. Government officials would use paid informants throughout the country and abroad as well to watch possible recusants and those suspected of participating in subversive activities. While many officials had their own intelligence officers, perhaps none was as effective as those employed by Sir Francis Walsingham, one time ambassador to France and Secretary of State to the Queen beginning in 1573. His officers would uncover the Throckmorton Plot in 1583 and gain information regarding the Spanish invasion in 1588, but perhaps their finest hour was in discovering the Babington Plot in 1586. This plot was designed to kill the Queen and place Mary, Queen of Scots, on the throne, and with the discovery of Mary's complicity in the plan, the government would finally have the ammunition it needed to rid themselves of the long-standing iconic center of Catholic dissent in England. Once Mary was dead, there was no longer a Catholic successor and as such, once Elizabeth was able to survive the attempted Spanish invasion in 1588, the fire of domestic and international dissent seemed to die out considerably.

Experts debate the size and scope of the Elizabethan intelligence networks. Conyers Read, the consummate biographer of Walsingham, has put forth that intelligence networks were never as large, organized, or effective as some would believe.⁵ Other historians such as Alan Haynes and Alison Plowden take the opposite view that, despite the lack of sophistication, the networks reached throughout England and across Europe. Moreover, despite the fact that the men who ran them were overworked and underpaid, often funding their networks out of their own pockets, they were highly effective in, above all else, protecting the Queen and her interests.⁶

Just as with the debate regarding the religious settlement, this debate, while interesting, is not as important as the reality the networks created. However large or organized, however overworked or underpaid, intelligence networks ran by the Queen's officials were able to prevent every major plot against her. While some plans came closer to success than others, Cecil initially and then Walsingham were able to uncover potentially dangerous schemes and prosecute the executors before they could accomplish their missions. The discovery of the Babington Plot alone, which rid the Queen of her nemesis, is enough proof that, regardless of what one thinks about their size, the networks worked when they were needed most.

My thesis investigates all of these issues. I will first attempt to identify the forces behind the religious settlement in 1559 and how this settlement attempted to control future Catholic practice. In the second section, I will examine the veritable watershed of highly punitive political policy against Catholics, the Northern Rebellion of 1569, the discovery of the Ridolfi Plot, and the Papal Bull of 1571 to see why the Crown lost its belief in the loyalty of the gentry and how the government tried to legally counteract this reality throughout the reign. I will then discuss the realities of legal conformity and prove why the infrastructure could not effectively enforce the laws it continually created to stamp out Catholic recusancy in England. By doing this and then identifying the successes of the Elizabethan intelligence networks, I intend to prove how necessary these were to the safety of the Queen and her continued success as sovereign.

Of the historical works I have considered, most seem to either deal with political activity against Catholics in England, the methods of Catholic survival, or the growth and structure of intelligence networks throughout Elizabeth's reign. Works focusing on policy rarely even mention the interaction of law and the intelligencers while scholarship dealing with the intelligence networks deal mostly with recusant intrigue and mystery, a provocative subject for

today's reader. My research is therefore a melding of these two subjects as I believe one should not be considered without the other. Functionally speaking the laws were not effective in really preventing the most serious and determined of recusants while the intelligence networks needed a legal foundation upon which to build the righteousness of their actions. By the end of this essay, I will use a variety of primary and secondary sources to support my arguments and prove the overall thesis of my investigation.

Section II: Good Queen Bess

Elizabeth's ascension and the Settlement of Religion

When ten at Colchester, in one daye
 Were tried with fyre, of tyrannies stoute
 Not once permitted trueth to say
 But were compast, with billes aboute
 When these with other, there put to death
 We wishte for our Elizabeth⁷

On November 17th, 1558, Elizabeth I took her seat as lawful Queen of England.⁸ The third of Henry VIII's children to reach the throne, she at once had many problems looming before her. She had inherited a war with France her elder sister had begun in support of her Spanish husband that had lost English holdings in Calais and she had the issue of her own marriage suit to contemplate. She faced economic shortages throughout the country due to trading difficulties and she had to instantly struggle against claims of her illegitimacy. The most important dilemma before her though was the settlement of religion.⁹

In the years following her birth, England had gone through monumental change. Her father, who Wallace MacCaffrey has called "the greatest disturber of the public peace since William the Norman,"¹⁰ implemented one of the most overwhelming transformations the country had ever seen by severing all ties between the Church of England and Rome. In cutting all links to the main body of Latin Christendom, he seized all monastic lands and establishments, effectively toppling one of the most fundamental pillars of medieval Christian society.

Yet while the Church was still undergoing alterations from its Catholic predecessor to a new Protestant amalgam, Henry VIII died and the throne passed to his 9-year-old son Edward

VI. The men who ruled for the boy king moved rather far in their short years of control by abolishing the mass and implementing a definitively Protestant Book of Common Prayer, yet before these changes had a chance to really grow deep roots, Edward died and the throne passed to his eldest sister Mary. In five years, she managed to reestablish ties with Rome, instituting a type of militant Catholicism that would serve to divide the country between Catholic devotees and Protestant survivors who would endure either under duress in England or in exile abroad. With such great change in a short amount of time then, it was obvious that Elizabeth faced a large problem when she took her throne. Moreover, division existed not only within England but all over Europe, making the issue of religion inherently international throughout her reign.¹¹

One possible source of stability for the Queen was that she inherited a highly developed administrative and legal foundation upon which to build her rule, most important of these being the law courts. These courts were important tools of the Crown by which it could attempt to exercise its control upon the populace and diminish the possibly dangerous results of endemic violence common to the time.¹²

The possible weakness to this system was that it relied heavily upon the local aristocracy. Judges made twice-yearly visits to the shires to settle disputes and sentence criminals but when they entered new areas they were accompanied, and effectively regulated, by the local gentry. It was therefore essential to have the complicity of these subjects when conducting their business, a failure to do so resulting in possibly catastrophic consequences for the central crown. The gentry, after all, were local representatives of royal power and were therefore essential in maintaining national stability, this never more apparent than in times of emergency. They were on the front lines of possible division, making it absolutely essential that the Crown could rely upon their loyalty, especially in the wake of religious changes that could create fatal division.¹³

Elizabeth's first move was to pick her council. She would need a Chancellor, Treasurer, Admiral, and Secretary who would be supplemented by the usual contingent of peers, household officers, and bureaucrats to help with administration. This body could either be a center of strong royal authority or a hotbed of faction within the realm, serving as a constant battleground for control of the monarch's ear. She would therefore have to choose wisely.¹⁴

Firstly she elected to dismiss two thirds of her sister's council as well as their personal retainers. In fact, out of the total of 50 new court officers, only approximately a dozen were from Mary's reign; among the new appointees, a high percentage had served Edward.¹⁵

Among those she did not dismiss were the northern earls Derby and Shrewsbury who assumedly would rarely be at court, and Arundel and Pembroke who were long-serving politicians. She kept her great uncle Lord Howard who had reportedly been her defender in Mary's court and perhaps even helped rescue her from a terrible fate at her sister's hands given her position as viable contender for the Crown. She also retained Lord Admiral Clinton who had also served her brother and the Lord Treasurer since 1550, the Marquis of Winchester.¹⁶

Mostly though her council was a new one. Many were professionals, their position not based upon their status as powerful aristocrats but as skilled courtiers who had the capability to instill administrative efficiency. More conspicuously perhaps was the fact that the council was absent entirely of clerics, those who would be strict adherents of the Catholic faith. Many actually seemed more apt to shift their religious beliefs given time and circumstance.¹⁷ The most prominent of these was Sir William Cecil whom she appointed to the position of Secretary of State. Cecil had served on both the Somerset and Northumberland councils during her brother's rule but he had managed to conform enough religiously to serve Mary, albeit in a lesser position than Elizabeth or Edward had granted him.¹⁸

Even more to the chagrin of religious conservatives, there were some markedly Protestant appointees in addition to those who could shift given the change in wind. Two had been forced abroad during Mary's reign due to religious persecution and two others, Rogers and Parr, had even participated in the Wyatt rising. She made Throckmorton, who had been acquitted of treason to the Crown in 1554, ambassador to France, and the Warden of the Cinque Ports, the Captain of the Guard, and many lesser officials she included had been involved with Throckmorton as well. While the Dudley brothers who she appointed to Master of the Ordinance and Master of the Horse were not known for their militant religious positions, they were appointed due to their personal relationship to the Queen. Because of such an elevation despite their family's checkered past, she could be confident in their continued loyalty.¹⁹

Such was the group of men Elizabeth had behind her as she began her reign. Many watched both at home and abroad to see who she would chose because the councilors she selected would indicate, above all, which direction she would go with the church. She could either continue her sister's Catholic restoration or she could resurrect the work done by her father and brother, severing all ties with Rome once more. Those Protestants who had suffered under the late queen saw Elizabeth's ascension as a divine miracle, this perhaps never more clear than in propaganda from the time such as Thomas Brice's *A compendiou[s regi]ster in metre contei[ning the] names, and pacient suffry[ngs of the] membres of Iesus Christ.*²⁰ In his book he would write of "the maryrdome and paciente sufferynges of Christes electe members, and also of the tyrannicall Tragedies of the unmercifull ministers of Sathan"²¹ and that it was God's will that the Church had passed from the hands of cruel Catholics to "so noble and naturall a Princes and Queene whom the Lord of his eternal and foreceyng determination, hath now placed in this royal dignitie, to the redresse of such unnatural and bloody factes."²²

In the face of such hopes, Catholic leaders both foreign and domestic found the men around her a bad sign of things to come. As Count Feria would write to King Philip in November of 1558, "... I am very much afraid that she will not be well-disposed in matters of religion, for I see her inclined to govern through men who are believed to be heretics and I am told that all the women around her definitely are."²³ It was a very real fear that she would cut England off from the See of Rome once more and institute changes that would cause great domestic and international conflict.

The depth of this religious quarrel cannot be understated. When Henry had broken with Rome, it had been mostly a political move. He had used his power in his own country to combat a domestic institution that attempted to control his actions in his own realm. Yet after the break, Henry was not interested in reforming church doctrine as much as he was in despoiling monasteries and seizing church lands that accounted for a third of the realm. By doing so, he amplified his royal supremacy considerably and used his new holdings to enlarge his purse.²⁴ His successors were the ones to carry the country into full Protestant reformation but at the end of his reign, the new changes had not taken hold and England slipped back into Catholicism under Mary with relative ease. Protestantism did survive the revival but the years before Elizabeth proved how imbedded the old religion was within the country.²⁵

The dismissal of Mary's councilors and the appointment of some markedly Protestant advisors was not a conclusive indication of her future intentions though. In fact, during Mary's reign she had been an openly practicing Catholic and adherent to her sister's laws. The fact remains though that Elizabeth would break from Rome and reinstate the Protestant Reformation in England, a decision that would affect the timber of her rule for the next 45 years.

One argument as to why she would do this is that she was truly a Protestant. She had been raised by a series of tutors and servants who had performed the majority of her schooling during Protestant governments so it would not be unreasonable to think that she chose reform as a religious calling. Yet given her cloudy doctrine regarding Church practice subsequently, it is more likely that she merely supported the idea of the Crown's supremacy over the church. Her father's first break with Rome had been entirely political and afterward it became a subject's spiritual duty to adhere to the *ecclesia anglicana* as the Crown chose to define it. Under her sister, therefore, she did as the Queen ordered and adhered to Catholicism because it was her duty as a subject to do so. When she came to power though, she needed to solidify herself and her place as monarch so she decided, like her father and brother before her, to make her position unassailable from religious opposition by making herself the head of a domestic institution that, if independent, could prove a potentially dangerous source of antagonism.²⁶

In the weeks following her ascension and before her first Parliament met, she would make her first moves towards establishing her intended religious direction. She announced a prohibition against controversial preaching, which while nominally neutral, helped restrain Catholic bishops already speaking out against her. At her Christmas ceremonies, she ordered the priest officiating the ceremonies to refrain from elevating the Host, and when he refused, she departed the ceremonies after the reading of the gospel. Even at her own coronation she not only received a Protestant bible from the crowd on her procession but she heard the mass in English and again refused to allow the Elevation of the Host. Her chapel was effectively Protestant by the time her first Parliament would meet on January 25th, 1559.²⁷

Upon entering Parliament, she immediately ordered all of the monks bearing tapers to leave, reportedly proclaiming with a certain enmity, "away with these torches; we see very

well,”²⁸ She then proceeded to listen to a sermon by former Protestant exile Richard Coxe which denounced the monks and called upon Elizabeth to rid the country of all idolatry.²⁹

The nature of the participators in the Parliament who would assist her in her intentions is not exactly known. Complete records of the proceedings in both houses do not survive and more than a quarter of the members in the House of Commons at the time are unknown. Neale estimates that, out of the 404 members, perhaps 100 were Protestant devotees while the majority of the rest were malleable enough to conform to whatever policy seemed most popular.³⁰ While there were certainly many devoted Catholics in both houses, he believes this group was either too small to make an impact upon the settlement or easily persuaded to follow the government line.³¹

Brian Magee however asserts that, if Catholics had been fairly represented in the Parliament and more importantly been allowed to vote as they wished, Catholics would have won the overwhelming majority. Magee points out that the government was instrumental in suppressing most Catholic sentiment, which would have prevailed in 1558 because the Marian Parliaments had voted to restore Catholicism unanimously in 1555, a uniformity that was certainly not displayed in 1558.³² But this theory overstates the influence of the government at so early a date. After all, Mary circulated letters openly requesting pro-Catholic electors for Parliament because her rule was already well established. Elizabeth’s government, however, sent out no such letters, probably because her position was entirely too insecure to do so.³³

It seems most likely that Norman Jones’ theory is correct. While Exchequer Rolls contain last names only and the records themselves are fragmented, he believes that merely 20 to 25 members can be identified as definitely Protestant while 21 of them were known Catholic faithfuls.³⁴ These radicals in a group of the 400 Commons members support the theory that most would vote as the group did as long as their own monetary and situational interests were

protected. The Catholic opposition here would be neither ardent enough nor powerful enough to prevent major change once events during the proceedings would transpire against them.³⁵

The House of Lords is another story. There were 77 members and the bishops and the abbot of Westminster made up 17 of those seats. The lay peers' affiliations are less overt but nine of them initially voted against any alteration of religious practice and two joined the bishops in open support of maintaining ties to Rome. There were also an additional 15 conservatives who preferred to keep the mass yet gave little indication as to their ties to the Pope and Rome. In all, in the House of Lords, 41 members or 53% of the men would be expected to resist change in doctrine, 14 would argue for reform, and 22 would probably follow whichever side would generate the most advantageous outcome for them in the end.³⁶

Based upon these projections, it might seem that a Protestant result would be difficult to achieve. Yet somehow that is exactly what occurred. To resolve such a conflict, one must look at how the Parliament proceeded.

The Commons first drafted an act combining the acts of Uniformity and Supremacy with the intention of wiping out all Marian reform and returning to the situation existing in 1553. More radical Protestants were able to court enough support amongst the moderates to see the success of such a bill. Yet when this proposition went to the Lords, the bishops expectedly rejected it immediately and won enough support from the lay lords to resist any proposals for a change of religious practice. The lay lords did support a proposal for the Queen to assume the headship of the church yet the bishops rejected such a prestigious position for the Queen. Many of them actually supported no break with Rome whatsoever.

Despite this though, debates in the Lords eventually did yield majority support for a highly mutilated yet still existent Act of Supremacy which did support the break with Rome although it

gave the Queen much less power over the church than bills during her father and brother's reign granted. The bill was then sent back to the House of Lords and while it only seemed favorable to a marginal majority, this was enough for the act to pass.

It was at this point that advisors near the Queen proposed a radical move. They pushed her to call for the dismissal of Parliament immediately so that the new Supremacy Act could be used to clear the House of Lords of all militant bishops. Although mutilated, the act did require that government officials acknowledge the Queen's supremacy over the Church so those who had supported Rome would refuse to agree and in doing so, lose the right to hold their positions. With these men gone, the Queen could appoint more Protestant or at least more conforming bishops, men who would surely allow for more radical changes in religion in another Parliament which the Queen could call right after Easter. To these advisors, it would be a quick and skillful move to simultaneously sweep away the recalcitrant opposition and practically guarantee the Crown's chosen version of the Act of Uniformity.³⁷

Yet the Queen wavered. As Easter approached, her advisors pushed her to act, but at the last minute, she decided to close Parliament for the holiday rather than dismiss it and move as proposed. The Queen probably decided to do this for two reasons. Firstly she had already released a proclamation repealing acts her sister had passed previously.³⁸ This proclamation recalled many practices which existed in her father's reign as well as during Edward's, threatening imprisonment to anyone who flagrantly spoke or acted against the release.³⁹ Effectively then the country was realistically Protestant until the Parliament confirmed this change. Secondly, she probably feared what acts the Parliament would produce if purged so thoroughly of any Catholic adherents. Without any radical Catholics and with other moderates overpowered by the surely overwhelming influx of Protestant zealots, this wave of radicalism

could surely go farther than the Queen intended. As Jones asserts, she was probably battling more against Protestant radicalism than for Catholic suppression.⁴⁰

She therefore took another tack. After Easter, the Crown staged a debate between the bishops in the House of Lords and Protestant divines. The plan was for the bishops to seem unreasonable and highly reactionary, such a loss of face freeing conforming lay peers of their loyalty to the bishops' cause and perhaps even resulting in their expulsion from the House. It would surely not purge all opposition but it would marginalize radical Catholics and persuade moderates to allow some Protestant concession although none too radical for the Queen's taste.

Luckily the debate succeeded in doing just that. During the discussions, two bishops became so argumentative that they were actually arrested. A pamphlet was then drawn up and quickly printed stating that the action of the dissenting bishops was tantamount to disloyalty to the Crown. With words such as treason on the lips of some radicals, all significant opposition seemed neutralized in both houses.⁴¹ A new supremacy bill was drafted making Elizabeth the supreme governor in order to ease gender-conflict over her being considered the head of the church as a woman and with the exception of allowing clerics to dress as they had in 1549, all practices returned to those of 1552.⁴²

The bills passed unaltered in the Commons while the Lords amended the Supremacy act to protect conservatives from outright prosecution under the new government. Otherwise it remained unchanged. It was "an Act restoring to the Crown the ancient jurisdiction over the State ecclesiastical and spiritual, and abolishing all foreign power repugnant to the same,"⁴³ giving the Queen "jurisdictions, privileges, superiorities and pre-eminences, spiritual and ecclesiastical, as by any spiritual or ecclesiastical power or authority hath heretofore been or may lawfully be exercised or used for the visitation of the ecclesiastical state and persons."⁴⁴ She was also given

the power to enact “the reformation, order and correction of the same and of all manner of errors, heresies, schisms, abuses, offences, contempts and enormities, shall for ever, by authority of this present Parliament, be united and annexed to the imperial crown of this realm.”⁴⁵ It not only criminalizes speaking or writing against the act but it also makes a third offense in violation of the act “high treason, and that the offenders therein, being thereof lawfully convicted and attainted according to the laws of this realm, shall suffer pains of death.”⁴⁶

The Act of Uniformity was still opposed by some of the remaining bishops in the Lords but without any of the lay support they needed for majority, their efforts at resistance failed. The act instituted the Book of Common Prayer and set forth doctrine to be executed in church service and the administration of the sacraments.⁴⁷ It also prevented the use of any other type of service, imprisonment the punishment for writing or speaking against the act. Perhaps the most important part, however, was its institution of a 12-penny fine for every church service not attended. This recusancy clause would be a main tool used to enforce conformity upon the masses, such a seemingly minute payment significant to all but the wealthy.⁴⁸

The Parliament also released a new treason act along with the Acts of Uniformity and Supremacy. This act stated that anyone who damaged the image of the Queen, supported war domestically or abroad in any holdings of the Crown, or preached against her legitimacy as sovereign would lose “all their goods and chattels, and the whole issues and profits of their lands” and suffer life in prison.⁴⁹ Ecclesiastical officers found guilty of such acts would lose their positions and anyone found committing violations of the act on a second occasion could be subject to execution.⁵⁰

Three other supplementary acts were also released by the Parliament dealing with religious issues. These, however, dealt not with doctrine but with monetary issues, a key matter of concern

for the new Queen. One act gave Elizabeth the power to control the monetary funds and governing regulations of “churches collegiate, corporations and schools” so that she could not only control what was taught but receive any funds she chose from such highly profitable institutions.⁵¹ She more importantly would receive not only restitution for the First Fruits and the Tenth, a form of Church taxation,⁵² but she like her father seized all property of the religious houses and put their lands and profits into her own purse.⁵³ This act gave the Crown the right to take control of such locations because they not only exercised incorrect worship but they were deemed loyal to “foreign powers.”⁵⁴ These acquisitions would not only reoccupy the revenue Mary had lost in costly wars abroad but it would add much more.⁵⁵

In all it seems that the Queen’s maneuvering combined with a lack of overwhelming resistance to majority favor in both houses generated the settlement.⁵⁶ The Queen was given power over the Church and she was thereafter allowed to alter its doctrine as she deemed necessary. More importantly than her power over doctrine though was that she was given control of monastic lands and Church finances. In her tenable financial situation, this was a major benefit of the reinstated Supremacy. In the end, luckily for the Queen, conformity to the popular line seems to have won the day. As one writer in the Parliament would quip, “here resteth us our quire/ as for the rest/ they be at devotion/ and when they be prest/ they crye a good motion.”⁵⁷

With her power now clearly defined, the Queen had the command she required to suppress religious opposition on both sides. Elizabeth was now in full control of the Church but whether or not the new rules would really take hold would remain to be seen. It seemed the only way to be sure that change would happen was to impose rigorous and sustained imposition of the new order by both civil and ecclesiastical officers.⁵⁸

In the spring the Queen would release a set of injunctions which intended “the su[[ressyon of superstition... and to plant the true religion, the [suppression] of all hypocryse, enormities, and abuses.”⁵⁹ No one was permitted to keep any images, tables, paintings and other monuments of “miracles, pilgrimages, ydolatrym or supersticion”⁶⁰ and publishing regarding religious matters was restricted to the Queen, her Privy Council, or the archbishops of Canterbury and London.⁶¹ This was supplemented in 1560 by a proclamation ordering the cessation of any continued Catholic practices including preaching of mass under pain of fine and imprisonment.⁶²

The successive Parliaments of 1563 and 1566, while dealing with lesser issues of church practice, were mainly about taxes, marriage, and succession.⁶³ The 1563 Parliament released one act titled “The Assurance of the Queen’s Power” which extended the Act of Supremacy to include all court officers, sheriffs, feodaries, and esheators. Upon second refusal to do so, the respondent was guilty of treason.⁶⁴ Jones writes that this act was intended to add teeth to the religious settlement because increased criticism from the See of Rome as well as emerging troubles domestically required “more sharp restraint and correction of laws.”⁶⁵ If anyone was found guilty of teaching Catholic practice or spreading Catholic books or pamphlets, they were subject to arrest. Upon second violation, the punishment could be execution.⁶⁶ Although Lords such as Northumberland and the Viscount Montague objected to the increased restrictions, stating that they were a great deal too stern, their interest was perhaps founded more upon the fact that they were known Catholics than because the law was or was not just.

In the end, the religious settlement had once again broken with Rome and set out clear punitive action for those who did not follow the Act of Uniformity or acknowledge the Act of Supremacy. The direction of religious practice had been determined for Elizabeth’s reign and the way in which this reality came to be is important to consider. Divisions within Parliament as well

as the Queen's actions throughout reveal a very real and eventually problematic tension that existed between Catholic and Protestant faithfuls. There were obviously true and devoted Catholics in the government that had to be moved aside to resolve the religious issue just as there were overzealous Protestants that threatened the Queen's real desire of Church supremacy without major reform. She supported the Crown's supremacy over the church and ecclesiastical matters but it is doubtful she supported little else regarding Protestant worship.

After all, Elizabeth railed against the Protestant practices of prophesying and clerical marriage. Moreover, even though a main component of Protestant practice was the repudiation of religious iconography, Elizabeth insisted on keeping the crucifix and lighted candles in her chapel despite consistent objections of many upper Protestant clergy.⁶⁷

The hope was to require church attendance and forbid allegiance to Rome because both were examples of infidelity to the Crown. The laws enacted made Catholic practice difficult but not utterly impossible. Catholicism was not illegal; the government just intended to make it impossible to raise new converts and illegal to openly defy the established church by attending private masses. The plan was to cut Catholics off from their sources and modes of worship so that the new generations would be raised as born adherents to the English faith. Over time, it was hoped that, starved of freedom or mobility, Catholicism would die out all together.

The implementation of these laws would not be as easy as the Crown would hope, however, and dissent would soon prove more volatile than the Crown had previously realized.

Section III: The Watershed

An anti-Catholic Explosion

God prosper the Quene as I trust that he shall,
 And graunt of his mercie with blessed Renowne.
 The Northe, and west, countrie, the sowth, east, and all,
 The people of Englande maybe cleaue to the Crowne.
 Come tomblinge.

And I wishe that Good Preachers and other trewe teachers,
 Wolde visite the vynearde whose branches be downe.
 That all the Northe Countrie yet nosseld in Popeerie,
 Might knowe theyr duetie to God and the Crowne.
 Come tomblinge. W.E.⁶⁸

Trouble began building early. By February 1560, of the nine bishops in England, all but one were under some form of house arrest.⁶⁹ Meanwhile on the continent, the Council of Trent ended in 1563 and reorganized the Catholic Church while the English exile William Allen founded a seminary in Douai in the Spanish Netherlands four years later.⁷⁰ This school would be filled with men who fled England or were exiled for their religious beliefs, and once in the school, they would be taught the skills to serve as missionaries who would come back to England and attempt to spread the true religion. All of this posed a considerable risk to the Crown but as yet, there was no figurehead upon which to pin any hopes for a religious change in the country. Elizabeth would surely not be persuaded to rejoin with Rome and there was no member of the royal family present who could embody the wishes of the hopeful papists – until 1567 that is.⁷¹

Under suspicion of murder in Scotland, Mary, Queen of Scots, fled her own country and moved south to seek refuge with her cousin Elizabeth. It must be remembered that, at the time of her entrance into the country, members of the nobility who did not serve the government were

exempt from the Supremacy oath. Government officers had to agree to it but if a noble did not hold office, he was exempt. Because of this relative freedom, many noble families could and did shield Catholic practice in their own homes. The lower classes felt the pressure of change with the 12-penny fine for not attending services, not only because this was a heavy penalty for the average subject but because failure to pay could mean the transfer of parish as fines would be placed upon the church when its worshippers could either not afford to pay or did not elect to do so. Church leaders were eager to avoid this so they in turn placed pressure upon their parishioners. The nobility, however, could not only afford the fine but took advantage of their freedom to continue private Catholic practice.⁷²

The north was an area of high occurrence for this phenomenon. Catholic priests were operating semi-secretly throughout the 1560's, at least 56 administering in Lancashire, 150 in Yorkshire, and group in the diocese of Hereford. They could afford to operate because they were shielded by the local gentry who funded their activity. This would seem to be a danger against the Crown but as they did not attempt any subversive action, there was no real effort made to suppress their activities although it is certain the Crown would have very little success in doing so if they had wished.⁷³ With the gentry shielding them, the Crown's main defense against sedition, especially in areas so far from the center of government, there was little Elizabeth could do. Therefore, when Mary arrived, she not only embodied a symbolic center for possible dissent but she already had a built-in hotbed of Catholicism to rally behind her.

With this hope as well as the increased criticism of the realm abroad, seditious writings began to be imported at an alarming rate. Two proclamations were released in 1568 alone prohibiting the introduction and dissemination of seditious books and libels.⁷⁴ Those found guilty of possessing or spreading such works would do so "upon payne of her Maiesties grievous

indignation, and to be punished severely, as the quality and circumstances of the offense shall require and deserve.”⁷⁵ Subjects had 28 days to turn in their illegal materials or suffer the “pain of her Majesties greuous indignation”⁷⁶

The first major problem with this group of northern dissidents began a year later. By this time, a clear division had formed in Elizabeth’s council between the old nobility, led by Lord Arundel and his son-in-law the Duke of Norfolk, the former a Catholic and the latter a questionable Protestant. Some historians assert Norfolk was truly Catholic as his late wife had been while others cite his formal acceptance of Protestant practice as enough evidence of his faith. These men had become the key antagonizers to the Secretary of State, the consummate statesman Sir William Cecil, because they did not support his policy of open antagonism to Spain. They believed that such continued disharmony could push the French into an entente with Spain which could lead to possible war or even invasion. While international forces at the time would not have permitted such an alliance, the fear was enough to drive a considerable wedge between Elizabeth’s advisors by 1569.⁷⁷

Such conflict was only exacerbated by the fact that, as of October of the previous year, the Duke had begun to plan a secret match between himself and the Queen of Scots.⁷⁸ Proceedings began in Rome to divorce the Queen from her estranged husband in Scotland and luckily the Duke was not only newly widowed but he was the wealthiest, highest ranking noble in England.⁷⁹ He orchestrated the marriage with the help of Robert Dudley, Northumberland, Westmoreland, Arundel, Pembroke, and others, such complicity probably as much a diplomatic move in case of a succession crisis as it was motivated by religious expectations for the future.⁸⁰

A man by the name of Roberto Ridolfi joined the conspirators. He was a Florentine banker based in London who by the summer of 1568 had become an accredited agent to Rome with a

secret plan to restore Catholicism to England. The match was orchestrated by Norfolk but Ridolfi's involvement would turn the match into a grander plan for Mary's immediate succession to the Crown.⁸¹ Norfolk therefore went about courting support in the north while Ridolfi began talking with the Spanish and French ambassadors, Norfolk and Arundel personally using Ridolfi to discuss Catholic restoration with the Spanish.⁸²

Unfortunately for the conspirators, though, Elizabeth would learn of the plan in the summer of 1569 from her ladies in waiting. Furious and desirous of an explanation, she immediately called for Leicester to account for the group's actions. Always the Queen's favorite, when he took to his sickbed, he tearfully confessed the plan to her and as such earned instant reprieve.⁸³ Yet when she called for the Duke, he refused the summons and instead fled to his country house and claimed he was too ill to appear. Eventually she would send a messenger guaranteeing that Norfolk would not be seized if he obeyed her but when he finally did set out for Windsor as directed, he was taken into custody and moved to the Tower along with many of the others involved, including Ridolfi.⁸⁴

Propaganda pieces such as the work by Thomas Norton entitled *A discourse touching the pretended match betwene the Duke of Norfolke and the Queene of Scottes* would denounce Mary and the Duke for their actions.⁸⁵ This book would call Mary a "Scottish idolatresse" who "hauyng shewed her selfe once a Competitor of this Crowne, is like to drawe [Norfolk] from the due consideration of his allegiances by her cunning perswasions wherin she excelleth."⁸⁶ Such words though, while perhaps stirring up sentiment for the Queen among her supporters, did not solve the problem of Northumberland and Westmoreland who had been involved in the plot but were not under custody of the Crown.

In fact, when Norfolk was taken to the Tower, the Queen also called Northumberland and Westmoreland to report to Windsor to answer for their behavior. Yet instead of reporting, the men ignored the order and took up arms. While the Privy Council sent out commands to immediately assess the loyalty of sheriffs and other northern officials in an attempt to discern how far the rebellion could spread, on November 14th, the earls rode into Durham, seized the cathedral there, and symbolically threw the Book of Common Prayer upon the floor. They then ordered a mass and raised their standard of revolt.

MacCaffrey asserts that the goal of the men was to restore Catholicism to the country, using Mary as a liberated leader who would replace Elizabeth upon the throne. While he does write that Northumberland was insistent upon using religion as a motivator while Westmoreland was more hesitant to do so, the cause was outwardly one of religious opposition. Yet he does believe that the reason they decided to act in the first place was not because of some sudden explosion of Catholic sentiment but in fact because they believed the plot had been revealed too thoroughly to escape unscathed. He even proposes that this was perhaps a last strike at a system that was beginning to emphasize government dexterity over simple birth and breeding.⁸⁷

Adrian Morey, on the other hand, supports the theory that the revolt was not really religious in foundation at all. They were merely rebelling because they feared the Queen's punitive action and simply used the restoration of Catholicism in an area they knew to be heavily sympathetic to that religion.⁸⁸

It is impossible to read their minds now of course but intention seems much less important than outward appearance. Their overt actions and their supposed motivations were religious and as such, the rebellion should be considered mostly one of religious defiance. To Elizabeth and her government, that was exactly what it was.

Luckily for the Queen though, the rebellion would end miserably. The possibility of moving south to free Mary was quickly terminated when she was moved and the security around her increased significantly. Also, many northern nobles the two earls attempted to enlist in their revolt not only refused to participate but raised men against them in service of the Crown. By the end of the year, without a single shot fired, the earls' forces scattered and the men fled the country. MacCaffrey even quips that the only opposition the royal forces faced when moving north were the snow-blocked northern roads.⁸⁹

Despite this success though, the Queen was not hesitant to move farther, if only to send a message to future insurrectionists. She drew up a list of 700 conspirators who were sentenced to death, and while only part of the orders were obeyed, the wealthy listed found themselves attained, their lands and goods reverted to the Queen. Only those imprisoned who took the oath of Supremacy escaped with their lives.⁹⁰

It is true that the rebellion, in the end, would come to nothing. Yet it did two important things. It firstly revealed at least the possibility that Catholics could rise against their Protestant Queen. It was true that the Earl of Sussex, Shrewsbury, Wharton, Darcy, Cumberland, and Derby, all highly powerful northern peers, did not participate, but the rebellion did reveal the prevalence of pro-Catholic sentiment still quite entrenched in some northern diocese.⁹¹

Proclamations would be released simultaneously denouncing the actions in the north and promising that pardon would be available to all those subjects who would remain loyal to the Queen.⁹² Propaganda would also be published such as the book titled *To the Queenes Maiesties poore deceiued subiects of the northe countreye*⁹³ which would address the northern populations who had "throwen away [their] due submission and obedience."⁹⁴ Like other such compositions, it begs those in the north who have acted treasonously to realize the magnitude of the Queen's

mercy and to “think upon the greate examples of clemencie that she hath used, the tender love that she hath euer shewed to the Realme, the care she hathe for us all, the grieffe she beareth to love so many of you that might be better preserued.”⁹⁵

Thomas Norton’s *A warning agaynst the dangerous practices of papists*⁹⁶ also urges the northern populations to reestablish their loyalty to the Queen while Willyam Seres⁹⁷ and the author W.E.⁹⁸ would write playful ballads taunting the foolish northern people for their actions. All would impart to the northern disloyal subjects how lucky they were to receive the Queen’s mercy: “Bethinke your selves, and take advice/ And speedily repent:/ Accept the pardon of the Prince/ When it to you is sent./ So may you saue your bodies yet,/ Your soules and eake your good,/ And stay the Deuill, that hopes by you/ To spill much Christian blood.”⁹⁹

However, as Morey writes, “while one crisis was averted, it was soon replaced by another.”¹⁰⁰ At the inception of the rebellion, Northumberland and Westmoreland had written to the Pope asking for support for their uprising. Yet by the time a favorable reply had reached England, the revolt was over and the earls had fled the country.

As a result, the Pope released the *Regnum in Excelsis*¹⁰¹ in March of 1570. In the past, Rome had attempted to send several envoys to England in hopes of reaching some type of religious settlement but the first mission was dissuaded by Philip of Spain while the second was given permission to come to England until Cecil won his opposition movement and had the visit postponed indefinitely. These moves were also accompanied by Philip’s attempt to get imprisoned bishops in England freed but no overtures met with great success.¹⁰²

Because of this, as well as the appointment of Pope Pius V who did not take such a diplomatic approach to the issue of England’s religious stance, the Bull of Excommunication was distributed. It declared “the foresaid Elizabeth to be a heretic and faviourer of heretics, and her

adherents in the matters aforesaid to have incurred the sentence of excommunication and to be cut off from the unity of the body of Christ”¹⁰³ It deposed her as Queen and released her subjects from their loyalty to her. It did not call for rebellion against her as some bulls did but it did guarantee similar excommunication for all those English subjects who would continue to attend church services.¹⁰⁴

English lyricists would write humorous ditties about the Pope’s failure with the rebellion and the foolishness of the successive bull such as Thomas Preston’s *A lamentation from Rome*:

The Cardnalles they beginnes,
 To stay and take him in there arms,
 Be spurnd them on the shinnes.
 Away the trudgd for feare of harme,
 So there the pope was left alone,
 Good Lord how he dyd make his mone,
 The Stooles against the Walles he threwe,
 And me out of nose he blew,
 I hopt I skipt,
 From place to place about I whipt,
 He swore he tare,
 Till from his Crowne he pold the heare.¹⁰⁵

The government, however, could not afford to take the matter so lightly. In less than a year, a rebellion had taken place in the north and the Papacy had released a major document announcing the official excommunication of the Queen. By duty, all Catholics, regardless of nationality, were bound to disobey her, this not only fueling contempt for her abroad but creating a new conflict for Catholics domestically. To be good Catholics, they could no longer be good Englishmen.

Two proclamations would be released that year once again denouncing the importation or selling of seditious or schismatical books, the government doing whatever it could to keep copies of the Bull, translated or not, out of the country.¹⁰⁶ Because of the very real fear of what

Catholics would do with such openly hostile information, the Catholic populace would suffer the increased burden of legal prohibition in the future.¹⁰⁷

Unfortunately for the government though, as it began trying to remove Catholics from prominent government positions throughout the country, another plot was discovered. Again involving Mary, the Queen of Scots had continued her correspondence with the imprisoned Duke after the rebellion. In their letters they exchanged promises and affections, the Queen pushing Norfolk to reach out to Spain for assistance. Ridolfi, the Venecian banker, was meanwhile released from custody and immediately began printing copies of the Papal Bull. He also began courting support for a Spanish invasion while Mary pressed Norfolk to do something to free her and restore Catholicism to England.

At one point the Duke was convinced to meet directly with Ridolfi and in so doing promised to raise 10,000 men if the invasion could be executed.¹⁰⁸ Once such a promise was secured, Ridolfi left for the continent to court the Spanish. While Philip would never openly agree to such a venture, he would secure 200,000 crowns for possible future actions.¹⁰⁹

The trouble came when ciphered letters were intercepted in Dover by a government officer. The government imprisoned the messenger and managed to tap into the correspondence network, eventually obtaining a letter in which the Duke was asked to send funds to the Marian party in Scotland attempting to secure her safe return. Norfolk's secretary was soon arrested and taken to the Tower where he confessed all dealings between Mary and the Duke going back to 1568. At this news, Norfolk was moved back into the Tower and he was put on trial in January of 1572 by the Earl of Shrewsbury as Lord Steward along with 26 other lords.

After endless testimony that was intended to incriminate Mary as well as Norfolk, the Duke was declared guilty. For his involvement in the plans for his marriage to Mary without the

Queen's consent, his role in inciting the Northern Rebellion, and his complicity in the Ridolfi Plot as it came to be called, he was convicted and sentenced to death. While the Queen would waver on signing the warrant for some time, she was forced to act by Parliament and the Duke was executed as planned.¹¹⁰

These tumultuous events would shake the foundation of the Crown and usher in an entirely new era of anti-Catholic political policy. It was simply unsafe to trust Catholics to practice as they had previously because all could be potential enemies to the Crown with the release of the Bull. Such concern was only amplified by the actions of Norfolk for if such an elevated member of society could become tangled in Catholic plots against Elizabeth, anyone could.

As a result, Parliament would meet in 1571 and sharpen treason laws considerably. Anyone proclaiming the Queen was not the rightful ruler was guilty of treason as was anyone plotting to overthrow the Queen, helping plotters, or even speaking of doing so.¹¹¹ Another act formalized the previous proclamations regarding seditious writings by making it treasonable to own, print, or disseminate any writings produced in the See of Rome.¹¹²

The next year's parliament would declare it treason to conspire to capture or detain the Queen or any of her holdings while another act would make it an act of high treason to free anyone in prison already convicted of treason.¹¹³ These acts were supplemented by proclamations released once against speaking against seditious books as well as requiring all officials to immediately arrest any subjects who refused to use the Book of Common Prayer.¹¹⁴

MacCaffrey writes that Elizabeth's early reign was overcast while the years after the Papal Bull were filled with dark clouds and tempests.¹¹⁵ The first priests trained by William Allen on the continent arrived in 1574 to spread Catholicism and in 1577, a priest by the name of Cuthbert Mayne was tried and executed under the 1571 treason act.¹¹⁶ He was the first of 123 priests

executed before the end of Elizabeth's reign, 78 of which would be sentenced by 1590 and the rest killed between 1590 and 1603.¹¹⁷

The 1581 Parliament would meanwhile increase recusancy fines considerably in an attempt to control a troublesome minority that was obviously growing. The act titled "An act to retain the Queen's Majesty's subjects in their due obedience"¹¹⁸ would lay out definite fines for different recusant actions including the fine of £20 for anyone above 16 not attending church. Any refusals after 12 months would incur a fine of £200.¹¹⁹ Another act released would increase the punishment for speaking "seditious words and rumours" against the Queen as well as for printing treasonous books denouncing her.¹²⁰

More propaganda would attempt to denounce the actions of the Papacy such as Lord Bishop Thomas of Lincoln's work *Brutum Fulmen: of the Bull of Pope Pius V.*¹²¹ He would attempt to argue that the Pope was in fact not the true successor of Peter which meant that the Bull against her and any other direction the See of Rome took was unfounded and ungodly.¹²² Such ecclesiastical attempts at dismissing Catholic motivation was coupled with more proclamations released by the Queen, one in 1581 demanding that all students studying abroad return to the country while the names of those children be turned in to ecclesiastical officers,¹²³ another in 1582 labeling it treason to support or hide any Jesuit traitors to the Crown.¹²⁴

Despite these legal maneuvers, Mary would involve herself in another plot in 1583. Sir Francis Throckmorton, a Marian courtier, conspired with the Spanish ambassador in England named Bernardino de Mendoza to simultaneously organize English Catholics for revolt while Spanish and French forces would attack from abroad. William Allen pressed for support of the plot in Rome and the aim was for French forces to land in Scotland while Spanish forces would land in England and unite with revolting Catholics to seize the country.¹²⁵

Luckily enough the correspondence was uncovered by Secretary of State Sir Francis Walsingham before plans could progress to outright execution. Mary managed to remain safe once again though because while Mary was included in correspondence with the conspirators, she never openly wrote enough of her hopes or intentions to incriminate herself in the Queen's eyes. Due to Elizabeth's reluctance to act against her cousin, Mary would escape from another plot once again unscathed.¹²⁶ Mendoza would be expelled from England by January of 1584 and Mary would merely be moved to the more heavily secured location of Tilbury.

These events would just add fuel to the fire though. Two proclamations released in 1583 and 1584 would speak out against the publishing, spreading, writing, or selling of seditious and schismatical books and libels while the Parliament of 1584 to 1585 would discuss the need to control Mary and prepare for national defenses in case the Spanish did come.¹²⁷

Then, in 1586, Parliament finally got what it wanted. Previously Catholic hopes had orbited around Mary ever since her arrival in England. While she had been involved in several plots against the Queen and there was sufficient evidence of her intrigues, Elizabeth was reluctant to take harsh punitive action against her cousin. Some historians believe this was because she herself had been in a similar position under her sister's rule. Others support the claim that she wanted to get rid of Mary throughout her stay in England but because James VI of Scotland, Mary's son, was the most likely successor to Elizabeth's throne after Mary, she did not want to spoil their relations by unduly executing his mother.

Yet Mary would give Elizabeth little choice in 1586 with the discovering of the Babington Plot. In this scheme, Mary would assume the throne after a young man named Anthony Babington and his friends succeeded in executing Elizabeth. Despite Mary's belief that her correspondence was not being monitored, Walsingham read every letter she sent or received and

as such, the plot was discovered immediately. The coup of this instance was that Mary, for the first time, openly approved plans to kill Elizabeth whereas previously she had been skilled enough to hide her true wishes in complicated and vague rhetoric. This time, unfortunately for Mary, her words were neither vague nor complicated and she was therefore arrested along with her conspirators.¹²⁸

Her trial began October and after only four days she was found guilty of treason. Even though Elizabeth once again wavered as to signing her death warrant, Parliament would force her to act. Again debate exists which wavers between believing Elizabeth was truly reluctant to kill her cousin and asserting that Elizabeth just wanted to appear merciful when her Parliament would not be so lenient. Whatever her intentions though, Elizabeth eventually agreed and Mary was executed in February, thus ending a major locus of Catholic hope for the future.¹²⁹

Because of this loss, there was a significant change in the nature of recusancy in England. Along with the death of Mary and the decimation of the Spanish Armada in 1588, the Parliament in the intervening time would increase recusancy fines to £20 for every month Church was not attended.¹³⁰ The Queen survived the second threat by sheer luck, or as a medal struck after the destruction of most of the fleet at sea would claim: *flavit Deus et inimici dissiparunt*.¹³¹

Regardless, with Mary dead and any hope of invasion seemingly gone, some Catholics chose to flee the country while those who stayed behind operated with no real goal or leader upon which to pin their hopes. Elizabeth was almost certainly not going to produce an heir by this time so the next likely successor was James, a Protestant king.¹³² Therefore, even legitimate succession was no longer a light at the end of the tunnel.

A threat still existed though and would, as made obvious by persistence, never go away. Catholicism would survive in England no matter how starved it would be. Priests were still

entering the realm and Catholic writings still made their way through the countryside. Proclamations in 1588 once again tried to limit such works¹³³ while the Parliament of 1593 would release one act regarding loyalty to the Crown and another “for the better discovering and avoiding of such traitorous and most dangerous conspiracies and attempts, as are daily devised and practiced against our most gracious Sovereign Lady.”¹³⁴

William Allen’s death would alleviate more pressure in 1594, such relief causing the general slackening of enforcement in the last years of the Queen’s reign. Division also formed domestically between those Catholics who wished to continue recusant activities and those who merely wanted to live peacefully and survive however they could.¹³⁵ As a result, the flame that was anti-Catholic policy which had been lit in 1569 seemed to be dying out slowly.

Upon first glance at the laws passed during Elizabeth’s reign though, it would seem impossible for Catholics to survive either individually or as a cohesive group in England. Recusancy fines became ever higher and more difficult for even the wealthy to bear while treason laws broadened in scope to such a degree that it seemed anyone involved in any way with Jesuits could be subject to prosecution. Without closer inspection, the laws themselves would seem enough to eliminate Catholicism entirely.

Yet this was not the case. Despite the release of proclamation after proclamation and statute after statute, repetition alone should reveal that the problem was not only significant but perhaps even insurmountable. The question remains then if so many laws were passed, why were they so ineffective in preventing the very thing they were drafted to combat. Why indeed.

Chapter IV: The Secret State

The Inadequacy of Political Policy

A secretary must have a special cabinet whereof he is himself to keep the key, for his signets, ciphers, and secret intelligences, distinguishing the boxes or tills rather by letters than by the name of the countries or places, keeping that only unto himself, for the names may inflame a desire to come by such things... I could wish that the secretary should make himself acquainted with some honest gentlemen in all the shires, cities and principle towns and the affection of the gentry... though there may be defects which by progress of time and experience he shall be able to spy and amend. Then to have a book or notice of all the noblemen, their pedigrees and alliances among themselves and with other gentlemen.¹³⁶

Firstly, the laws were not utterly and completely useless. If considering the theories of civilized or at least civilizing societies, laws are needed to provide safety, form and function for a country's subjects. In practice, the laws provided a legal foundation upon which the government could rely to justly punish those members of the population who chose to disobey the government in a way that could have been dangerous and subversive. By merely examining Privy Council records, it is clear that the government did what it could to control recusancy with the legal measures it created.

Initially, those arrested for recusancy were referred to as "prisoners for religion" due to "matters ecclesiastical."¹³⁷ From 1571-75 there are various letters to bishops ordering such things as the completion of a trial for a religious prisoner in Canterbury or the regulation of aliens in London not attending church services.¹³⁸ There are instructions to sheriffs directing them to uphold laws regarding seditious books and even an order in July of 1574 directing a bishop to organize a trial for a man named Lawrence Cowper who had been caught being a "sower of very

lewd and seditious practices and being found with a booke of Papishe prayers.”¹³⁹ To these are added reports of seditious speaking and lewd speeches as well as directions to various dioceses making sure that all church officers are conforming to the Book of Common Prayer.¹⁴⁰

From 1575-77 there are 38 letters directly pertaining to the actions of recusants.¹⁴¹ While aliens were again being watched by the government for their failure to attend church services, letters were once more sent to bishops asking them to use their legal position to investigate possible recusants in their areas of influence.¹⁴² Such work only increased over the years as the number of letters addressing recusancy problems rose from 49 in 1580 to 110 in 1581.¹⁴³ These include everything from updating trial information to ordering bishops to make sure their officers were enforcing laws in their individual dioceses. While the number of such letters would drop to six in 1588, the issues discussed would remain the same.¹⁴⁴

The government therefore did try to enforce the laws created. But clearly they were failing as the letters reporting recusant activities in different areas only increased over time. In 1581 alone there were letters indicating subversive activities in Lancashire in January, Marshalsea and Surrey in February, East Anglia , Staffordshire, Peterborough and Shropshire in April, Wocestershire in July, Oxford in August, Winchester in September, and Herefordshire and Middlesex in December.¹⁴⁵

These legal measures were unsuccessful because there were many weaknesses in the system that helped recusancy grow instead of subside as the plethora of regulations would lead one to believe. At first glance, it would seem as though so many laws would make the possibility of Catholicism surviving in England minute at best. Clearly though this was not the case.

Even when people were arrested for violating Church laws, there are several reports in Privy Council records of people being arrested only to be released again on bail or because

family members were ill or dying.¹⁴⁶ In 1574, one letter would even tell a bishop that if accused persons “could be brought to conformity and be bound to observe the lawes and orders of this realme established for Religion, they should be put at libertie.”¹⁴⁷ Otherwise he was told to “procede against them as their offenses required.”¹⁴⁸ By the 1580’s the government would attempt to curtail such examples of leniency with actions like Walsingham’s letter to the shires directing them to recall all those accused who were out on bail, yet it is doubtful such attempts did much good in the long run.¹⁴⁹

Recusancy fines were also on the whole unsuccessful. For example, of the 1939 recusants from 22 counties listed by the Council in December of 1582, only 55 are reported to have paid the fines levied against them.¹⁵⁰ Four years after the passage of the 1581 Parliamentary statute increasing fines, a period during which the Privy Council had attempted to drastically increase its pressure upon local officials to collect the new fines, 55 recusants from 18 counties and two cities collected a mere £6356, an amount which Wallace MacCaffrey calls “a dismayingly poor return on the efforts exerted.”¹⁵¹ One particular surge of fine collecting in 1585 enacted by the Privy Council to raise funds for the war in the Netherlands hoped to raise £7000 by calling in many overpaid recusancy debts. It only succeeded in collecting £3000. Even so, this was more than statutory collections had brought in during any twelve-month period previously.¹⁵²

These shortcomings led the Privy Council to proposing a compromise. They decided they would give recusants the option of paying a yearly fine of some fixed amount. By merely paying half of the £240 annual recusancy fine, violators would be free from any court harassment and the vexation caused by spying government informants. When the Council sent out letters proposing such a plan, over 300 recusants from 24 counties replied that they would comply with

such an arrangement. Yet when the Council realized this would appear to be a retreat from official policy, the plan was abandoned.¹⁵³

Upon first glance the statutes released in 1586 were effective. Between Michaelmas 1582 and Michaelmas 1586, around £9000 in fines were collected while after 1586 through Easter 1592 this collection rose to over £36000. Yet these figures are misleading. Not only had the numbers of payers risen from 45 in '87 to 167 in '93, the counties involved rising from 22 to 32, of the £36332 in recorded fines collected, £26700 was paid to the Exchequer by only 16 men.¹⁵⁴

These 16 men were upper-class Catholic gentry but they were neither the wealthiest nor the most well-known Catholic gentry in the country. MacCaffrey puts forth that they were a token recusant community, a group of men the government chose to focus on in order to project the appearance of competent enforcement. These men were joined by a group of lesser gentry who had to withstand the seizure of 2/3 of their entire estates to pay fines imposed upon them. Effectively they were scapegoats for the Crown because they could never have displayed harshness everywhere. These men were just convenient targets for a broken system.¹⁵⁵

The first reason for the failure of enforcement can be found with the institutions created to do the enforcing. One such establishment was the Court of the High Commission. A hybrid court of lay and church officials, theoretically the High Commission was the Crown's main tool to enforce religious laws. But in reality, this institution's powers were quite uncertain and their functions were intermediate at best. In truth, their real purpose was merely to execute orders given to them by the Queen and transmitted by the archbishops. They had little affect whatsoever upon the Queen's decisions relating to Church doctrine or ecclesiastical law enforcement. Even the Primate, the head of the council, usually just received orders transmitted to him by the Secretary.¹⁵⁶ It was therefore rather impotent when trying to prevent large-scale problems.

Undoubtedly the Crown's awareness of this problem led to the attempted redefinition of power by the 1581 Parliament.¹⁵⁷ The Lords proposed a bill that would place the job of legal enforcement squarely on the shoulders of the High Commission. In their bill, the Commission, emboldened by new influence and more autonomy, would have the freedom to punish anyone for failures of either nonattendance or noncommunication. The Commons, on the other hand, drafted a bill that would place similar powers purely in the hands of civil courts. In their opinion, it was better for Justices of the Peace and lay courts to be the ones handling recusant difficulties.¹⁵⁸ In the end though, neither house would agree to the other's measure so all that came out of the Parliament was the bill increasing nonattendance fines.¹⁵⁹

Another major problem, and perhaps the most significant one, was the loyalty and adherence of local officials. After the Northern Rebellion in 1569 and the Ridolfi Plot two years later, the gentry had revealed that it could not always be trusted to enforce the laws previously in place to regulate Catholics because their loyalty was now forever uncertain. If they could be unreservedly trusted, the highest members of government would not have plotted against the Queen and the incidents would not have revealed Catholic sentiments that theoretically should not have existed in the first place. This fact alone would generate the explosion of policy but this increase in restraints could not make up for the fact that local officials were neither always willing nor even capable of enforcing political policies.

When there was a strong Protestant leader in an area such as the JP of York, recusancy was relatively minimal because a powerful leader was available who wished to enforce the law.¹⁶⁰ Yet in areas rife with Catholic sympathy or possessing weak officials, local government officers were sluggish to act because they did not have the power to or merely wanted to keep the peace. In theory an official could prosecute a man not reporting to Church but if the man violated the

law with the support the local population, significant unrest could be generated by harsh restrictions or mass indictment. An example of this can be seen in Berkshire in 1569. The Justice of the Peace confronted subjects who refused to go to Church as they were obligated to do. He also directed them to pay their recusancy fines which had accumulated over time. Yet when he pressed the subjects, they merely refused to do as he directed. Without the strength or support to act, all the JP could do then was write the Council and ask what them hoe to proceed.¹⁶¹

Catholic sympathy, however, was more common than the Crown was prepared for. In 1564 the Privy Council ordered an inquiry into the religious opinions of the Justices of the Peace throughout the country but much to the concern of the Crown, the results yielded a great deal more Catholic sentiment than initially expected.¹⁶² Catholics were also highly represented at the Inns of Court so if a recusant was prosecuted, it was likely that the accused could obtain a Catholic lawyer.¹⁶³

In 1568 the Crown would try to get rid of these slow-moving officials by asking the High Commission to investigate the members of the Inns of Court. Many recalcitrants were identified and threatened with disbarment, but if certificates of conformity were produced to Commission officers, the accused could go free.¹⁶⁴ Such a move would be attempted again in 1576 when certain magistrates were ordered out of the Commission of the Peace because they did not attend church services. However, a month later many were allowed to resume their positions because they displayed adequate adherence to the Book of Common Prayer before the archdeacon.¹⁶⁵ As such, the Crown showed a definite degree of leniency which can only be seen as an antithesis to any true Catholic control or suppression.

Conveyance, another weakness and a problem endemic to the early modern period, could aid officials in their conscientious resistance. Because messengering was the only way to convey

orders to local officers, communication at the time was slow and complicated.¹⁶⁶ Council agents of all sorts as well as the object of the orders issued often had to be contacted multiple times and in a variety of ways prior to the successful conclusion of a single direction.¹⁶⁷ Sometimes the order would not even be obeyed until the recipient was intimidated with an order to appear in front of the Council itself. While seemingly innocuous, this threat was significant because it required a great deal of time, effort, and money to travel to London and appear as directed.

One way for someone to avoid such problems or at least delay them was for the message to be lost in transport. This could happen accidentally of course but often messengers were bribed to say that they had either been delayed in delivering the message or unable to do so at all. One comical tale Michael Barraclough Pulman reports involves the mayor of New Romley being told by a messenger named Robert Brown that he had been summoned to appear before the Council on some matter. In order to avoid this inconvenience, the mayor bribed the messenger 40 shillings to report back that he was unable to deliver the message. Later on, however, the mayor discovered that he had not been summoned at all. He would complain to Sir Francis Walsingham that Brown had made up the summons merely to extract money from him.¹⁶⁸

Another early modern inconvenience was that officials often sent out numerous exceptions to regulations set forth in formal statutes. The law was not always as firm and unchangeable as it might appear on the books. For example, the Crown always attempted to regulate the comings and goings at port cities because it was here that possibly dangerous foreigners or materials could enter the realm. But often special orders were issued by the Crown allowing for certain exceptions at specific times for special individuals. This would mean that, for local officials attempting to uphold general edicts, it was frequently impossible to know which laws were to be

followed in what instances. It was even easier for falsified documents to be used as changes were so entirely commonplace that one could rarely be totally sure if an exemption was valid or not.¹⁶⁹

It must also be remembered that there were no police at this time. In today's world, when a person commits a crime, he or she is usually apprehended by law enforcement before being processed by the country's legal machinery. Yet in the early modern period there were no police departments and no standing armies to enforce the adherence to laws. Not only was such a thing unknown at the time but the funding for such a venture would have been virtually impossible. There were no standing troops ready to put down the Northern Rebellion in 1569 and there were no armies available for defense against the Spanish Armada of 1588; soldiers in both instances were provided by loyal aristocrats. As such, local officials were responsible for law enforcement and if an accused party refused to be taken into custody, physical restraint had to be enacted under the personal impetus of the local official.¹⁷⁰

Pulman asserts that very little was done by the government beyond what has been discussed to combat these problems. Yet in reality, it must be realized that very little could be done. Standing armies were unknown at the time and entirely too costly for the government to support if such a venture would have been attempted. There were no revolutions in communication or transportation that could make correspondence quicker. Therefore there was no way to regularly and consistently enforce everyday problems within the confines of the legal system. The infrastructure and the confines of early modern society and technology simply did not allow it. As such, the government was forced to turn to special methods of control when subversive forces threatened to overthrow the Queen.

Mary Hill Cole in her book *The portable queen: Elizabeth I and the politics of ceremony* discusses one form of irregular control the government employed.¹⁷¹ Elizabeth would often tour

through the countryside and by her very presence force conformity of local populations. Because of this power, such tours were a staple of Elizabeth's government. Between 1558 and 1603, she visited over 400 individual and civic hosts, providing the only direct contact most subjects had with a monarch who made public popularity an essential component of her reign. Her progresses were not only emblematic of her rule as a visual display of power but they were intrinsic to her ability to govern because politics, socializing, and acceptable ceremony were at the heart of her tours, holding herself up as an example of the formal government line.

The Queen's progresses brought her into the homes of not only her favorite courtiers and those who were in disgrace, but those whose loyalties were perhaps in question Her progresses helped the Queen exert her religious prerogative upon such people because she would also set a religious example wherever she traveled, displaying proper practice and pressuring her subjects into conformity. It was hoped that her mere presence would force others to abandon resistance.¹⁷²

As early as 1561 Elizabeth's attention was drawn to the variety of worship methods while on tour in Suffolk. She saw that each church service seemed tailored to each clergyman's preferences, most characterized by radical simplicity which generally ignored the Book of Common Prayer and the Injunctions. This realization would undoubtedly contribute to the desire for the strengthening of ecclesiastical laws in the Parliament of 1563.¹⁷³

Obviously though this method was not all that was needed for conformity in local areas. There are letters in Privy Council records more than 10 years later dictating requested changes based upon observations made while on tour. One letter exists from 1575 in which the bishop of Staffordshire is directed to bring local recusants "to better conformytie in matters of Religion" because the Queen and her officials discovered upon "her Majesties late Progresse at Worcester" that local practice was not as it should have been.¹⁷⁴

The question remains then what did the government do to maintain its rule if the law was in reality less than adequate when it came to controlling Catholic dissidence? After all, there were certainly many attempts to attack the Crown or kill the Queen in the 45 years Elizabeth was in power. In examining every major plot against her though, one factor seems prevalent throughout: the use of intelligence networks to discover subversive activity.

Curtis C. Breight argues that the very structure of the Elizabethan government was based upon intelligence. He believes that the government was constantly paying informers, searching for Catholic priests, and performing other tasks necessary for the protection of royal power.¹⁷⁵ Conyers Reed, on the other hand, argues that the Elizabethan spy systems were not nearly as large, complex, and organized as some would like to believe.¹⁷⁶ Before this debate can be settled though, one must consider how the networks worked and what they did for the government.

The first Elizabethan intelligence networks were set up by William Cecil abroad before Walsingham was brought back to England in 1571 after his tour in France as ambassador.¹⁷⁷ Leicester also had his own informants but the scope of his network would only surpass Cecil's in 1582 and it would never reach the size or span Walsingham maintained in his years of service. In his last year as Principle Secretary, Cecil would correspond with 50 informants while Walsingham would be in contact with 111 by 1585. In 1582-1583 alone, his number of correspondents would rise to approximately 500.¹⁷⁸ Such numbers are the result of the necessity for continued contact, Walsingham himself personally paying for the continual maintenance of 60 mounts in stable so that he could have perpetual access to messengers.

Ciphers were the key tool of correspondence, cryptologists either employing transposition or substitution in their work. In transposition, characters were shuffled but retained their actual meaning while substitution omitted change of sequence for replacing letters with symbols or

numbers. Cecil usually used signs of the Zodiac to refer to people while Walsingham frequently used numbers. In modern terms the encryption was unsophisticated at best but for the time it was highly developed and carefully done by expert government officers.¹⁷⁹

The first plot discovered was by Cecil early on in the reign. This plot would involve a lawyer named Dr. John Story who was born in London and took earned a civil law degree at Oxford in 1531. He would earn his doctorate in 1538 and was elected Parliament in 1547 under Edward. Yet he was soon sent to the Tower for speaking out against the rule of Edward, a boy king, proclaiming it was an outrage to be ruled by a child. After he was released, he lived abroad for a time until returning to England upon Mary's ascension. When he returned, he was given a position as lecturer at Oxford and appointed to the dioceses of London and Oxford. Needless to say, he was a zealous supporter of the Restoration.¹⁸⁰

Upon Mary's death he was able to conform enough to maintain his position until 1560 but because of his radical declarations against the religious settlement, he was sent to Fleet prison. He managed to escape in 1563 with another prisoner and flee to Flanders but he maintained correspondence with a man in England named John Prestall, a man who also happened to have taken a position as intelligencer to Cecil. Luckily Prestall was able to maintain the persona of enemy to Elizabeth for Story so that after aiding the doctor to orchestrate an invasion of England by the Spring of 1570, he was able to learn through Story's correspondence with other recusants abroad that Cecil and Nicholas Bacon were marked for assassination.¹⁸¹

It was at this point that Cecil decided Story was a significant threat to the Queen. He therefore orchestrated Story's kidnapping by employing a group of men to fill a ship with supposed recusant material as bait. When the contraband reached Antwerp and Story got on the boat to inspect it, the men took him prisoner and brought him back to England.¹⁸² He was tried

on May 26th, 1571, and despite claiming Spanish citizenship and declining to enter a plea in court, he was found guilty of treason for conspiring to kill the Queen and was subsequently executed at Tyburn.¹⁸³ While he may not have succeeded in actually having the Queen killed, he was responsible for major trafficking in recusant material that came into England. Moreover, to err of the side of caution throughout the reign seemed by far the best course; a threat may not have had teeth but the specter of peril was enough to generate the need for defense.

Story would be Cecil's success but Sir Francis Walsingham is perhaps the best known and undoubtedly the most successful of the Elizabethan spy masters. His correspondents would uncover the most information and be involved in uncovering the most important plots of the age.

Walsingham was the son of a prominent lawyer who attended Cambridge, matriculated from King's College, and attended a university in Padua during Mary's reign. He returned to England in 1558 and with Cecil's help due to a familial connection, he was given a seat in Parliament. He would perform the first intelligence work for his patron in 1568 by compiling lists of foreigners who moved into London throughout that year. Then, after being instrumental in the political ruin of the undesirable Archbishop of Cashel in Ireland named Maurice Fitzgibbon, he was awarded with the position of resident ambassador to France.

A year later he would be back in England and one of his first duties was to watch Ridolfi and investigate his ties to the northern earls. Then, when Ridolfi was caught after Leicester confessed the entire plan to Elizabeth, Walsingham's linguistic skills and legal background made him the ideal candidate to hold and interrogate Ridolfi. Although Ridolfi would be released and participate in further subversive activity, he was promoted to the position of Secretary in 1573.¹⁸⁴

Personally, Walsingham was a dark man whom Elizabeth nicknamed her Moor. He can only be described as intensely anti-Catholic and often asserted that the Catholic threat, instigated

by the Pope and other Catholic powers both at home and abroad, was always imminent.¹⁸⁵ After his appointment, he set up a deciphering station at his house in London which had a department specializing in forgeries and the planting of false documents, a department for deciphering reports coming into London, and a department for deciphering enemy correspondence. He then set up correspondence with men throughout the realm who would watch suspected Catholic sympathizers and keep an eye on those suspected of subversive activity.¹⁸⁶ Throughout the 1570's he would issue reports to bishops throughout the country pointing out known recusants to investigate.¹⁸⁷ Matters would not escalate out of control though until the 1580's when his intelligencers would do the most good for the Queen.

One of Walsingham's major concerns was Mary, Queen of Scots. As he would write to Leicester as early as 1572, "so long as that devilish woman lives, neither her Majesty must make account to continue in quiet possession of her crown, nor her faithful servants assure themselves of safety of their lives."¹⁸⁸ It was no surprise then that he was always very watchful of whomever she dealt with or wrote to. This would soon be very advantageous.

In 1581 Walsingham was sent to France to negotiate a possible marriage between Elizabeth and the Duke of Anjou. While there, he learned through his intelligencers of a proposed plan to invade Scotland which had won the approval of the Pope.¹⁸⁹ When he returned in 1583 therefore, he used an intelligencer working for him named Henry Faggot who was also working in the French Embassy to monitor correspondence with the continent. Luckily Faggot managed to gain access to the ambassador's correspondence and in reading his letters, he obtained lists of all those who visited the embassy and were in contact with the ambassador.¹⁹⁰

Through this information Walsingham was able to learn that one of the chief agents of the Queen of Scots was a man by the name of Throckmorton. He was able to avoid detection

previously because he visited the ambassador and discussed the plans for a proposed invasion at night. Using the information that had been gathered, Throckmorton was seized at his home on November 2nd, 1583, and when his things were searched, a list of Catholic noblemen, a list of possible ports of invasion, and several pamphlets denouncing Elizabeth were found in his possession.¹⁹¹ The details of the plan, designed by the Pope and English exiles in Rome including William Allen, involved an open assault upon the English mainland. The Spanish and French forces, which would be led by the French Duke of Guise and paid for by Spain, would invade Scotland England reflexively, free Mary, and reinstate Catholicism. If the Queen objected, she was to be deposed.¹⁹²

The discovery of this plot alarmed Walsingham because, while revealing the potentially dangerous cooperation between the two significant powers of France and Spain, it also exposed the frightening scope of Mary's correspondence. She was in contact with men throughout England as well as abroad in Spain, France, and even Rome. As a result, she was moved to the Shrewsbury home of a strict Protestant by the name of Amias Paulet. While her involvement in the plot was not incriminating enough to lead to her prosecution, she was prohibited from continuing her correspondence in any way. Moreover, there was to be no communication between Paulet's household and Mary's servants except in the presence of Paulet himself, none of Mary's servants were to leave the house without a guard accompanying them, and strangers were not to be admitted to Mary's presence under any circumstances. By strictly implementing all of these rules, Paulet felt Mary had been completely neutralized by 1585.

Walsingham then recruited the help of Gilbert Gifford, a former Catholic intelligencer. He then decided to allow Mary to resume her correspondence in the hopes of catching her in another plot that could finally eliminate her as a threat to the Queen.¹⁹³

Mary was therefore allowed to receive all letters she had received during the period of prohibition and Walsingham arranged to read every single line. The plan was for Gifford to collect Mary's mail at the French embassy where it was being held then pass the letters on to Thomas Phelippes, Walsingham's confidential secretary and master cryptologist. He would make copies of the letters so that he could decipher them later and then send the correspondence on to Paulet by post as they normally would arrive. At this point they were given to Gifford who would in turn give them to a local brewer who would hide the messages in beer barrels delivered to Paulet's home from the nearby town of Burton. The hope was that Mary would continue her subversive planning, which she did. Meanwhile, the local brewer raised the price of his beer.¹⁹⁴ When Mary would send letters back, the process would be reversed and Pheloppes would copy everything the Queen wrote.

Two years of backlogged correspondence flowed into the hands of Walsingham and his cryptologist from the Low Countries, the Archbishop of Glasgow in Paris, Charles Paget, Sir Francis Englefield, the Duke of Guise, and the Duke of Parma. Upon being asked, Mary replied that she would again support any action taken to free her and establish her on the throne of England. The plan that formed subsequently though had a different tenor than earlier plots of the same nature. Previously plots would support invasion and the conversion of religion but none would openly discuss what was to be done with Elizabeth beyond deposition. In this instance though, for the first time, the plan openly mentioned the Queen's assassination so that Mary could take the throne unopposed. While this may have been the literal plan before, it had never been explicitly mentioned and therefore could not be conclusively proved.¹⁹⁵

In the end of June, Mary was instructed by her conspirators to write a letter to Anthony Babington, a wealthy English Catholic Alison Plowden writes had "a good deal more money

than sense.”¹⁹⁶ Babington, for which the plot would be named, was a former page to George Talbot, Earl of Shrewbury, Mary’s first jailer in England. In 1580 he had been in Paris and met with Thomas Morgan, Mary, Queen of Scot’s agent in France. Upon his return to England, he joined with a group of English gentleman hiding Catholic missionaries from the continent. He was meanwhile recruited by the Jesuit priest John Ballard to aid in the plot against Elizabeth.¹⁹⁷

Babington’s letter to the Queen would detail the plan:

For the dispatch of the usurper, from the obedience of whom we are by the excommunication of her made free, there be six noble gentlemen all my private friends, who for the zeal they bear unto the Catholic cause and your majesty’s service will undertake that tragical execution. It resteth that according to their heroical attempt may be honourably rewarded in them if they escape with life, or in their posterity and that so much I may be able by majesty’s authority to assure them.¹⁹⁸

Unfortunately for Mary, her reply would seal her fate. She would answer that she approved of the plan and stated that once the arrangements were completed for the invasion abroad, then “it be time to set the six gentlemen to work, taking order, upon accomplishing of their design [she] may be suddenly transported out of this place.”¹⁹⁹ With this clear complicity in a plan to assassination of the Queen involving six unnamed men supposedly in Elizabeth’s very household, Walsingham finally had the proof he needed to get rid of Mary.

All of the conspirators were rounded up and quickly put on trial. On September 20th at St. Giles, the priest John Ballard, Babington, Robert Barnewell, John Savage (a Catholic soldier in the Low Countires in the early 1580s), Chidioc Tichborne, Charles Tilney, and Thomas Habington were hung, drawn, and quartered, the fate of all traitors. Babington’s estates passed to his younger brothers while the property of the other conspirators was turned over to Raleigh. The second round of conspirators, namely Thomas Salusbury, Henry Dunne, Edward Jones, John Travers, John Charnock (a colleague of John Savage), Southwell’s cousin Robert Gage, and Jerome Bellamy were executed for their complicity soon after.²⁰⁰

Parliament was then called, opening on October 29th, 1586, its main purpose to handle the issue of Mary's trial.²⁰¹ She was meanwhile transferred to Fotheringay Castle in Northamptonshire and her trial began on October 11th. After four days of hearing testimony against Mary reporting her various treasonous actions against the Queen, she was found guilty of conspiring to murder Elizabeth Oct. 14th.²⁰²

On her part though, Elizabeth would waver on signing her death warrant for some time. One point of view is that she behaved thus because she recalled the position she had been in years before when imprisoned by her elder sister for suspected treasonous acts. Another opinion is that she feigned indecision so that when Mary was finally executed, she would emerge a victim of sorts herself and as such not spoil relations with James VI of Scotland, Mary's son and Elizabeth's most likely successor.

As she would write in an answer to Parliament upon the body's pressing her for a decision regarding Mary's future, "it was of my most favorable mind towards her that I desired some other means of might be found out to prevent this mischief. But since now it is resolved that my surety is most desperate without her death, I have a most inward feeling of sorrow that I... must now seem to show cruelty upon so great a princess."²⁰³ Despite her wavering and claims of forced action, the Queen would sign Mary's death warrant and she would be beheaded in February, the future hope for Catholic succession to the throne of England dying with her.

Meanwhile, a large and lavish funeral was held on the streets of London for Sir Philip Sidney, an English Protestant champion who had died under Leicester while fighting in the United Provinces. Orchestrated by Walsingham on February 16th, 1587, his intention was, as B.H. Newgate would put it, that "any weeping was to be reserved for a Protestant hero."²⁰⁴

With Mary gone, a significant threat, which had been looming since 1567, was eliminated. Yet despite his failing health, Walsingham would now turn to Spain.

He employed an intelligencer named Anthony Standen who had served the Queen of Scots in his early career but upon her death, he shifted his loyalties to Walsingham. He moved to Flanders and changed his name to Pompeo Pellegrini, beginning friendships and correspondence with sailors, merchants, travelers, and diplomats. He even maintained correspondence with a man working for the Spanish Grand Admiral in Lisbon and through these letters he was able to obtain information on ships, forces, and stores being requisitioned by the Spanish in the area. These forces were being gathered to finally carry out the long-proposed invasion of England, making any information Standen could provide Walsingham with vital in knowing when and how the offensive would take place.

Walsingham meanwhile maintained correspondence with another intelligencer named Wychegerde who was a German merchant operating on the continental coast. By Walsingham's order and despite possible dangers he would move from port to port in Spain in order to see the preparations that were taking place.²⁰⁵ On one occasion his whole ship was seized by pirates and he was left with nothing but his underwear yet he kept up his efforts, reportedly traipsing through flooded fields, clambering over ditches, and hiding behind hills in order to count Spanish numbers and estimate supply sizes.

The early modern historian Dr. James A. Welwood even puts forth that Walsingham found a way to retard the Spanish invasion a whole year by arranging for Spanish bills of exchange to be protested at Genoa. Through his influence, Welwood asserts that bankers were persuaded through the work of Walsingham's correspondent named Thomas Sutton to withhold or at least delay loans to Philip so that a main source of revenue for the Spanish invasion. In the end,

Welwood states, a large portion of invasion funds came to be controlled in some part by the English spy master.²⁰⁶ It is unknown if such influence can be really attributed to Walsingham but records of Spanish funding difficulties do exist and formed a significant obstacle to the action.

Whatever the truth of these assertions though, when Walsingham took to his bed in June of 1588, one of his correspondents in Antwerp managed to obtain the declaration being printed for all invading Spanish armies. It was essentially an abstract of a formal denunciation William Allen had written years before, casting Elizabeth as a heretic and usurper while also stating that Philip would be liberating the English. It was thought that this piece of propaganda would be useful for the soldiers to have in order to persuade the people they encountered in England to rally to their cause. Cecil meanwhile obtained information from his own informants regarding the immense size of Spanish forces which would later be combined with the propaganda piece to form a pro-government pamphlet applauding the Crown for success despite such seemingly insurmountable odds.²⁰⁷

The outcome of the invasion is well known. English forces harmed many Spanish ships in port at Calais and would stand surprisingly well against the armada upon their moving through the English Channel. Then, when the remaining forces attempted to move around Scotland to attack from the west, massive storms would decimate the remaining ships. It was a triumphant event in English history, a point at which God had clearly shown his favor to England, the Queen, and the Protestant religion. A major Catholic power had finally amassed its forces to invade the country and depose the heretic Queen, the very epitome of an international Catholic threat, and the move failed brilliantly.

Walsingham, however, would not live long beyond the major coup. He would die in May of 1590 a man of many debts due to his continual personal funding of the men he used to gather

information. William Cecil and his son Robert would pick up the reigns of his massive correspondence yet they were assisted by the Earl of Essex once Lord Burghley began to grow too old to handle all his previous duties. Essex was a great favorite of the Queen like his stepfather Leicester but he mostly used Anthony Bacon to run his political affairs of this nature, showing little competence at such efforts himself.²⁰⁸

With the absence of Mary and the massive failure of a Catholic invasion though, threats became less ominous and more singularized. It is true that the Spanish attempted successive invasions but none were as extensive or as threatening as the first fateful attempt. Also, there were plots after the Armada with international implications but in general most were isolated to a few players who rarely had international ties or greater plans for national attack from abroad. One of the most famous of these events was the Lopez Plot in 1594 but while it did involve ties to Spain, the plot itself is debated by historians today and was arguably fabricated by Essex.

Dr. Rodrigo Lopez was a well-established house physician at St. Bartholomew's and was even called on to help with Elizabeth's increasingly persistent ailments beginning in 1586.²⁰⁹ He happened to have a Portuguese exile staying at his house named Esteban Ferriera de Gama and these two were found to be corresponding with Spanish agents in order to negotiate peace between the two countries.²¹⁰ The plan was discovered when a courtier found the letters and turned them over to Robert Cecil who questioned the men with the assistance of Essex. While Cecil would eventually conclude that Lopez and Ferriera were not acting inappropriately, Essex became convinced that the men were actually planning devious acts against the Queen.

When he discussed his fears with the Queen though, she chastised him for meddling in matters that were not his affair and he furiously stormed out of Court. After two days of sulking, Essex wrote to Anthony Bacon indicating that he had in the intervening time discovered proof

that Lopez and Ferriera in fact planned to poison the Queen. While the two men were arrested and tried, it is believed that the information used in the trial, which Essex provided, was falsified in order to regain favorable standing with the Queen. Lopez would confess to the crime but in his testimony he would claim that he had only done so to avoid the rack. Despite this very likely possibility as well as the hesitance of the Queen when it came to signing his death warrant, he was found guilty of conspiring with Spain to invade the country and of trying to kill the Queen. He was then executed in June of 1594.²¹¹

There would be other intrigues in the waning years of Elizabeth's life but none would reach the same scale as those her earlier years had seen. None would come as close as other plans had to endangering her life and none would possess the same international implications earlier events had contained. Effectively Catholicism had survived in England and while it was clear resistance would survive in some form regardless of the Crown's actions, the intelligence networks had done their duty in preventing any threats from coming to fruition.

The question of the true usefulness of these networks therefore remains. In examining all of the evidence presented though, it is clear that they were integral to the safety of the Queen.

Surely the networks were not organized in a modern sense of the word but this would have been impossible in the early modern period in the absence of technology or sophisticated methods of quick and easy communication. Funds were surely limited as even Walsingham did not receive compensation for his work until 1582 and even then he was only given £750. It rose to £2000 in 1588, two years before his death, but such an increase was perhaps too little too late.²¹² Out of his own pocket he established and funded intelligencers such as merchants, traders, businessmen, commercial agents, licensed travelers, and petty functionaries from as many as twelve places in France, nine in Germany, four in Italy (apparently even penetrating the

English college in Rome), four in Spain, three in the Low Countries, Constantinople, Algiers, and Tripoli.²¹³ Surely a high percentage of the information gathered was exaggerated, useless, or downright false and the skill for differentiating fact from fiction rested upon the man reading such information, leaving great room for overstatement and error.

These downsides though cannot diminish the importance of the work done by Walsingham, Cecil, and others. Without such intelligence gathering, the Queen surely would not have survived. Whatever one's belief regarding the size and scope of the networks, their complexity, or their percentage of success, the fact is that they were there and they were pivotal when they had to be. Intelligencers discovered the Ridolfi discourse, the Throckmorton correspondence, and perhaps most importantly, the Babington Plot. Some might argue, including Mary herself, that the charges had been falsified by Walsingham and others to get rid of her. While this is certainly possible and the real answer may never be known, the fact remains that Mary was a very real threat to Elizabeth. If the law could not contain her and the Crown could not control her, then perhaps extraordinary measures were the only way left to neutralize her continual subversive efforts. Sometimes, as they say, desperate times call for desperate measures.

After all, despite statute after statute and proclamations after proclamation released to handle the recusant threat, there was an inability to effectively and consistently enforce the laws set up by the government to limit the very real and often very effusive threat against it. Into this gaping gulf would step the spy masters, their work undoubtedly essential in Elizabeth's maintenance of her Crown for 45 years of Protestant rule.

V: Conclusion

Disarming Dissidence

“The strong do what they can and the weak suffer what they must.”
- Thucydides²¹⁴

In all then, it can be seen that, after the Northern Rebellion of 1569, the release of the Papal Bull excommunicating Queen Elizabeth in 1570, and the discovery of the Ridolfi Plot in 1571, political policy intended to restrict Catholic practice and recusancy in the country greatly increased. The religious settlement's contentious nature revealed the persistence of Catholic sentiment and the outbreak of conflict ten years later would reveal that such dissidence would not just die out slowly as the Crown hoped. Elizabeth and her government would therefore release large amounts of political policy attempting to make Catholic survival impossible yet with the shortcomings of legal organization, the failure of enforcement in local areas, and the general limitations of the early modern period, intelligence networks were required to handle a threat the law was unable to contain. Such realities can reveal that in any system, even in today's highly technical and highly organized world, that perhaps in extreme circumstances, the law may simply not be enough to ensure real protection.

It must be remembered though that the legal action and surveillance performed by the government regarding Catholics in Elizabeth's time was motivated by interests of national security, not religious persecution. After all, some Catholics, if they displayed loyalty government, were successful under Elizabeth. Edmund Plowden was one of the most famous Elizabethan lawyers and Treasurer of the Middle Temple but was a known recusant dating from 1569. Despite this he was council for the Archbishop of Canterbury in 1578 and obtained

judgment for the Queen a year later, his *Commentaries* becoming a standard authority on English common law at the time.²¹⁵

There was also Anthony Browne, the Viscount Montague, who Michael Questier brilliantly investigates in his book *Catholicism and Community in Early Modern England*.²¹⁶ Montague was a highly active official during the reign of Mary I and when Elizabeth took the throne and reinstated the Reformation, he constantly lobbied for increased rights for Catholics. Yet because he did not prove an open threat to the Queen, he would be ambassador to Spain in 1560 and serve as a royal representative at a conference in the Low Countries to help negotiate commercial treaties between the territories and England.

He escaped implication in the Northern Rebellion although he was implicated in the marriage plans between Norfolk and Mary, Queen of Scots. Even so, he was among the peers commissioned in October of 1586 to try Mary for her role in the Babington Plot and would raise a troop of men for the Queen's defense at Tilbury during the threat of the Armada in 1588. In August of 1591, the Queen would even spend six days at the Viscount's home of Cowdray, being entertained to such a degree that she knighted the Viscount's son and son-in-law.²¹⁷ If Catholicism had been the issue alone, these men would not only have never met success under Elizabeth but it is doubtful they would have survived at all.

As G.R. Elton writes, "Elizabeth always maintained that she was hunting out priests because they represented a political danger, and though undeniably many of her subjects joined in the chase with religious passion in their hearts, the persecution cannot be described as religious in the real sense. The queen did not want to save souls or make converts; she wanted to protect the safety of her realm."²¹⁸ Despite the shortcomings of the law, the intelligencers did what they could to make this wish a reality.

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