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Her Majesty's dignity: Secularization in the age of Reformation

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Her Majesty’s Dignity:
Secularization in the Age of Reformation

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A thesis submitted to the Graduate Faculty of
JAMES MADISON UNIVERSITY
In
Partial Fulfillment of the Requirements
for the degree of
Master of Arts

Department of History

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Abstract

This thesis explores the growing secularization in English government policies between the years 1570-1598. By examining international politics and domestic treason trials, the reader can see a clear change in the language used to describe Catholics by the Protestant English. Beginning with the Papal Bull, *Regnans in Excelsis*, the Catholic persecution reached its zenith under Elizabeth in the 1570s. The treason trials of Edmund Campion, William Parry, and Mary Queen of Scots show how the 1580s was a period of secularization in domestic politics. Internationally, the changing alliances between England, the Netherlands, and France show how England slowly begins to form a closer bond with France despite their Catholicism. This bond is a reaction to the growing perception of the threat of Spanish invasion, rather than Catholic invasion.
Introduction

In popular culture, Queen Elizabeth I is remembered as Gloriana, the Queen who saved England from the tyrannies of the Catholic Bloody Mary. Historians point to the longevity of her reign and the decisions she made as some of the deciding factors in England’s strict adherence to Protestantism into the nineteenth century. Yet, were Protestants the real winners in this battle over religion? Did England remain a Protestant state? Did Protestantism drive foreign and domestic policy in the centuries that followed? What historians have correctly identified as religion-focused politics in the beginning of Elizabeth’s reign, turned into secularized politics by the end of her reign. This secularization can be undeniably traced between 1570-1598.

In 1570, the Papal Bull Regnans in Excelsis was a religious onslaught aimed at the lack of Catholicism in England. It attempted to precipitate a Catholic crusade against Elizabeth in hopes of knocking her off of her throne in favor of her Catholic cousin, Mary Queen of Scots. In the aftermath of the Papal Bull, persecution of Catholics in England became rampant. The treason trials of the 1570s and 1580s used political avenues to prosecute Catholics on the island. Gradually during that time, the treason trials became increasingly political, instead of religious in nature. Rather than using treason as an excuse to arrest Catholics, the English began to use Catholicism as an excuse to arrest enemies of the state. The culmination of the treason trials came in 1586/7 when Mary Queen of Scots was tried and executed for treason. Here, a foreigner was tried and executed for a crime that traditionally only a subject could commit. Mary’s situation as a deposed foreign monarch as well as the assumed heir to the English throne made her trial a political mess. This one trial marks the turning point in the development of secular
politics. It is clear that the English were more concerned about secular politics than about religion at this point. On the international stage, this could be seen as the English focusing themselves on defeating their enemies for power rather than religious reasons. Although the office of the Papacy was customarily considered England’s greatest enemy, by the 1590s King Philip II of Spain surpassed the Pope as England’s greatest enemy. Though Philip was a Catholic, Spain, as a nation, replaced Catholicism as the primary threat on English sovereignty. This threat only ended in 1598 with the death of King Philip.

Beginning with Martin Luther’s Ninety-Five Theses, the Protestant Reformation completely unhinged the established order in Europe. What was once a large mass of principalties and kingdoms under the hegemony of the Roman Catholic Church became disconnected and warring states under different religions. Although traditionally, kings and princes were charged with protecting the souls, as well as the bodies, of their vassals and subjects, religious disruptions led to disagreements over the best way to gain salvation. In particular, the English monarchs in the sixteenth century vacillated between Catholicism and Protestantism, making it hard for the English subjects to have one national religion.

Henry VIII began the process of Reformation in England with his desire to annul his first marriage to Catherine of Aragon. Although it was not unheard of for the rich and powerful to be granted annulments for dynastic reasons, the Pope would not grant Henry the annulment he so desired. Henry worked with England’s Parliament to create the Church of England and legally divorce Catherine. Under Henry, the Church of England did not stray far from the Roman Catholic model, with the major exception of
recognizing the King as the spiritual leader of the English church. After his death, his young son, Edward IV, took the throne. Edward was significantly more Protestant than his father. The religious settlement under Edward moved England closer to Calvinism. Unfortunately for reformists, his early death brought the reign of Henry’s oldest daughter, Mary. The daughter of Catherine of Aragon, she was raised Catholic and married Philip, the Catholic and powerful King of Spain. Under Mary, the Church of England was abolished and the nation was forcibly brought back into communion with the Church of Rome. Mary died leaving no children and the throne passed from Catholicism to the hands of Mary’s Protestant half-sister.

Elizabeth, the middle child and youngest daughter of King Henry VIII, had been raised Protestant but took a more middle of the road approach to religion than either of her siblings. Under Elizabeth, Parliament reinstated the Church of England almost exactly as Henry’s Parliament defined it. They named Elizabeth the head of the church, but did not actively pursue major persecution of Catholics. Only after the Papal Bull of 1570 did persecution of Catholics approach its zenith. Elizabeth’s Council, among others, pushed zealously for Catholicism to be driven out of England completely.

The historiography surrounding Elizabeth’s reign has traditionally been large and held appeal to the greater public as well as scholars. Historians recently have focused on Elizabeth as a female ruler in a male-dominated world. The arguments center on how much agency Elizabeth possessed over her Council and Parliament. By focusing on her letter writing, historians sought to pin down Elizabeth’s ability to be an effective leader. Her reign attracts many religious historians as well. They focus on the domination of Protestantism in England and the move towards a more Puritan Parliament and society.
These scholars see a strong link between Protestantism and domestic and foreign policies.¹

Of all of the treason trials of the late sixteenth century, the trial of Edmund Campion has generated the most prolific historical scholarship. Edmund Campion was a young Catholic Jesuit priest whose writings were published in England while he was doing missionary work there. Historians have seen his trial as the epitome of the English Protestants persecuting Catholics for the sake of religion. The historiography focused on Campion’s efficacy as a martyr and whether his writings were an attempt to goad the political system or just Campion’s attempts at proselytizing to the English people. After Campion’s writings were published, the English authorities arrested him and charged him with treason. The arguments between Campion and the English before and during his trial focused on his religion. It was plain that his treason was only his belief system, rather than an act against the state.²


The trial and execution of the Queen of Scots has traditionally been seen as the culmination of the religious struggle between Elizabeth, as a Protestant, and Mary, as a Catholic. English Protestants, led by Lord Burghley and Sir Francis Walsingham, saw Mary as a focal point for numerous treasonous plots against the government. The two Protestant leaders were depicted as hard working men who consistently encountered Catholic enemies, both real and imagined. Mary was considered a double threat because she held claims to the English throne and connections to England’s enemy, Catholic France. The crisis was exacerbated by the bitter Civil War between Catholics and Protestants raging throughout Europe during the period. In England, the Catholic side possessed no clear leaders, but Mary was perceived as the figurehead by English Protestants and as a rallying point by English Catholics. Mary’s alleged threat to Elizabeth’s throne provided a convenient excuse for English Protestants to attempt a complete eradication of Catholicism from royal politics. Garrett Mattingly summed up the nature of the religious conflict when discussing the sentence issued at the end of Mary’s trial:

Everyone knew that this was not the sentence for a crime. This was another stroke in a political duel, which had been going on as long as [those present] remember, which had begun, indeed, before either of the enemy queens was born. Sixty years ago the parties had begun to form, the party of the old religion, the party of the new, and always, by some trick of fate, one party or the other, and usually both had been rallied and led by a woman. Catherine of Aragon against Anne Boleyn, Mary Tudor against Elizabeth Tudor, Elizabeth Tudor against Mary of Lorraine, and now, for nearly thirty years, Elizabeth Tudor against Mary Stuart.

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Although Mattingly called it a political struggle, the two opposing political sides were the Catholics and the Protestants. Each side was at odds with the other because of their religion. Other historians such as J. E. Neale and Wallace McCaffrey expressed a strong relationship between Elizabeth and religious politics. Neale also noted the dichotomy of Elizabeth and Mary that Mattingly discussed. In attempts to unite Catholics, Mary was portrayed in life as a potential English Catholic queen and in death as a martyr to the Catholic cause. After her execution, Protestants also sought to take advantage of her death. They portrayed the execution as a victory for Protestantism in England. There was no subversive monarch to worry about and Mary’s death allowed Elizabeth to choose Mary’s Protestant son James as her successor. What historians failed to do is to examine the legal arguments for and against Mary’s trial and execution. This led them to leave out an important part of the story: English legal justifications for the trial.  

Given that much of the historiography has focused on the religious aspects in Elizabeth’s government, it is important to see how religion was declining as a force in


politics. Whereas in 1570, the English argued over the best religion to guide England through the reign of Queen Elizabeth, by 1598 the arguments were more political. Religious motivations took a backseat to political motivations. In the 1570s, Edmund Campion and other Catholic priests were considered enemies of the Protestant religion. In the 1580s, Mary Queen of Scots and King Philip were deemed enemies of the state, not enemies of the religion. Almost half a century before the Thirty Years War changed European politics from religious to balance of power, the English began to make the same change.

By using very public documents, there could arise the question of the validity of the arguments presented here. While governments could be using their public language to cover up a larger religious meaning to their actions, the fact that the government felt the need to change the way they publically argued for treason and alliances is a significant shift in thinking. The arguments presented here will focus on the language used in these documents to show how the portrayal of Catholics changes over time. The increased secularization is not an end to religious politics or a complete separation of church and state, but it is the beginning of a trend that will continue well after the Thirty Years War ends.

The present thesis will examine the changes and show how they constituted a shift from a society dominated by religion to one becoming more secular. Chapter one will describe the political scene set by the Papal Bull of 1570. Chapter two will explore the

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5 Although arguing for an increase in religiosity after the Reformation, Keith Thomas’ *Religion and the Decline of Magic* played a part in the formulation of the questions put forward in this thesis. Thomas’ book comprehensively studied the effects of religious reformation in the decline of magical thought. It also puts forward questions about how religious reformation allowed for more secular thought in science and logic. By the end of the book, it seems as though science and logic began to dominate public discourse in the two centuries following the reformation.
changing political focus by examining the religiously motivated treason trial of Edmund
Campion and the more ambiguously motivated trial of William Parry. Chapter three
continues the argument of the previous chapter with an examination of the trial of Mary
Queen of Scots. Finally, chapter four will explore the changing world of international
politics.
Chapter One

The Papal Bull of 1570 excommunicated Queen Elizabeth I from the Roman Catholic Church. In Elizabeth’s mind, she was never in communion with the Roman church. She reigned for twelve years before this Bull, and in that time, she solely attended Protestant services. She was head of the Church of England, and the Roman Catholic Church believed that it was obligated to act against her.

We do out of the fullness of our apostolic power declare the foresaid Elizabeth to be a heretic and favorer of heretics, and her adherents in the matters aforesaid to have incurred the sentence of anathema and to be cut off from the unity of the body of Christ. And moreover, we declare her to be deprived of her pretended title to the kingdom aforesaid, and of all dominion, dignity and privilege whatsoever.  

To the modern eye, this action may seem to be like an empty threat with no real consequences to Elizabeth. Why should she care if she was excommunicated from the Roman Church? What does Pope Pius V hope to gain by excommunicating Elizabeth? Why wait twelve years before excommunication?

Before 1570, the two Popes Pius IV and Paul IV acted in a conciliatory fashion towards Elizabeth. The Popes allowed English Catholics to be nonpolitical entities, if they so desired. Catholics could worship in their own way at home. They could attend a minimum number of Anglican services to keep up appearances. There were few pressures from the Papacy or other Catholics to make themselves enemies of the state. According to Elizabeth, she entered into secret negotiations with the Vatican in which the Vatican approved the new Prayer Book on the condition that Elizabeth accepted the

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6 Regnans in Ecelsis. Pope Pius V. April 1570. 
spiritual authority of Rome and the papacy. Since the Middle Ages, the Roman Church had preached that good Catholics obeyed their temporal leader in secular matters and their ecclesiastical leaders in spiritual ones. Resisting a lawful command from a legitimate superior was considered a mortal sin. A subject was allowed to ignore an unlawful or unjust command from their superior, but they must be willing to suffer the political consequences of their actions. If a kingdom was cursed with an unfair or wicked ruler, the Catholics believed that God was punishing the whole kingdom. Ultimately, only God could pass judgment on the goodness of a ruler.

The 1570 Papal Bull, Regnans in Excelsis, changed everything. Through the Bull, the Pope absolved English Catholics of any fealty to Queen Elizabeth by making her illegitimate, and it called for a holy war against her and Protestantism in England. The bull claimed

This very woman, having seized the crown and monstrously usurped the place of supreme head of the church in all England together with the chief authority and jurisdiction belonging to it, has once again reduced this same kingdom, which had already been restored to the Catholic faith and to good fruits, to a miserable ruin.

Through the Act of Supremacy passed by Parliament in 1559, Elizabeth decreed that she was the Supreme Ruler of the Church of England. Because of this, the Pope claimed that she commandeered his own spiritual authority in England. He painted Elizabeth as a monster who wrested power away from God’s representative on Earth. Her actions

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9 *Regnans in Excelsis*
threatened the spiritual well being of every soul in England. Therefore, she needed to be removed. By calling into question Elizabeth’s legitimacy as ruler of England, the Pope took away the fear of committing a mortal sin if a subject disobeyed their sovereign. Catholics were now free to participate in a coup d’état against Elizabeth, in favor of a Catholic monarch, or to die as martyrs for the sake of Catholicism.

The international situation of the late 1560s provided Pope Pius with a ripe opportunity to inflict a blow to Protestantism. When Elizabeth first came to the throne in 1558, there was uncertainty concerning her religious tendencies and the length of her reign. Her two siblings died early with no legitimate children of their own. There was no need for the Papacy to excommunicate Elizabeth if she was not going to stay on the throne for an extended period of time. There were two potential heirs to Elizabeth’s throne: Lady Catherine Gray, a Protestant, and Mary Queen of Scots, a Catholic. Lady Catherine was Elizabeth’s cousin whose grandmother was the younger sister of Henry VIII. Mary Queen of Scots was another cousin whose grandmother was the older sister of Henry VIII. Although Mary had the stronger blood claim, Henry VIII disinherited her and Lady Catherine was more acceptable to the Protestant English majority. If Elizabeth did not marry and produce a child, it seemed likely that England would descend into war upon the death of Elizabeth. With the memory of the Wars of the Roses fresh in the minds of the English people, the pressure for Elizabeth to produce an heir was high. By the mid-1560s, the Protestant heir to the throne was locked in the Tower and the Catholic heir had a male son.

The 1560s began with marriage negotiations between Elizabeth and the Hapsburg family. If the marriage negotiations with the Hapsburgs succeeded, King Philip of Spain
would have no choice but to protect Elizabeth from excommunication. The marriage of Elizabeth to Philip’s cousin, Archduke Charles of Austria, would put Elizabeth in the family as Philip and he could not allow a family member to lose their throne. The marriage negotiations ultimately failed because the English refused to allow Charles to practice his religion in England.¹⁰

By the late-1560s, the revolt in the Netherlands and the rebellion of the Northern English Earls pitted the Protestants and the Catholics against each other violently. The Dutch revolt threatened Catholicism on the continent, while the Northern Rebellion looked like a bid for power from the English Catholics. These events directly led to the issuance of the Papal Bull because the Pope could hope to see a popular uprising of English Catholics and provide support for Catholic interests in the Netherlands.

The language that Pope Pius V used to craft Regnans in Excelsis was incredibly deliberate and religious. He called her a heretic! In a time when religious toleration was almost nonexistent, to be called a heretic was one of the worst insults in the world of diplomacy. He said that any who followed her were cut off from the Body of Christ. In Christianity, if one was not in communion with Christ himself, there was no salvation and salvation was the only acceptable end to any pious life. For the Roman Catholics, this meant full participation in the Roman church’s teachings. More than isolating England, the language of the Papal Bull directly attacked the Queen.

The excommunication, by deeming Elizabeth as an illegitimate ruler and heretic, opened the door for Elizabeth’s Catholic cousin, Mary Queen of Scots, to become the

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new Queen of England. Mary Stuart took on the title of Queen of England when married to King Francis II of France. Although this title was forced onto her by her father-in-law, King Henri II of France, for political reasons, Mary posed a serious threat to Elizabeth. Being Elizabeth’s closest living relative, Mary was, in many people’s minds, the natural heir to the English throne. If Elizabeth was an illegitimate ruler, Mary would be a prime candidate for the English throne. It did not help that Mary took asylum in England just two years before *Regnans in Excelsis* was issued. Elizabeth kept her cousin under house arrest, but Mary was in a prime place to set up a rival regime against Elizabeth, if Catholics ever rallied to her side. Indeed, her presence in England may have contributed to the issuance of the Bull because Mary was considered Elizabeth’s true heir by Catholics.

Pope Pius V, newly invested as the Pope in 1566, used the religious and political situation to further the aims of the Roman Catholic Church. At this time, religion was the motivating factor in almost all international politics. In France, civil war raged between Catholics and Protestants over which religion was the one true religion. The Catholic majority, including the monarchy, wished to oppress the Protestant minority in hopes of destroying the spread of Protestantism. They could not fathom a social order in which a single religion was not closely tied into all parts of society and politics. The French anxieties, although beginning in the decades before *Regnans in Excelsis*, came to a violent place just two years after the Papal Bull. In the Protestant Netherlands, Catholic Spanish rule chafed as the Protestants felt that King Philip II was overreaching his power by attempting to control their religion. Philip reintroduced the Catholic hierarchy in the Netherlands and forced Protestants to either convert or leave.
In England, the Northern, more Catholic, counties rebelled against Elizabeth in 1569. They were pushing for more political independence from London and the Queen, but on the Continent it was seen as a Catholic rising up against their Protestant sovereign. The rebellion in England gave the Catholic powers hope that if they were to invade England, they would face a nation of Catholic believers who would graciously open their arms to the invasion force and willingly participate in overthrowing Elizabeth. In this context, the Papal Bull was given as a precursor to an invasion of Catholic powers directed by the Pope himself.

The Council of Trent played a major part in the Pope’s decision to excommunicate Elizabeth. The Council of Trent met annually from 1545-1563 in order to facilitate reforms in the Roman Catholic Church. It led to more militant and more precise Catholicism. The Council of Trent was a direct reaction to the Protestant Reformation and set off what is commonly known as the Counter-Reformation. One of the major developments of the Council of Trent was the push for more Catholic education. The new Jesuit order of priests was charged with the task of missionary work both in Catholic countries and in non-Catholic countries. In Catholic countries, they focused on educating Catholics in their own faith, especially in rural areas. In other countries, they focused on sending missionaries who received extensive education and training in one of their many seminaries. These men would teach about the Catholic faith, often learning about the local culture to best teach the Catholic faith in ways that were comprehensible to local people. As will be seen with Edmund Campion, the English saw these missionaries as political subversives. The Council of Trent also solidified the militancy with which the Papacy and other Catholic leaders would treat
Protestantism. They determined that the fight against Protestants would be like the Medieval Crusades against the Muslims.

The crusader mentality of the Middle Ages provided Spain with the tools needed to conduct a fight against Protestantism. Only sixty years before the reign of Queen Elizabeth saw the final defeat of Islamic Spain. The monarchs of Spain were in a constant struggle with those they saw as other. They expelled the Jews and the Muslims from Spain and now their attention turned to Protestant England. Aided by their Italian Catholic allies, the Spanish embraced the Catholic counter-reformation with the same zeal as their Reconquista.

In fifteenth and sixteenth century Europe, the idea that the spiritual and temporal realms were separate entities was a matter of great debate. Traditionally, the Pope and the Bishops, all Princes of the Church, were considered both spiritual and temporal lords. They held land and power over people all over Europe and were often arbiters of justice. The Pope, especially, held considerable temporal power as he owned most of central Italy. The Church, as a whole, collected taxes, appointed its own leaders in each country, and had its own judicial system completely separate from national justice systems. All of these overstepped national boundaries and limited the power of kings and emperors alike. As kings pushed back against Roman jurisdiction, more and more temporal power was taken away from the Princes of the Church. In France, debates ensured in the French Parlement over whether or not a Bishop was eligible to hold land. As early as 1385 it was argued “God had created ‘two arms, that is, the priesthood and temporal government, and two jurisdictions each separate, distinct, and divided from each other, proceeding
equally from the same God, and by which this world is ruled." Power stemmed from God and God created two types of power that were both equal and separate. These debates showed a clear continuity of the Catholic faith and spiritual power of the Church in France and elsewhere on the Continent. All over Europe, ecclesiastical power and jurisdiction was increasingly limited to the spiritual realm and restricted to only punishments of spiritual sanctions. By Elizabeth’s reign, temporal princes could not claim jurisdiction over spiritual matters and religious princes could not claim jurisdiction over temporal matters. Following in the footsteps of her father and brother, Elizabeth’s claim to spiritual leadership directly countered the argument that the temporal and the spiritual were two distinct spheres of authority. The Papacy could only ignore this loss of his spiritual authority for so long.12

For over a decade before the issuance of Regnans in Excelsis, popes had been at the very least ignoring Elizabeth’s Protestantism and were content to work behind the scenes to convert Elizabeth and England back to Catholicism. The excommunication sentence was primarily a spiritually motivated action on the part of Pope Pius. Spiritually, the excommunication kept open the possibility of a religious war or crusade against England. If there were to be an invasion of England in the name of Catholicism, Catholics would be obligated by the Pope to join with the invasion force to overthrow the Queen. It allowed for English Catholics to openly practice their faith and encouraged them to convert their Protestant neighbors, despite political consequences in England. Until Pope Gregory XIII added an addendum to the Bull a decade later, Catholics were

12Greaves pg 33
obligated to always be striving for an overthrow of the Protestant government. Gregory’s addendum allowed for Catholics to practice their faith in private and they were only obligated to fight against the Protestant government in the event of a Catholic invasion of England.

Politically, it was intended to isolate England her neighbors in Catholic Europe. Like the modern day usage of economic sanctions, the excommunication of Elizabeth pegged her as a heretic and attempted to disallow trading or diplomatic alliances between England and Catholic kingdoms. With France and Spain being the leading powers in Europe, England was left with only a few less powerful allies, such as the Dutch. England, as the leading Protestant power in Europe, was responsible for the well-being of the Protestant cause. If England fell to a Catholic power, other Protestant countries would not be far behind.

Although the Pope tried to isolate Elizabeth, she allied herself more closely economically with the Ottoman Empire. Elizabeth sent merchants as her representatives to ignite trade between the Ottomans and England. She hoped to increase England’s wealth by providing the Turks access to European goods. Both labeled as heretics, the Ottoman Turks and the English had a common enemy in Catholic Spain. Elizabeth appealed to their shared outcast religion.

[T]he Queen insists on her title ‘Defensatrix Fidei,’ her worship of the one, true God, and her abhorrence of idolatry which brings her to overthrow images. She is appealing unmistakably to the basic religious tenets of her Islamic correspondents and separating herself from her Catholic neighbors.

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14 Skiliter quoted Jardine, 216
One of the major similarities between Islam and Protestantism was their shared repugnance of idolatry. Especially as England became more Puritan, both religions believed that Catholic use of idols was too close to divine worship, which should be reserved for God alone. To the Catholics, both the Protestants and the Muslims were infidels and therefore outside of the community of Catholic Europe.

England wished to create a trading partnership with the Ottomans. An English representative, merchant William Harborne, was sent to Istanbul with gifts for the Sultan and Sultana. By 1585, Harborne was given instructions to goad the Ottomans into attacking the Spanish. At the very least:

If you shall see that the Sultan cannot be brought altogether to give ear to this advice you shall, after you have done your best to gain this first point, procure at least that, by making show of arming to the sea for the King of Spain’s dominions, hold the King of Spain in suspense, by means whereof he shall be the less bold to send forth his best forces into these parts, which may serve to good purpose if you fail of the first.\textsuperscript{15}

The English were clearly trying to use the Ottomans as a distraction for the Spanish Armada. By 1585, the Spanish were preparing their armada for an invasion of England. The English wished to use their trading partnership with the Ottomans to protect themselves from the Spanish and from any sort of Catholic threat from the mainland.

Just as Elizabeth’s taking away of spiritual authority from the papacy offended Pope Pius V, the Pope attacking her own spiritual authority offended Elizabeth. Parliament and their monarch immediately began to suppress the dissemination of the Bull in England. They also tried to limit the political consequences. Parliament passed statutes that reaffirmed the supremacy of Elizabeth and Protestantism in England. They passed “An Act against the bringing in and putting in execution of Bulls and other

\textsuperscript{15} Walsingham quoted in Jardine, 215
instruments from the See of Rome”\textsuperscript{16} in 1571, just months after the Papal Bull passed. This was the first time Elizabeth’s Parliament directly attacked Catholics for their association with the Papacy. By issuing a statute against the possession or dissemination the English hoped to do two things. They wanted to limit the number of people exposed to the Papal decree and they wanted to be able to prosecute anyone who seemed likely to act upon the decree.

By using similar language as the Papal Bull, Parliament showed that the excommunication of Elizabeth was truly a religious issue. They wrote, “it is among other things very well ordained and provided, for the abolishing of the usurped power and jurisdiction of the Bishop of Rome.”\textsuperscript{17} Just as the Vatican spoke of usurped power, Parliament did as well. They equated attendance of Anglican divine service with obedience to the queen. They called the Bull “ungodly” and said that those who listen to the Bull are “farthest from the good understanding of their duties towards God and the Queen’s Majesty.”\textsuperscript{18} Rather than accepting Catholicism, there was a very clear connection for Parliament between Catholicism and the anti-Christ and the corruption of England.

Even the definition of treason incorporated religion in the 1571 session of Parliament. In the act against the Papal Bull, Parliament decreed

if any person…shall obtain from the Bishop of Rome…any manner of Bull…or instrument… or shall publish or by any ways or means put in use any such Bull…shall be deemed by the authority of this Act to be high treason…”\textsuperscript{19}

\textsuperscript{16} Select Statutes and Other Constitutional Documents Illustrative of the Reigns of Elizabeth and James I. Ed. By G. W. Prothero (London: Oxford at the Clarendon Press, 1913), 60
\textsuperscript{17} Select Statutes and Other Constitutional Documents, 61
\textsuperscript{18} Select Statutes and Other Constitutional Documents, 61
\textsuperscript{19} Select Statutes and Other Constitutional Documents. 62
Beyond this, they passed another act to clarify their definition of treason. Any person who “affirm that that Queen...is an heretic, schismatic, tyrant, infidel, or an usurper of the crown”\textsuperscript{20} were traitors. By using such religiously charged language, Parliament showed how important religion was for politics at the time. To enter into a conversation with the Papal Bull, they reaffirmed that Elizabeth was, in fact, the lawful Queen of the realm. To the English Protestants, she was not illegitimate. She was not a heretic or an infidel. To them all of that language could be applied to the Pope. He was trying to take away their spiritual wellbeing by attempting to take away the head of their church. Additionally, the use of the terms heretic and infidel evoked the same religious connotations used in the Papal Bull. Elizabeth and Parliament were turning the words used by the Pope against him. Rather than taking away salvation from Elizabeth, they were taking salvation away from Catholics as a whole.

The 1571 act on treason was an addition to the 1559 act on treason passed by Parliament when Elizabeth was crowned. The earlier act did not have any distinctly religious verbiage and did not address religious actions at all. There was, indeed, an implied religious overtone to the act only when taken in conjunction with the Act of Supremacy passed in the same year. While the act on treason made it unlawful for anyone to express the sentiment “to depose the Queen’s Majesty...from the imperial crown of the realms and dominions aforesaid,”\textsuperscript{21} the Act of Supremacy made it clear what Parliaments meant by imperial crown.

And that also it may likewise please your Highness that it may be established and enacted by the authority aforesaid, That such jurisdictions,

\textsuperscript{20} Select Statutes and Other Constitutional Documents, 58
\textsuperscript{21} Select Statutes and Other Constitutional Documents, 23
privileges, superiorities and pre-eminences, spiritual and ecclesiastical, as by any spiritual or ecclesiastical power or authority hath heretofore been or may lawfully be exercised or used for the visitation of the ecclesiastical state and persons, and for reformation, order and correction of the same and of all manner of errors, heresies, schism, abuses, offences, contempts and enormities shall for ever, by authority of this present Parliament, be united and annexed to the imperial crown of this land.\(^{22}\)

Here, Parliament gave Elizabeth complete and total control over the English Church. Her jurisdiction included both the temporal and the spiritual realms. Elizabeth was in charge of controlling the heresies and abuses in the church. She was in charge of the power and authority the church traditionally held. She took full advantage of the privileges held by the church. This power came, not from any political circumstance, but from her imperial crown. To take away that crown from her would be a very potent example of religious treason against Elizabeth.

For English Catholics, they were forced to choose between politics or religion. What was more important to them, their queen and country, or their religion? For a number of Catholics, their religion trumped their political aspirations and they left for the continent. Families would send their young men and women to the Continent to seminaries in Rome, Douai, and other Catholic cities. The most famous of these continental seminaries was in Douai. Here, the first English language Roman Catholic bible was translated. The translation of the Catholic bible, allowed for English Catholics to learn about and continue their faith without the benefit of a priest present. Although the Mass was an important part of the Catholic faith, sometimes English Catholics could go months or years without ever seeing a priest. In these droughts of faith, the English could be comforted with reading from an English Catholic bible. For many of the

\(^{22}\) Select Statutes and Other Constitutional Documents, 5
English Catholics, high politics and religion were not every day concerns. They wished to live their lives, sometimes even attending Anglican services on a semi-regular basis.
Thesis Chapter 2

The politicization of Catholicism introduced two decades of intense Catholic persecution in England. New treason laws passed by Parliament in 1571 allowed for Catholics to be arrested and tried in the secular court system. These new laws explicitly used religious language when defining a traitor. Although enforcement of the new statutes commenced as anti-Catholic, religiously motivated persecution, by 1590, the arguments put forward in English treason trials shifted to political acts. For example, the trial of the Jesuit priest Edmund Campion in 1581 was a result of religious persecution. This trial featured intense religious debates between Edmund Campion, English authorities, and private persons writing for public consumption. Four years later, the more ambiguous trial of the spy William Parry showed how the religious focus was beginning to change. The trial of William Parry was intended to be a show trial that the government could use as anti-Catholic propaganda. The government’s intentions were somewhat thwarted when Parry, a converted Catholic, refused to plead guilty to conspiring to kill Elizabeth. The trial emphasized political arguments and motivations. By the end of Parry’s trial, the trend towards secularization in England had clearly begun.

The memory of the persecution of Protestants during the reign of Queen Mary had not yet faded for those on Elizabeth’s Council. John Foxe’s *Book of Martyrs* detailed the lives of those who were persecuted in the reign of Queen Mary. English Protestants wished to prevent Catholics from creating their own book of martyrs. To portray oneself or another as a martyr served as powerful propaganda in showing the unjust persecution of one religion by another. Catholics wished to label Elizabeth as an evil tyrant to the Continental powers with the hope that they might rescue England from Protestantism. To
restrict claims of martyrdom, they attempted to make it clear that they were arresting people because of treasonous acts against the crown, not because they were Catholics. To that end, Parliament declared the main tenets of Catholicism, such as following the Pope in religious matters, treason. Since Catholics believed that the Pope was the head of the church and English law granted that title instead to the monarch, being Catholic was now defined as treason. Treason was defined as “not only direct actions against the state but also ‘imagining’ or ‘intending’ the Queen’s death, dethronement or defeat by foreign power.”

This definition was a direct stab at the intention of the papal bull, Regnans in Excelsis. By putting Catholics into secular treason trials, the English objective was to eliminate any connection people could make to faith.

These secular treason trials also legitimized state power. Those punished were expected to play a submissive role in the public political theatre. This role required that the accused asked forgiveness from the crown and commit themselves to a sincere and repentant confession. English Catholics were often unwilling to play the submissive role. They resisted a secular interpretation of the treason trials and claimed they were being persecuted for their religious beliefs. Martyrdom possessed a proscribed iconography. A martyr should be subjected to Christ-like suffering for the faith. They could not will their own death and the death must be attended by God’s favor. Finally, there must be a struggle between two faiths. If any one of these precepts was missing, the case for martyrdom was weak in the eyes of the public. The struggle for Catholics in England was to replace the official government propaganda with their own martyr stories.

They were stuck in a paradox. In order to be a martyr, one must profess one’s faith. To confess Catholicism barred one from allegiance to the Queen, thus defining the Catholic a traitor under the law. 

Although Catholics were required to obey their legitimate secular rulers without question, English Protestants believed that disobedience of legitimate temporal authorities could only be justified if obedience directly contradicted scripture. As the Pope’s power was not specifically laid out in the Bible, the English were able to argue that following Papal authority was not a legitimate excuse to disobey temporal leaders. The interpretation of treason trials was therefore slippery and could be different dependent on the religion of the person telling the story. Thus the accused, such as Edmund Campion, attempted to illustrate themselves as martyrs while the accusers attempted to portray them as traitors to the crown. According to Alice Dailey,

Campion’s trial demonstrates the ways in which the statutes against English Catholics trapped recusants in an inescapable circular argument that reproduced its own signs of treason, while simultaneously alienating the Catholic subject from the discursive mechanisms of martyrdom.

During the trials, English Protestants connected secrecy to Catholics, arguing that Catholics were disguising themselves because they were committing treason. No one who was innocent should feel the need to disguise themselves. Such circular logic also trapped Jesuit priests in a bind. They were forced to disguise themselves because they were persecuted, but they were persecuted because they disguised themselves.

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25 Dailey, 66-69

The Papal Bull of 1570 declared Elizabeth’s illegitimacy and thus allowed English subjects to disobey her and her government without consequence.

27 Dailey, 66.
Fr. Edmund Campion, a Jesuit priest, was only one of many arrested for his religion during the reign of Queen Elizabeth. He was one of the first Jesuit priests to proselytize in England after the Council of Trent. Campion wrote a famous pamphlet commonly called “Campion’s Brag” which detailed why he was in England, made clear his religious intentions, and challenged Protestant authorities to a public religious debate. The intention of this document was to remove the idea that Campion was in England for political reasons. Although the English claimed that Campion was in England to overthrow Elizabeth, he was adamant about his pure religious motivations. In his writing, Campion defended his peaceful role by flattering Elizabeth, saying

...because it hath pleased God to enrich the Queen my Sovereign Ladye with noble gifts of nature, learning and princely education. I do verily trust that...such manifest and fair light by good method and plain dealing may be cast upon those controversies, that possibly her zeal of trust and love of her people shall incline her noble Grace to disfavour some proceedings hurtful to the Realm, and procure towards us oppressed more equitie.28

Campion was arguing that Queen Elizabeth was of such good education and so kind to her people that if she would only listen to him, Catholics could have political equality. He claimed Catholics were not in England to create political troubles, only to practice their faith in peace. Campion indicated that he was in England to aid the Catholics in growing their spirituality and faith; he was not present to create an army of Catholics to help the Pope invade England and English Catholics of the time did not seem to want an invasion conducted by the Pope.

Campion and his companion, Fr. Robert Persons, were both pursued by the English authorities. While they were in England, Fr. Persons wrote back to the some of

his Jesuit brothers on the Continent discussing their mission and the official English
response to their presence. In his Confession of Faith to the London Magistrates, Persons
eloquenty describes the treatment of the Jesuit mission in England:

Hence clearly it is in singular hatred of truth that our adversaries most
falsely pretend that we are come to stir up rebellion and I know not
what unholy plots in our peaceful kingdom; for there is nothing less our
aim. For we have been sent by men who have practically no
knowledge of your secular conditions here, and so far is it from being
their wish to be involved in them, that not even the Catholic Princes,
though they pressed them very strongly in the matter, were able to
induce them to mix themselves in any way in their secular government.
Not only therefore is this the end for which they have now sent us, but
they have banned all conversation about your politics and have been
unwilling to listen to any who made mention of them.29

According to Parsons, the Jesuits were not in England in order to incite rebellion against
Elizabeth, they were not fulfilling the Pope’s call to overthrow the Protestant monarchy,
and they were not to discuss politics or involve themselves in secular affairs. The Jesuits
claimed to be unaware of any plots against Elizabeth and they were not even aware of
political maneuverings on the Continent against England. Persons made it clear that the
English were portraying the Jesuits as more politically motivated than they actually
wanted to be portrayed. He elucidated the goal of the Jesuit mission was to “teach those
Christians who shall receive us the rudiments of the Catholic faith.”30 The Jesuits were
not political figures, yet the English wanted them to be perceived as such.

After the authorities captured Campion, he was subjected to a series of
disputations in the Tower of London chapel with Protestant leaders. The debates took
place on four separate days in 1581. The first was held on August 31 and the last less
than a month later on September 27, about two months before Campion’s November trial.

29 Letters and Memorials of Father Robert Persons, S. J. Volume 1 (1588), Ed. By L. Hicks, S.J. (London:
Catholic Record Society, 1942), 38
30 Letters and Memorials of Father Robert Persons, 38
These debates were advertised as public open discussions between the two religions, though in reality they were more interrogations of Campion in order to try and entrap him. The Protestant side was represented by a number of people over the course of the four debates. All were scholars who attended either Cambridge or Oxford as young men. All held positions in academia or were theologians. These men were some of the foremost thinkers in the English Protestant world. The topics ranged from the visibility of the church to whether the militant church could err in any way. In each argument, the Protestant leader began with a statement that Campion was challenged to dispute. On the fourth day of disputations, Doctor John Walker, a Cambridge graduate in the employ of the archdeacon of Essex, gave a speech before beginning the debates. After a short prayer, he addressed Campion

And now it hath pleased the Queen’s Majesty to send us to see whether your doctrine be sound and true, or corrupted, according as your writings are. The clemency of the prince and great mercifulness both herein appear, and how loath she could be to deal with vigor against you, as she might justly do. She had rather win you by fair means than to show justice against you.

Walker wished to emphasize the correctness of the Protestant religion and the offensiveness of the Catholic. In this speech he expressed the desire of Queen Elizabeth to sway Campion to rescind his Catholic ways before she was forced to take legal action against him. In essence, Campion needed to convert or he would be convicted of treason against the crown. The major issue the crown had with Campion, according to Walker, was his corrupted faith. Campion was steadfast and showed neither the repentant sinner nor the defeated criminal as Elizabeth wished him to be portrayed.

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31 There is some question whether the final two debaters were chosen because of their scholarship or because Elizabeth wished to discredit the Puritans. The final debate featured two Puritan theologians who were substantially less well connected than Campion’s other debaters. See A Jesuit Challenge pg. 73.
32 Holleran, 145
The debates were clearly a precursor to the November 14, 1581 mass trial of Campion and eight other Catholic priests. Although Campion was the most notorious of the Catholics present, all were treated in the same manner for the same crime, conspiring with the Pope to overthrow Elizabeth with the evidence being their Catholicism. The idea of doing a mass trial was resisted by Campion because it worked against the favor of the Catholic defendants. A mass trial allowed the English to group the defendants together as conspirators in a larger plot against Elizabeth. Because his legal and theological arguments in the four disputations were more successful than was comfortable for the Protestant leaders, it also served as a way to silence Campion. Lastly, a mass trial allowed for a generalization of evidence against the defendants. The English government and jury turned a blind eye to the sound arguments that the defendants were being persecuted for their religion.33

Chief Justice Christopher Wrey and the jury listened to the state lawyers, Edmund Anderson, John Popham, and Thomas Egerton, claimed that the men had accepted money from the Pope in order to come to England; an action the Catholics claimed was not treasonous. The only witness to testify against the whole group, J. Caddy (or Cradocke) claimed that he heard English priests take a vow before the Pope that they would restore religion in England. This assertion, Campion argued, was unsubstantiated because the witness did not specify that Campion or anyone else present at the trial was part of the two hundred men he vowed to have seen.34

One facet of the argument for Campion’s guilt focused on his knowledge of the Papal Bull of 1570. The witness declared that Campion participated in a conversation

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33 Holleran, 145-215
34 Holleran, 205-213
about the Bull with the Cardinal of Sicily when the Bull was first decreed. Edmund Anderson argued that discussion of the Bull, no matter what stance he took, instantly made Campion a traitor. His counterargument was that his statements that the Bull would make life severe for Catholics showed his disdain for the Bull in general. He also pointed out that the Bull was commonly known as it had been widely published for public consumption.\(^\text{35}\)

Every time the prosecution tried to draw attention away from religion, Campion would bring them back again. He was questioned about his disguise and alternate persona he took on. “A velvet hat and a feather, a buff leather jerkin, velvet venetians, are they weeds for dead men? Can that beseem a professed man of religion which hardly becometh a layman of gravity?”\(^\text{36}\) Campion replied,

> I imitated Paul. Was I therein a traitor? But the wearing of a buff jerkin, a velvet hat, and such like is much forced against me, as though the wearing of apparel were treason or that I in so doing were ever the more a traitor. I am not indicted upon the statute of Apparel, neither is it any part of this present arraignment.\(^\text{37}\)

When challenged that a committed holy man of the cloth would not wear the lavish clothes Campion disguised himself with, he rebutted with allusions to biblical persecutions. Paul, when preaching to the Romans was forced to disguise himself. That did not make Paul any less of a religious figure or any more of a traitor. In the same way, Campion had not broken any statutes on clothing, so that was not proof of his guilt.

Campion made it clear that he was devoted to Elizabeth as his temporal monarch. In the trial, he recounted a recent meeting between himself and Elizabeth in which she asked him where his loyalties laid. He acknowledged her as his lawful Queen and

\(^{35}\) Holleran, 210-213  
\(^{36}\) Dailey, 71  
\(^{37}\) Dailey, 71
sovereign *de facto et jure*, but did not deny the Pope’s ability to excommunicate her to the jury. He evaded that part of the questioning by pointing out that even the most prominent theologians were in disagreement about the Pope’s right to excommunicate Elizabeth. As the trial went on some of the other defendants in the trial were accused outright of attempting to bring the Catholic religion to England. The religiosity of the trial was clear. The defendants were convicted of treason and drawn and quartered. With this trial, the brutality of the persecution reached its zenith, but it would give way to secularization within the next decade.\(^{38}\)

The trial of William Parry, occurring in 1584, after the execution of Edmund Campion, saw the beginning of the transformation in English political life. William Parry was a Protestant spy for Lord Burghley, who converted to Catholicism but continued to spy on the Catholic community. He was arrested and tried for conspiring to murder Queen Elizabeth. Although confessing to this treasonous offense at first, Parry changed his story part way through the trial and began to claim that he was being threatened on pain of torture. The trial was put on by the English government for show, with Parry needing to play the role of penitent Catholic conspirator in order for the Protestant government to use it as Protestant propaganda against Catholicism. The state wished to show Catholics as dangerous heretics who were all out to overthrow the peace and religion of England. The government benefitted by creating a common enemy for the English people to rally against. It solidified the power of the government, while encouraging belief in the Protestant faith.\(^{39}\)

\(^{38}\) Holleran, 213
\(^{39}\) Danou, 395-400
Although Parry was a Catholic and his confession letter contained critiques of England’s treatment of Catholics, the evidence of his guilt can and should be questioned. Even in his original confession letter, Parry made reference to his devoted service to Elizabeth, saying, “remember your servant Parry chiefly overthrown by your hard hand.” He was clearly telling Elizabeth that she knew about his work as a spy and she deserted him. His actions were only on her orders, and she betrayed him. After Parry rescinded his confession, he expounded on the ways he had been betrayed by the English government after only showing them service and loyalty. He portrayed himself as a victim of a government who no longer needed his services. He was unsure whether a change from being employed by the government to being arrested by them was from his own failing or his change in religion.

The trial was supposed to further English propaganda by sharing a Catholic versus Protestant struggle, in which Protestantism was to triumph as the only true religion. The English side of the trial needed Parry to repent and make a heartfelt confession in order to show that Catholics were all desperate to destroy the peace in England. In this sense, the trial began in the same vein as the Edmund Campion trial. It was a blow against Catholics and Edmund’s treason was, in the end, becoming Catholic. Yet, because he decided to foil the English propaganda efforts, the trial became less and less about religious beliefs. Rather than having religious debates or trying to make himself into a martyr, Parry attempted to show that the government was setting him up because they were tired of his work.

The English government, in their eagerness to convict Parry of treason, commissioned the tract “A true and plaine declaration of the horrible Treasons practiced

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40 Quoted in Danou, 401
by William Parry against the Queenes Majestie, & of his conviction and execution for the same. The second of March 1684. According to the account of England.” This tract was published to show the treasons of Parry to the wider public audience as part of the propaganda surrounding the trial. To defame his character from the start, the government wrote about Parry’s imprisonment due to his supposed intention to murder a gentleman, Hugh Hare, who had lent him money. According to the same tract, this affair directly led to the forsaking of his country and Queen to follow the Pope because it showed Parry to be a man of questionable morals. If he could kill a man, he could certainly become a Catholic and plot to murder the queen. Becoming a Catholic, allowed him to associate with Jesuits and “others of like qualitie” to conspire against Queen Elizabeth. Very quickly, Parry found himself in the Queen’s presence in which he supposedly became so awestruck that he was prevented from killing her. Rather, he confessed to everything and was taken before the Master Secretary, Sir Francis Walsingham. There was a witness called up, a kinsman of Parry by the name of Edmund Neuil. Neuil’s accusation was damning for William Parry.

[H]e asked me if I had read Doctor Allen’s booke, out of which he alledged an authoritie for [killing Queen Elizabeth]. I answered, No, and that I did not believe that authoritie then this, even from Rome itself, a plaine dispensation for the killing of her, wherein you shall finde it (as I said before) meritorious...he renewed again his determination to kill her Maiestie, whome he saide he thought most unworthie to liue.\(^{41}\)

If Neuil’s memory was correct, Parry was asking him to help kill Queen Elizabeth based on a supposed dispensation from the Pope. Additionally, Neuil accused Parry of thinking

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\(^{41}\) A True and Plaine Declaration of the Horrible Treasons, Practiced by William Parry the Traitor, Against the Queenses Majestie. The Maner of His Arraignment, Conviction and Execution, Together with the Copies of Sundry Letters of His and Others, Tending to Divers Purposes, for the Proofes of his Treason. (London: C. B., 1585), 8
Elizabeth was unworthy of life, because “she hath sought, said he, pour ruine and ouer thom, why should you not then seeke reuenge it.” Elizabeth had not kept all of her subjects safe from ruin and that made her unworthy to be a sovereign queen. Elizabeth also allowed her government to arrest and execute people because of their religion. In Neuil’s account, she should have protected them. The official government witness bolstered the government’s argument that Parry intended to commit the political act of murdering the Queen. Parry would later deny this saying that he was a victim of persecution against Catholics.

Parry’s description of meeting Elizabeth in his signed confession continued the theme of Elizabeth as a secular ruler. Parry heard a speech by Elizabeth in which she said that Catholics would not be persecuted for religion or the Act of Supremacy as long as they were good subjects. This speech, according to the forced confession, felt strained and was just Elizabeth politicking; it did nothing to assuage Parry’s fears for the wellbeing of Catholics in England. Parry’s supposed confession created a discourse that was not quite wholly religious or wholly political. Both this and Neuil’s witness statement focused on how religion played a role in Parry’s decisions, but they did not use the overtly religious wordage that was seen in the trial of Edmund Campion. Since the government was manipulating the trial to their benefit, it would have been very easy to create the same emphasis on the sin of Catholicism that was seen before.

Rather than being painted as a heretic and devil-worshiper, Parry was painted as a “bile and trayterous wretch…one of the younger sonnes of a poore man.” Parry was both a traitor and a petty criminal because of his birth into poverty. In his conviction

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42 *A True and Plaine Declaration*, 8-9
43 *A True and Plaine Declaration*, 40
printed for public consumption, the English government indicted him for corresponding with Gregory, Bishop of Rome and the Cardinal of Como. They accuse him of being granted absolution of his sins, if he were to kill Queen Elizabeth. The dual political and religious nature of the arguments leaves the question of whether Parry was planning to kill the Queen because he was Catholic or if he was Catholic as an excuse to kill the Queen. The government’s arguments focused on the reasons why Catholics would want to kill Elizabeth. According to them, Catholics were sneaky villains who just needed access to Elizabeth before they would strike against her. At the end of the tract against William Parry, there are three prayers for the safety and wellbeing of Elizabeth printed. They emphasize the importance of religion still in the 1580s. Though secularization was coming, the importance of religion was still such that it dominated over most other arguments in a public discourse. As Elizabeth’s reign continued, secularization would become more and more standard, increasingly pushing religious arguments to the wayside.

44 *A True and Plaine Declaration*, 27-29
Thesis Chapter 3

The trial of Mary Stuart is often ignored or downplayed in the histories of the reign of Queen Elizabeth I. Traditional historiography interprets the trial as a small part of the ongoing religious battles between Catholics and Protestants during the Tudor Era. An analysis of the legal arguments used to justify the trial in 1586, however, provides a much different conclusion. What historians failed to do was to examine the legal arguments for and against Mary’s trial and execution. This led them to leave out an important part of the story: English legal justifications for the trial. The trial isn’t a seminal moment in the reign of Queen Elizabeth because the legal arguments show a growing secularization of the government, a change in the nature of the monarchy, and the beginnings of a transformation of sovereignty from the monarch to the Commonwealth.

In the Calendar of State Papers Relating to Scotland and Mary Queen of Scots, 1547-1603, three documents discuss the legality of the trial: “Justice of Proceeding Against Mary,” “The Reasons in Favor of Mary,” and “Legality of Proceeding Against Mary.” Although none of the documents have named authors, they represent the

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45 Even one of the most well-regarded Elizabethan historians, Christopher Haigh, leaves the Trial of Mary Queen of Scots completely out of his biography of Elizabeth. He treats Mary as a nonentity throughout the entire monograph.


http://babel.hathitrust.org/cgi/pt?id=miun.abe1726.0009.001;view=1up;seq=8 accessed November 10, 2014.


http://babel.hathitrust.org/cgi/pt?id=miun.abe1726.0009.001;view=1up;seq=8 accessed November 10, 2014.
English government’s perspective on the importance of the trial of Mary.\textsuperscript{47} The preservation of the documents in the Calendar of State Papers attests to their importance to Elizabeth’s Council.

In many ways, the arguments made in these particular state papers are very much a product of the Renaissance; they exhibit a reliance on secular thought and the ascendancy of humanity. Humanistic ideas permeate throughout the documents. Renaissance humanism placed great value on the individual and their inherent dignity as humans. The authors of the documents argued that Queen Elizabeth needed to have more regard for her own dignity over Mary’s divine right. To them, “what reason were it that her majesty should have more regard to the dignity of the Scottish Queen in not punishing her than she takes regard of her majesty’s dignity, not leaving further respect to attempt any mischief against her.”\textsuperscript{48} A Prince has the same rights and limitations as the common person. Renaissance humanists emphasized the dignity and natural self-worth of the individual. The political theorists here took the humanist highlighting of the individual and applied it to the monarch, someone who before was not treated as an ordinary individual. Therefore, “if the Scottish Queen were not subject to…her majesty the condition of a prince in his own kingdom were most miserable, for every private man, for want of a judge, may revenge his own injuries, but the Prince having no superior could have no remedy for any injury.”\textsuperscript{49} Elizabeth as an individual, rather than as a Queen, was stressed when the authors argued that she should be able to avenge all

\textsuperscript{47} The first mentioned was “indorsed,” the second was a copy with no endorsement, and the third was a copy written in the handwriting of Lord Burghley’s clerk. Although it is highly unlikely that these sentiments were shared with all English people, because the documents were at least saved by the government, this paper will refer to the authors as “the English.” This is only for the sake of simplicity and clarity.

\textsuperscript{48} “Justice of Proceeding Against Mary” 113

“Legality of Proceeding Against Mary” 140

\textsuperscript{49} “Justice of Proceeding Against Mary” 113
injuries to herself as any commoner was able to do in the English justice system. These beliefs about protecting the individual over any sort of divine right played down the idea that only God could decide the right of Princes to rule.

Along with the focus on humanism, the English authors also revived Greco-Roman culture and philosophy in their legal arguments. In particular, they made use of Plutarch by looking at his writings and then taking his conclusions one step further in their assertions against Mary Queen of Scots. Plutarch wrote that when one Prince has offended another, war is justified. In other words, if Mary had indeed conspired against Elizabeth, England would be justified in going to war against Scotland. The authors of the documents drew on this idea but then claimed:

\[ \text{can it be thought reason that where a foreign Prince offends in another territory, offering such wrong as the Prince offended might therefore make war against him, nor for want of good means to be avenged by jurisdiction, be suffered to depart, and so left to the uncertain event of war?}^{50} \]

Their solution was twofold: “the law of all ages has allowed to every person and state liberty of just revenge; committing the execution thereof to the magistrate, for avoiding confusion. Wherefore, whatsoever such magistrates do against a stranger for his just desert is warranted ‘\textit{jure gentium}’ which in liberty of revenge makes no distinction of stranger or subject,”\(^51\) and “if an absolute Prince might not imprison and put to death a strange King taken in his realm in the practice of murder, and all his subjects should be disabled from being competent judges for trial, he cannot work any assurance for his own life, and so in effect is utterly disabled from being a King.”\(^52\) In essence, the justice system in England was the answer to finding revenge against injuries committed by

\(^{50}\) “\textit{Legality of Proceeding Against Mary}” 140
\(^{51}\) “\textit{Legality of Proceeding Against Mary}” 136
\(^{52}\) “\textit{Reasons in Favor of Mary}” 119
Mary, because without the justice system there was no assurance of justice and a King could not adequately rule over his territory. This argument invalidated the idea that war was won because of the favor of a superior being, be it the Muslim Allah, the Greek Goddess Athena, or the Christian Archangel Michael. Rather than relying on the uncertainty of warfare, the English could find justice without reference to God. Following this argument, religion was no longer a necessary part of political control. Temporal leaders and lawmakers possessed the ability to make judgments and to rule without deferring to any particular religion or superior being. The separation of church and state was beginning to be formulated in the minds of the English.

The English also argued that there were times when it was acceptable to ignore the Ten Commandments. As Christians and people of the Book, the Anglican Church took the Ten Commandments as part of the ultimate universal laws. In a world where the law and all politics was centered about a religion that emphasized the Bible, it was only natural for these English authors to make an appeal to the Bible. It was an expectation that they would be familiar with biblical counter arguments to their very radical arguments about the trial. They argued that there were instances when the Ten Commandments could legitimately be set aside, most famously in the Book of Exodus when the Israelites left Egypt after their enslavement. When Moses finally secured the freedom of the Israelites, they took compensation with them. The English interpreted this biblical story as stealing from the Egyptians. In this light, God sanctioned the disobedience of the seventh commandment, thou shalt not steal. Their other biblical example of ignoring the Ten Commandments came from the Book of Joshua. This book told of the violent conquest of Canaan by King Joshua and the Israelites. Joshua,
successor of Moses, was ruthless in his invasion and at one point executed five Amorite Kings. The English argued that at this point, God sanctioned death, which was forbidden by the fifth commandment. In the tenth chapter of the Book of Joshua, God tells Joshua “[d]o not fear [the Amorite Kings], for I have delivered them into your power. Not one of them will be able to withstand you.” 53 The story continued “…the five kings who had fled, hid in a cave at Makkedah. When Joshua was told that the five kings had been discovered…he said, ‘…Do not allow them to escape to their cities, for the Lord, your God, has delivered into your power.’” 54 To the English government, this showed that the Ten Commandments were mere guidelines rather than strict rules. These arguments signified a breakdown in the power that the Bible had over the governance of England and brought the English closer to a secularized government.

One of the key secular themes of the legal arguments was the idea of a break in the Great Chain of Being. The Great Chain of Being was a medieval, religious, and hierarchical idea that every being was ranked according to their proximity to God. In the larger universe, angels and other beings in the heavens were above mankind because they were physically closer to God, while plants and animals were further away and thus lesser beings in the hierarchy. Similarly, in the human hierarchy, Princes, both spiritual and temporal, were seen as the highest order of humanity and the closest to God. These people were given direct control over the rest of the population. The remainder of mankind was ordered from the nobility down to peasants, each with some sort of power over the ones below them. 55

53 Joshua 10:8
54 Joshua 10:16-19
The Scottish removal of Mary from her throne was highly contentious and cut to the heart of the debates over the Great Chain of Being. Mary’s side argued that, as a sovereign Queen, she could not be deposed by any one other than God. She believed that because her own subjects deposed her unlawfully, she was still a sovereign monarch.\textsuperscript{56} Using the example of Frederick King of Naples, the English argued the precedent of monarchs being deposed without argument from the international community. The King of Spain overthrew Frederick of Naples when the Spanish conquered the Italian States, and no state had any qualms about Frederick losing his Princely status as the ruling monarch over Naples. The difference between Frederick of Naples and Mary Queen of Scots, was that Frederick was deposed by an opposing monarch, while Mary was deposed by her own people. Therefore, the English’s argument of similarity between the two situations is limited. The idea that a population could depose their own monarch goes against the conviction that a monarch has a divine right to rule. Rather than God holding the only power to create or destroy monarchs, the population of Scotland made a decision regarding Mary’s right to rule over them.\textsuperscript{57} This is a case of the lower orders in the Great Chain of Being rising up over a higher order. Secularization could not happen without the lower orders rejecting a divine mandate of monarchy and seizing control over sovereign monarchs themselves. In a time when divine right was the preeminent political theory, it was dangerous to make speculations about political maneuverings that stripped divine right of its power. Without divine right of kings, people would be able to question why someone who was just born to the best parents was ruling them.

\textsuperscript{56} Although this paper only covers the scope of English arguments, it should be noted that the Scottish had a long tradition of ousting and sometimes killing Kings who did not govern successfully. This included Mary’s own grandfather, James III. Kristen Post Walton, Catholic Queen, Protestant Patriarchy: Mary, Queen of Scots, and the Politics of Gender and Religion. (New York: Palgrave MacMillan, 2007), 144.

\textsuperscript{57} “Reasons in Favor of Mary” 118
Along with questioning the divine right of monarchs to rule the nation, the English government hinted at a change in the nature of the monarchy. The monarch, under divine right, had complete authority over anyone who was beneath them. They also had no authority over their fellow monarchs. The legal arguments in favor of the trial gave greater weight to the concept of England as a nation over Mary’s divine right as a monarch. “[Public safety] may often times overrule or dispense with human and divine laws, nulla lex potest esse sanctior quam reipublice salus.”58 Translated, no law can be more holy than the safety of the state. The laws of God held no dominance over the State anymore. England, as a nation, was the most important entity in the new hierarchy.

According to the English, Mary impaired the common good because she committed an act of treason. Historically, treason was only considered to be a heinous act against the monarch. In the arguments against Mary, treason took on a new definition as being acts against the public as a whole. By this reasoning, the abstract idea of the public at large trumps the idea of the monarch as the physical manifestation of the nation.

In this line of thought, the common weal, or commonwealth, came first. The English argued that it had always been this way. “The people of God have always had more respect for the commonwealth than to any person, and to the common state of their country than to their natural Kings.”59 Through this argument, the English government was attempting to show their devotion to the longevity of England. The good of the country and the overall good of the people was the purview of Parliament, who was elected by the very people they were supposed to protect. Regardless of whether Mary had royal prerogatives or the divine right to rule, the English stated that the common

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58 “Justice of Proceeding Against Mary” 114
59 “Reasons in Favor of Mary” 120
good of all Englishmen came first. To take this argument to its natural conclusion, Elizabeth was lucky that the English people believed her continued rule was what was best for the commonwealth at this time. No longer could monarchs rely on their divine right alone to protect them from the political aspirations of the common good. While it is doubtful that Elizabeth would have argued that she was not the best for England, she did set an example of someone who put the good of her country before her own pursuit of happiness with her refusal to marry.

If a State was bound to the common good and Princes lacked a divine right to rule, naturally there were times in which a Prince was considered a private person. The English fully admitted that they were the first to argue that foreign princes were on the exact same level as every other stranger to the country. They said “[a] Prince coming into any foreign territory is there a private person, can make no laws there, nor put them in execution there, nor give any public punishment to any of his own subjects in that place.” Sovereign monarchs, as public people, were no longer above or outside of the law. When they left their territories, they were like any other private person. How does one define the public and private status of the monarch? The English answered that public status rested with anyone who could exercise authority, while private status “imports the want of authority to exercise public jurisdiction.” The debate between public and private did not show who was punishable, but rather who had jurisdiction over a given territory. For Elizabeth, this meant that they believed that she was a public figure in England, but lacked sovereignty elsewhere. For Mary, this meant that for the entirety of her residence and imprisonment in England, she had been a private person and could

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60 “Legality in Proceeding Against Mary” 134
61 “Legality in Proceeding Against Mary” 134
thus be tried and executed as such. This theory was reinforced, the English argued, by Pope Clement V who passed judgment on the accusation of treason made by Henry VII, Holy Roman Emperor, towards Robert, King of Sicily. The Pope denied Robert’s treason because he was outside of the jurisdiction of Henry VII, stating “if the party had been within the jurisdiction of the superior at the time of the crime committed, and judgment, the party had been justly condemned.”62 In Mary’s case, she was inside of the jurisdiction of England and therefore liable to be punished as a traitor.

The English even traced the idea of the Prince as a private person back to natural philosophy. While Princes were able to claim that they did not consent to the jurisdiction of the country they were presently found in, a commoner would be unable to make the same claim and go unpunished. Therefore, if there was no divine right or closeness to God for Princes over commoners, then Princes should not be treated any differently; the laws of nature forbid individuals from opting out of natural truths. The English argued that natural rules and actions that could not be changed, regardless of the location or the persons involved. “For there are natural actions wherein difference of country makes no diversity, otherwise in case he had robbed a man it might as well be denied her had done a theft.”63 The natural truth of treason prevented the English from treating Mary as anything other than a traitor to the nation.

The question of sovereignty simple was closely related to the questions of secularization and the nature of monarchy. Going back to the arguments over whether or not a Prince was a private person in a foreign land, the English made an argument that sovereignty only happened in a Prince’s own territory to show that a Prince’s subjugation

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62 “Justice in Proceeding Against Mary” 115
63 “Legality of Proceeding Against Mary” 142
to the monarch of the land they were located in. “Sovereignty has a necessary relation to her own subjects, and such actions as are committed within her own dominions.”

Employing or using this logic, everyone was inferior to the Prince in that Prince’s principalities, and it naturally followed that any foreigner must automatically submit themselves to the laws of the nation in which they were residing in or visiting. It did not matter the nation or territory, all people were subject to the same laws in that nation or territory for they were all inferior to the ruling monarch of those lands. “Every person, of whatsoever condition he be, either superior or equal, submitting himself to the jurisdiction of another, is to be judged by him to whom he submits himself.” This conclusion also drew its support from canon law by the precedent set by Pope Clement V’s statement on Robert, King of Sicily.

Jurisdiction was not predicated on whether or not a subject committed an offense. Authority over a foreigner began from the moment that person entered the territory in question. Punishment for an offense could only come if a foreigner was already under the territory’s jurisdiction at the time the crime had been committed. According to this interpretation, unlike ambassadors, visiting Princes could not take advantage of diplomatic immunity. Ambassadors were at this time thought to be neutral parties propter publicam fidel. They represented the state and were thought to facilitate the

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64 “Justice of Proceeding Against Mary” 112
65 “Justice of Proceeding Against Mary” 113
66 Some do argue that Ambassadors rescind their diplomatic immunity when they commit a heinous crime, such as treason. As this directly contradicts the more prevalent argument laid out here, it has been left out of this paper. Alongside the documents analyzed in this paper is another document that justifies the treason trial of the Bishop of Ross, Mary’s ambassador to England. The arguments follow along the same line as the arguments laid out in this paper.
67 In English, “for the people.” At this time the Italians were considered to be the most prestigious and useful diplomats to have in the employ of any nation. Unlike today, it was common to employ those who were not subjects or citizens of a territory in the diplomatic corps. For example, Henry VIII employed Gregorio Casali, an Italian, as his ambassador to the Pope. This allowed for Henry to utilize Casali’s
well-being of whichever state they were employed to. Princes, on the other hand, where thought to represent only themselves or their family. The good of the state was less important to them than the longevity of the power of their particular line and the continued accumulation of wealth and land. Ambassadors were considered necessary for solving international issues and the diplomatic immunity protected them under the “universal laws of the world.” One of the major problems with diplomatic immunity that the English uncovered was that it was not universally applied to all ambassadors. The Duke of Milan, for example, executed a man named Merveils, reported to be the ambassador of the King of France. The Duke of Milan claimed that Merveils was a mere gentleman of Milan, and thus a subject under his authority. The rest of the world, including the English, believed the execution to be unjustified because of diplomatic immunity.

Since the English believed that Princes could not claim diplomatic immunity, they needed to apply this logic to Mary’s specific crime of treason. They began with the idea that imprisonment of foreign monarchs was not controversial in and of itself; it was justifiable to imprison a foreign Prince during times of war. If a foreign Prince could not be put to death because they were not subject to an authority, than they were in fact exempt from all authority and could not have been imprisoned in the first place. However, the argument goes on, since they could be imprisoned, they must be able to be put to death. Although this represents a transitive logical fallacy, it did draw from the prevailing theory that sovereignty comes from holding territory, rather than from being a

familial connections in Rome and throughout the Italian States. Casali was well-connected with Bishops within his own family. See Catherine Fletcher, “War, Diplomacy and Social Mobility: The Casali Family in the Service of Henry VIII” Journal of Early Modern History 14 (2010), 559-578.

68 “Legality of Proceeding Against Mary” 133
superior being. They drew from biblical sources to justify their arguments, including the
Book of Joshua by arguing that Joshua killed criminal kings, making the execution of
criminal sovereigns permissible.

If sovereignty came from holding territory, the visiting Prince must submit to the
territory’s dominion. The English questioned, does Queen Elizabeth have the “right to
punish this offence upon the offender’s submission, supposing that the offence implies a
submission to her majesty’s authority, though the person were otherwise discharged of
subjection?” The answer was by being in England, Mary had already submitted herself
to the jurisdiction of Elizabeth, and must follow all English laws. Every person who
broke any law must be punished because in breaking the law, they were acknowledging
their willingness to accept the consequence of their actions. It was not as Boniface
Vitalinus, a canon lawyer, argued that one could not be a traitor to a state or Prince to
which one was not a subject. Rather, treason was an act where the committer of the
crime was a subject of the realm “ratione delicti.”

Looking again to the example of Sicily, sovereignty was defined by the
boundaries of a Prince’s own territory. In this case, Henry wished to be crowned in
Rome, one of the territories he controlled. Because the Romans and other Italians did not
desire Henry’s coronation in their homeland, Robert led some of them in rebellion against
Henry. Henry denounced Robert as a traitor, but was then poisoned by a monk. The
Pope determined that since Robert was King of Sicily and a resident of Sicily, he could
not be a Henry’s subject. Additionally, the Pope decided that if Robert had been found

69 “Legality of Proceeding Against Mary” 128
70 By reason of the wrongdoing
71 The English believed that Robert was not actually King of Sicily since his family had been ousted years
ago and that Frederick of Aragon was King of Sicily.
within a territory of the Holy Roman Empire, Henry’s sentence of traitor was justifiable. Even the English admitted that this was probably just a political move to appease the Holy Roman Empire, but they still cited these arguments to their advantage. They paired this argument with that of Felinus, a Catholic theologian, who wrote that a patriarch who committed an ecclesiastical crime within the bishopric of Bononia was punishable by the bishop that district, the patriarch’s inferior.

Beyond treason, the English interpretation of *jus gratium*, or law of nations demonstrated a new Renaissance conception of sovereignty. The law of nations was seen as a natural law derived from rational thought. Overall, they believed that domestic English law had priority over the law of nations in England. There was no law that could trump English civil or common law. Again, to make this argument, the English pulled examples of people in ancient times who were not exempt from local laws, even if a foreigner. For example, Cleomenes, King of Sparta, entered into Egypt to seek refuge at the court of King Ptolemy. Eventually, Cleomenes conspired against Ptolemy and he was executed for treason. The English argued this validated a country’s laws with more authority than the law of nations.

Whether or not she had a choice, Elizabeth played a dangerous game by allowing such radical arguments to be made. She had no reason to believe that these arguments were not going to be used against her, in the future. The trial and execution of Mary allowed the English to put together an impressive legal argument that showed their commitment to an increase in secularization, a change in the ideas of the nature of the monarchy and their own definition of sovereignty, all of which eliminated any notion of

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72 This will predate Hugo Grotius’ theories on the Law of Nations by nearly forty years. Whereas Grotius is credited as one of the major contributors to modern international relations theories, the English are given no credit for their own theories decades earlier.
divine right. The divine right of kings would never again be accepted by England. The execution of Mary Queen of Scots sent England down a path that would ultimately lead to the execution of a reigning English monarch, Charles I.
Chapter 4

Internationally, the English government took the same path as domestic politics. The same religious convictions that drove the trial of Edmund Campion were driving the decisions made in the international arena. These decisions became less religiously motivated over time. The process was slow, but clearly showed the connection of ideas in both domestic and international politics. As seen in previous chapters the arguments in international politics became secular by the 1590s.

As the domestic politics of England secularized, their international politics experienced a parallel development. The first of England’s early nemeses was the papacy. The Pope was depicted as the antichrist and the leader of treasonous plots against England. The Protestant Netherlands and Catholic France traditionally occupied the roles of closest ally and second greatest enemy of England, respectively. In the late sixteenth century, the threat of Spain drove England and France closer together despite religious differences. The fight over the Netherlands’ independence created fears of a Spanish Hapsburg political hegemony in Western Europe. The alliance between France and England was first seriously considered with the marriage negotiations between Elizabeth and Francis, Duke of Anjou. The alliance was finally solidified in 1596 with a defensive treaty against Spain. By this time, Philip surpassed the Pope as England’s nemesis. Although earlier events showed religious decisions dominating international politics, over the course of the 1580s and 1590s the English pushed for more secularly based alliances. They began to fight for wealth, power, and territory, rather than for souls.
In the early decades of Elizabeth’s reign, the Pope was England’s greatest enemy. Protestants portrayed the Pope as the antichrist. The institution of the Papacy symbolized the entirety of the Roman Catholic Church. He was the head of the church and a powerful political figure in international politics. Traditionally, the Pope’s power extended over the spiritual, and sometimes political, lives of the Kings and Queens of Europe. He had the power to crown, marry, and legitimize rulers. He also possessed the power to take everything away. The Protestant Reformation changed everything. Abuses of power in the church allowed for complaints to snowball into a full break from the Catholic Church. The Pope, spearheading the resistance to the Reformation, was the enemy of Protestantism.

Discourses about the Pope included these words from Laurence Humphrey “‘this reputed Vicar of Christ hath been the whippe of princes, the scourge of all Christendome’ seeking to have ‘in his hande the wheele of fortune to make kings goe up and goe downe at his pleasure.’” Here the Pope was exposed as a puppet master who was manipulating all of Europe for his own pleasure. Humphrey acknowledged that the Pope controlled the fortunes of the crown Princes of Europe and took it further by insisting that he was the scourge of all Europe. He visualized the Pope as a massive whip harrying the leaders of Europe. If any Prince got out of line, the Pope was waiting to snap them back into their place. In the years following the Council of Trent, the Pope and the Spanish called for a more unified Catholic world. The Pope, whose Italian lands were surrounded by Spanish lands, would lead the Catholic unification. The French, however, struggled to create their own national church that was separate from but still in communion with the Roman

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73 Quoted in Julian Lock, “‘How Many Tercios Has the Pope?’ The Spanish War and the Sublimation of Elizabethan Anti-Popery” *The Historical Association* (1996), 198
Church. Since the Middle Ages, France endeavored to separate church and state, especially within the justice system. It was not uncommon for the French to share the Protestant view of the overbearing Pope.⁷⁴

Others described the Pope as “that misshapen monster of the world which leaveth nothing unattempted to bring all princes in subjection to him.”⁷⁵ Like in Humphrey’s description, the Pope was subjecting Princes to his rule. Although the Pope was pictured as a monster, rather than a scourge, the sentiment was the same. Papal authority was stifling the legitimate power of secular rulers. God anointed these Princes of Europe through their royal birth, and the Pope was trying to usurp their rightful power.

During the reign of Elizabeth, many misfortunes in England were blamed on the Pope, everything from disease to unrest. In 1580, the Pope was blamed for a small expedition of Spanish into Ireland. Under the control of England but still Catholic, Ireland was seen as a gateway into the England for invading forces. When a force from Spain stepped onto Irish soil, rather than blame the Spanish, the English accused the Pope. Even after the more threatening fight against the Spanish Armada in 1588, Anthony Marten alleged that the source of England’s problems was “that horrible Beast who hath received power from the Dragon…the Whore of Babylon.”⁷⁶ Again, the Pope was a monster who was in league with the devil. He was the whore of Babylon, one of the most poignant biblical representations of evil.

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⁷⁵ Abraham Fleming quoted in Lock, 198
⁷⁶ Quoted in Lock, 200
The machinations against the Pope were not just in the public discourse, Parliament went so far as to grant money to Elizabeth in 1587 “seeing that the pope ‘that capital enemy to God and Your Majesty…hath, by all means to him possible, provoked and stirred up others of great power’”\textsuperscript{77} The subsidy that Parliament granted to Elizabeth was intended to be used in the defense of the realm, against England’s enemy, the Pope. While the language was not as colorful as others, they still showed the same sentiment of hostility towards the Pope as the leader of a supposed Catholic conspiracy. There is an implication that if the Papal office could be abolished, the political woes of the English would quickly disappear.

Under Elizabeth, England became the most powerful Protestant nation in Europe to combat the power of the papacy. Early in her reign, the English were considered the champions and leaders of the Protestant world, and they were expected to protect any Protestant principality that was challenged by a Catholic nation. Specifically, the Netherlands was a close ally of England from the Middle Ages through Elizabeth’s reign because of the lucrative wool trade between the two and their common Protestant beliefs.\textsuperscript{78} When the Netherlands rebelled against their Spanish rulers, the English stepped in to assist the Dutch rebels.

The English provided money for mercenaries in support of their Protestant neighbors. They were obligated to do so partially to keep shipping lanes open between the Netherlands and England, but mostly because the Dutch were fighting against religious persecution. Spain’s religious policies excluded any Protestant worship in all

\textsuperscript{77}Lock, 199
\textsuperscript{78}There was a Medieval treaty between the two nations, still in effect under Elizabeth. This treaty stipulated that England would protect the waterways in the Netherlands in order to keep the wool trade open.
Spanish-held lands. The Netherlands resisted the reintroduction of Catholicism and the reorganization of bishoprics in the Netherlands. The rebellion began in 1568 and continued for eighty years, long past the death of the sixteenth century leaders: Philip, Elizabeth, and William the Silent.

The sides were initially aligned as Protestant versus Catholic. The refusal to tolerate Protestant worship was enough to make the English fear that persecution might lead to an invasion into England next. While the Catholic Hapsburgs had held the Netherlands for decades, this was the first time that the Spanish forced Catholicism onto the people without compromise. When this happened, the English looked out across the Channel and saw themselves almost completely surrounded by Catholic powers. After the Papal Bull of 1570, the implementation of Catholic policies in the Netherlands seemed to be a step for the Pope to slowly reach out and overthrow the Protestant English government.

In both 1576 and again in 1585, Elizabeth was offered sovereignty over Holland. The Dutch were forced to seek foreign aid after nearly ten years of fighting against the Spanish. The rebellion was failing for the Dutch at this time. Their towns were burned and the only punishment the Spanish troops were not allowed to inflict on the Dutch was breaking the dikes to flood the Low Countries. The Spanish army did mutiny and disperse in 1576, but the damage was already done and the Spanish quickly returned the troops to the Netherlands by 1577. The new military leader in the Spanish Netherlands, Don John, wanted to offer the Dutch no concessions until they surrendered.79

In 1576, Elizabeth refused the Dutch offer, fearing it would become an excuse for Spain to declare war on England. Elizabeth was forced to choose between either her

religion or her fellow Princes. Would she dare to turn her back on Protestantism to protect Spanish claims? She attempted to facilitate a parley between Spain and the Low Countries. In this way, she hoped to negotiate more rights for the Protestants under Spanish control in the Netherlands. This plan was called the Burgundian Solution, where the Netherlands would accept Philip as their sovereign king, but they would hold autonomous rule under him. They would be allowed to keep their traditional liberties, choose their own governor, and most importantly, worship in their own way. Elizabeth skillfully attempted to negotiate a win for her co-religionists or fellow Protestants over Catholicism, without needing to go to war or to have people question divine right. Unfortunately, the negotiations failed to produce anything more than monetary aid for the Low Countries. Elizabeth would agree to send monetary aid to the Netherlands, but Philip refused to compromise on religion.  

In 1578, Elizabeth signed a defensive treaty with the Netherlands. In exchange for loans to the Dutch rebels, Elizabeth demanded if any Prince, People or City should attempt any thing to the disadvantage and prejudice of the Quiet of the State of England, on pretence of Religion, or on any other pretence Whatsoever, the States General shall then be oblig’d to assist the Queen with a like number of Men, and at the same expense. 


The Netherlands and England entered into this defensive treaty for the sake of religion. The English made it clear that the most likely reason for war was religion. They wanted to ensure that their fellow Protestants would not abandon them after England saved them from Catholicism. England and the Netherlands, in this treaty, became partner states. They were committed to the mutual defense of each other’s territories. This treaty held until a new treaty was signed between the two countries in 1585.

By 1585, the political situation of the Netherlands deteriorated to the point that they again looked to Elizabeth to save them. Their leader, William the Silent, was assassinated the year before and they needed someone with experience and power to head the revolt against the Spanish. At this time they also approached the French king with offers of allegiance, which were subsequently rejected. The French were seen as more religiously tolerant than the Spanish even after years of religious warfare in France. The French Duke of Anjou fought with the Dutch against Spain. This created a bond between the Dutch and the Duke, which they honored beyond his death in 1584.82

At this time, the religiosity of England’s decisions changed to a more secular approach. The Netherlands offered her three different treaties, one that granted her sovereignty, one that named her as protector of the Low Countries, and the final one was just for military assistance. She was offered three different treaties in the hopes of finding acceptable terms for her to agree to aid them in their bid for independence. Elizabeth rejected sovereignty over the Netherlands, but accepted responsibility for the defense of the Netherlands. She gave the Netherlands an English Governor-General. This treaty, rather than specify a common defense against religious enemies, stipulated

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82 Adams, 309-319. The Calendar of State Papers Domestic.
that all soldiers defending the Netherlands “shall not hold any Communication, Intelligence, Correspondence, or Familiarity with the Spaniards.” The Spanish, rather than Catholicism became the enemy of the signatory states. The difference between 1576 and 1585 was the inevitability of war with Spain. By 1585, the English were focused on Spanish plots and feared incursions onto English soil. They knew that war was coming, no matter what treaties existed with the Dutch.

The second Catholic power who had interests in the Netherlands at the time was the French ruler, Henry III. The French were long rivals of the English, dating back to the Hundred Years War in the Middle Ages. The intensity of the rivalry increased after the marriage of the French Dauphin, Francis, and Mary Queen of Scots in 1558. Marrying in the same year as the coronation of Queen Elizabeth I of England, the Dauphin and his bride added the English Coat of Arms and the titles King and Queen of England to their own. Mary’s claim to the throne of England was predicated on the debate over Elizabeth’s legitimacy as an heir of Henry VIII since Henry declared Elizabeth illegitimate after the execution of her mother.

By the late 1560s, Mary Queen of Scots had lost her first husband and was imprisoned in England. It was at this time that France broke into civil war. The regent, Catherine D’Medici, signed the Edict of Saint-Germain, which granted toleration to Protestant Huguenots in France. Despite this edict, the St. Bartholomew’s Day Massacre

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83 A General Collection of Treaties pg 84
84 Indeed, Mary and Francis were not the first to exploit the claim of illegitimacy. Both Elizabeth and her sister, Mary, faced the supporters of the Grey family who were cousins to the Tudors. Lady Jane Gray was declared the rightful Queen of England after King Edward VI declared Jane as his choice of heir to the throne due to her Protestant tendencies. After Edward’s death, Jane ruled for about a week before Mary Tudor arrested her, locked her in the Tower of London, and eventually had her executed. Under Elizabeth, Jane’s sister Catherine was still considered a threat especially after Catherine married Edward Seymour without Elizabeth’s permission. The threat of a legitimate son and heir to Catherine could be used to incite rebellion against Elizabeth.
meant war between Protestants and Catholics. The massacre occurred in 1572 when Catholics killed Protestant leaders and others during celebrations for the marriage of Princess Margaret, Catherine’s daughter, and Henry II of Navarre. The massacre opened the door for more religious persecution throughout France against Protestants and also for more religious persecution in England against Catholics. Because the Dutch Rebellion, the Papal Bull, and the massacre all occurred within a few years of each other, the outlook for Protestantism in England looked bleak in the early 1570s. This bleakness was lifted only once marriage negotiations began between the Duke of Anjou and Queen Elizabeth in 1578.

Although the Duke of Anjou was not the first Catholic to enter into marriage negotiations with the Queen of England, these negotiations were some of the most serious and longest lasting. The negotiations commenced in the late 1570s and continued until 1582. The Duke of Anjou was a Catholic prince of France, who had fought on the side of the Protestants in the Dutch Rebellion. As the youngest son of King Henry II and Queen Catherine D’Medici, Francis was of royal blood. As a potential partner for Queen Elizabeth, the Duke of Anjou was perfect in almost every aspect. Although Catholic himself, he had shown tolerance for Protestantism by fighting in the Netherlands. He was not likely to spend his time ruling another nation. Any future children were not likely to occupy both the French and English thrones, though there was a possibility of Francis inheriting the throne, which did cause some concern. Despite concerns, the

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85 The Duke’s tolerance did have its limits. He was a military leader in Henry III’s effort to destroy the French Huguenots at La Charite and Issoire in 1577. Although the siege was successful on the part of the Catholics, a lack of funding led to the Edict of Poitiers that ended all anti-Protestant war in France.

86 The Duke of Anjou was the heir to the French throne at the time. Yet, the King of France was young and married. There was still a chance that the King was produce an heir before dying. In the end, Henry III did not produce an heir and Francis died before inheriting the crown. Thus, the throne went to their cousin, Henry of Navarre.

The marriage negotiations were beset with political maneuverings. In England the negotiations created two factions in court, those in favor of the marriage and those opposed. While the lines were not absolutely drawn over religion, one of the leading factors in Englishmen opposing the match was religion. Prominent Englishmen, such as Sir Nicholas Bacon and Sir Francis Knollyes claimed that “Henry III and Philip II were ready to ‘execute theire wylls, full of emnytie & revenge’ on Elizabeth.”\footnote{Natalie Mears, “Love-Making and Diplomacy: Elizabeth I and the Anjou Marriage Negotiations, c. 1578-1582” The Historical Association. (2001), 447} They could not see beyond the eternal struggle between Catholicism and Protestantism. For them France and Spain followed the Pope and were to be avoided at all costs for fear of an infiltration of Catholicism into the Church of England.

The English ambassador in France, Sir Amias Paulet was also against the match for religious reasons. He viewed the peace following the Edict of Poitiers, not as toleration legislation, but as a distraction from Henry III’s real intention. Paulet was convinced that the French were preparing for an invasion of England with the Spanish. His words to Elizabeth were “The same Princes, the same councellors, the same subjectts, the same Pope, and the same Kinge of Spaine, the same forreigne enemies are now which
were then.” The same men who were the instigators in the plots and persecuting the Protestants could not possibly change their minds because of one signed edict. Paulet was identifying the usual Catholic enemies of England, the Pope and the King of Spain, and putting them in collusion with the French monarchy. While this view was incorrect, it did show how the religious arguments in foreign policy were ingrained in the minds of the English.

Much could be made of the fact that many were in favor of the match between Elizabeth and Francis, Duke of Anjou. It was rare that Protestant England would accept a Catholic consort to their Queen. The religious fears of bringing in someone not Protestant were relaxing in supporters of the match. They were willing to overlook the memory of Philip of Spain and the failed negotiations with Charles III of Austria. These negotiations inspired a backlash against Elizabeth from her Council and her people. The pamphleteer, John Stubbs wrote “And because the Lord in mercy did once deliver us from Spain, therefore we will tempt him again by delivering ourselves into the hands of France…and this absurd manner of reasoning is very Machiavellian logic.” Stubbs was concerned that the English were tempting fate by negotiating with a Catholic prince. God had already delivered them from the hands of Philip II, they were not going to be delivered from Catholicism again.

Yet, in all of these negotiations, Elizabeth herself was primarily concerned with the safety of England. Writing to Sir Edward Stafford in 1580 concerning the Duke of Anjou, Elizabeth asked “Shall it ever be found true, that Queen Elizabeth hath solemnized the perpetual harm of England under the glorious title of marriage with

89 Mears, 446
90 Daniel Ellis, “Arguing the Courtship of Elizabeth and Alençon: An Early Modern Marriage Debate and the Problem of the Historical Public Sphere.” Rhetoric Society Quarterly Vol 41, No. 1 (2012), 31
Francis, heir of France?"\textsuperscript{91} She was dedicated to England and the protection of her secular realm. Elizabeth was reassuring Sir Stafford that she would never marry if she believed that the safety of England was in danger. She would not give the throne away to the French. It did not matter what religion the French were, she would not give away English freedom.\textsuperscript{92}

There was a fear that bringing the Duke into the country would allow for Catholics to also worm their way into English society. These fears were not completely misplaced. The Jesuit order was waiting for the perfect opportunity to begin an educational and proselytizing mission in England. The Jesuit order, as an outgrowth of the Counter-Reformation, set up missions all over Europe and into the rest of the world. The head of the order, Mercurian, was cautious about sending Jesuits to England. He was adamant the Jesuits should be seen as being purely religious in nature. Being in England would risk claims of political involvement for the Jesuits. Others in the order made the claim that any mission to England was fundamentally political in nature. The prospect of a Catholic marrying the Queen of England gave the Jesuits a glimmer of hope that Catholics would be more tolerated in England. They would not need to worry about making political statements; they could stick to Loyola’s dictates on missions. In 1582, Mercurian allowed Robert Persons and others to prepare for a mission in England. Unfortunately for the Jesuits, the marriage negotiations failed while they were en route to England. It was too late for the Jesuits to turn back their plans and the failure of the match was potentially the fault of the Jesuits. They were enabled by the potential success

\textsuperscript{91} The Letters of Queen Elizabeth I. Ed by G. B. Harrison, (New York: Funk & Wagnalls, 1968), 144
\textsuperscript{92} Benton Rain Patterson, With the Heart of a King: Elizabeth I of England, Philip II of Spain, and the Fight for a Nation’s Soul and Crown, (New York: St. Martin’s Press, 2007)
of the match to attempt a religious mission in England and knowledge of this mission created fear of religious infiltration helped to cause the failure of the match.\textsuperscript{93}

Despite of these religious arguments, the negotiations between Elizabeth and the Duke of Anjou seriously continued for four long years. If religion were the only major issue involved in the political negotiations, the Duke of Anjou’s Catholicism would have ruled him out quickly. Elizabeth herself dragged on the negotiations for very secular reasons. She needed to satiate Parliament’s demands over her lack of marriage. In the first twenty years of Elizabeth’s reign, Parliament issued multiple statutes concerning Elizabeth’s need to marry. They encouraged her to find a strong Protestant man who could lead the nation in the struggle against Catholicism and so that she could produce legitimate heirs to the throne. Elizabeth, not wanting to give up her secular power, played Parliament’s game by drawing out the marriage negotiations with the Duke of Anjou for as long as she could. She was reaching a point where she was too old to produce heirs and after that Parliament could not pressure her into marrying. Elizabeth dragged out the negotiations for secular reasons.\textsuperscript{94}

By 1596, England and France had moved from enemies to allies. Under a treaty signed by Elizabeth and Henry IV, the two entered into an alliance against Philip of Spain. No longer were alliances based on purely religious affiliations. Henry IV was raised a Protestant, but he converted to Catholicism upon inheriting the throne. Like Elizabeth with the marriage negotiations to Anjou, he was pragmatic about his religious decision. Still, France was a majority Catholic country and the Wars of Religion were

\textsuperscript{93} Thomas M. McCoog “The English Jesuit Mission and the French Match, 1579-1581” \textit{The Catholic Historica Review} Vol. 87, No. 2 (April, 2001), 185-213
only very recently ended. The treaty only makes one mention of religion beyond naming King Henry as the most Christian King. This was a departure from earlier Elizabethan treaties in which the English sent soldiers to a foreign nation. Even in the 1585 treaty with the Low Countries, the English stipulated that their soldiers would be allowed freedom to worship in the Church of England and that churches would be provided for them. Soldiers were forced to worship in the national church while serving in the Netherlands. In this Anglo-French treaty, the last clause stated only that “Neither the more Christian King, nor his successor, shall suffer and Subject of the Queen of England to be put to trouble by the Inquisitors, or any other way, in Body or Estate, on the account of the Religion now receiv’d in England.”\footnote{A General Collection of Treaties, 102} Rather than call for each man to worship at his national church, the Anglo-French treaty only asked for toleration of Anglicanism in France. Any Englishman stationed in France was responsible for worshiping in the way they saw fit. The French would tolerate Anglicanism and any other religion they wished to tolerate. No English Protestant would be questioned or arrested in France on account of their religion.

The Anglo-French treaty aligned the two countries in preparation for their mutual enemy, Spain, to attack either England or France. Yet, Spain was not always considered the ultimate enemy of England. Whether the Pope was the antichrist, in league with the devil, or the Whore of Babylon, by 1590 these images of the Pope were beginning to dwindle. Increasingly, King Philip of Spain replaced the Pope as England’s enemy. No longer was religion the driver in international politics, but secular empires drove political maneuvering in Europe. This was most seen after a series of short-lived Popes. After the death of Pope Sixtus V in 1590, the next three popes all lived for less than one year after
their election. This is in great contrast to the five previous popes who each reigned for at least five years.\textsuperscript{96} Sparking violent rumors about assassinations and poison, some blamed the Spanish crown for manipulating the Papal elections and then killing those elected when they did not agree with his policies he wanted implemented by the Pope.

Additionally, the marriage negotiations of Philip’s daughter, Isabella, seemed to point to Spanish domination in Europe. Marriage negotiations with France sparked the possibility of the Spanish monarchy holding pretty much all of the coastline between England and the Continent. Instead of being able to play the French and Spanish against each other, the English would face a unified Catholic front. The marriage negotiations with Scotland could possibly bring Spain onto the island with England. Rather than having to mount an amphibious invasion, it would be easy for the Spanish to stage an invasion from Scotland.

The English turned their wrath from the Papacy to King Philip with vehemence, but their arguments were not religious. They did not paint Philip as the antichrist or as the Whore of Babylon. Francis Bunny wrote

\begin{quote}
Doth not the Catholicke Tyrant that calleth himselfe by the name of King…corrupt with gold and intice by all fayre promises subjectes to kill their princes…What kingdoms hath he not tempted? What princes hath he not indaunegered? Howe many hath he gotten destroyed?\textsuperscript{97}
\end{quote}

Philip was a tyrant who was not corrupted by the devil, but by material goods such as gold. He did not entice people to worship evil, but to kill their leaders and destroy their governments. Another Englishman, Grey of Wilton told Elizabeth

\begin{quote}
His ambition increaseth as doe his daies and his cruell propuses cannot be numbered. He incrocheth co[n]tinually as he can upon other men’s
\end{quote}

\textsuperscript{96} Pope Gregory XII was only days away from celebrating his thirteenth year as Pope when he died. In contrast, Pope Urban VII was Pope for less than three weeks.

\textsuperscript{97} Lock 206
right...His doings declare that he envieth all your glory...and aspireth to every [one] of your inheritances and principalities.  

Again, Philip was a man who aced out of selfishness. He gluttonously lusted after lands that rightfully belong to other Princes and hungered for the kingdom of England. Philip was a selfish man, but he was still a man. Unlike the Pope who was illustrated as an evil beast or something beyond human, the arguments against Philip focused on him as a sinful man.

As the focus shifted from the Pope to Philip, the English remembered all that showed Spain’s break from Papal control in the past. They remembered that Philip’s father, Charles, had sacked Rome and forced the Pope to bow to Hapsburg Imperial might. They remembered that Philip had ignored repeated papal calls for war against England. Philip waited to make war with England on his own terms, not the Pope’s. Philip waited until it was in his best interest to go after England before embarking on any military expeditions.

Some of the older Englishmen remembered Philip as King of England. Married to Mary after Edward VI’s death, Philip was the King of England for four years before Mary’s own death put Elizabeth on the throne. The time under Mary and Philip was not one of rejoicing in English memory. “Under this colourable name of Catholike religion was hidden the ambitious humor of a most proud usurping tyrant.” Philip was remembered as a tyrant who used Catholicism as an excuse to abuse the English people. The abuses of the Catholic reign were not forgotten, but at this time they were remembered as the fault of Philip’s selfishness rather than his religion.

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98 Lock, 206
99 Lock, 207
100 Lock, 209
They claimed “[j]udge also whether his enterprises do stand with his pretence of pietie, or rather with the avarice, creultie and pride of his people, which neither the penurie of Spaine can satisfie or the Pryrene hilles of the wide Ocean limit”\textsuperscript{101} Philip emulated piety in the hope of creating a cruel society built on the pride of the Spanish people which could not be contained to the Iberian Peninsula. He craved the lands beyond his Peninsula and would stop at nothing to achieve this secular goal. Religious conviction was only a means to an ends and could wax and wane with is political necessity.\textsuperscript{102}

The religious affiliations of the sixteenth century dwindled in importance as the century drew to a close. The religious alliances of the mid-sixteenth century made way for political alliances. England was pushed closer to the Netherlands and France, while the English recognized that Philip II was a greater threat to their sovereignty than the Pope. The arguments and propaganda against England’s external enemies had secularized.

\textsuperscript{101} Lock, 209
\textsuperscript{102} Within the Calendar of State Papers Domestic it is easy to see a slow change in the discussion of Spain as a Catholic power to that of Spain as a political power. This shift happened between the years of 1585 and 1590. Before this time the focus of papers was on Spain’s alliance with English and Irish Catholics as well as the Pope. After, the papers focused on Spain’s invasion force and Spain as a political foe with little regard for Catholic plots.
Conclusion

The reign of Queen Elizabeth brought secularization to the English government. Although the first half of her reign followed religious ideologies in domestic and international politics, the 1580s and 1590s initiated a period of growing secularization in England. By looking at the period from 1570 to 1598, it is possible to see religious arguments turn into more secular ones. From treason trials persecuting Catholics based on their religious convictions to a treason trial that proved that political motivations trumped religious motivations, politics moved away from religion about a century before the traditional narrative.

The year 1570 saw the Pope issue a Bull of Excommunication against Elizabeth as well as the Dutch Revolt, which began after the restriction of Protestantism in the Netherlands. These actions were religiously motivated and engendered religious arguments both from their supporters and their opposition. The Papal Bull, although having no impact on Elizabeth’s continued lack of participation in the Catholic Church, brought fear to Englishmen. They believed that Catholics from England and the Continent would attempt to disrupt the English Protestant government and kill the legitimate monarch. The fear was exasperated by the attempted implementation of Catholicism in the Low Countries and the subsequent revolt of the Dutch against Spain, as well as civil war in France between French Catholics and Huguenots. At this time, the Pope was England’s main enemy and the arguments against Papal authority focused on the evil of the Pope and Catholics.

With an environment of hostility against Catholicism in England, persecution of the religion increased, especially against priests. The Jesuits began their mission to
England in 1580 and were very quickly singled out as special traitors to the English crown. They refused to take the Oath of Supremacy and lived in the shadows. One of the most famous treason trials of Elizabeth’s reign was that of Jesuit priest Edmund Campion in 1581. Campion was subjected to torture and four days’ worth of debates with Protestant leaders in order for the English to attempt to prove his treason. Only five years later, the treason trial of William Parry muddied the line between religious and secular politics. Although the trial was intended to be a show trial to create anti-Catholic propaganda, the language used in the trial was less overtly religious than in Campion’s trial.

While the two trials were more religious in nature, at the same time, marriage negotiations were underway between Elizabeth and the French Catholic Duke of Anjou. Although the arguments against the marriage were mostly religious in nature, the length of the negotiations and the parliamentary politics played by Elizabeth concerning the marriage spoke to more secular political motivations. The negotiations continued for years longer than any other negotiations for the hand of Elizabeth. For Elizabeth, it was beneficial for her to extend the talks concerning her marriage for as long as possible. By putting off marriage, she was able to keep her power as a secular ruler. Although the Duke of Anjou was Catholic, Elizabeth was able to play politics to keep him as a viable marriage partner until 1582. Like Elizabeth herself, the Duke of Anjou looked at politics in a more secular light. He had fought against Catholics in the Netherlands because they were fighting against the Spanish. This endeared him to some English Protestants who were previously afraid of Catholicism’s spread into England.
By the late 1580s and into the 1590s, English politics were quickly secularizing, beginning with the trial and execution of Mary Queen of Scots. Although Mary was the figurehead of the Catholic movement against Elizabeth, the arguments in favor of her conviction as a traitor did not mention her religion. Instead, they focused on her political rights as both a dethroned Scottish queen and the apparent heir to the English throne. The foremost concern of the English government in this case was the protection of English interests and political stability. At the same time, the fighting in the Netherlands assassination? left England pursuing defensive treaties with both the Netherlands and France. Although it was nothing new for the English to ally themselves with the Netherlands, allying themselves with a Catholic nation was entirely new for England.

The person who created the need for England and France to become allies was Philip II of Spain. Over the course of the 1580s and 90s, Philip increasingly became the ultimate enemy of England. He was becoming too powerful for England, France, and the Netherlands. Unlike the arguments and propaganda concerning the Pope as England’s enemy, the arguments against Philip focused on his secular rule and his lust for land and power. He was not evil, just selfish.

The long-term implications of this secularization stretched into the seventeenth century and beyond. Although the secularization begun in the sixteenth century was not a complete secularization, it was a beginning. “That the said Charles Stuart, as a tyrant, traitor, murderer, and a public enemy shall be put to death, by the severing his head from his body.” With these words, John Bradshaw, the presiding judge pronounced the sentence given to King Charles I at the end of his treason trial in January 1649.103

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Historians have customarily depicted this event as revolutionary because it was the first time in England a monarch was tried for treason against the state. In reality, his journey to the scaffold began just over sixty years before with the secularization of England’s government. Without the secularization started under Elizabeth, arguments for Charles’ treason would not have been possible. On the other hand, religious arguments did not disappear completely. There was still religious persecution and mistrust of Catholics lasting well into the nineteenth century.

This essay did not have the space to address all questions. The questions that remain to be studied include a more international perspective to this issue of secularization in Europe. Where was religious toleration moving ahead in the sixteenth century? Which governments were lagging behind the secularization movement? Why does religious intolerance return in seventeenth century England? Why does it take over one hundred years for some of these Enlightenment ideas to come to fruition in the general populous?

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104 C.V. Wedgewood began her book “The trial and execution of King Charles I amazed all Europe in 1649. Since then, monarchs have perished by popular decree in more violent and far-reaching revolutions, and the conception of monarchy for which King Charles both lived and died has vanished from the earth... King Charles was brought to trial by his own people, under his title as King—an act which defied tradition and seemed to many a fearful blasphemy against a divinely appointed sovereign.” C. V. Wedgewood, A Coffin for King Charles: The Trial and Execution of Charles I, (Book-of-the-Month Club: New York, 1997), 1
Annotated Bibliography

Primary Sources-


This collection of public papers from 1495-1712 provided access to international treaties signed by the English and their continental neighbors. The treaties of the late 1500s included those pertaining to the Dutch Revolt against the Spanish.

A True and Plaine Declaration of the Horrible Treasons, Practiced by William Parry the Traitor, Against the Queenes Majestie. The Maner of His Arraignment, Conviction and Execution, Together with the Copies of Sundry Letters of His and Others, Tending to Divers Purposes, for the Proofes of his Treason. London: C. B., 1585

This document was a contemporary account of the treason trial of William Parry. It is one of the only known accounts of the trial. This was written by someone in the English government in order to promote their anti-Catholic agenda.


http://babel.hathitrust.org/cgi/pt?id=miun.abe1726.0009.001;view=1up;seq=8 accessed November 10, 2014.

This is one of three documents used concerning the trial of Mary Queen of Scots. These documents provide evidence of the legal arguments used to justify the trial against Mary.

Register Office, 1898), 140

http://babel.hathitrust.org/cgi/pt?id=miun.abe1726.0009.001;view=1up;seq=8

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This collection of documents held excerpts of the three major documents used to justify the trial against Mary. This led to a search for the original documents in the Calendar of the State Papers Relating to Scotland and Mary, Queen of Scots.


This collection of letters provided insight into the lives of Jesuits in England, such as Robert Persons and his companion Edmund Campion. Persons sent many letters to Jesuits both in England and on the European continent.


This collection of letters gave some insight into the mind of Mary Queen of Scots. It provided some of the arguments given in protest to her trial and execution.


This collection of letters provided insight into the correspondence of Elizabeth. Particularly helpful were the letters from Elizabeth to Mary Stuart and to Lord Burghley.

Regnans in Ecelsis. Pope Pius V. April 1570.

http://internetshakespeare.uvic.ca/Annex/Texts/docs/PapalBull1570/M/default/
accessed January 18, 2015

This is the decree of excommunication given by Pope Pius V against Queen Elizabeth I. It was used to form arguments in the first chapter of this thesis.
This collection of statues provided actions taken by Elizabeth’s government against Catholics.

Trial of Mary, Queen of Scots. Ed. by Francis A. Steuart, London: W. Hodge, 1951.
This book provided primary documents pertaining to the trial of Mary Queen of Scots. These documents included letters between Mary and Elizabeth about the trial.

Secondary Sources-

This article provided arguments and explanation for international politics between Elizabeth, France, and the Netherlands between 1576-1585. It showed the negotiations in which the Netherlands attempted to rid themselves of Spanish Hapsburg rule by declaring either Elizabeth I or Henri III.

This book provided explanation of spy networks in England, especially those controlled by Lord Burghley. It provided background information on English politics concerning English Catholics and English religion.

This article provided a thorough account of the aftermath of Mary’s trial. It detailed Elizabeth’s reaction and there were primary documents concerning the execution in the appendix.

This source provided explanation on the execution of King Charles I. It was also a source for preliminary background to the trial of Mary Queen of Scots and politics in sixteenth century England.

This was a collection of articles regarding the Counter Reformation. Topics included articles on the impact of the two Reformations on politics and how the Counter Reformation impacted Europeans.
This book explored the ways that those who did not follow the Anglican Church imagined themselves into martyrs. Covington followed both Catholics and Protestants in their struggle to overcome persecution.

Dailey, Alice “Making Edmund Campion: Treason, Martyrdom, and the Structure of Transcendence” *Religion & Literature* Vol. 38, No. 3 (Autumn, 2006), 65-83. This article provided arguments for how Edmund Campion and other Catholic leaders imagined Campion into a martyr. Dailey explored the rhetoric used by both Catholics and Elizabeth’s government in describing the trial and execution.

This article provided background information about the treason trial of William Parry. Danou argued that the Elizabethan government set up Parry after they did not need his services anymore.

This article provided information on international politics surrounding the marriage negotiations between Queen Elizabeth and the son of Emperor Ferdinand, Charles. Doran discussed the role religion played in the failure of this early marriage negotiation.

This book provided information on the relationship between Elizabeth Tudor and Mary Stuart. It helps show the historiography of the trial and execution of Mary.

This article provided information on the marriage negotiations between Queen Elizabeth and the Duke of Anjou.

Fletcher, Catherine “War, Diplomacy and Social Mobility: The Casali Family in the Service of Henry VIII” *Journal of Early Modern History* 14 (2010), 559-578.
This article provided background to the argument that diplomats of the Tudor period were considered completely unbiased towards any one country. This helps explain some of the arguments given in favor of the trial of Mary Queen of Scots.

Fraser, Antonia *Mary, Queen of Scots.* New York: Dell Publishing Co, 1969
This is one of the most comprehensive biographies of Mary Queen of Scots. Fraser’s monograph is essential reading for background on the life of Mary.


Hackett, Helen “Dreams or Designs, Cults or Constructions? The Study of Images of Monarchs” The Historical Journal Vol. 44, No. 3 (September 2001), 811-823. http://www.jstor.org/stable/3133585 accessed September 17, 2014. This article provided background to the perceived image of Elizabeth I of England as a queen. It also compared those images to the perceived image of Mary Queen of Scots.

This book provided a good background to the reign of Queen Elizabeth I of England. Haigh is one of the premier Elizabethan biographers and this monograph is a must-read for all Elizabethan scholars.

This book provided a background into the politics surrounding the spy networks headed by Lord Burghley and Walsingham. It was a good introduction to spies and their goals during the latter half of Elizabeth’s reign.

This book uses the transcript of Campion’s trial and other documents to recreate the time between Campion’s arrest and his execution. It provided information about the trial, the debates, and the other defendants in Campion’s trial.


This book provided background for the execution of Charles I. It makes the argument that the British monarchy was transformed by the events that occurred during the Stuart Era.

This article provided background about the general context to the arrest and trial of Edmund Campion. It argued that there was a new sense of the public sphere that could allow for more open discussion about religion in England.


This article provided information on the national church that was unofficially forming in France. Lange argues that the separation of church and territory was an excuse for the secular princes and kings to gain more power over the church.

Lock, Julian “‘How Many Tercios Has the Pope?’ The Spanish War and the Sublimation of Elizabethan Anti-Popery” *The Historical Association* (1996)

This article examined the changing views of the Pope and King Philip II in England. It provided quotes from primary sources that showed the change in language from religious to secular when talking about Philip and the Popes.


This book provided evidence for the religious based historiography of the trial and execution of Mary Queen of Scots. It has a compelling argument for the religiosity of the struggle between Mary and Elizabeth.


This article examined female language at Elizabeth’s court. Mazzola argued that women used code and secret languages to keep their thoughts and letters from being read by others.


This article provided information on the relationship between the Jesuits and the marriage negotiations between Elizabeth and the Duke of Anjou. McCoog argued that when the Jesuits


This article provided information about the ways that recusants used the memory of Edmund Campion to make him into a martyr. It was useful in formulating an argument for the tension between Catholics and Protestants before the change in secularization.

This book provided background on Edmund Campion. It included articles about the early stages of the Jesuit mission in England.


This article argued that anti-Catholicism rose in the sixteenth century because of gender issues between Elizabeth I and Mary Queen of Scots. It provided counter arguments to the arguments presented in this thesis.


This article provided information on the arguments given for Elizabeth to pursue marriage early in her reign. It detailed the various failed marriage negotiations and the reactions of Elizabeth’s council and people to her reluctance to marry.


This article provided information about the marriage negotiations between Elizabeth and the Duke of Anjou. It provided background for the marriage negotiations and the English responses, both positive and negative.

Mueller, Janel “‘To My Very Good Brother the King of Scots’: Elizabeth I’s Correspondence with James VI and the Question of the Succession” *PMLA* Vol. 115, No. 5 (Oct. 2000) 1063-1071

This article examined the correspondence between James VI of Scotland and Elizabeth I. It provided contrast between the relationship of Elizabeth and Mary compared to that of James and Elizabeth.


This book provided background to the Council of Trent. It looked at the ways Trent changed the Catholic outlook to the Reformation.


This book provided background to the reign of Philip II. It followed Philip and his armies through the Dutch Revolt and in his search for more land in Europe.

This book explored the relationship between Elizabeth and Philip. It provided background to the international politics that surrounded the two monarchs.


Searle, G. W. *The Counter Reformation.* Totowa, NJ: Rowman and Littlefield, 1974 This book provided background to the Catholic Reformation. It was useful in forming arguments about international politics during the reign of Queen Elizabeth.


Shrank, Cathy “‘This fatall Medea,’ ‘this Clytemnestra’: Reading and the Detection of Mary Queen of Scots” *Huntington Library Quarterly.* Vol. 73, No 3 (September 2010), 523-541. This article discussed the situation Mary Queen of Scots found herself in once imprisoned in England. Shrank argued that public publications and private letters both played a role in the propaganda against Mary in England.

Smith, Jeremy L. “Mary Queen of Scots as Susanna in Catholic Propaganda” *Journal of the Warburg and Courtauld Institutes.* Vol. 73 (2010), 209-220. This article discussed the use of the image of Susanna to portray Mary as an innocent victim in the hands of the cruel English. This provided information on the arguments against the trial of Mary.

Vessey, D. W. T. *The Trial of Mary, Queen of Scots in Contemporary Literature.* Royal Stuart Society, 1973. This book discussed the impact the trial of Mary Queen of Scots had on Elizabethan literature. It provided some reactions to the trial from contemporary writers.

Walton, Kristin Post. *Catholic Queen, Protestant Patriarchy: Mary, Queen of Scots, and the Politics of Gender and Religion.* New York: Palgrave MacMillan, 2007. This book provided information on the relationship between Mary Queen of Scots and both the Scottish and English governments. As a woman and a protestant, Walton argued that Mary Queen of Scots sparked conversations about who could and should rule over a protestant country.
Wedgewood, C. V. *A Coffin for King Charles: The Trial and Execution of Charles I*, Book-of-the-Month Club: New York, 1997. This book provided information on the trial and execution of King Charles I. It helped to connect Mary Queen of Scots’ trial to that of Charles.