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Shakespeare's *Richard II*, the Play of 7 February 1601, and the Essex Rising

PAUL E. J. HAMMER

RICHARD II OCCUPIES A SPECIAL PLACE in Shakespeare scholarship because it represents the most conspicuous and famous example of a Shakespearean play transcending the confines of theatrical production to enter into real-life political drama during the playwright's own lifetime.¹ Or, at least, it *probably* does. On the afternoon of 7 February 1601—the day before the so-called Essex Rising—the Lord Chamberlain's Men certainly staged a play “of Kyng Harry the iiiith and of the kyllyng of Kyng Richard the Second”² at the insistence of certain gentlemen who were to be involved in the events of the following day, but the precise identity of the play remains uncertain. If the 1601 play was indeed Shakespeare's *Richard II*, “the episode is a godsend for critics eager to

Earlier versions of this paper were delivered at seminars at the Folger Shakespeare Library on 30 March 2007 and at Princeton University on 18 May 2007. I am grateful for the helpful questions and comments from those who attended these seminars, especially Peter Lake, who has been a regular source of insightful comment. I express my particular gratitude for advice and helpful suggestions to Susan Cerasano, Pauline Croft, Alexandra Gajda, Catherine Howey, and Julian Yates. I am also grateful to the Marquess of Salisbury for permission to cite from the Cecil Papers.

¹ Quotations in this article from manuscript sources retain their original spelling, but capitalization and distinctions between i/j and u/v have been modernized where necessary; unless otherwise specified, light punctuation has been added where needed for clarity. All dates are Old Style, but the year is treated as beginning on 1 January rather than 25 March. After finishing this essay, I had access to Jonathan Bate's unpublished paper “Was Shakespeare an Essex Man?,” which quite independently comes to very similar conclusions and brings forward strong further evidence in support of the broad argument developed here. The account of the earl of Essex and of the Essex Rising given here is a simplified version of events to be detailed in P.E.J. Hammer, *The Essex Rising and the End of Elizabethan Politics: Robert Devereux, 2nd Earl of Essex, Treason and the Politics of Royal Decline, 1598–1603* (forthcoming). See also Paul E. J. Hammer, “Devereux, Robert, Second Earl of Essex (1565–1601),” *Oxford Dictionary of National Biography*, ed. H.C.G. Matthew and Brian Harrison (Oxford: Oxford UP, 2004); online edition, ed. Lawrence Goldman (2008), <http://www.oxforddnb.com/view/article/7565> (accessed 10 January 2008). Essex's career prior to 1598 is detailed in Paul E. J. Hammer, *The Polarisation of Elizabethan Politics: The Political Career of Robert Devereux, 2nd Earl of Essex, 1585–1597* (Cambridge: Cambridge UP, 1999).

² National Archives (NA) (formerly Public Record Office) SP 12/278, no. 78, fol. 130^r.

involve Shakespeare's writing in the politics of his time."³ Shakespeare's *Richard II* has an additional potential claim to political notoriety because the 1608 (Q4) and 1615 (Q5) editions of the play appeared with 164 extra lines in 4.1; these lines are advertised on the title pages as "new additions of the Parliament Sceane, and the deposing of King Richard."⁴ These additions have traditionally been interpreted as material suppressed during the reign of Elizabeth I because of their politically sensitive nature. Together with the assumed performance of the play on the eve of the Essex Rising, this "censorship" has been widely cited to prove that this play—and hence the drama generally—was subversive of royal authority, even politically dangerous, in Renaissance England.

As Cyndia Susan Clegg has shown, the question of whether the additional lines that first appear in Q4 text represent Elizabethan censorship is complex and ultimately one for which the evidence offers no certain answer.⁵ Nevertheless, if the play text was actually cut, it seems likely that this censorship would have occurred precisely because printing the text transformed it into something other than merely a play. In particular, printing a play enabled it to be studied in ways and places that a live performance could not.⁶ This printing was perhaps all the more important for a drama explicitly associated with "the right Honourable the Lorde Chamberlaine his Servants."⁷ In the absence of relevant evidence, it is impossible to know whether stage performances had included "the Parliament sceane" (although this seems likely), but the act of printing the play for the first time in 1597 turned what had previously been a series of individual performances into a single durable public text whose meaning was liable to be interpreted in relation to a variety of other printed texts.⁸ In this light, the cen-

³ Blair Worden, "Which Play Was Performed at the Globe Theatre on 7 February 1601?" in *London Review of Books*, 25.13 (10 July 2003): 22.

⁴ Not all copies of the 1608 edition advertise the new material on their title page. For discussion of the texts of *Richard II*, see William Shakespeare, *King Richard II*, ed. C. R. Forker, Arden3 (London: Thomson, 2002), 506ff. The title-page advertisement quoted here appears in Q4; see Forker, ed., 531 (Figure 18). Quotations of Shakespeare's *Richard II* follow this edition.

⁵ Cyndia Susan Clegg, "By the choise and inuitation of al the realme: *Richard II* and Elizabethan Press Censorship," *Shakespeare Quarterly* 48 (1997): 432–48.

⁶ See, for example, S. Keenan, "Reading Christopher Marlowe's *Edward II*: The Example of John Newdigate in 1601," *Notes and Queries*, n.s. 53 (2006): 452–58.

⁷ Q1 title page (1597); see Forker, ed., 530 (Figure 17).

⁸ Forker suggests the play was performed with "the Parliament sceane" intact, but it was removed by the publishers for printing in 1597, perhaps voluntarily (516–17). Cyndia Susan Clegg discusses a detailed example of this sort of cooperative revision of a text for the press (albeit for a vastly larger and more high-profile text) in "A Facsimile from Holinshed's *Chronicles*: Historical Introduction," in *The Peaceable and Prosperous Regiment of Blessed Queene Elisabeth: A Facsimile from Holinshed's "Chronicles" (1587)*, ed. Cyndia Susan Clegg and Randall McLeod (San Marino, CA: Huntington Library, 2005), 1–18.

sorship of the text of *Richard II*—if that censorship actually occurred—would testify to political sensitivities relating specifically to the nondramatic nature of a printed play. This makes the events of 7 February 1601 especially interesting because they unequivocally centered around a performance.

Most scholars accept that Shakespeare's company performed his *Richard II* that day, and a great many claims about the significance and political efficacy of Shakespearean drama have been advanced over the years based upon this assumption. As Leeds Barroll warned, some of these claims have been wildly exaggerated and reflect a severely distorted understanding of the events of 7 and 8 February 1601.⁹ More recently, Blair Worden has tried to undermine the idea that the work of Shakespeare "the artist" could be tied to any "particular political position" of his day, by arguing that the play performed on 7 February 1601 was not by Shakespeare.¹⁰ My essay challenges Worden's argument about the likely identity of the play performed in 1601, but it also endorses his observation that current scholarship has profoundly misunderstood the Essex Rising—and hence the significance of the play performed on the previous afternoon. I will reexamine the context and nature of the Essex Rising before I turn to questions concerning the identity of the play performed on 7 February and, finally, to why Shakespeare's *Richard II* would have been a perfect fit for that occasion. In so doing, I will suggest some new insights into how Shakespeare's play might have functioned politically in the last years of Elizabeth's rule.

The Essex Rising of 1601 is one of the most famous, even notorious, events in the long reign of Queen Elizabeth I. On the morning of Sunday, 8 February, Essex and about one hundred gentleman followers marched out of Essex House and tried to rally the people of London to protect the earl from his private enemies. The appeal proved to be a confused shambles, and Essex and his companions were swiftly proclaimed traitors. Ultimately, the earl and a few followers

⁹ Leeds Barroll, "A New History for Shakespeare and His Time," *SQ* 39 (1988): 441–64.

¹⁰ Worden, "Which Play"; and Blair Worden, "Shakespeare in Life and Art: Biography and *Richard II*," in *Shakespeare, Marlowe, Jonson: New Directions in Biography*, ed. Takashi Kozuka and J. R. Mulryne (Aldershot, UK: Ashgate, 2006), 23–42. In fact, Worden's intervention might be seen as reviving an old controversy because many of the ideas which he explores were first aired in the early 1930s in an acrimonious debate between Evelyn May Albright and Ray Heffner. See Evelyn May Albright, "Shakespeare's *Richard II* and the Essex Conspiracy," *PMLA* 42 (1927): 686–720; Ray Heffner, "Shakespeare, Hayward, and Essex," *PMLA* 45 (1930): 754–80; Evelyn May Albright, "Shakespeare's *Richard II*, Hayward's *History of Henry IV*, and the Essex Conspiracy," *PMLA* 46 (1931): 694–719; Ray Heffner, "Shakespeare, Hayward, and Essex Again," *PMLA* 47 (1932): 898–99; and Evelyn May Albright, "(Reply to Ray Heffner's *Shakespeare, Hayward, and Essex Again*)," *PMLA* 47 (1932): 899–901. The central issue in this debate was Albright's bold but unconvincing attempt to show that Shakespeare's play was based upon John Hayward's 1599 history of *Richard II* and *Henry IV* (see n. 26 below).

found themselves besieged in Essex House, where they were forced to surrender that night. Eleven days later Essex and his cousin and chief lieutenant, the earl of Southampton, were publicly condemned for treason and rebellion. Although Southampton's life was spared, Essex was quietly beheaded in the Tower on 25 February. Four other accomplices were condemned and executed. Sir Gelly Meyrick and Henry Cuffe were hanged, drawn, and quartered at Tyburn on 13 March. Sir Charles Danvers and Sir Christopher Blount were beheaded on Tower Hill on 18 March.

According to the official version of events, Essex's intention had been to raise the City as part of a plan to seize the person of the queen, pervert the exercise of royal authority in order to destroy his personal enemies and reward his friends, and, one way or another, make himself King "Robert the First."¹¹ This interpretation of Essex's actions is, in fact, substantially distorted and reflects a story that the royal authorities—led by men who were Essex's personal enemies—created because it reflected their own fears about what Essex had been planning, because it made some sense of the evidence that they gathered after his arrest, and because it served the crucial purpose of ensuring his death. By and large, scholars have consequently viewed Essex and the events of early 1601 through the prism of a supposedly bungled *coup d'état* on the streets of London.

During the late 1590s, England faced a series of interrelated problems which might collectively be called "the late Elizabethan crisis." These difficulties involved (1) the queen's chronic indecision about the succession, (2) tensions over the conduct of the war (especially the massive post-1598 military intervention in Ireland) and the prospect of peace negotiations with a hostile Spanish monarchy that spoke with two contradictory voices (one coming from Madrid and the other from Brussels), (3) an increasingly corrupt government which seemed to privilege loyalty and longevity over recent service, (4) a growing gulf between the human reality of the aging Elizabeth and the fantasy world in which she was publicly portrayed as if she were ageless, and (5) poisonous personal relations between key members of the Privy Council and the earl of Essex, who was the queen's former favorite, the realm's most important military commander, and England's leading nobleman. These and other problems came together in the late 1590s in ways that had the makings of a political perfect storm. In August 1599, the Elizabethan regime even came close to an open military confrontation between Essex and his rivals.

After spending much of 1598 in bitter disputes with his colleagues on the Privy Council over peace talks with Spain and falling into a "great quarrel"

¹¹ MS HM 41952, Henry E. Huntington Library, San Marino, CA, fol. 39^v.

with the queen herself, Essex staked his entire political and financial credit on the success of his military expedition to Ireland in 1599.¹² To secure this command, Essex rashly promised an easy victory over the “arch-traitor,” the earl of Tyrone, but he soon discovered the situation in Ireland was far more difficult and complex than he had been led to believe. Although he succeeded in reestablishing English control over much of Ireland during the spring and summer, the effort left his forces too weak and exhausted to confront Tyrone’s own army in Ulster. Essex attempted to explain his difficulties to the queen but received increasingly furious replies about his delay in attacking Tyrone. Frustrated, isolated, and aggrieved that their sacrifices seemed to attract only scorn, Essex and his friends became convinced that the stream of angry missives from England was the result of the earl’s rivals at court deliberately misrepresenting his actions to the queen. Essex also believed this effort to discredit him was part of a larger design to coerce the queen into peace with Spain and even to divert the succession toward a Spanish candidate. These suspicions, together with the impossibility of invading Ulster without large-scale reinforcement from England, prompted Essex to seek a truce with Tyrone and to contemplate returning home with part of his army in order to challenge those whom he regarded as traitors. When Essex secretly raised this plan in August 1599 with his closest associates, the earl of Southampton and Sir Christopher Blount, they were horrified. They told him such an action would only bring ruin and, whatever the outcome, would be “a matter most foule” and “an irrecoverable blott” upon Essex’s reputation.¹³ Although Essex did not know it, his rivals in England were massing thousands of troops in and around London to face what was believed to be a new Spanish Armada. In reality, the “Invisible Armada” scare was a false alarm, but tensions between the absent Essex and his rivals were now so well-known that many in London openly speculated about ulterior motives behind the mobilization.¹⁴ The Privy Council did not discover until eighteen

¹² See Wallace T. MacCaffrey, *Elizabeth I: War and Politics, 1588–1603* (Princeton: Princeton UP, 1992), 517–23.

¹³ Cecil MS 83/82, Hatfield House, Hertfordshire, UK. This document is printed in *Correspondence of King James VI. of Scotland with Sir Robert Cecil and Others in England during the Reign of Queen Elizabeth; With an Appendix Containing Papers Illustrative of Transactions between King James and Robert Earl of Essex*, ed. John Bruce, Camden Society Publications 78 (Westminster: Camden Society, 1861), 107–10, esp. 108. For Essex in Ireland, see also Paul E. J. Hammer, *Elizabeth’s Wars: War, Government, and Society in Tudor England, 1544–1604* (Houndmills, UK: Palgrave Macmillan, 2003), 211–16.

¹⁴ *The Letters of John Chamberlain*, ed. Norman E. McClure, 2 vols. (Philadelphia: American Philosophical Society, 1939), 1:83. On the “invisible Armada,” see R. B. Wernham, *The Return of the Armadas: The Last Years of the Elizabethan War against Spain, 1595–1603* (Oxford: Oxford UP, 1994), 263–72.

months later how narrowly the prospect of civil war had been avoided.¹⁵ Instead of returning from Ireland with an army, Essex rushed home to see the queen in person, bursting into her bedchamber early on the morning of 28 September, before she was properly dressed. Elizabeth initially greeted him warmly but later turned against him and ordered his arrest. Essex blamed this sudden change on the machinations of his enemies and spent much of the remaining seventeen months of his life stewing over the consequences of that day.

Essex's desperate bid to regain the queen's trust by abandoning his army and returning home with only a few companions resulted in his enduring various forms of detention for the better part of a year. In June 1600, he was sequestered from virtually all of his royal offices: in effect, he was reduced from being Earl Marshal, Master of the Ordnance, Master of the Queen's Horse, and the fourth-ranking Privy Councillor to being a mere private individual, albeit a very famous and aristocratic one. This exclusion from power and influence was especially painful because the queen authorized tentative peace talks with Spain. Essex was convinced that the queen was being pushed toward peace by councillors who were in the process of selling out to Spain. In Essex's mind (and in those of some of his friends), this treachery included the succession. Although there were some potential English claimants (notably, Arbella Stuart and the sons of the earl of Hertford and the late Catherine Grey), the two most widely discussed candidates were the Protestant James VI of Scotland and the Infanta Isabella Clara Eugenia, the Spanish Catholic princess married to Archduke Albert of Austria. Essex himself was widely recognized to be James's chief English supporter, so it made sense that his rivals might wish to support a rival candidate. If Essex remained alive and James succeeded, not only would Essex be restored to favor by the new king, but his enemies might face ruin or worse. These are precisely the points made by the Jesuit Robert Parsons in a letter of November 1600 to the Spanish ambassador at Rome, informing him of a recent overture he had received from an agent of Sir Robert Cecil, Elizabeth's Principal Secretary of State. According to the agent, Cecil and others at the English court were in doubt about whose candidacy for the succession they should support and "they cannot postpone much longer coming to terms with the King of Scotland, if no decision is forthcoming [from Spain and Rome], because they are afraid of the queen dying and of what may be the intentions of the earl of Essex, their enemy, thereafter."¹⁶ In reality, Cecil would probably have turned to a domestic English candidate if he had been unable to win favor with James;

¹⁵ Cecil MS 83/82; reprinted in Bruce, ed., *Correspondence*, 107–10.

¹⁶ MS 46/12/5, Jesuit Provincial Archives, Farm St. Church, London, UK, pages 1108–9 (Leo Hicks Transcripts).

this overture was most likely a ruse intended to flush out Spain's intentions. Nevertheless, the political logic which it described was compelling enough to convince Parsons that Cecil's interest in the Spanish claim might be genuine. If reports of these contacts leaked to Essex, as was entirely possible, they would also have served to confirm the earl's worst suspicions about Cecil.

Unfortunately for Essex, his opponents—especially Sir Walter Raleigh, Lord Cobham, Cecil, and perhaps also Edward Coke—calculated that this political equation would change radically in their favor if they could ensure that Essex died before Elizabeth. Once Essex was dead, James would quickly need to find new supporters in England. This calculation was particularly critical for Sir Robert Cecil, who had frequently been informed by intelligencers that James harbored a grudge toward him for the role which Cecil's father, Lord Burghley, had played in the execution of Mary Queen of Scots in 1587.¹⁷ Although they continued to offer superficial professions of friendship to Essex, the earl's enemies on the Privy Council and at court increasingly recognized that their own interests would be best served by his political destruction and, ultimately, his death. Sir Walter Raleigh made this point explicitly in a letter to Cecil written during the summer of 1600: "If yow take it for a good counsell to relent towards this tirant, yow will repent it when it shalbe to late: his mallice is fixt & will not evaporate by any your mild courses." He urged Cecil not to fear "after revenges" by listing a whole series of famous political deaths left unavenged by the victim's son or heir. Raleigh concluded with a postscript which adds a conspicuously Scottish dimension to his advice by describing Essex as "Bothwell": "He will ever be the canker of her estate & sauftyte."¹⁸

The Tudor method of disposing of political enemies was to charge them with treason, and Edward Coke, in particular, repeatedly tried to construct a treason case against Essex during 1600 and 1601 by focusing on the earl's unsuccessful command in Ireland in 1599. Coke's assumption was that Essex could not have left Ireland without cutting some kind of treasonous deal with the earl of Tyrone at their famous meeting in the middle of the River Lagan. This suspicion seemed all the more plausible because Essex had brought back to England a set of twenty-one propositions offered by Tyrone as the basis of a

¹⁷ Cecil's attempts to counter this belief can be seen in the efforts of the Master of Gray (acting as Cecil's agent) in December 1600 to convince James that "thearle of Leicester or Sir Francis Walsinghame ver only the couterers of her throt and inducers of Davisone to do as he did." See Cecil MS 90/92; printed in *Calendar of the Manuscripts of the Most Hon. the Marquess of Salisbury*. . . , 24 vols. (London: Historical Manuscripts Commission, 1883–1976), 10:414. Leicester and Walsingham were, respectively, Essex's stepfather and father-in-law.

¹⁸ Raleigh's letter is Cecil MS 90/150. It is transcribed by Peter R. Moore, "Did Raleigh Try to Kill Essex?" in *Notes and Queries* n.s. 41 (1994): 463–67. Moore suggests that Raleigh did not intend Essex's death, but I disagree with this interpretation.

lasting peace in Ireland, the first two of which read “That the *Catholike Religion* be openly preached” and “That the Churches be governed by the *Pope*.”¹⁹ Coke firmly believed Essex and Tyrone had conspired with the Pope and perhaps also with Spain to ensure Tyrone’s control of Ireland, open toleration of Catholicism, and Essex’s succession to the throne. Coke could never quite prove this case because this conspiracy did not actually happen. Essex did have secret contacts with Tyrone before their midstream meeting in September 1599, using Captain Thomas Lee as the messenger, but the aim seems to have been to gauge the prospects for Tyrone’s submission to the queen.²⁰ Nevertheless, these allegations of an Irish and Popish plot reflected what the earl’s enemies continued to believe about him, even after the Rising in 1601. Indeed, they formed the basis of public accusations made against Essex by the Privy Council on 13 February, and a treason case along these lines was drawn up in the days before Essex’s trial on 19 February.²¹

This conviction that Essex had conspired with Tyrone and the papacy in return for their support in claiming Elizabeth’s throne was powerfully shaped by logical deduction and by two key texts—*A Conference about the Next Succession to the Crowne of England*, published in Flanders in 1595 under the pseudonym of “R. Doleman,” and John Hayward’s *The First Part of the Life and Raigne of King Henrie the IIII*, published in early 1599. Both books were dedicated to Essex. *A Conference*, a detailed discussion of the descent of the English crown, affected an objective tone but really argued that both the Tudor and Stuart claims were far inferior to those of the king of Spain and his daughter, who could claim descent from John of Gaunt.²² This book was an open challenge to Elizabeth’s ban on public discussion of the succession and a full-scale assault on the claim of James VI, who was Elizabeth’s implicit, but frustratingly unan-

¹⁹ *Memorials of Affairs of State in the Reigns of Q. Elizabeth and K. James I . . . of . . .* Sir Ralph Winwood, ed. Edmund Sawyer, 3 vols. (London, 1725), 1:119.

²⁰ Lee’s comings and goings were overseen by Sir Christopher Blount on Essex’s behalf; see NA SP 12/278, no. 62, fols. 104^r–106^v; reprinted in Bruce, ed., *Correspondence*, 109.

²¹ Accusations concerning Tyrone and Essex’s command in Ireland also feature prominently in the account of Essex’s treasons compiled for the Privy Council by Francis Bacon in *A Declaration of the Practises & Treasons Attempted by Robert Late Earl of Essex and His Complices . . .* (London, 1601), sigs. B2^r–B3^r, B4^r–D1^r.

²² *A Conference about the Next Succession to the Crowne of England*. . . ([Antwerp,] 1595); and John Hayward, *The First Part of the Life and Raigne of King Henrie the IIII* (London, 1599). Authorship of *A Conference* is a vexed subject, but it is now generally accepted that “Doleman” is a pseudonym adopted by the English Jesuit Robert Parsons (or Persons). See Peter Holmes, “The Authorship and Early Reception of *A Conference about the Next Succession to the Crown of England*,” *Historical Journal* 23 (1980): 415–29; and Victor Houliston, *Catholic Resistance in Elizabethan England: Robert Persons’s Jesuit Polemic, 1580–1610* (Aldershot, UK: Ashgate, 2007), 72–74.

nounced, choice.²³ Critically, *A Conference's* assessment of the relative merits of the various candidates for Elizabeth's throne depended upon its assertion of the legitimacy of Richard II's deposition in 1399 by Henry of Bolingbroke, later Henry IV.²⁴ Doleman's mischievous dedication of the book to Essex briefly caused ructions between him and Elizabeth in late 1595.²⁵ Despite its title, Hayward's *First Part of the Life and Raigne of King Henrie the IIII* is a highly colored history of Bolingbroke's deposition of Richard II. Much about the publication of this book seems less innocent than those involved later claimed, but the key points for the authorities were that it described the failure of Richard II's government in 1399 in ways that seemed very much like the complaints Elizabeth was facing in 1599 and that it was dedicated to Essex in terms explicitly comparing him to Bolingbroke.²⁶ Convinced of Essex's treacherous intentions and determined to find evidence to prove it, Edward Coke seized upon Hayward's book in the wake of Essex's arrest in September 1599 as a supposed manifesto for Essex's bid for the throne. As Coke observed shortly before Hayward's commitment to the Tower in July 1600,

1. he [Hayward] fetcheth a storie 200 yere olde, and publisheth it this last yere, intendinge the application of it to this tyme. 2. maketh choice of that story only: a Kinge is taxed for misgovernment, his Councell for corrupt[ion] and covetous for there private [ends], the King censured for conferring benefits of hatefull parasites and favorites, the nobles discontented, the commons groning under continuall taxation: thereuppon the King is deposed, and by an erle, and in the ende muredred.²⁷

These accusations became even more explicit after Essex's arrest in February 1601, when Coke and Cecil accused him of seeking to usurp the throne in the manner of Bolingbroke. Cecil actually backdated the earl's ambition for the crown to 1595, which suggests he believed it had been triggered by the public appeal to Essex in the *Conference* dedication.²⁸ As Coke colorfully put it in one

²³ Susan Doran, "Loving and Affectionate Cousins? The Relationship between Elizabeth I and James VI of Scotland, 1586–1603," in *Tudor England and Its Neighbours*, ed. Susan Doran and Glenn Richardson (Houndmills, UK: Palgrave Macmillan, 2005), 203–34.

²⁴ Houliston, *Catholic Resistance*, 74.

²⁵ Houliston has plausibly suggested that Parsons hoped to undermine the alliance between Essex and James VI for the latter's succession in England (which was already becoming an open secret) by dedicating this work to Essex; see Victor Houliston, "The Hare and the Drum: Robert Persons's Writings on the English Succession, 1593–6," *Renaissance Studies* 14 (2000): 235–50, esp. 240.

²⁶ *The First and Second Parts of John Hayward's "The Life and Raigne of King Henrie IIII,"* ed. John J. Manning (London: Royal Historical Society, 1991), 61–62.

²⁷ NA SP 12/275, no. 25.i, fol. 42^v.

²⁸ NA SP 12/278, nos. 50, 54; fols. 72^v, 79^v.

set of notes, "This treason's burd hath bene secretly long in hatching, like to the whelp of an elephant that they say is many yeers in breeding before it be brought forth."²⁹ Essex's enemies believed that he was a potential usurper whose public displays of Protestant godliness and professed dislike of persecuting Catholics cynically masked naked ambition.

For his part, Essex received sharply divided counsel from his closest friends and servants about how to respond to such attacks. One group, led by Henry, Lord Howard, urged him to outflank his opponents by demonstrating obsequious devotion to the queen in the hope of regaining royal favor. A rival group, centered around the earl of Southampton and energized by Henry Cuffe, one of Essex's secretaries, argued that Elizabeth would never hear the truth about Essex as long as his enemies kept manipulating the information which she received. Cuffe seems to have argued that Essex's efforts to placate the queen in the manner urged by Howard and others merely increased the earl's vulnerability to attack and weakened his reputation as the greatest nobleman in the kingdom.³⁰ In the end, Southampton and Cuffe won out against Howard. At the end of October, Elizabeth refused to renew Essex's farm of the customs on imported sweet wines, which was critical to his finances. By Christmas 1600, rumors were swirling that some pretext would be found to induce the queen to order Southampton's arrest, as a first step toward bringing down Essex himself. Essex reacted by secretly writing to James VI to denounce "this raigninge faction," whose crimes included

not onely their corrupting of my servants, stealing of my papers, suborning of false witnesses, procuring of many forged letters in my name, and other such like practises against me appeere, but [also] their seeking to suppress all noble vertuous and heroicall spirits, their ill affection to our best confederates [i.e., foreign allies], their juggling with our enemies, their practise for th'Infanta of Spaine, and their divelish plotts with your Majestie's owne subjects against your person and life.³¹

This intolerable situation placed the burden of immediate action squarely upon Essex's own shoulders:

²⁹ NA SP 12/278, no. 98, fols. 159^r–160^v.

³⁰ Note that most of the evidence for this period derives from sources hostile to Cuffe. See William Camden, *Annales or, the History of the Most Renowned and Victorious Princesse Elizabeth Late Queen of England*, 3d ed. (London, 1635), fols. 534, 536–37, 550; and Henry Wotton, *A Parallell betweene Robert Late Earle of Essex and George Late Duke of Buckingham* (London, 1641), fols. 12–13.

³¹ This and the following quotation ("Now am I summoned") appear in British Library (BL) MS Additional 31022 (R), fols. 107^r–108^r; reprinted in Helen Georgia Stafford, *James VI of Scotland the Throne of England* (New York: D. Appleton-Century, 1940), 221–24, esp. 223.

Now am I summoned of all sides to stop the malice, the wickednes and madnes of these men, and to releve my poore cuntry that grones under hir burthen. Now doth reason, honour and conscience command me to be active. Now doe I see by God's favour the farrest and likliest hopes that can be of good success. This onely remaineth, that your Majestie, as you are most interested, so you be first declared in this busines.

Essex urged James to help him end this crisis by sending an ambassador to England by 1 February 1601 to demand Elizabeth's immediate recognition of James's claim to be her successor. Elizabeth's acquiescence would then have been the cue for James's ambassador, the earl of Mar, to request Essex's rehabilitation or for Essex himself, as James's chief ally, to demand it.³² This would, in turn, trigger Essex's arrest of the "rainging faction."

Essex's plan quietly to await Mar's arrival, however, was soon shattered. In early January 1601, Lord Grey attacked Southampton while the latter was riding through the streets of London, breaking a truce between them that the queen herself had imposed some months earlier. Grey received only mild punishment for the attack, which convinced Essex that he would get no justice while his enemies controlled the levers of power and filtered what news reached the queen. Essex also learned the Privy Council was again interrogating prisoners in the Tower in the hope of charging him with treason. This entailed fresh interrogation not only of John Hayward about his book, but also of Sir William Eure about recent contacts with James, which threatened to expose the earl's friend Lord Willoughby, governor of Berwick. Essex consequently faced both a resurrection of old charges stemming from 1599 and the possibility that his recent appeal to James for help was about to be discovered. Since there was still no sign of Mar, Essex's Scottish ties now seemed to be a potentially fatal liability, not a lever to force his return to power. Essex's one remaining hope—that he and his friends could capitalize on the calling of a Parliament—also collapsed in the final days of January, when Elizabeth finally vetoed the Council's longstanding plan to summon a Parliament. Essex now realized he had to take matters into his own hands. Fearing for their liberty and lives and yet also convinced that Elizabeth would recognize and reward their patriotism, Essex and his inner circle decided to stage an aristocratic intervention at court—leading a large delegation of lords into the queen's presence and "humbly" petitioning her for the arrest of the earl's enemies on charges of treason and corruption. Although neither side was fully aware of the other's plans, a secret race now effectively began between Essex and his enemies to see who would be able to put

³² Essex specifically nominated Mar as ambassador. The two earls had been in regular contact (with James's approval) since 1595; see Hammer, *Polarisation*, 171.

their plan into action first—and consequently who would end up being charged with treason, and who would be drawing up the charges.

If Essex and his inner circle could be said to have had any kind of guidebook for their actions, it was not Hayward's book of 1599, but *The State of Christendom*.³³ One brief section offers justification and a blueprint for directly petitioning a delinquent sovereign to save the state from oppression by corrupt and over-mighty councillors. What Essex planned in 1601 seems very close to the model for proper conduct *in extremis*. According to one account, Essex admitted, "I and 12 others of the greatest of the nobility of England, with many other of our noble friends and kinsmen, lords, knights and gentlemen, were fully resolved to have repaired to her Majesty, humbly prostrating ourselves upon our knees at her Majesty's feet, and to have made known unto her Highness the injuries and indignities our enemies had daily offered us."³⁴ Although no date seems to have been set, one source claims that Essex planned this aristocratic intervention for Saturday, 14 February.³⁵ A secret meeting of some of his most trusted friends was held at Drury House to work out plans, especially how to clear the way for Essex and the other lords to enter the court and petition the queen with the least possible risk of any resistance. This was essential in order to underline the legitimacy of their action. *The State of Christendom* acknowledges that this sort of direct petition constitutes a "kind of violence"³⁶ and consequently hedges it about with tight strictures to minimize its impact upon the realm's political order: "I require discretion and judgement in the Confederates, lest they mar a good Cause with evil handling thereof, as did *Julius Caesar*, who when he had deserved a triumph, took so violent a course in demanding the same, that his sute was rejected, to his endless dishonour, and his Countries great detriment. Let the Subjects be therefore humble Petitioners unto the Princes to reform such abuses as are notoriously known to be abuses."³⁷ In order to protect this

³³ *The State of Christendom, or, a Most Exact and Curious Discovery of Many Secret Passages and Hidden Mysteries of the Times* (London, 1657), is an unpublished tract, written about 1594, that survives in at least six manuscript copies; when it was printed in 1657, it was attributed (probably incorrectly) to Sir Henry Wotton, who had been one of Essex's secretaries. The work is discussed in detail in Alexandra Gajda, "*The State of Christendom*: History, Political Thought and the Essex Circle" (forthcoming) and in a forthcoming book by Peter Lake.

³⁴ BL MS Sloane 756, fol. 8^v.

³⁵ John J. Keevil, *Hamey the Stranger* (London: Geoffrey Bles, 1952), 73. Sir Christopher Blount later claimed that "on Saterdaie [i.e., 7 February] there was no certein daye sett down for his rysing, more then that it shold have bene done betwene that and the end of the terme" (Cecil MS 83/82; reprinted in Bruce, ed., *Correspondence*, 108). Blount's timeline suggests action on or before Friday, 13 February, when the Lord Keeper was scheduled to deliver the customary end-of-term charge to justices in the Star Chamber.

³⁶ *State of Christendom*, sig. L13^r.

³⁷ *State of Christendom*, sigs. L13^{r-v}.

ideal of dutiful petitioning and to reduce the risk of any violence in the vicinity of the queen, the Lord Admiral, Cecil, and Raleigh would be detained at their own houses, rather than at court.³⁸ Of paramount importance, according to *The State of Christendom*, was the display of proper reverence for the sovereign. Mistakes by aristocrats in such circumstances could have dire consequences, extending to popular revolts and “the utter subversion of Town and Country,” and must therefore be avoided at all costs.³⁹

Elizabeth and the Privy Council observed Essex's activities with growing alarm over the course of January and the first week of February 1601, but their focus on the visitors to Essex House and the Puritan sermons regularly being preached there seems to have guaranteed that they missed Essex's more important preparations for his intervention, which largely occurred elsewhere in places such as Drury House. Essex and his inner circle also ensured secrecy for their plans by adopting a deliberate strategy of deception. Only a chosen few were aware of the earl's actual plans, while the remainder were encouraged to believe that his actions were entirely defensive. The delicate business of informing key individuals about what Essex really intended proceeded in tandem with finalizing detailed plans for the entry into court itself. Sir Henry Neville, who was to be nominated by the Essex faction as Cecil's replacement as Secretary of State, was finally briefed by the earl of Southampton and Sir Charles Danvers at Drury House late on the afternoon of Monday, 2 February. Sir Ferdinando Gorges, who had been chosen as one of the army officers who would seize control of the court to ensure the peaceful passage of Essex and his entourage to see the queen, was asked to join a meeting at Drury House a day or so later. There, Gorges was shown a list of “sixcor [six score] erelles, barrones, knyghtes and gentellmen” who were expected to join Essex's action.⁴⁰ These meetings seem consistent with the intention of launching the intervention at the end of the following week. At his meeting with Southampton and Danvers, Sir Henry Neville was encouraged to consider what had been said “because yt was new unto mee.” He was told to expect a visit from Danvers “to have further conference of yt” within four or five days—that is, Friday or Saturday, 6 or 7 February.⁴¹

Although London buzzed with rumors of a Jesuit plot to assassinate Essex and anonymous libels circulated furiously, there was no sign on the afternoon of Saturday, 7 February, that anything significant would happen the next day. Essex spent the afternoon playing tennis, the earl of Rutland went hawking,

³⁸ NA SP 12/278, no. 89, esp. fol. 144^v; and Cecil MS 83/94, reprinted in *Calendar of the Manuscripts*, 11:103.

³⁹ *State of Christendom*, sig. Ll3^r.

⁴⁰ NA SP 12/278, no. 84, fol. 137^r.

⁴¹ NA SP 12/279, no. 11, esp. fols. 16^r–18^v.

and the earl of Sussex was out of town. Some of Essex's friends went to watch a play at the Globe that afternoon. In the late afternoon, however, Essex suddenly received an order to go to the Lord Treasurer's house to consult with the Privy Council about intelligence of a new Spanish Armada. Essex suspected a trap—correctly—and twice refused to go. The queen and the Council had at last realized that he and his friends had plans afoot and were determined to force him to explain his actions. Since refusing a direct order from the Privy Council was a very serious matter, Essex and his friends urgently consulted about what to do. Essex's steward Sir Gelly Meyrick, having just returned from the play at the Globe, heard the news just as he and other members of the theater party were about to sit down to supper at a tavern near Essex House. Meyrick "sodaynely departed & sate not at supper," leaving the others to wonder at his abrupt return to Essex House.⁴² That evening, Essex also received an urgent message that Sir Walter Raleigh had a band of men ready to murder him and that an ambush had been prepared if he went to the Privy Council. All the previous planning about securing smooth passage to the queen at court the following weekend now collapsed, and the focus shifted to protecting the earl's life—upon whose safety the fortunes of his friends (and, they thought, the good of the realm) depended. After intense debate about such options as marching on the court immediately or fleeing London altogether, a plan was finally agreed upon, which would capitalize upon the enormous good will toward Essex in London. The next morning, the earl would head into the City with a bodyguard to meet the Lord Mayor and Aldermen, who would be assembled for the Sunday morning service at St. Paul's. Once there, he would publicly ask for their protection from his enemies and ask them to petition the queen on his behalf to grant him an audience.

Early on Sunday morning, Essex took communion at his house, to attest to the rightness of his cause, and penned a brief petition to the queen for the City authorities to present on his behalf. Thereafter, however, things quickly fell apart. Essex's plan was leaked to Sir Robert Cecil early that morning, and the Privy Council was able to get a messenger to the Lord Mayor before the earl reached St. Paul's. Essex's departure from Essex House was also delayed by a delegation from the Privy Council led by the Lord Keeper, whose arrival caused such agitation among the men gathered in the courtyard of Essex House (who feared this was part of the plot to kill Essex) that the earl was forced to lock the delegation in an upstairs room and place armed guards upon them before he could leave. This action was later construed as the illegal imprisonment of the queen's envoys and began a day when everything that could go wrong did go

⁴² NA SP 12/278, no. 62, fol. 106'.

wrong, including the intended meeting with the Lord Mayor and Aldermen at St. Paul's. By the time Essex finally arrived, the Aldermen had already headed back to their wards in obedience to the Council's orders to raise the City against him. Essex next went to the house of Thomas Smyth, one of the City sheriffs, who was supposed to be his chief London supporter. When Smyth discovered Essex and his companions at his front door, he was shocked by their unexpected appearance and allegedly tried to escape out the back door. This set the tone for hours of confusion and panic as each new plan which Essex tried to implement quickly fell apart. The final outcome of this fiasco was the surrender at Essex House that evening.⁴³

When the court was so weakly defended, why did Essex go into London, rather than directly to the queen? Two pieces of evidence seem relevant here. The first comes from 1618, when Sir Walter Raleigh was awaiting his own execution and was asked about his role in the death of Essex. According to Dr. Robert Tounson, Dean of Westminster, who was preparing him for the scaffold, Raleigh said "that my Lord of Essex was fetcht off by a trick, which he privately told me of."⁴⁴ Unfortunately, the dean revealed no more, but it is possible this trick was the story heard by the earl on the Saturday evening that Raleigh was gathering men to kill him. In this scenario, the story was deliberately passed on to Essex (probably by Sir Ferdinando Gorges) in order to panic him into some action that would enable his enemies to convince Elizabeth that he must be sent to the Tower.⁴⁵ However, no one expected this trick to produce such dramatic results so quickly, which explains why everyone was caught by surprise the following day. The second piece of evidence is a letter written by a Dutch physician with close ties to Essex, offering information that can only have come from those who had been inside Essex House. According to the doctor, Essex turned to the City because "he feared lest in advancing on the Court he should afford a

⁴³ For a very brief contemporary outline of the Rising, see *The Annales, or a Generall Chronicle of England, Begun First by Maister John Stow and after Him Continued and Augmented with Matters Forreyne, and Domestique, Auncient and Moderne, vnto the Ende of This Present Yeere 1614.* by Edmond Howes, Gentleman (London, 1615), fols. 791–92. Howes offers a slightly fuller account of the Rising than had appeared in earlier editions of *The Annales*.

⁴⁴ BL Facs. Suppl. IV, no. aa; Dr. Robert Tounson to Sir John Isham, 9 November 1618. This letter is reprinted in Edward Edwards, *The Life of Sir Walter Raleigh*, 2 vols. (London: Macmillan, 1868), 2:248–92, esp. 2:491.

⁴⁵ Sir Ferdinando Gorges was a cousin of Sir Walter Raleigh and was widely accused of being a traitor by former followers of Essex (see, e.g., BL MS Sloane 756, fol. 12^v). In response, Gorges felt compelled to write a detailed (but somewhat evasive) "breefe answer to certayne false, slanderous, and idle objections . . . as if he had ben a man of purpose employed to practize the ruine of the late Earle of Essex"; BL MS Cotton Julius F.VI, fols. 445^r–52^r. It is printed in John Bruce, "Defence of Sir Ferdinando Gorges against a Charge of Having Betrayed Robert Earl of Essex," *Archaeologia* 33 (1849): 241–61, esp. 247.

better handle to his enemies who might make it appear that he had taken that course for the purpose of getting the Queen into his power and attacking the State."⁴⁶ If this explanation were true, it would explain a great mystery of the Essex Rising: how could such an experienced military commander as Essex have launched such a pitifully ineffective coup in 1601? The answer, it would seem, is that launching a *coup d'état* was precisely what Essex was trying *not* to do.

After Essex and most of his friends were arrested on Sunday evening, the Privy Council turned its energies to investigating the nature and extent of Essex's conspiracy. Although the interrogation of rank-and-file followers of Essex focused largely on the events at Essex House and in the City on Sunday morning, the authorities also pursued their belief that Essex was a secret Catholic, in league with Spain and the papacy, and that he aspired to the throne for himself—essentially the same set of accusations which Edward Coke had been trying to pin on him for the past year or more, using Hayward's book and a variety of dubious allegations emanating from Ireland. The accusations against Essex as an ally of Tyrone and the Pope were spelled out in a series of speeches by members of the Council in the Star Chamber on 13 February and publicized by a variety of other means over the following week.⁴⁷ Similar accusations against Essex were also aired on Monday, 16 February, during the trial of Captain Thomas Lee, who was hastily condemned and executed for allegedly plotting to seize the queen's person in order to demand the release of Essex and his associates.⁴⁸ The public reaction to these claims seems to have been a mixture of bewilderment and disbelief. On 18 February—the day before the trials of Essex and Southampton were due to be held—the authorities learned for the first time about the planning meeting held at Drury House. To the Council and the crown's lawyers, this seemed to prove that Essex had launched an abortive coup on 8 February, and the case against him was modified accordingly. In fact, the Drury House meeting had nothing to do with the events of 8 February, which represented a plan hastily improvised on the night of 7 February and

⁴⁶ Keevil, 75.

⁴⁷ NA SP 12/278, nos. 54, 55; fols. 79^r–80^r, 90^r–91^r. The public campaign against Essex also included the requirement that all ministers in London churches preach against Essex on Sunday, 15 February; see Arnold Hunt, "Tuning the Pulpits: The Religious Context of the Essex Revolt," in *The English Sermon Revised: Religion, Literature and History 1600–1750*, ed. Lori Anne Ferrell and Peter McCullough (Manchester: Manchester UP, 2000), 86–114. The Council also tried to stir public hostility toward Essex by pointedly staging executions of Catholic priests around London in the days before his trial.

⁴⁸ McClure, ed., 1:120; and "The Arraignment and Judgment of Captain Thomas Lee, at the Sessions-House near Newgate, for High Treason," in *Cobbett's Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors . . .*, ed. Thomas Bayley Howell, 33 vols. (London: T. C. Hansard, 1809–26), 1:1403–10.

constantly changed during the course of Sunday. But to the Council, this intelligence looked like clinching evidence for their case. Despite more than a week of public condemnation as a Catholic conspirator in league with Tyrone, Essex was charged with plotting a coup at Drury House and launching a rebellion in the streets of London, with the result that he was condemned to death for the very action which he had tried to avoid.

Two days after his trial, Essex finally confessed to the Council, but to very different crimes—that he had considered bringing his army back from Ireland to confront his enemies in 1599, that he had had secret correspondence with James VI, and that, in hindsight, he was no longer sure his own good intentions for his planned aristocratic intervention at court would have been sufficient to prevent others from exploiting it for their own less worthy ends.⁴⁹ Condemned for treasons which he had not intended (and which he believed he had not committed), Essex now confessed to treasons for which he had never been indicted. This confession was motivated by Essex's concern for his immortal soul—hence, he confessed what he had intended or now feared, not just what he had actually done—but it also implied a belated recognition that his own expectations about Elizabeth accepting his “humble petition” and immediately acting upon his accusations against Cecil, Raleigh, and his other enemies were profoundly naïve. Almost certainly, Elizabeth would have rejected his intrusion into the court as a gross infringement on her royal authority and matters would thereafter have spiraled out of control. Essex's intervention at court might well have morphed into a coup, regardless of his intentions. Edward Coke's comparison of Elizabeth's future prospects to the fate of Richard II perhaps might not have been so bizarre and far-fetched as Essex and his friends had believed. Perhaps Essex realized that the crown's prosecutors had come to the right conclusion, even though their arguments had substantially misrepresented what he and his friends thought they were doing. Essex's confession prepared the way for him to make a model death upon the scaffold four days later and allowed the Privy Council to blend together his statements to make it seem that he had actually confessed to planning and launching an abortive coup.⁵⁰ Almost without exception, scholars have accepted this conciliar version of Essex's treasons and have relied upon edited summaries of the interrogations of Essex and his followers

⁴⁹ Essex's original confession on 21 February does not survive. A brief abstract of part of the earl's confession is included in NA SP 12/278, no. 104, fols. 207^{r-v}.

⁵⁰ “The true copie, in substance, of the late Earle of Essex, his behauaiour, speach, and prayer, at the time of his execution” was annexed to the printed text of the Paul's Cross sermon which William Barlow preached against Essex; see William Barlow, *A Sermon Preached at Paules Crosse, on the First Sunday in Lent: Martij 1. 1600* (London, 1601), sigs. E3^r–E7^r. This official account of Essex's execution subsequently migrated into manuscript circulation and was very widely copied into commonplace books.

and an account of his trial that support it.⁵¹ They have therefore endorsed the idea that Essex actually launched a pathetically incompetent coup on 8 February—and have made their judgments of him accordingly.

The first and most obvious point which emerges from this new interpretation of events is that the play performed on Saturday, 7 February, had no direct connection with what happened the following day because those events were unforeseen on Saturday afternoon, let alone a day or so earlier when the performance was commissioned. Instead, the play was clearly ordered with an eye to Essex's entry into the court, which was planned for the following weekend. This renders moot some of the more extravagant claims that have been made about the connection between drama and rebellion. It is true that the official *Declaration of the Practises & Treasons Attempted by Robert Late Earl of Essex and His Complices* (penned by Francis Bacon) ties the play performed on Saturday afternoon to the events of Sunday, but this assertion by the government reflects the needs of the official case against Essex and his coaccused, not what those who commissioned the play actually intended. Testimony concerning the play was not taken until 16–18 February.⁵² This indicated that Sir Charles Percy, his brother Sir Josceline Percy, Sir William Parker (commonly known as Lord Monteagle), and “some thre more” had specially arranged with the Lord Chamberlain's Men on Thursday or Friday for a performance of a play variously described as being “of Harry the iiiith,” “of Kyng Harry the iiiith and of the kylling of Kyng Richard the Second,” and “of the deposyng and kylling of Kyng Richard the Second.”⁵³ These gentlemen were insistent that this particular play must be performed, even though it was “so old and so long out of use,”

⁵¹ The “official” version of events is given in Bacon's *Declaration* (see n. 21 above), which includes edited excerpts from testimony collected against Essex. Much fuller—but still incomplete—versions of most of these (and other) confessions can be found in *Calendar of State Papers, Domestic Series, of the Reign of Elizabeth, 1598–1601, Preserved in Her Majesty's Public Record Office*, ed. Mary Anne Everett Green (London: Longman and Co., 1869), 546–600; and *Calendar of State Papers, Domestic Series, of the Reign of Elizabeth, 1601–1603, Preserved in Her Majesty's Public Record Office*, ed. Mary Anne Everett Green (London: Longmans, Green and Co., 1870), passim. The usual source for the trials of Essex and Southampton is Howell, ed., 1:1334–60. It should be noted that the account printed by Howell represents only one of many versions of Essex's trial, some of which are very different in tone and detail.

⁵² Direct evidence about the performance consists of comments made in the examinations of Sir William Constable on 16 February 1601 (NA SP 12/278, no. 72, fol. 122^r), Sir Gelly Meyrick on 17 February (NA SP 12/278, no. 78, fol. 130^r), and Augustine Phillips, “servant unto the Lord Chamberlyn and one of hys players,” on 18 February (NA SP 12/278, no. 85, fol. 139^r). These documents are printed in E. K. Chambers, *William Shakespeare: A Study of Facts and Problems*, 2 vols. (Oxford: Clarendon Press, 1930), 2:324–25.

⁵³ NA SP 12/278, nos. 78, 85; fols. 130^r, 139^r.

and agreed to pay a bonus of 40 shillings to seal the deal.⁵⁴ The leading figure in this transaction seems to have been Sir Charles Percy, at whose “mocyon” the playgoers also crossed the river to the Globe after lunch on Saturday. Sir Gelly Meyrick later claimed that he could “not tell who procured that play to be played at that tyme except yt were Sir Charles Percy, but as he thyncketh yt was Sir Charles Percy.”⁵⁵ Percy seems to have had a special fondness for Shakespeare’s work: he certainly knew 2 *Henry IV* well enough to joke repeatedly in a letter to a friend that, upon his return from a stay in Gloucestershire, his correspondent “will find mee so dull that I shall bee taken for Justice Silence or Justice Shallow.”⁵⁶ This was not a casual reference. In 2 *Henry IV*, Justices Silence and Shallow live in Gloucestershire,⁵⁷ the very county Percy was then visiting. Significantly, neither the Percy brothers nor Lord Monteagle faced any charges over commissioning the performance.⁵⁸ Instead, the blame was shifted to Sir Gelly Meyrick, despite his protestations that he had no direct knowledge of who had organized the performance. Meyrick had been one of Essex’s most conspicuous servants for more than twenty years, and his alleged responsibility for procuring the play served as a kind of garnish to the capital charges against him, helping to ensure he would not be spared execution.⁵⁹ If there had ever been any prospect of serious scrutiny of the conduct of the players themselves, this was probably averted by the Council’s discovery of information about the Drury House meeting, which rendered the whole matter of the play much less urgent and, indeed, largely irrelevant to the hastily revised case against Essex. The Lord Chamberlain’s Men performed for Elizabeth at Court again—and

⁵⁴ NA SP 12/278, no. 85, fol. 139^r. Some caution is perhaps required in taking the protestations by Augustine Phillips about the nature of the play too literally. Phillips’s comments may reflect a desire to justify his company’s demand for a healthy payment for this special performance, the need to convince the authorities that the circumstances under which the players agreed to stage the play were politically innocent (that is, reluctantly and purely for the money), or a mixture of both.

⁵⁵ NA SP 12/278, no. 78, fol. 130^r.

⁵⁶ NA SP 12/275, no. 146, fol. 240^r. This letter is dated from Dumbleton, Gloucestershire, on 27 December, but the year is uncertain. It has been included among papers relating to 1600, but may in fact date from 1604, when Percy had become lord of Dumbleton manor by virtue of his marriage to Dorothy, the widow of Edmund Hutchins.

⁵⁷ *The Second Part of King Henry IV*, ed. A. R. Humphreys, Arden2 (London: Methuen, 1966), 4.3.126–27.

⁵⁸ *Fourth Report of the Deputy Keeper of the Public Records* (London: William Clowes, 1843), 295–96, Appendix 2. The original manuscript is NA KB 8/57/2, membranes 17–18.

⁵⁹ Howell, ed., *Complete Collection of State Trials*, 1:1445; Bacon, *Declaration*, sigs. K2^v–K3^r. Coke claimed that Phillips was approached by “sir Gilly and some others of the earl’s train” to demand “the play of Henry 4th”; “The players told them that was stale, they should get nothing by playing of that, but no play else would serve; and sir Gilly gives 40 shillings to Philips” (Howell, ed., 1:1445). These sources are reprinted in Chambers, 2:325–26.

subsequently received the customary fee of £10—on the night of 24 February, the very eve of Essex's execution.⁶⁰ Despite all the modern scholarly attention devoted to the play performed on 7 February 1601, it would seem that the Elizabethan authorities regarded the play of insufficient importance to pursue those who actually arranged its performance, made only a limited effort to investigate the players involved, and played fast and loose with the evidence in order to pin the blame on the doomed Meyrick.

Which play, however, was performed on 7 February? Blair Worden has argued, essentially upon three grounds, that the play performed was not Shakespeare's *Richard II*. First, most of the few references to the play put more emphasis upon Henry IV than Richard II. Second, Shakespeare's *Richard II* seems to have been a fairly poor choice, if those who commissioned its performance were intent upon seeing an enactment of baseborn councillors receiving just punishment for their crimes against the commonwealth. Shakespeare's play instead focuses most fully upon the motivations of the royal and aristocratic characters, especially those of Richard II. Third, Worden argues that the apparent needs of the conspirators of 1601 would have been better served by a play based directly upon Hayward's book, the existence of which he claims is proven by a reference in a set of notes outlining a potential treason case against Essex. The first of these arguments is relatively trivial: as Worden himself notes, the Crown's prosecutors had good reason to emphasize the figure of Henry IV because it suited their desire to cast Essex as a failed usurper.⁶¹

The other two points need to be taken in reverse order. The chief evidence cited for the existence of a play based upon Hayward's book derives from a document endorsed as "An abstract of the erl of Essex his treasons."⁶² The dating and provenance of this document has caused much confusion over the years, and Worden is rightly tentative in following the usual dating of July 1600. The endorsement is in the hand of Sir Robert Cecil, who presumably scrawled it on the back of the document when he weighed the merits of the treason case that it outlines. This case consists of evidence gathered under various headings, which served to demonstrate that Essex had plotted with Tyrone, was a secret Catholic

⁶⁰ NA E 351/543, membrane 69, recording a payment of £30 to John Hemynges and Richard Cowley, servants to the Lord Chamberlain, "for three playes showed before her Highnes on St Stephen's day [26 December 1600] at nighte, Twelfth day [6 January 1601] at nighte and Shroverwesday [24 February 1601] at night," by virtue of a Privy Council warrant signed at Whitehall on 31 March 1601; see also *Acts of the Privy Council of England. New Series, 1542–1604, 1613–31*, ed. John Roche Dasent et al., 46 vols. (London: His Majesty's Stationery Office / Eyre and Spottiswoode, 1890–1949), 31:217. Note that the latter source implies an earlier date of 11 March 1600 for the signature of this warrant; see 31:216.

⁶¹ Worden, "Which Play," 22.

⁶² Worden, "Which Play," 22–23.

(or at least a supporter of the Catholic cause), and had long aspired to seize Elizabeth's throne for himself. Most of this evidence derives from a variety of interrogations conducted in England and Ireland between the end of July 1600 and 16 February 1601. In short, this document summarizes the same treason case which the Council went to great lengths to publicize against Essex in the week before his trial, but which was finally abandoned during the trial itself in favor of a treason case based upon Essex's actions at Essex House and in the City on 8 February and the apparent plotting for a *coup d'état* at Drury House.

The fifth of five headings in this "abstract" of Essex's alleged treasons lists various suspicious actions by the earl himself, beginning with "His underhand permitting of that most treasonous booke of Henry the Fourth to be printed and published being plainly deciphered not onely by the matter, and the Epistle itself, for what ende, and whose behoof it was made / but also the erle himself being so often present at the playing thereof, and with great applause geving countenance and lyking to the same."⁶³ Worden argues that this statement proves the existence of a play based upon Hayward's book and that Essex and his friends repeatedly and enthusiastically attended performances of it. At first blush, this claim seems reasonable enough, but such an interpretation of this ambiguous sentence raises some major problems. Hayward's book was published about the middle of February 1599 and Essex left London for Ireland on 27 March. This would give very little time for a play to be written from the book and for Essex to be "so often present at the playing thereof." It is also difficult to see how Essex would have had time to attend the theater regularly during this four- or five-week period. In addition to dealing with the usual stream of foreign intelligence and other Council business, he had to prepare the largest army that England had sent abroad since the 1540s, answer a flood of requests from gentlemen seeking to join the expedition, prepare the way for the earl of Worcester to act in his stead as Master of the Horse, preside in his capacity as Earl Marshal over a two-day hearing into Henry Lennard's suit to be recognized as heir to the title of Lord Dacres of the South, and sort out his own private affairs, including drawing up a new will by 14 March which sought to clarify his extremely messy and complex finances. Not surprisingly, Essex was reported to be "crased"—that is, broken in health—by the beginning of March.⁶⁴ Essex's regular attendance at plays during this period therefore seems highly unlikely. Another obvious problem with Worden's suggestion is that there is no reference elsewhere to a play based upon Hayward's book, even though Hayward and his book were the

⁶³ NA SP 12/275, no. 33, fol. 56^r. Note that the punctuation here appears as in the original manuscript, with no modernization.

⁶⁴ McClure, ed., 1:69.

focus of prolonged and intense scrutiny by those who wanted to use them to justify charges of treason against Essex. If such a play had existed, Edward Coke would surely have investigated it vigorously and the signed statements of those concerned would testify explicitly about who wrote it, where it was performed, and why. No such evidence survives because no such play was written in 1599.

How, then, should the statement about Essex's attendance at plays be understood? A more careful reading of the statement suggests that Essex was "so often present at the playing" not of "that most treasonous booke," but of the figure of "Henry the Fourth." This would mean Essex was recognized as an enthusiastic spectator at plays such as Shakespeare's *Richard II* and *1 and 2 Henry IV*, as well (perhaps) as other non-Shakespearean dramas about similar subject matter. Unlike a notional play based upon Hayward's book, this reading of the statement would fit perfectly with both the chronology of Essex's career and other references to the earl's association with Henry of Bolingbroke, such as Edward Guilpin's mocking *Skialetheia*.⁶⁵ Moreover, a careful reading of the statement indicates it was precisely this track record of applauding plays about Henry IV that is deemed to "decipher" Essex's "underhand permitting" of Hayward's book. In other words, the statement means exactly the reverse of Worden's interpretation. Instead of suggesting a play based upon Hayward's book, it asserts that Hayward's book reflected an attempt to capitalize in print upon Essex's already well-established public association with dramatic representations of Henry IV and that it was this preexisting public connection with plays about the usurper which made the later denials by Essex and Hayward of any ulterior motives concerning the book seem so implausible to investigators. In short, the playgoing produced the book, not the book a play.

That a play based upon Hayward's book does not exist does not prove that the play performed on 7 February 1601 was Shakespeare's *Richard II*, but it does make it more likely. Two other arguments also need to be addressed before our attention can turn to the circumstances surrounding the performance of 1601. First, it has been suggested that Shakespeare's *Richard II* is, in fact, profoundly critical of Essex; hence, it would be deeply ironic if this were the play chosen by his supporters for staging. This argument assumes that Essex was associated with Bolingbroke and that Shakespeare's play portrays Bolingbroke as a usurper whose immoral actions will result in national disaster. Chris Fitter

⁶⁵ *The Riverside Shakespeare* dates *Richard II* to the mid-1590s, *1 Henry IV* to 1596–97, and *2 Henry IV* to 1598. See *The Riverside Shakespeare*, 2d ed., gen. ed. G. Blakemore Evans (Boston: Houghton Mifflin, 1997), 842, 885. For further discussion of Essex's public association with Henry IV, see Paul E. J. Hammer, "The Smiling Crocodile: The Earl of Essex and Late-Elizabethan 'Popularity,'" in *The Politics of the Public Sphere in Early Modern England*, ed. Peter Lake and Steven Pincus (Manchester: Manchester UP, 2007), 95–115.

has even gone so far as to argue that Shakespeare's play is a deliberate attempt to sabotage Essex's supposedly reckless ambition in the interests of the political harmony offered by the earl's rivals.⁶⁶ It is certainly true that Shakespeare's play can be seen as offering some mocking criticism of Essex. Richard's complaints to Aumerle about Bolingbroke's "courtship to the common people" (1.4.24), even to the extent of ostentatiously doffing "his bonnet to an oyster-wench" (1.4.31), seem to be a pointed reference to similarly popular behavior by Essex. However, such public teasing (which the earl apparently took in conspicuously good humor) and the presentation of Bolingbroke's usurpation as a terrible sin—the normal contemporary interpretation of the event—do not make the play as a whole an "injurious representation of Essex."⁶⁷ If anything, these elements of the play might be seen as a public counterpart to the blunt cautions which Essex received privately from Lord Henry Howard and Francis Bacon during 1594–96 about the need to be more subtle in his courting of public acclaim lest the queen come to see him as a political threat—and his rivals be able to exploit these fears against him.⁶⁸ In this light, Shakespeare's play actually echoes discussion among the earl's own inner circle during the period when the play was written, which is interesting and perhaps significant. Although Shakespeare is unlikely to have been aware of the confidential advice which Essex received, it is entirely possible that he knew about the earl's unusual willingness to accept constructive criticism.

One final argument which has frequently confused discussion about February 1601 concerns the report of a conversation between the antiquary William Lambarde and Queen Elizabeth in August 1601. As Worden rightly notes, this conversation has often been erroneously linked to the play performed on 7 February.⁶⁹ Lambarde's audience with the queen occurred at Greenwich on 4 August 1601, when he presented her with an inventory of archives held in the Tower, of which he recently been appointed Keeper. According to a supposed "copy of the original conversation," Elizabeth "chearefully receaved the same" and proceeded to go through the contents, repeatedly questioning Lambarde about the meaning of various technical terms.⁷⁰ When Elizabeth reached the

⁶⁶ Chris Fitter, "Historicising Shakespeare's *Richard II*: Current Events, Dating, and the Sabotage of Essex," *Early Modern Literary Studies*, 11.2 (2005): 1.1–47, <http://purl.oclc.org/emls/11-2/fittrc2.htm> (accessed 2 January 2008).

⁶⁷ Fitter, paragraph 47.

⁶⁸ In addition to Hammer, "Smiling Crocodile," see Paul E. J. Hammer, "How to Become an Elizabethan Statesman: Lord Henry Howard, the Earl of Essex and the Politics of Friendship," *English Manuscript Studies* 13 (2007): 1–34.

⁶⁹ Worden, "Shakespeare in Life and Art," 36.

⁷⁰ BL MS Add. 15664, fols. 226^v–27^r. This manuscript is an early eighteenth-century copy transcribed by John Bayley, Clerk of the Tower Record Office. A printed version of this source

section related to records of the reign of Richard II, she said: "I am Richard 2^d. Know yee not that?" Lambarde responded by alluding to Essex: "such a wicked imagination was determined and attempted by a most unkind gent[leman], the most adorned creature that ever your Majestie made." Elizabeth replied that "hee that will forget God will alsoe forgett his benefactor; this tragedie was played 40^{tie} times in open streets and houses." She then turned the conversation back to Lambarde's inventory. This exchange has been very widely cited, often in connection with the play performed on 7 February, in order to suggest that Elizabeth saw herself figured through the lens of the play and believed that this same play was repeatedly performed in the streets as a kind of street theater. Although frequently repeated, this interpretation seems highly implausible.

If the text can actually be trusted, I would argue that Elizabeth and Lambarde both refer to the official interpretation of the Essex Rising in which Essex was portrayed as aspiring to the crown and in which the queen herself was cast as being at risk of suffering the same fate as Richard II. Lambarde dutifully comments that such a prospect—attempting to overthrow and kill an anointed sovereign—could only have been the product of "a wicked imagination" and that this seemed all the more shocking because of the earl's former status as the queen's leading favorite. Elizabeth attributes Essex's actions to his failure to properly understand his place in God's ordered universe, which consequently prompted him to act toward her with a total disregard for the reverence and gratitude which a beneficiary should properly display toward a benefactor. For Elizabeth, it is Essex's failure to obey divinely ordained duties and his consequent selfish ingratitude that constituted the heart of his crime (as she then understood it) and resulted in tragedy—that is, a moral lesson involving the death of the individual concerned. More particularly, Elizabeth sees Essex's forgetting God as a failure to respect *her* royal status: as Shakespeare's John of Gaunt observes in *Richard II*, the sovereign of England is "God's substitute, / His deputy anointed in His sight" (1.2.37–38). Although she uses the metaphor of a play being performed multiple times, it seems improbable that the queen actually means a specific play here. Just as she offers an appropriately biblical round number ("forty") to indicate "many," Elizabeth's use of the play image instead reflects a very common metaphor. The word "tragedy" is, in fact, by far the most frequent term by which Essex's contemporaries described his fall and death because the earl's fate seemed to follow the classical trajectory of a tragedy. Elizabeth's bitterness about Essex's conduct, however, adds an additional

is *The Progresses and Public Processions of Queen Elizabeth*, ed. John Nichols, 3 vols. (London: John Nichols, 1823), 3:552–53, esp. 552. Jonathan Bate raises important questions about the credibility of this alleged "conversation" between Lambarde and the queen in "Was Shakespeare an Essex Man?" The whole exchange may well be a mid-seventeenth-century fabrication.

layer. Essex not only forgot his duty to his royal benefactor but also repeatedly displayed his hubristic ingratitude and self-promotion “in open streets and houses”—that is, both publicly for the commons to admire and privately in the houses of well-to-do friends and followers. The first kind of display was demonstrated by Essex’s love of extravagant gestures and grandstanding, such as the great procession which accompanied his departure for Ireland in March 1599 and his occasional forays into the streets of London, while the second was reflected in his private entertainment of friends and the partisan documents that he deliberately circulated for reading in town and on country estates.⁷¹ As far as Elizabeth was concerned, each of these many instances of Essex’s trying to steal away the love rightfully owed to her by her subjects represented another step closer to his paying a fatal price for his ambition. Elizabeth’s comment to Lambarde was not about the play performed in February 1601—or, indeed, any particular play—but her own understanding of how her former favorite had come to such a tragic end.

When Sir Charles Percy and his friends arranged with the Lord Chamberlain’s Men to perform a play at the Globe on the afternoon of 7 February, they were insistent that only one particular play would suit and were prepared to pay accordingly. If the play in question were *Richard II*, what features of this play would have attracted such determination to see it put on? In order to understand the staging of the play at the Globe, it is necessary to begin with the men who arranged it. According to Augustine Phillips, Sir Charles Percy, Sir Josceline Percy, Lord Monteagle, and three other unidentified companions arranged for the performance on Thursday or Friday. On Saturday, 7 February, the group who enjoyed midday dinner together in the tavern in Gunter’s house near Temple Gate included Sir Charles Percy (but apparently not Sir Josceline), Monteagle, Sir Gelly Meyrick, Sir Christopher Blount, Sir William Constable, Henry Cuffe, Edward Bushell, and Ellis Jones. Cuffe subsequently left, but the others crossed the river to reach the Globe shortly before the performance began. Meyrick seems to have arrived at the theater somewhat after the others, but Sir John Davies (or Davis)—who had apparently been unable to join the party for dinner—may also have joined the group.⁷² Thomas Lee arrived at the theater on his own accord, seemingly by chance.

Although the play was open to a general audience, it seems that the performance commissioned for 7 February was primarily intended by Sir Charles

⁷¹ Hammer, “Smiling Crocodile.”

⁷² Davies “sayd he wold be ther [ie at the Globe] yf he cold”; NA SP 12/278, no. 78, fol. 130^v. Sir William Constable’s testimony suggests that Davies did attend the play; see NA SP 12/278, no. 72, fol. 122^v.

Percy for those who would accompany him to the Globe after lunch on Saturday. The play was therefore aimed at a very specific elite audience—constituting, in effect, a coterie performance on a public stage. Indeed, in Bacon's rewriting of events, the sole point of the play was for Meyrick "to satisfie *his* eyes with the sight of that Tragedie."⁷³ However, the choice of a public arena was surely not unimportant. Percy and his friends may well have staged this event at a public theater precisely because they wanted to be seen by the large audience at the Globe as being responsible for—or at least openly enjoying—this specially staged performance. Just as Essex was renowned for "being so often present at the playing" of Henry IV plays and the earls of Southampton and Rutland conspicuously passed the autumn of 1599 "in going to plaies every day," so Percy's small group of playgoers perhaps wanted a public audience for their own self-staging as watchers of this particular play.⁷⁴ Contrary to the suggestion of some commentators, however, there is no evidence that the play itself was intended to rouse the London commons to action. This performance was first and foremost about aristocrats—those portrayed on the stage and those who had arranged the play's staging.

Who were these playgoers? All of those who are identified as dining together and attending this performance shared strong and direct connections with Essex himself. Somewhat apart from the others was Thomas Lee, who was not part of the group that had dined at Gunter's tavern. Although he had performed important services for Essex in the past, Lee was deliberately excluded from the earl's plans in 1601, which apparently caused him some frustration.⁷⁵ Nevertheless, Lee was well known to the others because they had all served under Essex in Ireland in 1599. In fact, the party which crossed the Thames to visit the Globe might be described as a minireunion of veterans of Essex's ill-fated Irish expedition. One other feature of this group is also very striking. Although Essex himself was Protestant and was strongly associated with Puritanism, most of the playgoers (with the obvious exception of Cuffe, who did not attend the play) were English Catholics whose loyalty to Elizabeth was matched by their hostility toward Spain.⁷⁶

The religious complexion of the playgoers is significant. For a start, it would probably have encouraged them to see Shakespeare's *Richard II* as an intervention in the question of Catholicism and loyalty to the queen. When the play was

⁷³ Bacon, *Declaration*, sig. K3^r (emphasis added).

⁷⁴ For Southampton and Rutland, see Barroll, 453–54, esp. 454.

⁷⁵ NA SP 12/278, no. 62, esp. fol. 106^{r-v}.

⁷⁶ Monteagle, Blount, Davies, and Sir Charles Percy were certainly Catholic; Sir Josceline Percy and Constable very probably were. Cuffe was a Puritan. The religious views of Jones and Bushell are uncertain.

first staged in 1595–96, it is possible that Shakespeare's unsympathetic portrayal of Richard II's deposition was a deliberate riposte to the startling claim in *A Conference* that deposition was a legitimate political act.⁷⁷ For *A Conference*, Bolingbroke's deposition of Richard II was necessary and smoothly managed and constituted a precedent for Philip II (himself a descendant of John of Gaunt) to claim the English throne in a fashion similar to that of Bolingbroke, albeit on behalf of his daughter the Infanta Isabella. If the suggestion that Shakespeare was countering *A Conference* is correct, then he intends to show that the deposition of an English sovereign cannot be justified even in the worst of circumstances, by portraying Richard II himself as a tyrant. Significantly, the pivotal exchange between the dying John of Gaunt and the king (which leads to Richard's denial of Bolingbroke's right to his father's dukedom) also contains an allusion which might suggest an association between Richard and Elizabeth herself, in Gaunt's words: "That blood already, like the pelican, / Hast thou tapped out and drunkenly caroused" (2.1.126–27). The pelican symbol had been conspicuously linked with Elizabeth since the 1570s.⁷⁸ By connecting Elizabeth with Richard II, this allusion perhaps indicates that *A Conference*'s claims about the historical deposition of Richard II—and the prospect of a future Spanish succession, which the author of *A Conference* seems to justify by this event—constitute a direct threat to Elizabeth and her subjects. If this was Shakespeare's intention, the context suggests that the allegorical allusion to Elizabeth was not entirely flattering. Nevertheless, the allusion would clearly link the queen to the issue of Richard's misused, but God-given, sovereignty and suggest that any challenge to her hold on the throne would risk bringing upon England the same sort of divine punishment, in the form of civil war, which had followed Bolingbroke's usurpation.

Further layers of meaning could also be read into Shakespeare's play in the light of new events that were entirely external to the drama and the circumstances of its original composition. Exactly what caused such amusement about Richard II between Sir Robert Cecil, Sir Walter Raleigh, and Essex in the summer of 1597—just weeks before the play was first printed—remains elusive,

⁷⁷ See, for example, Rebecca Lemon, *Treason by Words: Literature, Law, and Rebellion in Shakespeare's England* (Ithaca: Cornell UP, 2006), 52–78, esp. 58–59. Note that Clegg (n. 5 above) argues it was precisely the play's examination of themes similar to those of the "Doleman" book which might have made it seem undesirable by 1597 to include a deposition scene in a printed text of the play ("By the choise," 437–48).

⁷⁸ For example, see Roy Strong, *Gloriana: The Portraits of Queen Elizabeth I* (London: Thames and Hudson, 1987), 80–83. Stephen Orgel also notes this allusion; see "Gendering the Crown," in *Subject and Object in Renaissance Culture*, ed. Margreta de Grazia, Maureen Quilligan, and Peter Stallybrass (Cambridge: Cambridge UP, 1996), 133–65, esp. 133–34. I am grateful to Catherine Howey for this reference.

but events at the end of that year gave the play a dramatic new topicality.⁷⁹ The opening scenes of the play show the quarrel between Henry of Bolingbroke, duke of Hereford, and Thomas Mowbray, duke of Norfolk: "High-stomached are they both and full of ire, / In rage, deaf as the sea, hasty as fire" (1.1.18–19). Richard II permits them to settle their dispute by "knightly trial" (l. 81) at Coventry, but he intervenes at the last minute to ban the combat and unfairly banishes both lords. For Elizabethan watchers or (more likely) readers of *Richard II* after the beginning of December 1597, these opening scenes of the play would have reverberated with fresh meaning. In late 1597, Essex complained that the patent which had newly created the Lord Admiral as earl of Nottingham unjustly claimed the credit for "his" victory at Cadiz in the previous year and demanded redress. A letter from Rowland Whyte to Sir Robert Sidney explained, "I heare that my Lord Essex, desires to have Right donne vnto him, either by a Comission to examine it, or by Combate, either against Thearle of Nottingham himself, or any of his Sonnes, or of his Name that will defend it."⁸⁰ Elizabethan gentlemen were trained in genealogy and would have instantly made the connection.⁸¹ Thomas Mowbray was earl of Nottingham until his creation as duke of Norfolk in 1397; it was specifically on the basis of Lord Admiral Howard's descent through the Mowbray and Howard family lines that he was granted the earldom of Nottingham in 1597. When Howard finally resigned his office of Lord Admiral, a special royal patent was issued in February 1619 which enabled him to retain his standing among the peerage by virtue of the precedence associated with Mowbray's creation as earl of Nottingham in 1377.⁸² Similarly, Henry of Bolingbroke, duke of Hereford, was not only the future Henry IV but also Essex's ancestor. Since his father John of Gaunt held the senior title of duke of Lancaster, Bolingbroke was created, successively, earl and duke of Hereford in right of his wife Mary, heiress of the de Bohun earldoms of Hereford and Essex. Essex's great-grandfather had been promoted from baron to Viscount Hereford in 1550 and his own father had been promoted to become earl of Essex in 1572 precisely because of the Devereux descent from their Bohun and Bouchier ancestors.⁸³ The opening

⁷⁹ NA SP 12/264, no. 10. This letter is dated 6 July 1597.

⁸⁰ *Letters and Memorials of State . . . [of the Sidney Family] . . . from the Originals at Penshurst Place in Kent*, ed. Arthur Collins, 2 vols. (London: T. Osborne, 1746), 2:77.

⁸¹ Essex, for example, had been carefully schooled in genealogy and heraldry; see Hammer, *Polarisation*, 29.

⁸² *The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom: Extant, Extinct, or Dormant*, ed. G.E.C., comp. Vicary Gibbs et al., 13 vols. in 14 (London: St. Catherine Press, 1910–59), 9:781, 784–85.

⁸³ *Complete Peerage*, 5:134–42; 6:473–4, 477–8; 7:417–18. See also Howell A. Lloyd, "The Essex Inheritance," *Welsh History Review* 7 (1974): 13–39.

scenes of *Richard II* could therefore be seen as an enactment of the quarrel between Essex and Nottingham in December 1597, played out by their famous forebears. This gave Shakespeare's *Richard II* a new and very precise topicality for the earl and his friends. It also must have made it seem very compelling for them to interpret Hereford's changing fortunes in the first three acts of the play in terms of Essex's fortunes after 1597. Hereford's unjust banishment, for example, could be reflected in Essex's exclusion from royal favor after September 1599, while Richard's denial of Hereford's claim to the duchy of Lancaster could be paralleled by Elizabeth's refusal to keep her promise of granting Essex the Mastership of the Wards. In similar fashion, the important role played by support from the City of London in Hereford's success in *Richard II* might also have seemed like a forecast of comparable success for Essex's future plans.⁸⁴

The prospect of seeing ancestors played "to the life," as the contemporary phrase had it, also applied to the party of soldierly playgoers on 7 February 1601.⁸⁵ For Sir Charles and Sir Josceline Percy, younger brothers of the current earl of Northumberland, *Richard II* offered the chance to see the first Percy earl of Northumberland and his son Harry Percy (famously known as Hotspur) taking a leading role in historic events.⁸⁶ For his part, Monteagle could claim a family connection with Thomas Mowbray, duke of Norfolk.⁸⁷ Other characters portrayed as supporters of Bolingbroke in the play were Lord Ros, an ancestor of Essex's friend and son-in-law, the earl of Rutland; Lord Willoughby, an ancestor of Essex's friend of the same title; and Lord Fitzwater, an ancestor of Essex's friend, the earl of Sussex.⁸⁸ Among other characters, the duke and duchess of York and their son, the duke of Aumerle (Aumale), were ancestors of Essex's friend Rutland.⁸⁹ Indeed, Aumerle was the original earl of Rutland

⁸⁴ For an example of the talk circulating among Essex supporters in early 1601, see Cecil MS 83/53, also printed in *Calendar of the Manuscripts*, 14:162–63.

⁸⁵ See Rowland Whyte's report to Sir Robert Sidney of 27 October 1599: "This after noone I saw the overthrow of Turnhold playd, and saw Sir Robert Sidney and Sir Francis Vere upon the stage, killing, slaying, and overthrowing the Spaniard. There is most honorable mention made of your service in seconding Sir Francis Vere being engaged"; Historical Manuscripts Commission, *Report on the Manuscripts of Lord de l'Isle & Dudley Preserved at Penhurst Place*, 6 vols. (London: Her Majesty's Stationery Office, 1925–66), 2:408.

⁸⁶ *Complete Peerage*, 9:708–12. The Percy brothers were acutely aware of their family history. When they and their brother the earl of Northumberland were caught up in the machinations surrounding the Gunpowder Plot of 1605, Sir Josceline allegedly commented, "Seldom treason without a Percy." See M. Nicholls, "Sir Charles Percy," *Recusant History* 18 (1986–87): 237–50, esp. 246.

⁸⁷ Henry Hawkes Spink Jr., *The Gunpowder Plot and Lord Mounteagle's Letter* (London: Simpkin, Marshall, Hamilton, Kent & Co., 1902), 6–7.

⁸⁸ *Complete Peerage*, 11:102–3, 109; 12(2):661–63; 5:480–82.

⁸⁹ *Complete Peerage*, 1:357–58; 12(2):895, 899–905.

and the character returns to this title at the end of the play (5.2.41–43).⁹⁰ Sir William Constable was a kinsman of Rutland, so these ties also applied to him. Even the widowed duchess of Gloucester was the grandmother of Essex's own forebear, the first Bouchier earl of Essex.⁹¹ Shakespeare's *Richard II* therefore represented a version of English history that offered the playgoers of February 1601 very direct and personal connection to the action.

These ancestral examples—and the prospect of being seen by a large public audience while they observed those examples—perhaps assumed an even greater importance because the playgoers expected to make history themselves, very soon. At least some of the party—Sir Christopher Blount, Sir Gelly Meyrick, and Sir John Davies (if he made it to the Globe), as well as Henry Cuffe, who merely joined the dinner—were intimately involved with Essex's secret preparations. Sir Charles Percy and Monteagle were also very likely aware of the earl's plan by 5–6 February. Therefore, at least half the group, including two of the three men who are known to have commissioned the performance, attended the play at the Globe that Saturday afternoon in the expectation that they would themselves be involved in aiding Essex's entry into court at the end of the following week, on 13 or 14 February.

Some sense of the anticipated momentousness of this action can perhaps be gauged from the reported speech of Captain Owen Salusbury, another of the Catholic soldiers who clustered around Essex. A veteran of Ireland and a partisan of the earl for some ten years, Salusbury knew several of the playgoers, especially his fellow Welshman Meyrick.⁹² On Sunday, 8 February, Salusbury warded the gate of Essex House with Sir William Constable and subsequently guarded the captive councillors under Sir John Davies' command. The unexpected events of the day drove him to frenzy and despair. During the siege of Essex House that afternoon, he allegedly lamented to his comrades: "If only fortune had attended our enterprise the outcome (which the crowd holds to be the test of goodness) would have been that, instead of incurring the Queen's anger, we should have deserved a statue for an eternal memorial with an inscription *To the Reformers of the English Realm*."⁹³ For Salusbury, the burden of seeing this historic opportunity snatched away proved too much to bear,

⁹⁰ Aumale/Rutland was subsequently permitted to succeed to his father's dukedom; as duke of York, he died heroically at Agincourt in Henry V's service (noted in *Henry V*; see *King Henry V*, ed. T. W. Craik, Arden3 [London: Routledge, 1995], 4.8.104).

⁹¹ *Complete Peerage*, 5:719–29.

⁹² For Salusbury, see Paul E. J. Hammer, "A Welshman Abroad: Captain Peter Wynn of Jamestown," *Parergon: Journal of the Australian and New Zealand Association for Medieval and Early Modern Studies* n.s. 16 (1998): 59–92, esp. 65–71, 79–81, 82.

⁹³ Keevil, 77.

and he supposedly allowed himself to be killed by a sniper on the steeple of St. Clement Danes—virtually the only gentleman slain in the Rising.⁹⁴

The speech of this Catholic soldier, however, also hints at the continued influence of *A Conference* upon English politics. The words of Salusbury's would-be memorial seem to echo the account by "Doleman" of Bolingbroke's landing in 1399: "He had but three-score men in al to begin the reformation of his realme against so potent a tyrant, as King Richard was then accompted, and yet vvas the concourse of al people so great and general vnto him, that within few dayes he achiued the matter, and that without any battaile or bloodshed at al, & thus much for the iustnes of the cause."⁹⁵ For Salusbury, *A Conference* here apparently offers a very compelling model of a few good men successfully conducting a virtuous, bloodless, and popularly acclaimed "reformation" of the realm. According to "Doleman," the reformation of 1399 revolved around Richard's tyranny and the complete legitimacy of Bolingbroke's claim to the crown. There is no evidence to suggest that Salusbury regarded Essex's intended intervention as the prelude to any similar transfer of sovereignty away from Elizabeth. Instead, the historic reformation to which Salusbury and the other Essex followers aspired involved the recognition of James VI's right to succeed Elizabeth in the future—a succession which "Doleman" actively sought to prevent—and the removal of the tyranny perpetrated by "this raigninge faction," that abused both sovereign and subject alike. In words attributed to Essex himself, this latter group were "my greate enemyes, Secretarye Cecille, the Lord Cobham & Sir Walter Rawlye, whome wee had resolved to have removed from her Majestie as alltogether unfytte to lyve so neere her, beinge corrupte orators of the now corrupted State."⁹⁶ However, for English Catholics—even those who, like the playgoers, saw themselves as loyal to the queen—this corruption seemed all the more oppressive because they associated Cecil, in particular, with the unduly harsh and arbitrary enforcement of laws against individual Catholics.⁹⁷ Catholic followers of Essex hoped the removal of the earl's enemies from the the queen's presence would immediately lessen this religious persecution, while even greater changes might follow the future succession of James VI, whose wife Anne was widely known to be a Catholic. Unfortunately for Essex, these hopes also became known to the Privy Council and, together with

⁹⁴ Hammer, "Welshman Abroad," 82.

⁹⁵ *Conference*, part 2, cap. 4, page 67 (sig. V7^r).

⁹⁶ BL MS Sloane 756, fol. 7^v.

⁹⁷ For Catholic polemics against "Burghley's commonwealth" and its "new Cecilian Inquisition" in 1592, see Houliston, *Catholic Resistance*, 47–70; and Thomas H. Clancy, *Papist Pamphleteers: The Allen-Persons Party and the Political Thought of the Counter-Reformation in England, 1572–1615* (Chicago: Loyola UP, 1964).

the sheer number of Catholics who associated themselves with the earl's cause, merely served to reinforce official suspicions that he was secretly in league with the papacy.

This barely concealed additional motivation for Essex's Catholic partisans, including those who attended the Globe on 7 February, raises the question of how the playgoers might have reconciled their own desire to see the overthrow of Elizabeth's "corrupte orators" with the comparatively weak emphasis in Shakespeare's play upon Richard's baseborn favorites. Although the first three acts of the play dramatize the damage done to both the sovereign and the realm by these "caterpillars of the commonwealth" (2.3.166), Bushy, Bagot, and Green have relatively few lines and are distinctly secondary to the royal and aristocratic characters. Shakespeare's play shows that these men had helped to make Richard uncounsellable ("all in vain comes counsel to his ear" [2.1.4]) by stopping up his ears with gross flattery and talk of foreign novelties. The loud "Amen!" with which Bushy, Bagot, and Green (with Aumerle) greet Richard's plan to seize the estate of the dying John of Gaunt (1.4.65) and their silent attendance upon the King during his furious exchange with Gaunt on his deathbed also implicate them directly in the play's pivotal offences. Nevertheless, Bushy, Bagot, and Green figure far less prominently in Shakespeare's play than in Hayward's *First Part of the Life and Raigne of King Henrie the IIII*, where they are cast as Richard's "chiefest schoolemasters, both of crueltie and deceite."⁹⁸ However, for Sir Charles Percy, in particular, Shakespeare's *Richard II* offers a personal connection to the punishment for these "caterpillars," which is not found in Hayward's book.⁹⁹ After the arrest of Bushy and Green, Bolingbroke specifically gives them over to be "dispatched" by the earl of Northumberland, Percy's direct ancestor (3.1.35).

Although a series of compelling reasons seem to make Shakespeare's *Richard II* a desirable choice for Sir Charles Percy and his friends to watch a week before Essex's expected aristocratic intervention at court, Shakespeare's *Richard II* hardly offers the sort of unalloyed endorsement of Bolingbroke's actions which the earl's anxious followers might be expected to want to see on the cusp of such a politically dangerous action. If the play's first three acts, roughly speaking, might plausibly be assimilated to the recent travails and future hopes of Essex and his friends, the last two acts show things going horribly wrong, with an obstinate Richard refusing to mend his ways and Bolingbroke and his

⁹⁸ Manning, ed., *First and Second Parts* (see n. 26 above), 96.

⁹⁹ Hayward simply describes the beheading of Sir John Bushy and Sir Henry Greene as the result of "clamorous and importunant instance" (Manning, ed., *First and Second Parts*, 122).

henchmen clumsily deposing him and cynically benefiting from his death. The price which England will pay for this sin of deposition and regicide over the decades that follow—which Shakespeare had already dramatized in his first tetralogy—will be terrible indeed. How, then, could this negative portrayal of Bolingbroke's actions comport with the sort of positive portrayal of Essex's intentions which his followers would surely have required on this occasion?

One possible answer might be that the Essex playgoers simply left the play after the end of the text's Act 3, discarding the last two acts as irrelevant to their partisan interests and purposes. Such an action would not have been entirely unprecedented. In June 1628, at a later incarnation of the Globe, George Villiers, first duke of Buckingham, ostentatiously left midway through a public performance of Shakespeare's *Henry VIII* (which he himself had arranged) in order to underscore his connection with the character in the play who held the same ducal title and who was shown being unjustly done to death by his enemies.¹⁰⁰ However, while it is conceivable the Essex followers made an early departure, there is no evidence that such a conspicuous public action actually occurred.¹⁰¹ Given that they probably stayed for the whole play, then, how might Essex's followers have interpreted the final two acts of Shakespeare's *Richard II* in a way consistent with their own political and personal needs on 7 February?

History in Elizabethan England was often praised specifically because it offered readers what John Hayward called "lively patterns"—that is, specific individual examples of human behavior that could be consciously imitated or shunned.¹⁰² The same commonplace was expressed in "To the Reader" by "A. B.," which accompanied Henry Savile's 1591 version of part of Tacitus's *Histories* and which may have been written by Essex himself. This address argues that "since we are easlier taught by example the[n] by precept, what studie can profit vs so much, as that which giues vs patternes either to follow or to flye[.]

¹⁰⁰ "On teusday [29 July 1628] his Grace was present at y^e acting of K. Hen. 8 at the Globe, a play bespoken of purpose by himself; whereat he stayd till y^e Duke of Buckingham was beheaded, & then departed." Quoted in William Shakespeare and John Fletcher, *King Henry VIII (All Is True)*, ed. Gordon McMullan, Arden3 (London: Thomson Learning, 2000), 15. Buckingham's departure in the middle of the play emphasized that he wished to identify himself with the innocent aristocratic Buckingham, not the Machiavellian royal favorite Wolsey. On the date of 29 July, see F. E. Halliday, *A Shakespeare Companion, 1564–1964* (London: Gerald Duckworth, 1964), s.v. "Buckingham, George Villiers, Duke of (1592–1628)."

¹⁰¹ Buckingham's departure in 1628 suggests that this sort of action would probably have attracted public comment and left some record in contemporary sources. The timing of the playgoers' return to Gunter's tavern for supper in the early evening—when Meyrick had to leave before dining, as noted above—also suggests they stayed for the full performance (which would have begun about 2 P.M.).

¹⁰² Manning, ed., *First and Second Parts*, 62.

of the best and worst men of all estates, cuntries, and times that euer were?"¹⁰³ Historical dramas made these "lively patterns" even more alive and challenged their audiences to think about which of the various characters and actions "to follow or to flye."¹⁰⁴ While the opening acts of *Richard II* may have offered some important models of behavior worthy of emulation by Essex and his supporters, the latter part of the play surely served as a *negative* example. Bolingbroke's usurpation embodies the sort of catastrophe that Essex and his friends believed that his "humble petitioning" of a sovereign (whom they assumed to be far more reasonable than Richard II) must *not* create. Just as the play as a whole could be seen as Shakespeare's deliberate puncturing of "Doleman's" argument that Bolingbroke's usurpation was justified and a laudable precedent for the future, so the latter two acts of the play might serve for followers of Essex as a salutary reminder of the need for special care in the action which they and their lord planned for the following week. As the author of *The State of Christendom* had warned, even a "good cause" could be marred, and national disaster follow, "with evil handling thereof."¹⁰⁵

If this analysis seems plausible, Sir Charles Percy and his friends specifically chose to host a public performance of Shakespeare's *Richard II* because they believed this particular play enabled them to do several things at once. They could watch a play that featured their own ancestors and that seemed to offer striking parallels with the fortunes of their leader, the earl of Essex. Over the course of the first three acts, they could also watch an enactment of an historical parallel for the aristocratic intervention with the queen which Essex would launch in the following week and in which they would participate, even if not all the other playgoers yet knew it. The ending of the play, however, dramatized how badly this historical parallel had concluded and how things must be done very differently in order to avoid repeating such a national catastrophe. By seeing and knowing the outcome of 1399, they could avoid a fresh tragedy in 1601. If Essex was indeed to become a Bolingbroke in the strictly limited sense of moving against men whom he and his friends judged to be latter-day "caterpillars of the commonwealth," one message intended by this performance was surely that Essex—unlike his ancestor Bolingbroke in 1399—would do it *properly*. When Essex and his friends demanded the arrest of England's new Bushy, Bagot, and Green the following week, their knowledge of the tragic

¹⁰³ Henry Savile, *The Ende of Nero and Beginning of Galba Fower Bookes of the Histories of Cornelius Tacitus. The Life of Agricola* (Oxford, London, 1591), sig. C3^r (abbreviation silently expanded).

¹⁰⁴ Hence, for example, Joel B. Altman, *The Tudor Play of Mind* (Berkeley: U of California P, 1978).

¹⁰⁵ *State of Christendom* (see n. 33 above), sigs. Ll3^{r-v}.

events which had shaped the history of England, and of their own families, would make them determined that Elizabeth *not* become another Richard II. The great irony is that the unexpected events of the following day ensured that Essex never got to become a more virtuous version of Bolingbroke but found himself consigned to the tragic role of a figure, like Richard II, whose enemies got to write the script.