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COUNSEL, PUBLIC DEBATE, AND QUEENSHIP: JOHN STUBBS'S *THE DISCOVERIE OF A GAPING GULF*, 1579*

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ABSTRACT. *John Stubbs's controversial pamphlet against Elizabeth's proposed marriage with Francis, duke of Anjou,* The discoverie of a gaping gulf *(1579), has conventionally been seen – with Edmund Spenser's* The shepheardes calendar *and Philip Sidney's letter to Elizabeth – as part of a propaganda campaign organized by Leicester and Walsingham to force Elizabeth to reject the marriage. Yet the evidence linking Stubbs with Leicester and Walsingham is thin. This article re-examines that evidence in the light of recent research on court factionalism, men-of-business, and concepts of counsel. It argues that* A gaping gulf *was an independent initiative taken by Stubbs which expressed very different attitudes to 'counsel' from Sidney's letter. It suggests that participants in public debate need to be explored on their own terms, rather than as necessarily catspaws of councillors; that there was an emergent Elizabethan public sphere independent of the court which, in holding different attitudes to counsel than councillors, could bring them into conflict with Elizabeth.*

The execution of John Stubbs's sentence – to have his right hand struck off with a cleaver for writing the pamphlet, *The discoverie of a gaping gulf*, against Elizabeth's proposed marriage to Francis, duke of Anjou – shocked Elizabethan spectators. According to William Camden, they were 'altogether silent, either out of horrour of this new and unwonted punishment, or else out of pity towards the man being of most honest and unblameable report, or else out of hatred of the marriage, which most men presaged would be the overthrow of Religion'.[1] It also shocked Stubbs. Born c. 1541, the son of John Stubbs of Buxton in Norfolk, trained and probably practising as a lawyer in London, Stubbs was confronted with the fact that his well-meant advice was perceived as seditious, if not treasonous, by the very person it was designed to help.[2] His scaffold speech suggests he was genuinely shocked that the English

* I would like to thank John Guy and Kevin Sharpe for their comments on earlier drafts of this paper; Simon Adams for giving me the reference to Bibliothèque Nationale, Fonds français 15973, and very kindly lending me his microfilm; Chris Given-Wilson for advice on medieval political literature; Mark Taviner for references on scribal publication; and Robin Harcourt Willams for translating the Latin in the Controlment and Coram Rege Rolls.

[1] William Camden, *Annals, or the historie of the most renowned and victorious Princesse Elizabeth, late Queen of England* (translated R.N.) (London, 3rd edn, 1635), p. 239.

[2] Lloyd E. Berry, ed., *John Stubbs's 'Gaping gulf' with letters and other relevant documents* (Charlottesville, VA, 1968), pp. xx–xxiv, xli–xlv (hereafter, Berry); Charles John Palmer, *The*

Deborah, sent by God to restore the true faith, was not just deaf to good advice, but positively hostile. He could not help but comment on the injustice of the punishment: Elizabeth had refused to show him mercy (an essential of both kingship and queenship) though she had pardoned 'greater offences':

> I ame sorie for the losse of my haund, and more sorie to lose it by judgment; but most of all with her Majesties indignation and evell opinion, whome I have soe highlie displeased … I pray God it maie be an example to youe all that it being soe daungerous to offend the lawes, without an evell meaninge, as breadeth the losse of an haund … but my greatest greffe is, in soe many weekes and daies of imprisonment, her Majestie hath not once thoughte me worthie of her mercie, which she hath often times extended to divers persons in greater offences.[3]

The scene on the scaffold in Westminster market place on 3 November 1579 was a significant moment in Elizabethan history, reflecting how Elizabethans perceived their political roles (especially in regard to counselling) and suggestive of the relationship between court politics and public debate. The work of Wallace MacCaffrey, Patrick Collinson, John Guy, and others has developed our understanding of the culture of counsel and its centrality to Tudor politics and theory, but problems remain.[4] Interpreting public debate as shaped by, or conducted on the behalf of, councillors either in parliament or in print has meant the Elizabethan public sphere has been defined in narrow terms.[5] This has been reinforced by focusing on the work of committed Protestants articulating ideas of the 'mixed polity', even though Markku

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history of Great Yarmouth (Great Yarmouth, 1856), p. 339. Froude argued that Stubbs was initially tried for treason but, the jury failing to convict, he was re-tried at Queen's Bench for conspiracy to excite sedition, James Anthony Froude, *History of England from the fall of Wolsey to the defeat of the Spanish Armada* (12 vols., London, 1858–70), xi, p. 161.

[3] Mr John Stubb's words on the scaffold, [3 Nov. 1579], in Thomas Park, ed., *Nugae antiquae: being a miscellaneous collection of original papers … by Sir John Harington … selected … by the late Henry Harington* (2 vols., London, 1804), i, pp. 154–6.

[4] Patrick Collinson, '*De republica Anglorum*: or, history with the politics put back', in idem, *Elizabethan essays* (London and Rio Grande,1994), pp.1–29; idem, 'The monarchical republic of Queen Elizabeth I', *Bulletin of the John Rylands University Library of Manchester*, 69 (1987), pp. 394–424; John Guy, *Politics, law and counsel in Tudor and early Stuart England* (London, 2000); idem, 'The 1590s: the second reign of Elizabeth I?', in idem, ed., *The reign of Elizabeth I: court and culture in the last decade* (Cambridge, 1995), pp. 1–19; idem, 'Tudor monarchy and its critiques', in idem, ed., *The Tudor monarchy* (London, 1997), pp. 78–109; Stephen Alford, *The early Elizabethan polity: William Cecil and the British succession crisis, 1558–1569* (Cambridge, 1998), ch. 2; Markku Peltonen, *Classical humanism and republicanism in English political thought, 1570–1640* (Cambridge, 1995); A. N. McLaren, *Political culture in the reign of Elizabeth I: queen and commonwealth, 1558–1585* (Cambridge, 1999).

[5] Patrick Collinson, 'Puritans, men of business and Elizabethan parliaments', *Parliamentary History*, 7 (1988), pp. 187–211; M. A. R. Graves, 'Thomas Norton, the parliament man: an Elizabethan M.P., 1559–1581', *Historical Journal*, 23 (1980), pp. 17–35; idem, 'The management of the Elizabethan House of Commons: the council's men-of-business', *Parliamentary History*, 2 (1983), pp. 11–38; idem, 'The common lawyers and the privy council's parliamentary men-of-business, 1584–1601', *Parliamentary History*, 8 (1989), pp. 189–215.

Peltonen has shown that classical humanism (from which ideas of the active citizen were derived) was neither dependent on Protestantism nor exclusive to Puritans.[6] Certain common ideas have been emphasized at the expense of potential diversity, while a division between elite and popular politics has been perpetuated. Part of the problem lies in that Elizabethan public debate appears the poor cousin of its Jacobean and Caroline counterparts because the circulation of newsletters, on which public debate is perceived partly to be dependent, was less widespread.[7] Exploration of public debate needs to be released from these restraints and this article attempts to help begin the process.

Stubbs's attack on the marriage in *A gaping gulf* was two-fold. He began by arguing that the marriage of a Protestant with a Catholic was a breach of God's law which would be punished.[8] He proceeded to argue that the marriage would benefit neither the state nor Elizabeth personally, in the process confuting all of the earl of Sussex's answers to objections against the marriage made during debates among selected councillors in March and April 1579.[9] It would not resolve the succession or provide England with a strong ally. He thought Elizabeth was too old to conceive and deliver a child safely while, because Anjou was at loggerheads with his brother, Henry III of France, the alliance with France would not be assured. Neither could Anjou please Elizabeth personally: he was too young, a Catholic, French, degenerate, and from an evil family.[10] Stubbs saw the marriage as a plot to destroy Protestantism comparable to that of the marriage of Henry of Navarre to Marguerite Valois which had been followed by the St Bartholomew Day Massacre in 1572.[11] At the very least, it would be a precursor of the absorption of England into France because Anjou was Henry III's heir presumptive and it looked increasingly unlikely that Henry would have a male child.[12]

Elizabeth suspected that *A gaping gulf* was a collaborative work by opponents of the marriage at court; a suspicion Stubbs himself appeared to substantiate by alleging that an unidentified councillor had foreknowledge of the tract but

[6] Peltonen, *Classical humanism*, pp. 1–15, esp. 13–14.

[7] F. J. Levy, 'How information spread among the gentry, 1550–1640', *Journal of British Studies*, 112 (1982), pp. 11–34; Richard Cust, 'News and politics in early seventeenth-century England', *Past and Present*, 112 (1986), pp. 60–90; Thomas Cogswell, *The blessed revolution: English politics and the coming of war, 1621–1624* (Cambridge, 1989), pp. 20–35; Adam Fox, 'Rumour, news and popular political opinion in Elizabethan and early Stuart England', *Historical Journal*, 40 (1997), pp. 597–620.

[8] John Stubbs, *The discoverie of a gaping gulf whereinto England is like to be swallowed by an other French mariage* (London, 1579; *STC* 23400), sigs. A2v–A7v, A7v–B2v.

[9] Stubbs, *Gaping gulf*; Sussex to Elizabeth, 28 Aug. [1578], Hertfordshire, Hatfield House (Hatfield), CP10, fos. 30–3; 'Obyectyons to be made against the marryage', Mar. 1579, Hatfield, CP148, fos. 12–16. Comparing CP148, fos. 12–16, with CP10, fos. 30–3, indicate the former is also by Sussex: the hand and spelling is the same, e.g. 'wordell' for 'world'; two of the three sections of the memorandum cover the same areas as the letter; the objections, answers, and benefits are similar in order and content; the phrasing of the objections is often exactly the same and large parts of the answers appear copied from, or closely paraphrase, the letter.

[10] Stubbs, *Gaping gulf*, sigs. D8v–E6v.

[11] Ibid., sigs. B3–B6, E5v–E6v.

[12] Ibid., sigs. B8v–D8v.

failed to limit the political fall-out from its publication.[13] These arguments have gained greater authority this century with the work of Conyers Read and Sir John Neale and research on Stubbs's printer, Hugh Singleton.[14] By defining Elizabethan court politics as factional, Read and Neale set the scene for *A gaping gulf* to be seen as factionally sponsored propaganda. In conjunction with Edmund Spenser's *The shepheardes calendar* (also printed by Singleton in 1579) and Philip Sidney's letter to Elizabeth (allegedly commissioned by the earl of Leicester at a colloquy of friends and relatives at Pembroke House in August) it is argued that Leicester and Sir Francis Walsingham commissioned *A gaping gulf* to apply pressure on Elizabeth to reject the Anjou match.[15] They aimed to exploit existing court and popular opposition to deny her the conciliar support necessary to gain parliamentary ratification of the marriage and to create fears that its conclusion would excite rebellion. All three texts, it is argued, had clear factional overtones: Stubbs openly questioned and impugned the motives of supporters of the marriage; Spenser highlighted divisions between Leicester and the earl of Oxford (a supporter of the match) over policy and political service in the fable of the Oak and Briar; Sidney was directly involved in a quarrel with Oxford around the time of the Pembroke House meeting.[16] If the three pamphlets demonstrated that some councillors were willing to try and 'bounce' Elizabeth into policy decisions then Elizabeth's reaction demonstrated her 'imperial' view of her own authority. If James Froude is to be believed, Elizabeth sought to execute Stubbs summarily by royal prerogative; a scenario perhaps less surprising when one considers she took legal advice about doing the same to William Davison nine years later.[17]

John Stubbs's familiarity with the *pro-contra* arguments raised by councillors in conferences held in the spring and his ability to refute in detail points in the marriage's favour made by the earl of Sussex, its leading supporter, were

[13] Mauvissière reported to Henry III that Elizabeth thought Stubbs, Page, and Singleton were secretaries for those with evil designs: Mauvissière to Henry III, 9 Nov. 1579, Paris, Bibliothèque Nationale (BN), Fonds français 15973, fo. 202. In a petition to a privy councillor, present at his examination, Stubbs argued 'before the matter was fownde out', the councillor had been able 'to examine and resiste, by timelie foresighte, any things that might fall out perilous to this commonwelthe'. Not doing so, Stubbs found 'the worste their of fallen upon myselfe'. Stubbs to 'your lordship', 3 Dec. 1579, in Park, ed., *Nugae antiquae*, I, p. 162. Hatton was present at Stubbs's examination but it is not clear if Stubbs's petition was directed to him: Stubbs to Hatton, 1 Dec. 1579, London, British Library (BL), Additional MS 15891, fo. 28v.

[14] Conyers Read, 'Walsingham and Burghley in Queen Elizabeth's privy council', *English Historical Review*, 28 (1913), pp. 34–58; J. E. Neale, 'The Elizabethan political scene', *Proceedings of the British Academy*, 34 (1948), pp. 97–117; H. J. Byrom, 'Edmund Spenser's first printer, Hugh Singleton', *The Library*, 4th ser., 14 (1933), pp. 121–56.

[15] M. M. Leimon, 'Sir Francis Walsingham and the Anjou marriage plan, 1574–81' (PhD thesis, Cambridge, 1989), pp. 124–5; Susan Doran, *Monarchy and matrimony: the courtships of Elizabeth I* (London, 1996), pp. 164–5, 170–1; Blair Worden, *The sound of virtue: Philip Sidney's* Arcadia *and Elizabethan politics* (New Haven and London, 1996), pp. 111–12, 185.

[16] Doran, *Monarchy and matrimony*, pp. 165, 168; Wallace T. MacCaffrey, *Queen Elizabeth I and the making of policy* (Princeton, NJ, 1981), pp. 261–2; Paul E. McLane, *Spenser's* Shepheardes calendar: *a study in Elizabethan allegory* (Notre Dame and London, 1968 edn), pp. 61–76.

[17] Froude, *History of England*, XI, p. 161; John Guy, *Tudor England* (Oxford, 1992 edn), p. 336.

certainly striking. But it has proved impossible to forge convincing connections between him, Leicester, and Walsingham. Susan Doran has rightly pointed out that William Davison, the English agent in Antwerp, could not have been Stubbs's mole as Mitchell Leimon argued: he knew Stubbs but was not a member of the council and could not have been conversant with the details of the debates. But her own claim – that Stubbs was supplied with information directly by Walsingham – cannot be substantiated.[18] Similarly, there are no discernible connections between Hugh Singleton and Leicester other than through Spenser. Placing Sidney's letter in the sequence of events is also problematic. Katherine Duncan-Jones and Jan van Dorsten have concluded that the letter was probably written several months after the colloquy at Pembroke House: the earliest suggested *terminus a quo* is November because Sidney failed to mention it when discussing the marriage in a letter to George Buchanan in October.[19]

Defining public debate as orchestrated by councillors also seems at odds with the broader direction of recent research. Simon Adams has shown that the Elizabethan polity was not characterized by persistent factionalism until the 1590s; a view reinforced by Paul Hammer's work on the second earl of Essex.[20] Though this is disputed for the Anjou negotiations by Susan Doran, Adams's work raises questions about how deep policy divisions between councillors ran and how they were articulated.[21] Second, while it is clear that men outwith the court were commissioned to write pamphlets in defence of government policy – including Stubbs himself in 1587 – Thomas Freeman's recent work on Thomas Norton's role in furthering ecclesiastical reform in the parliament of 1571 has questioned the extent to which we can continue to understand the actions of 'men-of-business' in blanket terms: always council stooges, never acting on their own initiative.[22] Third, Anne McLaren's arguments that Elizabeth's queenship was legitimated by utilizing a 'providential' model and that 'counsel' became a more socially inclusive (though male-dominated) activity raises crucial questions about the role of public debate in Elizabethan governance and the exact nature of Elizabeth's authority.[23] If England was, in

[18] Leimon, 'Walsingham', p. 124; Doran, *Monarchy and matrimony*, p. 167; Davison did not leave Antwerp until May 1579. A. F. Scott Pearson, *Thomas Cartwright and Elizabethan puritanism* (London, 1935), pp. 182–3.

[19] Katherine Duncan-Jones and Jan van Dorsten, eds., *The miscellaneous prose works of Sir Philip Sidney* (Oxford, 1973), pp. 33–4. They set the *terminal ad quem* as 22 Oct. 1580.

[20] Simon Adams, 'Favourites and factions at the Elizabethan court', reprinted, with a bibliographical postscript, in Guy, ed., *Tudor monarchy*, pp. 253–74; idem, 'Eliza enthroned?: the court and its politics', in Christopher Haigh, ed., *The reign of Elizabeth I* (Basingstoke and London, 1984), pp. 55–77; Paul Hammer, *The polarisation of Elizabethan politics: the political career of Robert Devereux, second earl of Essex, 1585–1597* (Cambridge, 1999).

[21] Doran, *Monarchy and matrimony*, pp. 174, 215–17.

[22] Stubbs was commissioned by Burghley to respond to Cardinal Allen's *A true sincere and modest defence of English catholiques*, an attack on Burghley's *The execution of justice*. The work was not published and is no longer extant. Berry, pp. xlii–xliv; Thomas S. Freeman, '"The reformation of the church in this parliament": Thomas Norton, John Foxe and the parliament of 1571', *Parliamentary History*, 16 (1997), pp. 131–47.

[23] McLaren, *Political culture*, passim.

Collinson's phrase, a 'monarchical republic' and if Elizabeth accepted the constraints of counsel on her authority, why was Stubbs's advice judged unacceptable?[24]

Thus *A gaping gulf* addresses the questions of the nature of public debate and 'counsel'. Was Elizabethan public debate characterized primarily by court-sponsored partisan propaganda, or was there an emergent public sphere based on ideas of (independent) active citizenship, in which individuals outwith the court sought to offer Elizabeth advice? If the latter, were concepts of 'counsel' offered at court and in public the same? To answer these questions, this article re-examines specific problems with understanding *A gaping gulf* as commissioned propaganda and seeks to develop a new model for public debate. If it also appears that the focus on Stubbs perpetuates the emphasis on articulate Protestant theorists, then I hope that my new model suggests ways of exploring the emergent Elizabethan public sphere and its relationship with court politics. What can it reveal about how Elizabethans (the queen included) perceived their own and others' political roles in the public sphere?

I

Arguments that *A gaping gulf* (as well as *The shepheardes calendar* and Sidney's letter) was commissioned by opponents at court are founded on two premises: that policy divisions at court were factional and that councillors were willing to 'bounce' Elizabeth into rejecting the marriage. Reports from Sir Amias Paulet, English ambassador in Paris, and the comments they provoked by councillors like Sir Nicholas Bacon and Sir Francis Knollys, indicate that the central issue on the mid-Elizabethan agenda was the unresolved succession.[25] Mary Stewart's imprisonment did little to allay fears about the threat she posed to the crown: she remained Elizabeth's heir presumptive and, in Catholic eyes, the present legitimate queen.[26] There was also a strong belief that France and Spain were actively working to end the civil wars in their own territories in order to attack England.[27] However, as Elizabeth aged, it became less likely that the succession could be resolved dynastically as it was feared that Elizabeth was too old to conceive and deliver a child safely, if she married. In turn, this raised the profile of a political settlement, first proposed by Burghley in 1569, comprising improving domestic military defences, tightening laws against recusants to reduce the threat of domestic subversion, building a

[24] Collinson, 'Monarchical republic', pp. 394–424; Peltonen, *Classical humanism*, passim.

[25] Paulet to Walsingham, 1 Sept. 1577, in Octavius Ogle, ed., *Copy-book of Sir Amias Poulet's letters written during his embassy to France* (Roxburghe Club; London, 1866) pp. 105–7 (hereafter, Ogle); same to Elizabeth, 27 Sept. 1577, ibid., pp. 140–1; same to Walsingham, 30 Oct. 1577, ibid., pp. 159–60; same to [Mildmay?], 25 Dec. 1577, ibid., p. 240; Bacon to Elizabeth, 15 Sept. 1577, BL, Additional MS 15891, fo. 4r–v; Knollys to Wilson, 9 Jan. 1578, BL, Harley MS 6992, fo. 89.

[26] 'Degrees', 1577, BL, Cotton MS Caligula C.III, fo. 543r–v.

[27] Paulet to Elizabeth, 27 Sept. 1577, Ogle, pp. 140–1, same to Walsingham, 30 Oct. 1577, ibid., pp. 159–60; same to Leicester, 25 Dec. 1577, ibid., p. 237.

network of (Protestant) allies and (ideally) excluding Mary from the succession and nominating an alternative heir.[28]

The consensus in favour of the political settlement broke apart on the conclusion of an alliance for financial aid between Anjou and the States General of the Low Countries in August 1578. Conditional on the duke also contracting an alliance with Elizabeth, the Angevin-Dutch alliance also intensified the marriage negotiations, revived from their lacklustre progress since 1572 by Henry III and Catherine de Médici in the spring: Anjou favoured a dynastic alliance with Elizabeth.[29] Fearing that Anjou sought to annex the Low Countries to France and believing that the alliance supplanted English influence over the Dutch, the earl of Sussex argued that the danger Anjou posed eclipsed all other problems England faced. The marriage, however, offered Elizabeth the opportunity to direct Anjou's actions: the duke would be her 'servant & defender'. This was a striking reversal from conventional understanding that all wives were subject to their husbands – an issue which, when applied to queens regnant, was hotly debated under both Mary and Elizabeth.[30] But it was grounded on Sussex's conversation with de Quissy, one of Anjou's envoys, who had emphasized that Anjou 'wowld be dyrected by your majeste [Elizabeth] in his actyons in the lowe countreyes'. Sussex further believed that the marriage would have the additional advantage of providing dynastically for the succession.[31] Wilson supported Sussex as he believed that England's strategic position was too dire, in the context of the succession question and Catholic conspiracy: 'It is high tyme for us to bee assured of some bodie abroade, least beeinge forsaken of al, we shal bee over weake to withstande the meanest yf wee showlde bee tryed.'[32]

In their reading both of Anjou and of the political agenda, Burghley, Walsingham, and others disagreed with Sussex. They shared his suspicions about Anjou but they disputed that the duke's actions could be directed through marriage.[33] Moreover, they believed that it was essential not to lose sight of the wider dimensions of the succession problem, especially after the collapse of the earl of Morton's Anglophile regency in Scotland the previous March. The Low Countries were significant to English strategic concerns: the Dutch revolt occupied Philip's resources, preventing him from invading; the provinces were identified as an ally and were crucial, with Ireland and

[28] Alford, *Early Elizabethan polity*, pp. 192–201; BL, Additional MS 15891, fo. 4r–v; BL, Harley MS 6992, fo. 89; BL, Cotton MS Caligula C.III, fo. 543r–v.

[29] Catherine de Médici to Mauvissière, 6 June 1578, in M. le Comte Baguenault de Puchesse, ed., *Lettres de Catherine de Médicis* (10 vols., Paris, 1880–1909), VI, pp. 28–9 (hereafter, *Lettres de Catherine de Médicis*); Henry III to Mauvissière, 28 May 1578, Pierre Champion and Michel François, eds., *Lettres de Henri III, roi de France* (4 vols., Paris, 1959–84), IV, pp. 9–10 (hereafter, *Lettres de Henri III*).

[30] Constance Jordan, 'Women's rule in sixteenth century British political thought', *Renaissance Quarterly*, 38 (1985), pp. 421–51.

[31] Sussex to Walsingham, 29 Aug. 1578, London, Public Record Office (PRO), SP83/8/59; Hatfield, CP10, fos. 30–3.

[32] Wilson to Walsingham, 3 Aug. 1578, PRO, SP83/8/8.

[33] Wilson to Davison, 22 May 1578, PRO, SP83/6/79, fo. 160.

Scotland, in forming a ring of buffers protecting England from invasion. But, both strategically and politically, they were less significant than Scotland which represented the most immediate access point to England: a 'posterne gate' in Sir Christopher Hatton's words. Furthermore, Scottish (and French) agreement was essential to resolve Mary Stewart's anomalous position or to exclude her from the succession.[34] The collapse of Morton's regency was perceived to open the Scottish access route; a reading reinforced further, Walsingham made clear, by perceptions of Franco-Scottish relations under Francis I.[35] Consequently, men like Burghley were active in trying to repair Anglo-Scottish amity when the Scots provided an opportunity by sending an embassy under Robert Pitcairn, Commendator of Dunfermline and Secretary of State, in July.[36] Focusing on Anjou's intervention in the Dutch revolt would distract from these issues while not providing a suitable alternative resolution.

Divisions over a dynastic settlement grew as the marriage negotiations intensified after the arrival of Jean de Simier, Anjou's Master of the Wardrobe and envoy, in January 1579. Though no longer emphasizing that it would resolve the succession dynastically, Sussex remained committed to the match: it would provide England with a strong ally; to refuse the match would exacerbate political weakness as Anjou would marry the Spanish Infanta.[37] On the other hand, it was precisely the inability of the marriage to resolve the succession which reinforced Walsingham's and Burghley's opposition.[38] Conventionally identified as a supporter of the match on the basis of his *pro-contra* memoranda, Burghley opposed it throughout the negotiations. Viewed in the contemporary classical-humanist context of rhetorical devices to examine issues from different angles, the memoranda cannot be read simply as Burghley's conclusions. These have to be found instead in the advice offered to Elizabeth of 13 April 1579 and his statement to the rest of the council on 6 October: the latter clearly and categorically rejected the marriage, 'except hir Majesty wold of hir mynd inclyn to this marriadg, he wold never advise her therto'.[39] If only because of the existence of similar memoranda, and reports of probouleutic (primary discussion) or conciliar meetings, these divisions appeared to spread. Commenting on Sussex's views, Sir Walter Mildmay concurred with Walsingham and Burghley that the marriage would not resolve the succession; he also disputed Sussex's perception of the wider strategic

[34] Hatton to Burghley, 26 Sept. 1580, BL, Additional MS 15891, fo. 27v; BL, Cotton MS Caligula C.III, fo. 543r–v.

[35] BL, Additional MS 15891, fo. 27r–v; Walsingham to Randolph and Bowes, 16 Mar. 1578, BL, Harley MS 6992, fo. 100.

[36] Burghley to Walsingham and Cobham, 29 July 1578, PRO, SP83/7/92, fo. 2; Walsingham to Hatton, 27 June 1578, BL, Additional MS 15891, fo. 48; same to same, 16 June 1578, BL, Additional MS 15891, fo. 46v.

[37] Hatfield, CP148, fos. 15–16.

[38] State of affairs, [1579?], PRO, SP12/133/23, fo. 52.

[39] Quentin Skinner, *Reason and rhetoric in the philosophy of Hobbes* (Cambridge, 1996), pp. 66–110; Conyers Read, *Lord Burghley and Queen Elizabeth* (London, 1960), pp. 208–20; 'The remedyes sought for to preserve hir Maty and the state in peace, if she shall not marry', 13 Apr. 1579, Hatfield, CP148, fos. 39–41; 'The Anjou marriage', 6 Oct. 1579, Hatfield, CP140, fos. 6–7v.

situation.[40] But Mildmay's memorandum also demonstrated that assessments of the marriage as a remedy to the succession were matched by deeper concerns about the nature of Elizabethan government if Elizabeth married. In particular, Mildmay challenged Sussex's argument that the marriage would not lead to Anjou's assumption of the reins of government. Philip II, he argued, had held Mary 'in his hande'. '[M]en of judgementt' knew that while 'thordinarie matters' of law and order had been administered by the English, major political decisions had been taken by the Spanish, contrary to the marriage treaty. Invoking a complaint Lord Windsor had made at the time, Mildmay asked 'if kinges breake covenantes who shall sue the bonde[?]'.[41]

However, these divisions over policy were not factional under the terms defined by Simon Adams.[42] It appears that Sussex was temporarily frozen out of correspondence between the court and Walsingham and Lord Cobham during the latter's embassy to Antwerp in 1578.[43] But, if this signalled a political or personal rivalry, it did not appear to 'over-r[ide] all other considerations'.[44] For example, in the autumn of 1578 Leicester and Sussex proposed different measures to deal with Anjou's intervention in the Low Countries but both were prepared to back each other's policy. Despite their reservations, they still believed that their colleague's proposal provided a better strategy than the queen's preferred course of commanding Anjou's actions 'uppon bare wordes'.[45] Second, there was no attempt to construct a following of supporters comparable to the second earl of Essex's demands in 1598 for Lord Grey to declare himself 'his only friend or friend to Mr Secretary, and his enemy'.[46] Third, there was not always consensus among opponents as to why the marriage was not a feasible policy: for Walsingham it was because it would not resolve the succession; for Mildmay that Elizabeth would resign authority to Anjou as Mary had to Philip.[47] Divisions were also fluid. In August 1580, after the earl of Lennox's seizure of the strategically important castle of Dumbarton, Sussex shifted his support back in favour of the political settlement.[48] Lennox was perceived by the English as a Guisian agent, and the changes to the Scottish court which his rise in James's favour had precipitated were interpreted as Scottish realignment towards Catholic Europe. The actions of James's counsellers, like Lennox, were important because, young, male, and

[40] 'Notes taken out of a letter writen from the earle of Sussex', [after 28 Aug. 1578], Northamptonshire Record Office (NRO), Fitzwilliam (Milton) Political 111, fos. 7–10v; 'Certaine notes drawen oute of a letter sente by the Earle of Sussex' [after 28 Aug. 1578], NRO, Fitzwilliam (Milton) Political 111, fos. 11–12; 'Notes taken owt of a lettre from the Earl of Sussex, xxviii Auguste 1578 to the Queen's Majesty', n.d., San Marino, CA, Huntington Library, Ellesmere 1189.

[41] NRO, Fitzwilliam (Milton) Political 111, fos. 12, 10v.

[42] Simon Adams, 'Faction, clientage and party: English politics, 1550–1603', *History Today*, 32 (1982), p. 34.

[43] Sussex to Walsingham, 6 Aug. 1578, PRO, SP83/8/13.

[44] Adams, 'Faction, clientage and party', p. 34.

[45] Burghley to Walsingham, 8 Aug. 1578, PRO, SP83/8/18.

[46] Lord Grey to Lord Cobham, 21 July 1598, Hatfield, CP62, fo. 71.

[47] PRO, SP12/133/23, fo. 50; NRO, Fitzwilliam (Milton) Political 111, fos. 10v, 12.

[48] Sussex to Walsingham, 6 Jan. 1581, PRO, SP52/29/4.

at liberty, James posed a potentially greater threat than Mary to the English crown. Lennox's possession of Dumbarton, the traditional entry point for French ships, appeared to signal preparations for a Catholic invasion of England and hence a realization of fears of Catholic conspiracy, previously centred on Mary Stewart.[49]

Moreover, the 'factional' qualities of *A gaping gulf* itself are not clear cut. Stubbs endorsed the political settlement and emphasized the importance of maintaining the Anglo-Scottish amity which, he believed, was jeopardized by the French marriage. It was strategically crucial to English defences: geographical proximity meant that Scotland could provide readier assistance than an overseas ally for whom they 'must tary for the wind and tyde.'[50] He also criticized Sussex's arguments sharply. Strategic considerations aside, the marriage would not make France an ally: Stubbs astutely recognized Henry III's deep dislike of Anjou and the factionalism it created at the French court among their followers.[51] Moreover, believing that Elizabeth was too old to conceive or have children safely, the marriage would not resolve the succession; rather it would plunge the realm more quickly into civil war and foreign invasion.[52] But, if he advised Sussex to weigh his arguments again, then Stubbs also attacked Burghley's and Walsingham's proposals for statutory exclusion of Mary Stewart from the succession and nomination of an heir. Those who attempted to resolve the succession by acts of parliament or 'provide for them with his penn in hys studye … forgets the many experiences of fayths most solemnly geven, falsified'.[53] His distinctions between flatterers (who supported the match) and 'playne, honest speakers' (who spoke against it) were less signs of factionally inspired abuse than rhetorical devices of persuasion. Their purpose was to employ tropes of honesty and plainness – conventionally associated with 'good counsel' – to persuade the listener that the advice offered was for the common good; and tropes of flattery, self-seeking behaviour, ambition, vanity, and greed – characteristics of 'bad counsel' – to dissuade them from opposing arguments. It was for this reason that Stubbs advised Elizabeth to consider whether supporters of the match had previously been 'hanging on her skyrtes' to marry or had been 'domme or slow speakers' who now sought their own advantage. It was a 'tryall' which only had the vaguest correlation with how individuals like Sussex, Burghley, Leicester, and others supported the Anjou match and previous proposals. [54]

[49] Walsingham to same, 3 May 1580, PRO, SP52/28/29, fo. 41r–v; BL, Additional MS 15891, fo. 27r–v; Cobham to [Walsingham], 11 Feb. 1580, PRO, SP78/4a/15; same to [Walsingham?], 8 Oct. 1580, PRO, SP78/4b/164; same to Elizabeth, 15 June 1580, PRO, SP78/4a/90; [Walsingham?] to [Cobham], 10 Sept. 1580, PRO, SP78/4b/149; Gordon Donaldson, *All the queen's men: power and politics in Mary Stewart's Scotland* (London, 1983), p. 134.

[50] Stubbs, *Gaping gulf*, sigs. B2v, D6v, E5v–E6v, E8v–F1.

[51] Henry III to Mauvissière, 28 May 1578, *Lettres de Henri III*, III, pp. 9–11; same to Sieur d'Abain, 3 June 1578, ibid., IV, pp. 15–21; same to Catherine de Médici, 28 June 1578, ibid., IV, pp. 30–2; Pierre Chevallier, *Henri III: roi Shakespearien* (Paris, 1985), pp. 459–69.

[52] Stubbs, *Gaping gulf*, sigs. D4v–D5v, C8v–D1.

[53] Ibid., sig. D2v.

[54] Ibid., sigs. B6v–B7, D4–D4v, D8v, B7v; Skinner, *Reason and rhetoric*, p. 87.

Factionalism, if it existed, was a visible manifestation of how councillors and courtiers perceived their roles and their working relationship with Elizabeth. Utilizing printed literature like *A gaping gulf* to offer advice and whip up opposition presupposed that they believed they could legitimately lobby, if not dictate, to Elizabeth on key issues. There are examples of the council as a corporate body 'bouncing', or attempting to 'bounce', Elizabeth into decisions or actions: Mary's execution being the most notable.[55] During the negotiations themselves, Walsingham and Cobham had encouraged Horatio Pallavicino to advance credit to the States General on 'word and [their] handes' when Elizabeth continued to prove reluctant to deliver promised financial bonds during the two men's embassy to the Low Countries in August 1578.[56] However, this was not a uniform template for relations between Elizabeth and her advisers; they were more varied and nuanced. Wallace MacCaffrey has called the privy council's decision to offer Elizabeth *pro* and *contra* advice on the marriage on 7 October 1579 a 'stalling motion'; Susan Doran, a complex strategic device to force her to decline the match. It denied Elizabeth the support she required to push an unpopular marriage treaty through a strongly Protestant and hostile parliament.[57] But there is no reason to dismiss the council's message as disingenuous. Both Burghley and Sussex had explicitly recognized that only Elizabeth could take the decision: in Sussex's words, 'her hart is to be gyded by godes dyrectyon and her awne … by cause no man can knowe the Inward dyrectyon of her harte … [neither] can eny man gyve councell therin, but leave that to god and her selfe'.[58] Marriage was a personal issue: as Elizabeth would have to live with Anjou, only she could decide whether to accept his proposal. Proceedings of the privy council on 3 May 1579 showed that councillors were concerned to have an opportunity to voice their opinions: this appears to be why Burghley deliberately ignored Elizabeth's instructions that they discuss only the treaty articles and allowed them to debate the match itself. But, when clarification was sought from the queen after some councillors expressed confusion over their remit, there was no attempt – by Burghley or anyone else – to pursue the issue or lobby Elizabeth.[59] The parameters of 'counsel' thus appeared to be constantly shifting: the degree to which advisers sought to persuade or realize their ideas dependent, at the least, on the issue in question.

[55] Guy, *Tudor England*, pp. 335–6.

[56] Leicester to Walsingham, 20 July 1578, PRO, SP83/7/73, fo. 1r–v.

[57] Hatfield, CP140, fo. 7v; 'Message from the council on the marriage', 7–8 Oct. 1579, Hatfield, CP148, fos. 64r–v; MacCaffrey, *Making of policy*, p. 263; Doran, *Monarchy and matrimony*, p. 173.

[58] Memorandum on the marriage, 29 Mar. 1579, PRO, SP78/3/17, fo. 34; Hatfield, CP148, fo. 12.

[59] 'Reports as to the conferences with Simier', 3–4 May 1579, Hatfield, CP148, fos. 42–3.

II

If the culture of counsel at court and the absence of court factionalism suggest that *A gaping gulf* was not a commissioned piece of propaganda, then a new model is required; one that explores the milieu in which *A gaping gulf* was produced and thereby takes greater account of Elizabethan concepts of citizenship, and the role of counsellor therein. Stubbs's inner circle of friends included Burghley's secretaries Vincent Skinner and Michael Hickes.[60] Stubbs met both men in the 1550s at Cambridge, where he was tutored by George Blythe (who also became one of Burghley's secretaries). They both followed Stubbs to Lincoln's Inn and maintained a close relationship until Stubbs's death in 1590.[61] Burghley was an opponent of the match who retained his own *pro-contra* memoranda (drawn up for discussions in March and April 1579) and acquired (though at what point is not known) Sussex's letter to Elizabeth and memoranda on the marriage, both of which outlined the earl's arguments in detail.[62] A further memorandum, 'Whether a Protestant may Marye with a papiste', was also prepared for him.[63] Stubbs's Cecilian connections functioned not as missing links for understanding *A gaping gulf* as a commissioned piece – the culture of counsel and the absence of court factionalism renders this unlikely – but as the milieu in which *A gaping gulf* was produced. What was this milieu and how does it shape our understanding of the relationship between court politics and the public sphere?

Both in his capacity as a practising lawyer from 1572 and in the public offices he held from 1585, Stubbs demonstrated a commitment to active citizenship. Called to the bar in 1572, his appointments as steward and associate of the bench at Lincoln's Inn (1578 and 1587) and as steward of Yarmouth (1585) suggest he was a practising lawyer. He was commissioned by Burghley to respond to Cardinal William Allen's attack on Burghley's own *The execution of justice* (1583), a defence of the execution for treason of the Jesuit missionary, Edmund Campion, and fourteen others in 1581. In 1585 he became secretary to Lord Willoughby d'Eresby and was used as a messenger between d'Eresby

[60] *The history of parliament: the House of Commons, 1558–1603*, ed. P. W. Hasler (3 vols., London, 1981), II, pp. 310–13 (hereafter, *Commons*); ibid., III, pp. 390–1; A. G. R. Smith, *Servant of the Cecils: the life of Sir Michael Hickes, 1543–1612* (London, 1977); Hickes to Burghley, [n.d., c. 1581], BL, Lansdowne MS 108, fos. 147–8.

[61] *Commons*, III, p. 460; Berry, pp. xxii–xxiv; Stubbs to Hickes, 21 Mar. 1570, BL, Lansdowne MS 12, fo. 117r–v; same to same, 1 Dec. 1580, BL, Lansdowne MS 31, fo. 40; same to same, 30 July 1582, BL, Lansdowne MS 36, fos. 212–13; same to same, 14 Sept. 1589, BL, Lansdowne MS 61, fo. 170; Hickes to Stubbs, [Dec. or Jan. 1582], BL, Lansdowne MS 107, fo. 168r–v; same to same, BL, Lansdowne MS 107, fo. 170r–v.

[62] 'To be advised in the motion of mariadg by Monsieur d'alanson with the Queen's Majesty', 27 Mar. 1579, Hatfield, CP148, fos. 23–4v; 'Answers to the obiections made agaynst the marriadg with Monsieur Dallanson', 27 Mar. 1579, Hatfield, CP148, fos. 25–6v; 'The perills that may happen to the Q. Maty if she lyve unmarried', 31 Mar. 1579, Hatfield, CP148, fos. 29–30; PRO, SP78/3/17, fos. 34–5; Hatfield, CP10, fos. 30–3; Hatfield, CP148, fos. 12–16.

[63] 'Whether a Protestant may Marye with a papiste', [1579?], BL, Lansdowne MS 94, fos. 62–7.

and Burghley in 1588. The same year he was returned as MP for Yarmouth.[64] His friends were, likewise, politically active. Skinner and Hickes served as Burghley's secretaries and as MPs, both sitting first for Truro, in 1571 and 1584 respectively.[65] Moreover, Stubbs's circle was part of a wider one of men committed to active citizenship. As a political finishing school and stage for Christmas revels for the queen, Lincoln's Inn was an extension of the court; it also provided significant role models during Stubbs's stay. James Dalton and Robert Monson, for instance, were both senior members. Dalton was a leading lawyer and sat in parliament between 1563 and 1586, probably under the patronage of Bedford and then Burghley. Monson was raised first to the Court of High Commission in 1570, the post of serjeant at law (by special mandate) in 1572, and the Court of Common Pleas in November of the same year. Like Dalton, he also sat for parliament under Bedford's patronage. The significance of Lincoln's Inn became acutely apparent in 1579 when both men openly questioned the validity of Stubbs's sentence. Moreover, Dalton had already been joined on his Saltash seat in 1571 and 1572 by William Page, who attempted to distribute copies of *A gaping gulf* to the West Country via Sir Richard Grenville, and shared Stubbs's fate on the scaffold.[66]

Parliament and Lincoln's Inn are crucial for understanding Stubbs. A close friend of MPs Skinner and Hickes, and later an MP himself, Stubbs needs to be located within a parliamentary culture of counsel. Sovereignty lay in the queen-in-parliament, and parliamentary consent (as representing the whole realm) was required for all major political and religious changes, including marriage and the succession. This doctrine derived primarily from Christopher St German – whose *Doctor and student* (1528; a modified English translation, 1530) and *New additions* (1531) were 'set texts' at the Inns of Court – but was reinforced by both Sir Thomas Smith's *De republica Anglorum* (1583) and John Aylmer's *An harborowe for faithfull and trewe subjects* (1559).[67] A petition Stubbs drafted against Whitgift's subscription campaign against non-conforming Puritan clergy in 1589 demonstrates the extent to which he had absorbed these ideas. He asked Elizabeth to appoint 'such most honorable Lordes, and Counsellors' to alter or enforce more mildly the laws because the impending dissolution of parliament ('this corporation') meant it would be unable 'to explane & approue' remedial action itself. Stubbs and his fellow petitioners were 'fellow citizens and coheires as well of this earthly inheritaunce in your [Elizabeth's] kingdom as of that ever lasting inheritaunce in the kingdom of heaven'.[68] In *A gaping gulf*, Stubbs made it clear that the importance of counsel

[64] The stewardship was usually given to an eminent lawyer as it required the holder to execute the judicial duties of the high steward and act as the corporation's legal adviser. Berry, pp. xx–xxiv, xli–xlv.

[65] *Commons*, III, pp. 390–1; ibid., II, pp. 310–11.

[66] Ibid., II, p. 8; ibid., III, pp. 66–7, 165; Camden, *Annals*, p. 239.

[67] Guy, 'Tudor monarchy and its critiques', pp. 87–8; Sir Thomas Smith, *De republica Anglorum*, ed. Mary Dewar (Cambridge, 1982); John Aylmer, *An harborowe for faithfull and trewe subjects* (Strasbourg, 1559; *STC* 1004).

[68] Petition to parliament, Mar. 1589, BL, Additional MS 48101, fos. 136r–v.

increased when the monarch was female: queens must accept advice (including on marriage) from their male counsellors because they lacked the necessary judgement to make decisions independently:

> The same [i.e. men giving advice to women on marriage] should be much more diligently don in mariage of a Queen and her realme and it is a faythles careles part, to leave hir helples in hir choise of the person and personall conditions of hir husband to hir own consideration, which how so ever sufficient it be, so much the more hath she need of help, as the matter is more weightie in hir then in common matches.[69]

Lincoln's Inn was crucial ideologically. It had developed a Protestant identity in the 1560s and it was within this confessional dimension that ideas of active citizenship and parliamentary counsel, represented in Stubbs's immediate and wider circle, were conceived.[70] The purpose of political action was to benefit the common weal, defined as the preservation of Protestantism.[71] In *A gaping gulf*, Stubbs explicitly defined England as a Protestant, elect nation ('a kingdome of light, confessing Christ and serving the living God') under attack from 'our popish enemies', the papacy, Spain, and France.[72] Though monarchs had a prime duty to preserve Protestantism – they were 'the sacred defender' of God's church – as the petition of 1589 showed, parliament's role was equally, if not more, crucial. Lincoln's Inn had an additional significance. Since at least the fourteenth century, the Inns of Court had developed a strong tradition of political satire and complaint in poetry and prose romance, assuming a role initially held by ecclesiastics.[73] This was an important literary milieu for some of Stubbs's individual and collaborative works.

In the wake of Archbishop Parker's drive for conformity after the vestiarian controversy (1566) and the publication of the *Admonition to parliament* and *A view of popish abuses* (both 1572), Stubbs and his circle identified increasingly with the reform movement that Parker's actions had pushed underground.[74] In 1568 Vincent Skinner had produced an English translation of Gonsalvius's denunciation of the Spanish Inquisition, *Sanctae Inquisitionis Hispanicae artes aliquot detectae*; it was re-issued the following year with a dedication to Parker.

[69] Stubbs, *Gaping gulf*, sigs. A2v–A3, F4, E1v.

[70] R. M. Fisher, 'The Reformation in microcosm? Benchers at the Inns of Court, 1530–1580', *Parergon*, n.s., 6 (1988), pp. 37–9, 47, 49; Berry, p. xxiv, John Venn and J. A. Venn, eds., *Alumni Cantabrigiensis* (10 vols., Cambridge, 1922–54), IV, p. 178.

[71] For instance, both Dalton and Monson spoke out in parliament in the 1560s and 1570s on key issues connected to the preservation of Protestantism: the succession, Mary Stewart, and church reform: *Commons*, II, p. 8; ibid., III, pp. 66–7.

[72] Stubbs, *Gaping gulf*, sigs. A3v, B2v, E5v–E6v. Cf. to PRO, SP12/133/23, fos. 50–2v.

[73] John Taylor, *English historical literature in the fourteenth century* (Oxford, 1987), pp. 256, 236–7; T. F. Tout, 'Literature and learning in the English civil service in the fourteenth century', *Speculum*, 4 (1929), pp. 367, 369; Janet Coleman, *English literature in history, 1350–1400: medieval readers and writers* (London, 1981), pp. 94, 130.

[74] Mark E. C. Perrott, 'Richard Hooker and the problem of authority in the context of Elizabethan church controversies' (PhD thesis, Cambridge, 1996), pp. 1–25, 54–108; Patrick Collinson, *The Elizabethan puritan movement* (Oxford, 1967), pp. 68–79, 82, 101, 113–21, 147–51; Scott Pearson, *Thomas Cartwright*, pp. 17–27.

By the early 1570s, however, Skinner's praise of Parker and his implicit endorsement of the conformity campaign, evident in the second edition of *A discovery and playne declaration*, had been replaced by sharper criticism.[75] A precise attribution remains uncertain, but the *Short title catalogue* argues that in 1574 Skinner collaborated with Hickes and Stubbs on *The life of the 70 archbishopp off Canterbury. Englished*. It was a faithful English translation of *De antiquitate Britannicae ecclesiae & priuilegiis ecclesiae Cantuariensis, cum archiepiscopis eiusdem 70* but attacked Parker in the printed marginalia. These were polemical, levelled primarily at Parker's hostility to the moderate Puritans' concerns (particularly preaching) and his defence of the episcopal structure in *De antiquitate Britannicae*. Parker was criticized as a poor and infrequent preacher, antipathetic to preaching as a whole. Episcopacy was a usurped authority and the *De antiquitate Britannicae* itself like the tomb of the Assyrian queen of Babylon uncovered by Darius: purporting to be full of great treasures, it was nothing but a 'charnell howse/off brainlesse unlearned skulles'.[76]

By the time *The life* was published, Stubbs, Hickes, and Skinner moved in a wider circle of leading reformers, like Thomas Cartwright, and committed Protestants working as secretaries and clerks, like Laurence Tomson and William Davison.[77] Despite these connections, however, it would be a mistake to see *The life* as part of Cartwright's publishing campaign and not as an independent initiative provoked by growing religious tensions between reformers and men like Parker, and which drew on medieval traditions of political satire with which the Inns of Court had been associated.[78] The identification of the printer of *The life* as Christoph Froschauer of Zurich is still debatable but typographical evidence shows it was not issued from the same press (Michael Schirat's in Heidelberg) as Cartwright's *The second replie agaynst Maister Doctor Whitgiftes second answer* (1575), *A full and plaine declaration of ecclesiastical discipline* (1574), Walter Travers's *Ecclesiasticae disciplinae et Anglicanae ecclesiae* (1574) and *A brieff discours off the troubles begonne at Franckford* (1574; attributed to William Whittingham), as has been suggested.[79]

Stubbs's legal and political career, his views on citizenship as manifested in *A gaping gulf* and the petition of 1589, and his possible earlier collaboration with Skinner and Hickes on *The life*, are important lenses for reconsidering the

[75] Reginaldus Gonsalvius Montanus, *A discovery and playne declaration of sundry subtill practises of the holye inquisition of Spayne. Set forth in Latine, and newly translated* [by V. Skinner] (London, 1568; *STC* 11996); Montanus, *A discovery and playne declaration …* (London, 1569; *STC* 11997), sigs. Aii–Aii^{v}.

[76] *The life of the 70 archbishopp off Canterbury. Englished* [trans. by John Stubbs?] (Zurich, 1574; *STC* 19292a), sigs. Aiii, Cii, Bviii, Civ–Cv^{v}; Matthew Parker, *De antiquitate Britannicae ecclesiae & priuilegiis ecclesiae Cantuariensis, cum archiepiscopis eiusdem 70* (London, 1572–4; *STC* 19292).

[77] Scott Pearson, *Thomas Cartwright*, pp. 119, 171–5; Stubbs to Hickes, 17 Mar. 1578, BL, Lansdowne MS 25, fo. 135.

[78] Taylor, *English historical literature*, pp. 256, 236–7; Tout, 'Literature and learning', pp. 367, 369.

[79] C. E. Sayle, *Early English printed books in the University Library, Cambridge, 1475–1640* (4 vols., Cambridge, 1900–7), III, pp. 1414–15; Collinson, *Puritan movement*, p. 153; A. F. Johnson, 'Books printed at Heidelberg for Thomas Cartwright', *The Library*, 5th ser., 2 (1947–8), pp. 284–6.

circumstances of *A gaping gulf*'s production. Stubbs moved in a politically and confessionally aware circle; he was committed to an active public life, but understood its purpose to be the preservation of Protestantism. His commitment to Protestantism appears to have intensified in the early 1570s and he remained willing to express these views in print: his presumed collaboration on *The life* post-dated his first appearance in print (*A discourse … conteyning the life and death of John Calvin*) by a decade.[80] Importantly, his later works emerged against a background of religious tension: in the case of *A gaping gulf*, the halting of Archbishop Grindal's reforms by Elizabeth both directly and through his suspension from office.[81] In conjunction with the nature of court politics in 1578 and 1579, these suggest that, far from emanating from the council, *A gaping gulf* emerged independently from an articulate, middle-ranking, politically and confessionally conscious circle. Stubbs's friendship with Skinner and Hickes may have been crucial and it is possible that they supplied information from Burghley's archive of *pro-contra* memoranda to Stubbs. Hickes was in trouble with Burghley over his service as secretary in 1580, though there is absolutely no evidence to suggest that this was connected to any transfer of documents to Stubbs.[82] But it would seem more appropriate to understand these dynamics in terms of a circle of friends or colleagues who discussed politics and, through their professional connections, could tap surreptitiously into debate at court, rather than of a network exploited by councillors for propaganda purposes.[83]

The history of the other men involved in the production and (attempted) dissemination of *A gaping gulf* seems to lend credence to this alternative model. Most important was Hugh Singleton, the printer, spared Stubbs's fate (the French ambassador alleged) because his age prompted Elizabeth's mercy (he was about eighty).[84] Singleton had started as a bookseller in Paul's Churchyard in 1548 but had employed other printers to print works for him until he began printing himself, independently or with Joos Lambrecht, under false imprints, possibly in Wesel from late 1553.[85] Early works were largely partisan and dominated by reformers like John Foxe and John Knox. Two crucial books were printed in 1553. *The copie of a pistell or letter sent to Gilbard Potter* was heavily critical of Northumberland and his attempt to settle the succession on Jane Grey. It defended Mary only as the rightful claimant by title under the terms of Henry VIII's will and made no comment on her Catholicism.[86] Shortly after

[80] John Stubbs, *A discourse … conteyning the life and death of John Calvin* (London, 1564; *STC* 2017).
[81] Collinson, *Puritan movement*, pp. 160–6, 173–6, 191–6.
[82] BL, Lansdowne MS 108, fos. 147–8.
[83] See a similar depiction for Thomas Hobbes in Richard Tuck, *Hobbes* (Oxford, 1989), p. 4.
[84] BN, Fonds français 15973, fos. 201v–2.
[85] *A short title catalogue of books printed in England, Scotland & Ireland and of English books printed abroad, 1475–1640*, ed. W. A. Jackson, F. S. Ferguson and Katharine F. Pantzer (3 vols., London, 1986–91), III, pp. 155–6; Byrom, 'Hugh Singleton', pp. 123–34.
[86] Poore Pratte (pseud.), *The copie of a pistell or letter sent to Gilbard Potter* (London, 1553; *STC* 20188). This is possibly the earliest printed attack on Northumberland.

Mary's accession, Singleton reprinted Stephen Gardiner's *De vera obedienta* deliberately to humiliate the new lord chancellor with a reminder of his defence of the royal supremacy.[87] Singleton also moved in a circle of committed Protestant printers, including Stephen Mierdman and John Day. Day had invested in and printed Foxe's *Acts and monuments*; he had also printed Foxe's *Reformatio legum ecclesiasticarum* that Norton attempted to introduce into parliament in 1571, after previous failed attempts in parliament and convocation.[88] William Page, who attempted to distribute fifty copies of *A gaping gulf* to the West Country, was an MP and former secretary to the earl of Bedford; he had been arrested in Venice in June 1554 for stating he wanted to assassinate Queen Mary.[89] Sir Richard Grenville, to whom Page had attempted to send the copies, had independently appointed Eusebius Paget, minister of Kilkhampton, and had encouraged him to hold conventicles in his own house.[90] In their Protestant commitment, their political activity, and, in Singleton's and Page's case, their subversive agitation, all three men appeared less council stooges than independent activists.

III

If *A gaping gulf* was an independent initiative, can the same be said for Spenser's *The shepheardes calendar* and Sidney's letter? It is more difficult to place Edmund Spenser in an identifiable political and religious circle than Stubbs and space precludes an extensive evaluation, but there are important similarities which, if briefly outlined, are none the less suggestive. First, Spenser was also politically active. He became secretary to John Young, bishop of Rochester (a friend of Grindal's) in 1578 and had entered Leicester's household by October the following year. In 1580 he became secretary to Lord Grey, lord deputy of Ireland. After Grey's return to England, Spenser continued to hold a number of official posts in Ireland.[91] Second, Spenser was a committed Protestant; an affiliation modern historians and critics have sought to play down.[92] In 1569 Spenser translated epigrams and sonnets for Jan van der Noodt's *A theatre wherein be represented as wel the miseries and calamaties that follow the voluptuous worldlings*, a widely circulated attack on the Catholic church.[93] Moreover, the

[87] Byrom, 'Hugh Singleton', p. 126; James Arthur Muller, *Stephen Gardiner and the Tudor reaction* (London, 1926), pp. 60–3, 224–5; Glyn Redworth, *In defence of the church Catholic: the life of Stephen Gardiner* (Oxford, 1990), pp. 66–9.

[88] Freeman, '"The reformation of the church"', passim.

[89] *Commons*, III, p. 165.

[90] Carson I. A. Ritchie, 'Sir Richard Grenville and the puritans', *English Historical Review*, 77 (1962), pp. 518–23; *Commons*, II, p. 218.

[91] Anthea Hume, *Edmund Spenser: Protestant poet* (Cambridge, 1984), p. 8; Richard Rambuss, *Spenser's secret career* (Cambridge, 1993), pp. 7–9.

[92] Hume, *Edmund Spenser*, pp. 3–4. Critics have de-emphasized Spenser's Protestant affiliations, partly because of the speculative nature of the identification of characters in *The shepheardes calendar* with real figures, and partly the failure, by the first proponent of these ideas, Lilian Winstanley in 1914, to note Spenser's tenure with Rochester.

[93] Hume, *Edmund Spenser*, pp. 1, 7. See also Scott Pearson, *Thomas Cartwright*, pp. 26–7.

May and November eclogues in *The shepheardes calendar* replicated Stubbs's view of England as a 'godly realm' threatened immediately by Catholic conspiracy and, in the long term, by Catholicism and unreformed Protestantism.[94] In both substance (the fable of the Fox and the Kid) and language (his use of 'fox' to denote secret Catholics and 'wolf' as open Catholics), Spenser drew on reformist works like Anthony Gilby's *A pleasaunt dialogue, betweene a souldior of Barwicke, and an English chaplaine* (written 1573, printed 1581) and William Turner's *The huntinge and fynding out of the Romyshe wolfe* ([1544?]) and *The hunting of the fox and the wolfe* ([1565]).[95] Finally, a connection between political service and Protestant commitment comparable to Stubbs's is suggested by the date when the May eclogue was written. Though it is difficult to date with exactitude, there is a consensus that it was probably written while Spenser was working for Rochester, along with the July and September eclogues which also commented on issues of ecclesiastical reform.[96]

These three elements seem to suggest that *The shepheardes calendar* emanated from the same milieu as *A gaping gulf*: the independent response of a politically active and aware man with a strong Protestant conviction and a belief that the marriage would not resolve the succession issue without creating far greater problems. As Thomalin's emblem in the March eclogue stated: 'Of Hony and of Gaule in love there is store; The Honye is much, but the Gaule is more.'[97]

Sidney's letter – and one written to Elizabeth by Sir Thomas Cecil in January 1580 – was different.[98] Sidney shared Stubbs's and Spenser's political and religious outlook. He defined England as a 'godly realm' under attack from Catholicism at home and abroad but argued that the marriage would only aggravate the situation by weakening the loyalty of Elizabeth's Protestant subjects and drawing Catholics further into disobedience. It would be a cure worse than the disease of the unsettled succession.[99] But he perceived the role of counsel strikingly differently. For Sidney, counsel was advisory – Elizabeth was not obliged to accept proffered advice – and rooted in the traditions of noble counsel (both humanist-classical, as articulated by Sir Thomas Elyot and Thomas Starkey in the late 1520s and early 1530s, and feudal-baronial).[100] For Stubbs, counsel was socially inclusive and essential to queenship. He acknowledged that nobles and councillors were 'borne & chosen … fathers of advise', but stated that bishops and courtiers in Elizabeth's favour had an advisory role. More crucially, he also argued that he could offer counsel

[94] Edmund Spenser, *The shepheardes calendar* (London, 1579; *STC* 23089), fo. 12v (lines 57, 48), fo. 44 (Argument), fo. 46 (lines 133–7), fo. 19v (lines 215–20, 240), fo. 20v (lines 287–98); Hume, *Edmund Spenser*, pp. 21–2.

[95] Ibid., pp. 20–5.

[96] E. Greenlaw, C. G. Osgood, F. M. Padelford, eds., *The works of Edmund Spenser: a variorum edition* (Baltimore, 3rd edn, 1961). *The minor poems: volume I* (ed. C. G. Osgood, H. G. Lotspeich with Dorothy E. Mason), Appendix IV, p. 610.

[97] Spenser, *Shepheardes calendar*, fo. 10.

[98] [Sir Thomas Cecil] to Elizabeth, 28 Jan. 1580, Hatfield, CP148, fos. 19–22.

[99] Philip Sidney to Elizabeth, [1579], BL, Harley MS 1323, fos. 44r–v, 46–8v, 50–2v.

[100] Guy, 'The rhetoric of counsel in early modern England', in Dale Hoak, ed., *Tudor political culture* (Cambridge, 1995), pp. 295–6; BL, Harley MS 1323, fo. 44.

because he was driven by 'necessitie', not as 'a busie body … but of a true Englishman, a sworne liegmen to hir Majestie'.[101] '[N]ecessitie' and loyalty legitimated his offering counsel as a citizen. Counsel was a necessary element of queenship because queens, as women, were 'weaker vessel[s]' unable to exercise power independently and successfully; they required counsel to guide their actions and ensure they acted for the 'common weale'. In contrast to Burghley's and Sussex's statements, Stubbs argued that this applied particularly to the issue of marriage: 'how so ever sufficient it [her consideration] be, so much the more hath she need of help, as the matter is more weightie in hir then in common matches'.[102] Stubbs's position was a major departure from conventional ideas of counsel and counselling. Though Aylmer and Smith had both argued that counsel was a fundamental element of female monarchy, they did not empower private citizens to act as counsellors identifying only the privy council and parliament as legitimate fora for advice.[103]

These different attitudes to counsel and queenship suggest Sidney's letter contributed to a different debate to that addressed by *A gaping gulf* and *The shepheardes calendar*. Sidney's deference had more in common with the actual practice of counselling at court on the marriage issue – as articulated by Burghley and Sussex – than with Stubbs's harangues and invocations of the 'mixed polity'. This seems reinforced by Sidney's social and political circle. Whereas Stubbs's milieux were the Inns of Court and their traditions of political satire and complaint, Sidney's were the court and the tradition of noble counsel. As the political heir of both his father, Sir Henry Sidney, and his uncle, Leicester (until the birth of Leicester's legitimate son on 6 June 1581), Sidney was groomed for political service.[104] He accompanied his father to Ireland in 1576 and undertook diplomatic missions to Emperor Rudolph II and Counts Palatine Ludwig and Casimir in 1577, when he also met Don John of Austria and William of Orange. He was subject to much advice – from his father, uncles, potential fathers-in-law (Burghley, the first earl of Essex and Orange), his future father-in-law (Walsingham), and Hubert Languet – less to create a puppet or mouthpiece than to foster a wise head on young shoulders and enable him to fulfil his dynastic and political expectations.[105] Moreover, he lived in a climate where young courtiers, like himself, strove to gain political office as counsellors; where privy councillors wrote letters of advice to Elizabeth when they could not offer counsel in person – such as Nicholas Bacon in September 1577 and Francis Knollys the following January – and where Elizabeth took or sought advice from household officials, agents, and ambassadors who were not members of the privy council. Sir Thomas Heneage, treasurer of the household, was an important conduit of information and

[101] Stubbs, *Gaping gulf*, sigs. A2v–A3, F3v–F4. [102] Ibid., sigs. F4, A5v–A6, E1v.

[103] Aylmer, *An harborowe*, sigs. H2v–H4; Smith, *De republica Anglorum*, ed. Dewar, pp. 78–88.

[104] I would like to thank Simon Adams for telling me about the date of the birth of Leicester's son.

[105] Katherine Duncan-Jones, *Sir Philip Sidney: courtier poet* (London, 1991), pp. 24, 29, 44–53, 106–10, 120–33.

advice to Elizabeth during Walsingham's Dutch embassy in 1578; advice from Thomas Randolph was fundamental to Elizabeth's decision not to secure by force Lennox's removal from power in Scotland and Morton's release in the early months of 1581.[106] Sidney's letter, therefore, operated in a circumscribed forum of policy-making at court. Where Stubbs and Spenser felt provoked to write in response to the failure of reform initiatives over preceding years and because they believed that the marriage threatened the future of Protestantism, Sidney (and Sir Thomas Cecil) sought to contribute to probouleutic discussion on the marriage and succession at court. Not selected by Elizabeth to discuss the marriage during the spring conferences, and not members of the privy council and so unable to contribute to conciliar debate in October, they resorted to letters, as Bacon and Knollys before them, to have their say.

IV

It was precisely Stubbs's and Sidney's contrasting approach to 'counsel' that explains why Elizabeth's reactions to the two works were so different: no proceedings were taken against either Sidney (or Cecil) and there is no evidence that Sidney's departure from the court in 1580 was related to his writing the letter.[107] As both the proclamation against *A gaping gulf* and the trial proceedings made clear, what incensed Elizabeth was Stubbs's presumption that he and other subjects could offer counsel, specifically on issues – marriage and the succession – about which she had consistently attempted to restrict debate in the privy council and in parliament. They also made evident Elizabeth's anger with Stubbs for impugning her political judgement and ability to rule. First, the proclamation denied Stubbs legitimacy as a counsellor – he only 'pretendeth' to be one – because he was not specifically chosen by Elizabeth to act in an advisory capacity. Second, *A gaping gulf* was explicitly condemned for 'offering to every most meanest person of judgement … authorite to argue and determine, in every blinde corner, at their several willes, of the affaires of publique estate'. It was an unlicensed pamphlet which Stubbs and Page had deliberately attempted to disseminate to a more socially diverse and geographically dispersed readership than that in which Sidney's letter appears to have circulated.[108] The social inclusivity of debate and counsel this represented was, Elizabeth considered, 'A thing most pernicious in any estate.' Unlike her appointed 'counsellors' and 'faithfull Ministers', ordinary subjects did not have the access to

[106] BL, Additional MS 15891, fo. 4r–v; BL, Harley MS 6992, fo. 89; [Walsingham] to Heneage, [2 Sept.?] 1578, PRO, SP83/9/30; Randolph to [Walsingham], 8 Feb. 1581, BL, Harley MS 6999, fo. 39; Walsingham to Randolph, 7 Mar. 1581, PRO, SP52/29/44; same to same, 15 Mar. 1581, PRO, SP52/29/47; [Walsingham] to [Randolph], 3 Feb. 1581, BL, Cotton MS Caligula C.vi, fo. 128. [107] Duncan-Jones and van Dorsten, eds., *Miscellaneous prose*, p. 34.

[108] The number of extant copies of Sidney's letter suggests it circulated in manuscript form. For manuscript publication see Harold Love, *Scribal publication in seventeenth-century England* (Oxford, 1993), H. R. Woudhuysen, *Sir Philip Sidney and the circulation of manuscripts, 1558–1640* (Oxford, 1996).

'true information', the ability to examine it and offer constructive advice, nor her own 'motherly or princely care' to evaluate what was 'honorable to her Majestie, profitable to the state of the Realme, and not hurtfull to the continuance of the peaceable government of the same, both in state of religion and policie'. These were the hallmarks of legitimate counsel, and criteria that Stubbs's advice did not meet. He was accused of basing his arguments on 'malitious reportes of hearesayes uncertaine or of vaine gessings and suppossals' and for failing to provide any constructive alternatives to the marriage. Indeed, the proclamation went so far as to claim that, if he had offered the latter, it 'might have in some part qualified the rest of the rash discourses, by shewing thereby some sincerity of good meaning'.[109] Third, passages cited in the trial demonstrated how Stubbs had challenged Elizabeth's 'princely care' of the realm, arguing that the marriage would lose England its Protestant allies, throw it open to the invasions of France and Spain, lead to the overthrow of religion and the 'capture' of Elizabeth and her subjects. The realm would be governed by Catherine de Médici and her Italian cronies; counsellors, bishops, judges, and magistrates would lose their posts; labourers would become 'one degree, at least, beneath vile peasants & Lackeis' and soldiers sent out 'for some more desperate service then S. Quintin … and cut in pieces'. It was 'ungodly and dangerous … incertain & needles … dishonourable & unprofitable'.[110]

Elizabeth's response to *A gaping gulf* demonstrated her conception of counsel and monarchical power. She explicitly rejected the view that subjects, beyond those she specially appointed, had any right, duty, or responsibility to contribute to the policy-making process. Moreover, she made clear she was not bound to hear or accept even legitimate counsel: advice could only be offered 'with her Majestie's good lyking' and its fitness was judged by her 'princely care'.[111] It reflected views she later demanded Walsingham convey, via Shrewsbury, to Mary Stewart: that her councillors 'are Councellors by choyce, and not by birth, whose services are no longer to be used in that publike function then it shall please her Majestie to dispose of the same' and that she was not ''so absolut as that without thassent of such whome she [Mary] termeth ''principal members of the Crowne'' she [Elizabeth] cannot direct her pollicie'.[112] If people wanted proof of her ability to govern well then they only had to look at the years of godly and peaceful government she had given them.[113]

[109] Proclamation against *The gaping gulf*, 27 Sept. 1579, PRO, SP12/132/11, fos. 24–6.

[110] Coram Rege Roll, Michaelmas term 21–2 Elizabeth, PRO, KB27/1271, membranes 3–4 (Crown side); Stubbs, *Gaping gulf*, sigs. D8, F2v–F3v. Additional passages cited in the trial include sigs. A7v, E5, F2v–F3.

[111] PRO, SP12/132/11, fos. 24–6.

[112] Walsingham to the earl of Shrewsbury, 30 July 1582, Edmund Lodge, ed., *Illustrations of British history, biography and manners* (3 vols., London, 1791), II, pp. 276–7.

[113] PRO, SP12/132/11, fos. 24–6.

V

As the initiative of a politically conscious, committed Protestant, rather than a court directive, *A gaping gulf* suggests the existence of a lively public sphere, interacting with the court but not subject to it. If it is accepted that Stubbs was not supplied with information from the court, then the knowledge he displayed of, for instance, French politics also suggests that the circulation of news and information was not dependent on the existence of newsletters and that, among articulate Elizabethans, its spread was more fully realized than extant evidence might suggest. Further, it also seems that the public sphere was more diverse and varied than previously thought: the three texts were not consciously produced to form a co-ordinated debate; they were driven by different motivations, drew on different traditions, and, in the case of Sidney's letter, written at some remove from *A gaping gulf* and *The shepheardes calendar*.[114] Finally, the role of the public sphere could be a matter of conflict between men like Stubbs and Elizabeth – Stubbs saw it as a legitimate forum for political debate and advice; Elizabeth did not – partly because concepts of counsel conflicted on issues like the role of counsel and the status of counsellors.

But *A gaping gulf* raises as many questions as it answers. How typical was Stubbs, either in his ideas on counsel, his perception of events, or the way he articulated them? How important was debate in print to the emergent public sphere compared to other means of articulation (for example, plays, ballads, alehouse gossip)? It is conceivable that Stubbs was (informally) supplied with memoranda by his friends Hickes and Skinner, though equally he could have learned of the substance of debate at court through the ordinary chatter among his friends. How do these networks of communication help us understand the circulation of news and the emergence of a public sphere? We are already aware of the role of traders, travellers, and others in spreading news and rumours into the provinces; to what extent might an exploration of informal networks of friends, colleagues, and acquaintances enable us to draw together debates among articulate Londoners and, say, servants in Essex?[115] And to what extent can some of the blame for the expansion of counsel offered by subjects be laid at Elizabeth's own door? Stubbs appeared genuinely surprised that he had misjudged Elizabeth's openness to counsel, offered by a self-confessed loving and loyal subject for her own safety and benefit. How much of his mistake was due to Elizabeth's often, but perhaps rhetorical, courting of 'popularity'? Did it lull her subjects into a false sense of openness?

[114] Byrom's reconstruction of Singleton's printing activity in 1579 suggests *The shepheardes calendar* may have been issued shortly after the publication of *A gaping gulf*. Byrom, 'Hugh Singleton', pp. 144–54; Duncan-Jones and van Dorsten, *Miscellaneous prose*, pp. 33–4.

[115] Fox, 'Rumour, news', passim.