

# Sir Robert Cotton, Manuscript Pamphleteering, and the Making of Jacobean Kingship during the Short Peace, ca. 1609–1613

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**Abstract** This article concerns two manuscript tracts by Sir Robert Cotton, the *Answer to Certain Military Men regarding Foreign War* (1609) and *Twenty-Four Arguments on the Strict Execution of the Laws against Seminary Priests* (1613). To the limited extent that these tracts have been studied at all, historians have read them as artifacts of the Jacobean regime’s internal counseling process. Through analysis of the both the structure of the Jacobean regime’s knowledge economy and the two tracts and contextualizing them, the author argues that these were, instead, innovative exercises in publicity, designed to defend existing Jacobean policy against so-called country criticism. Designed to circulate widely among the kingdom’s social elite—indeed, more than two dozen handwritten copies of each tract survive—the manuscript pamphlets played on Cotton’s reputation as an antiquary to legitimize the Jacobean regime’s most controversial policies. More broadly, the tracts demonstrate the dilemma of a Jacobean regime caught between the geopolitics of peace and interconfessional diplomacy and the expectations of a domestic political elite nurtured on the values and expectations of confessional war.

Recent interest in manuscript pamphlets has led to the rediscovery of a number of manuscript authors: writers who published regularly to significant audiences, but only in manuscript. The careers of the diplomat Sir Charles Cornwallis and the parliamentarian Sir John Eliot, for example, have begun to assume entirely different shapes as scholars realize how central scribal publication was to their activities.<sup>1</sup>

No figure better exemplifies this change in perspective than Sir Robert Cotton. Kevin Sharpe has described Cotton as a collector who wrote briefs of counsel for his patrons but published little in his own lifetime, a description echoed by Graham Parry and others.<sup>2</sup> Students of manuscript circulation, however, have

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<sup>1</sup> For Eliot, see Noah Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England* (Cambridge, 2016), chap 7; William White, “Sir John Eliot’s *The Monarchie of Man* and Early Stuart Political Thought,” *Historical Journal* 62, no. 3 (2019): 632–62. Cornwallis awaits study.

<sup>2</sup> Kevin Sharpe, *Sir Robert Cotton, 1586–1631* (Oxford, 1979), 42, 132–50, 245–46; Graham Parry, “Cotton’s Counsels: The Contexts of *Cottoni Posthuma*,” in *Sir Robert Cotton as Collector*, ed. C. J. Wright (London, 1977), 81–95; Stuart Handley, s.v. “Cotton, Sir Robert Bruce, First Baronet,” *Oxford Dictionary of National Biography Online*, 23 September 2004, <https://doi.org/10.1093/ref:odnb/6425>.

shown that Cotton was one of the most extensively collected writers in England; “in manuscript,” Harold Love noted, Cotton was “everywhere.”<sup>3</sup> Surveys of manuscript collections have sustained Love’s observation. For example, a tract asserting the precedence of England over Spain, composed in 1600 for abortive peace negotiations in Boulogne, was first printed in 1642 but survives in at least twenty-five manuscript copies, ranging from professional productions to one written out by an East Anglian clergyman. Cotton’s works were listed in sales catalogues of commercial scriptoria and sought by collectors. When the studies of dissident politicians were searched after the failure of the Short Parliament in 1640, several of Cotton’s works were found among their papers of state. Through his influence as a manuscript author, his close relationships with the commercial scribe Ralph Starkey and other manuscript publicists like Eliot, and his famous library full of manuscript state papers, Cotton has come to play a central role in the study of early Stuart manuscript culture.<sup>4</sup>

Despite this attention, scholars have not engaged much with the content or purposes of Cotton’s tracts, particularly the supposed briefs of counsel that Cotton produced during the reign of King James I. To this period belong the texts that form the central concern of this article: the *Answer to Certain Military Men regarding Foreign War* (hereafter the *Answer*), ca. 1609; and the *Twenty-Four Arguments on the Strict Execution of the Laws against Seminary Priests* (hereafter the *Arguments*), 1613. Although largely ignored by historians, both pieces commanded significant contemporary interest, each surviving in at least two dozen early Stuart manuscript copies.<sup>5</sup>

<sup>3</sup> Harold Love, *Scribal Publication in Seventeenth Century England* (Oxford, 1993), 87–88.

<sup>4</sup> Peter Beal, s.v. “Sir Robert Cotton (1571–1631),” *Catalogue of English Literary Manuscripts*, <https://celm-ms.org.uk>; Bodleian Library, Oxford, MS Tanner 88\*, fols. 115r, 117r (hereafter this repository is abbreviated as Bodl.); British Library, London, Hargrave MS 311, fols. 206r–7v (hereafter this repository is abbreviated as BL); Ralph Starkey to Sir James Scudamore, 11 February 1626, The National Archives, London, C 115/108/8575; Noah Millstone, “Evil Counsel: The Propositions to Bridle the Impertinency of Parliament and the Critique of Caroline Government in the Later 1620s,” *Journal of British Studies* 50, no. 4 (2011): 813–39; Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, esp. chapter 7.

<sup>5</sup> Copies or fragments of Robert Cotton, *Answer to Certain Military Men regarding Foreign War* (hereafter cited as the *Answer*), identified by *Catalogue of English Literary Manuscripts* and by *Manuscript Pamphleteering in Early Stuart England*, <https://mpesc.ac.uk>: Alnwick Castle, MS 531/2, fols. 38r–97v; Beinecke Library, New Haven, Osborn b180, fols. 1r–18r; Beinecke Library, Osborn b22, fols. 84r–159r; Bodl., MS Eng. hist. d. 134; Bodl., MS Rawlinson D 911, fols. 124r–172v; Bodl., MS Tanner 103, fols. 148r–71r; Bodl., MS Willis 57, fols. 487r–523v; BL, Add. MS 11308, fols. 59r–77v; BL, Add. MS 48095, fols. 1r–138v; BL, Add. MS 72414, fols. 55r–78v; BL, Cotton MS Cleopatra F VI, fols. 3r–38r; BL, Harley MS 816; BL, Harley MS 1323, fols. 216r–32v; BL, Harley MS 5176, fols. 25r–46v; BL, Sloane MS 3703, fols. 1r–37r; BL, Stowe MS 161, fols. 65r–155v; BL, Stowe MS 284, fols. 1r–47v; Huntington Library, San Marino, EL 6898; Huntington Library, HM 30662; Inner Temple Library, London, Petyt MS 538/31; National Library of Scotland, Edinburgh, MS Acc 7906; Northamptonshire Record Office, Northampton, FH4155; Northamptonshire Record Office, FH67, pp. 1–195; Rosenbach Museum, Philadelphia, MS 239/4, n3; Trinity College Dublin, MS 580, fols. 36r–58v; Trinity College Dublin, MS 861, fols. 306r–312v; University of Chicago, MS 262.

Copies or fragments of Robert Cotton, *Twenty-Four Arguments on the Strict Execution of the Laws against Seminary Priests* (hereafter cited as the *Arguments*): Beinecke Library, Osborn b22, fols. 57r–83v; Beinecke Library, Osborn fb178, fols. 210r–29v; Bodl., MS Bodley 966, pp. 527–42; Bodl., MS Jones 28; Bodl., MS Rawlinson D 853, fols. 74r–110r; BL, Add. MS 11600, fols. 22v–35r; BL, Add. MS 22591, fols. 338r–45v; BL, Add. MS 48101, fols. 215r–49v; BL, Harley MS 35, fols. 428r–50r; BL, Harley MS 354, fols. 10r–31v; BL, Harley MS 1858, fols. 109r–49v; BL, Harley MS 7381, fols. 72r–104v;

What were these texts meant to do? How did they work? And what can they tell us about the circumstances under which they were composed? In what follows, I argue that Cotton's Jacobean tracts were highly innovative in both form and content. Although framed as part of the counseling process internal to the Stuart regime, in reality both the *Answer* and the *Arguments* were artful experiments in manuscript publicity, intended for circulation among the kingdom's political and social elite. Many scholars believe that King James was indifferent or hostile to public opinion; nevertheless, by the early 1610s, at least some government officials argued for actively cultivating elite support. A memorandum on parliamentary management composed in 1613 by Attorney General Sir Francis Bacon—preserved in Cotton's papers—suggested a range of devices for managing the perspective of MPs to make them “better affected” to the government. These included “dispers [ing]” particular “opinions”; having pleasing policies either “set on foot” or at least “voiced”; and considering specific measures for “winning” lawyers, the citizens of corporations, and “that great body of the house which consisteth of Justices of Peace and gentlemen of the country.”<sup>6</sup> Unlike Bacon's memorandum—which was in fact a work of counsel and would have been embarrassing if published—Cotton's works are better understood as *pseudo-counsel*, contrived representations of counsel created for outsiders. Their aim was to leverage Cotton's reputation to legitimate the most controversial features of Jacobean kingship: a peace-oriented foreign policy and a flexibility toward Roman Catholicism. They worked by offering extraordinarily revisionist accounts of the English past, Cotton's specialty; through the form of the texts, as apparent works of counsel; and through the creation of the persona of “Sir Robert Cotton,” Protestant, patriot, and thoroughly boring English antiquary.

Cotton's work thus also belongs to a second body of cultural and literary production that has only recently begun to receive scholarly attention. These works, ranging from paintings and ballets to statues and histories, were occasioned by the nearly universal cessation of European warfare that historians have begun to describe as the “Short Peace.” Between 1598 and 1609, a series of treaties and truces brought a temporary end to decades of religiously inflected warfare, inaugurating a new era of geopolitical conflict management and cross-confessional diplomacy.<sup>7</sup> They also

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BL, Lansdowne MS 213, fols. 19r–31v; BL, Royal MS 18 B XXIV, fols. 140r–62r; Derbyshire Record Office, Matlock, D258/12/43; Inner Temple Library, Petyt MS 537/27, fols. 1r–37v; National Library of Wales, Aberystwyth, Brogyntyn MS II.23; Northamptonshire Record Office, FH 84/1; Nottingham University Library, Me L 5, fols. 1r–28v; Rosenbach Museum, MS 239/4, n13; Queen's College, Oxford, MS 121, 137–51; Trinity College Dublin, MS 802, fols. 134r–60r; Trinity College Dublin, MS 843, 191–218; Trinity College Dublin, MS 861, fols. 265r–305v; University College, London, Ogden MS 48, fols. 48r–76r; Woburn Abbey, MS 4E-60, fols. 17r–19v.

<sup>6</sup> Millstone, *Manuscript Circulation and the Invention of Politics in Early Stuart England*, 68–69; Thomas Cogswell, “The People's Love: The Duke of Buckingham and Popularity,” in *Politics, Religion and Popularity in Early Stuart Britain*, ed. Thomas Cogswell, Richard Cust, and Peter Lake (Cambridge, 2002), 211–34; Richard Cust, “Charles I and Popularity,” in Cogswell, Cust, and Lake, *Politics, Religion and Popularity in Early Stuart Britain*, 235–38.

<sup>7</sup> On peace-oriented cultural production, see Malcolm Smuts, “The Making of *Rex Pacificus*,” in *Royal Subjects: Essays on the Writings of James VI and I*, ed. Daniel Fischlin and Mark Fortier (Detroit, 2002), 371–87, at 374; Luc Duerloo, *Dynasty and Piety: Archduke Albert (1598–1621) and Hapsburg Political Culture in an Age of Religious Wars* (Farnham, 2012), esp. 110–11; Melinda J. Gough, *Dancing Queen:*

created serious legitimation problems for the governments involved, some of whom had spent decades cultivating confessional antagonism and building the case for war. In Spain, France, the Netherlands, and Britain, critics warned of the dangers of peace and demanded stronger action against confessional enemies. In response, governments and publicists across Europe sought new grounds to legitimate their rule. Cotton's pamphlets show this process in action.

Why should the *Answer* and the *Arguments* be regarded as pamphlets rather than as internal counseling documents? Any answer to this question must begin by exploring Cotton's role in the internal knowledge economy of the early Stuart state, an economy that I argue was characterized by processes of anonymization. Cotton simultaneously developed a public-facing reputation among members of Parliament and the English gentry as an antiquarian expert. Thus, there were certain audiences for whom Cotton's name and identity mattered less, and others for whom they mattered more.

This preliminary analysis makes it possible to reconstruct the context and content of the *Answer*. Framed as a mirror-for-princes, the *Answer* retells English history as an endless procession of bad kings whose addiction to military adventurism troubled their subjects. Its point, I argue, was neither to dissuade the regime from a particular engagement nor even to win the favor of its supposed addressee, but rather to defend the government against militarist critique. Similar revelations emerge from contextualizing the *Arguments*, a defense of the Jacobean policy of imprisoning rather than executing Catholic priests. Using diplomatic correspondence, I show that Cotton's pamphlet coincided precisely with a wider shift in regime rhetoric. By constructing the argument for leniency from a thoroughly Protestant, almost Puritan-friendly position, the *Arguments* deflected persistent demands for strict implementation of the laws against priests. Cotton's efforts thus show a Jacobean government caught in a common early seventeenth-century dilemma: between the demands of a European geopolitics that prioritized peace and subjected the treatment of religious minorities to diplomatic negotiation and the expectations of a domestic elite nourished on the values of confessional war.

## COTTON AS EXPERT

Born in 1571 into a wealthy Huntingdonshire family, Robert Cotton was educated at the Westminster School, at Jesus College, Cambridge, and, briefly, at the Middle Temple. After marrying unhappily, in the late 1590s Cotton abandoned the country life and returned to London, where he became involved with the Society of Antiquaries, attending meetings, producing reports, going on field trips with his former schoolmaster William Camden, and collecting coins and manuscripts.<sup>8</sup>

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*Marie De Medici's Ballets at the Court of Henry IV* (Toronto, 2019), esp. chap. 1. For the period more generally, see Ronald G. Asch, *Vor dem großen Krieg: Europa, 1598–1618* (Darmstadt, 2020).

<sup>8</sup> For this and what follows, see Sharpe, *Sir Robert Cotton, 1586–1631*; Handley, "Cotton, Sir Robert Bruce, First Baronet"; Pauline Croft, s.v. "Howard, Henry, Earl of Northampton," *Oxford Dictionary of National Biography Online*, 23 September 2004, <https://doi.org/10.1093/ref:odnb/13906>; Graham Parry, *The Trophies of Time* (Oxford, 1995), 70–95; Linda Levy Peck, *Northampton: Patronage and Policy at the Court of James I* (London, 1982).

Cotton also became involved in central government. From 1600, most of his political activities—his seat in the final Elizabethan Parliament, the tract on the precedence claims of England and Spain, and other minor services—emerged from his growing relationship with Lord Henry Howard. The son and brother of convicted traitors and a known Catholic, Howard had spent decades trying to escape government suspicion. Both Cotton and Howard greeted the 1603 accession of King James with enthusiasm. Cotton began signing his name “Robert Bruce Cotton” to claim kinship with the Scottish royal line, wrote a defense of James’s title, and was among the first knights created after the succession. Howard was appointed to the Privy Council, created Earl of Northampton, and added to the Order of the Garter.

For the next decade, Cotton was one—and perhaps the most important—of Northampton’s “men of business.”<sup>9</sup> Northampton asked Cotton to review texts intended for Privy Council review and print publication and to produce reports on issues in question before the Council or the House of Lords. Cotton’s reports were never purely historical: even with a subject as potentially antiquarian as the precedence of knights of the Bath, Northampton asked Cotton to forward “whatsoever you find by reason, opinion or precedent.” In 1607, preparing to debate free trade with Scotland, Northampton asked Cotton to set “down not only your own reasons . . . but whatsoever else you can borrow from your friends, either learned in the law or skilled in trade and traffic.” Cotton was certainly an expert on the past, and both he and Northampton valued historical data; but Northampton also wanted Cotton to use his reason and to consult experts in other fields. Sometimes it seems that Northampton had not decided what position he intended to take, asking for “reasons of the difficulty or facility” of free trade with Scotland, or for “somewhat touching the good or ill of coining base money in greater or less quantity.”<sup>10</sup> Rather than serving as a living commonplace book, ready to supply apt historical examples to ornament a speech, Cotton aided Northampton by mapping arguments *in utramque partem* for particular policies.<sup>11</sup>

Cotton’s role in this process effaced rather than highlighted his contribution. Though observers knew of the connection between them, there is no evidence that Northampton publicly cited Cotton as an authority or acknowledged his debt to Cotton’s research. This process of anonymization was a regular feature of the Jacobean state’s knowledge economy. Historians have often found it difficult to determine who in the upper echelons of the English state, much less who among their deputies or assistants, was responsible for developing or promoting a particular policy. This challenge is often ascribed to the face-to-face character of the policy process, but I believe it represents a fundamental lack of interest in who precisely was responsible for policy development or in the particular views of privy councilors. While the Spanish Council of State regularly committed to paper the conflicting views of their members, the English Privy Council generally recorded only resolutions, and very few records of council debates survive. Likewise, in contemporary

<sup>9</sup> M. A. R. Graves, “The Management of the Elizabethan House of Commons: The Council’s ‘Men-of-Business,’” *Parliamentary History*, no. 2 (1983): 8–21.

<sup>10</sup> Peck, *Northampton*, 101–17, 190–91; Howard to Cotton, BL, Cotton MS Titus C VI, fols. 137r, 149r, 152r, 160r, 163v.

<sup>11</sup> Norman Jones, *Governing by Virtue: Lord Burgheley and the Management of Elizabethan England* (Oxford, 2015), 51, 59, 113.



Spain, policy proposals and projects were often signed, allowing figures such as the veteran naval officer Diego Brochero to become well known for their insightful memoranda.<sup>12</sup> The papers of Jacobean officials contain hundreds of proposals, but they are generally unsigned, and scholars are often unable to connect them to particular advisors or projectors. This was probably less problematic for the projectors themselves because proposals were usually attached to petitions, and the petitioning process may have created a record of which project went with which projector. But it was the bare anonymous proposal, detached from the petition, that officials tended to copy into “books of projects” or forward to experts for scrutiny. Rather than being an attempt to ensure the reviews were impartial, projects were probably anonymized because attribution was simply not important.<sup>13</sup>

Anonymization processes can be glimpsed in other parts of the state knowledge economy. The Privy Council often tried to understand the problems in particular constituencies—merchants, for example—by asking a small committee to consult with the wider group. The council displayed no further interest in who was consulted. When the London apothecaries wanted to separate from the Grocers’ Company, two officials were directed to meet with grocers, apothecaries, and members of the College of Physicians. There was no direction regarding which grocers, apothecaries, and physicians were to be consulted, and none were named in the report.<sup>14</sup> A group of lawyers sent to examine a dispute between the town of Colchester and the local Dutch congregation consulted with “some principal gentlemen” of the neighborhood, whose names were likewise omitted from the final report.<sup>15</sup>

Diplomatic intelligence, perhaps the best-studied aspect of the Stuart state knowledge economy, exhibited a similar dynamic. We might expect diplomats and agents to have described how intelligence was gathered so that its plausibility might be gauged, but they often said very little about the mechanics of news gathering. This was not merely to protect sensitive sources. As David Coast has shown, composing diplomatic newsletters often involved isolating news paragraphs from one set of letters and copying them into another, a process that tended to anonymize even reputable sources openly in Stuart employ.<sup>16</sup> As information and proposals passed through the Stuart policy process, the identities of those involved in providing the information or crafting the proposal were stripped out. This tendency to hide relatively low-status intellectual labor was common across early modern knowledge regimes.<sup>17</sup> Cotton’s association with the ideas and reports he prepared probably went through a similar process of effacement. However reliant Northampton was

<sup>12</sup> Bernardo José García, *La Pax Hispanica: Política exterior del Duque de Lerma* (Leuven, 1996), 34, 70, 101, 123–25, 135–42, 146–47.

<sup>13</sup> For example, see collections of projects in Bodl., MS Carte 121, 1r–20v; Bodl., MS North a.2; BL, Harley MS 7009, fols. 23r, 43r, 48r; BL, Add. MS 10038; Kent Archives, Maidstone, U269/1/Oo214.

<sup>14</sup> Letter from the Privy Council to Sir Edward Coke and Sir Thomas Lake, 29 May 1614, The National Archives, PC 2/27, fol. 165v.

<sup>15</sup> Privy Council resolution, 15 December 1616, The National Archives, PC 2/28, 477.

<sup>16</sup> David Coast, *News and Rumour in Jacobean England* (Manchester, 2014), 54.

<sup>17</sup> Steven Shapin, “The Invisible Technician,” *American Scientist* 77, no. 6 (1989): 554–63; Ann Blair, “New Knowledge Makers,” in *New Horizons in Early Modern Scholarship*, ed. Ann Blair and Nicholas Popper (Baltimore, 2021); Angus Vine, “His Lordships First, and Last, CHAPLEINE,” in *Chaplains in Early Modern England: Patronage, Literature and Religion*, ed. Hugh Adlington, Tom Lockwood, and Gillian Wright (Manchester, 2016), 123–40.

on Cotton's advice, it is probable that he rarely mentioned him when speaking to the king or to his Privy Council colleagues.

Whatever his role in policy making, Cotton's public reputation developed along a divergent track. Despite his link to Northampton, in Parliament Cotton neither acted nor was treated as a government spokesman. This was not unusual; many minor royal officeholders or those with links to a privy councilor or great nobleman nevertheless staked out relatively independent positions in Parliament, and attempts to connect the policy interests of a patron and the Parliamentary interventions of their clients are not always persuasive.<sup>18</sup> It is not surprising to find Cotton assisting committees that criticized important Stuart policies, including the committee convened in 1604 by Cotton's brother-in-law Sir Edward Montagu to protest the subscription campaign against nonconformist ministers and the 1610 committee investigating impositions.<sup>19</sup>

Cotton's main role, as one diarist observed, was as "a known antiquary," regularly asked to "bring precedents" and to clarify parliamentary procedure.<sup>20</sup> The "Parliament Fart," a humorous poem that imagined how prominent members of Parliament would respond to a fart in the chamber as a matter of business, depicted "Sir Robert Cotton, well read in old Stories," struggling to fit the fart into his notes.<sup>21</sup> The disconnect between Cotton the regime apparatchik and Cotton the helpful antiquary is most visible in 1607. Addressing grievances regarding trade with Spain, the Commons organized a conference with the Lords and appointed a committee to consider petitioning the king. Cotton was involved in that committee. But three weeks earlier, as Peck has shown, he had composed an "Answer to the Message of the Commons House and Complaints of the Merchants" for Northampton's use in an attempt to quash the complaints.<sup>22</sup> If Cotton's colleagues had known how deeply he had been involved in formulating Northampton's position, it might have complicated his role on the committee.

Although many recognized the two men's connection—certainly numerous petitioners wrote to Cotton for help reaching Northampton—Cotton's most visible relationship was probably with the internationally celebrated Camden.<sup>23</sup> Cotton accompanied Camden on a tour of the north of England in 1599, during which they consulted heavily with local scholars and gentlemen, a form of sociability that was central to

<sup>18</sup> Kevin Sharpe, "The Earl of Arundel, His Circle and the Opposition to the Duke of Buckingham, 1618–1628," in *Politics and Ideas in Early Stuart England: Essays and Studies* (London, 1989), 182–206; Nicholas Tyacke, "Wroth, Cecil, and the Parliamentary Session of 1604," *Bulletin of the Institute of Historical Research* 50, no. 121 (1977): 120–25; Nicholas Tyacke, "Sir Edwin Sandys and the Cecils: A Client-Patron Relationship," *Historical Research*, no. 64 (1991): 87–91.

<sup>19</sup> *Journal of the House of Commons*, vol. 1, 1547–1629 (London, 1802), 30 April, 1 May, 10 July 1610, British History Online, <https://www.british-history.ac.uk/commons-jrnl/vol1/>.

<sup>20</sup> *Journal of the House of Commons*, vol. 1, 1547–1629, 16 June 1607; see also 5 November 1605, 23 March 1607, 19 June 1607, 9 February 1609, 30 April 1610.

<sup>21</sup> The version reproduced in Early Stuart Libels lacks the relevant couplet: "Downe came grave auntient Sir John Crooke," Early Stuart Libels, [http://www.earlystuartlibels.net/htdocs/parliament\\_fart\\_section/ClI.html](http://www.earlystuartlibels.net/htdocs/parliament_fart_section/ClI.html). The couplet is found in the copies of the poem found in BL, Add. MS 34218, fol. 21v, and BL, Stowe MS 354, fol. 43v.

<sup>22</sup> Peck, *Northampton*, 195–96.

<sup>23</sup> Peck, *Northampton*, 53–54, 57, 116, 120–21, 173.

contemporary antiquarian practice. Camden also mentioned Cotton regularly in his published texts and dedicated his 1605 *Remains Concerning Britain* to Cotton.<sup>24</sup>

Between his antiquarian travel and his service during the Parliament, Cotton was one of the antiquaries best known to the highest levels of the English provincial elite. What such men wanted above all was status, ideally verified by pedigree and precedent, and Cotton's correspondence during this period fairly bristles with requests for helping various families stake their claims to greater honor or importance.<sup>25</sup>

## CONTEXT AND CONTENT OF THE ANSWER

By spring 1609, Cotton completed a text that he titled *An Answer to such motives as were offered by certain military men to Prince Henry to incite him to affect arms more than peace. Made at his Highness's Command by RBC his humble servant*.<sup>26</sup> This title draws attention to the text's occasion—that is, discussions with the teenage Prince Henry about whether it were better to affect arms or eschew them. The precise circumstances of these discussions are not specified; indeed, as I show below, the point toward a particular discussion may be positively misleading. More generally, however, the *Answer* shares some characteristics with the larger genre of *institutions d'un prince*. For example, Cotton opened with an extended analogy between medicine and politics, between the techniques of a physician interested in “preserv[ing] the health of a body natural” and a prince doing the same for “a kingdom or commonwealth.”<sup>27</sup> Robert Dallington adopted a similarly Hippocratic style in the *Aphorisms Civill and Militarie* he composed for Henry's use, as did the physician Rodolphe Le Maistre, who sought to instruct the young Louis XIII. That same time period, 1609–10, was also when Henry began receiving works of counsel from would-be advisors, including Dallington's *Aphorisms*, Sir Charles Cornwallis's *Short Remembrances*, and Sir Arthur Gorges's *Brief Discourse Tending to the Wealth and Strength of this Kingdom*.<sup>28</sup>

The *Arguments* is moderately long (printed versions run around 26,000 words) and poorly organized and bristles with involuted prose and Latin quotations.

<sup>24</sup> Parry, *Trophies of Time*, 74–75; William Camden, *Britannia* (London, 1600), 694; William Camden, *Remains of a greater worke, concerning Britaine* (London, 1605), A3r; F Haverfield, “Cotton Iulius F. VI.,” *Transactions of the Cumberland & Westmorland Antiquarian and Archaeological Society*, 2nd series 11 (1911): 343–78, at 363–64, 369; Sharpe, *Sir Robert Cotton, 1586–1631*, 20; Kelsey Jackson Williams, *The Antiquary: John Aubrey's Historical Scholarship* (Oxford, 2016); Elizabeth Yale, *Sociable Knowledge: Natural History and the Nation in Early Modern Britain* (Philadelphia, 2016).

<sup>25</sup> Richard Cust and Peter Lake, *Gentry Culture and the Politics of Religion: Cheshire on the Eve of Civil War* (Manchester, 2020); Giora Sternberg, *Status Interaction in the Age of Louis XIV* (Oxford, 2014); Cotton correspondence, BL, Cotton MS Julius C III; Sharpe, *Sir Robert Cotton, 1586–1631*, 124–26.

<sup>26</sup> The date and title were supplied by Cotton, along with some light revisions, on a scribal copy; the revisions probably date to 1612; see Robert Cotton, *Answer* [ . . . ], BL, Cotton MS, Cleopatra F VI, fol. 3r.

<sup>27</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fol. 3v.

<sup>28</sup> Jacob Soll, “Healing the Body Politic,” *Renaissance Quarterly* 55, no. 4 (2002): 1269–71; Aysha Pollnitz, *Princely Education in Early Modern Britain* (Cambridge, 2015), 351–53; Robert Dallington, *Aphorismes Civill and Militarie* (London, 1613); Cornwallis, *Short Remembrances*, BL, Add. MS 11600, fols. 274v–271v; Cornwallis, *Short Remembrances*, BL, Egerton MS 3876, fols. 1r–4v; Sir Arthur Gorges, *Brief Discourse Tending to the Wealth and Strength of this Kingdom*, 1610, Trinity College, MS R.7.23\*, III, fol. 23r.



In light of that general difficulty, it is perhaps helpful to enumerate some of its chief features. The *Answer* opens with a summary of arguments for engaging Britain in foreign war: that foreign war was a good way to train up soldiers and might forestall civil discord; that war was profitable, “the spoils we have brought away in our French and Spanish attempts exceeding ever the charge in getting”; that peace bred idleness and corruption; and that conquest might increase honor. Finally, Cotton supposed that the late consolidation of the kingdoms of England and Scotland—“the now happy union of the Britain Empire”—might make it possible to project more force with less danger.<sup>29</sup> These arguments are left underdeveloped, a faint gesture at argument *in utramque partem*.

Almost the whole text consists of a reply. Properly read, Cotton maintained, the historical record showed that war was bad. Rather than building discipline and virtue, military experience accustomed common soldiers to loose living and violence and their commanders to *imperium*; and the “civil troubles of this state” had generally been fomented by men with military or viceregal experience, like Simon de Montfort, Richard of York, and an unnamed recent example clearly meant to be Essex, who, having enjoyed “command” in war, had “forgot” how to “obey” in peace.<sup>30</sup> Foreign wars were not profitable but rather ruinously expensive. And the novel geopolitical situation made the risk and difficulty of foreign war “much more than in any age before.” The best kings of England had always, in the words of Silvius Italicus, preferred one peace to innumerable triumphs; and, Cotton wrote, “I think that no Englishman will either love his own error so much, or his country so little, as to advise” pursuing such an injudicious and insecure course as war.<sup>31</sup>

To substantiate these judgments, Cotton constructed a chronicle of English history that is in certain respects the opposite of the neo-chivalric, militarist register commonly used in representations of the English past. He quoted extensively from Plantagenet documents in which English kings, conventionally, bemoan the effusion of Christian blood, claim to be well affected to peace, and blame whatever war they were prosecuting on French intransigence. For Cotton, sensible English kings had embarked on military conflict only reluctantly and saw bribes and even loss of territory as a reasonable price to avoid or end war.<sup>32</sup> Thus, rather than enumerating England’s conquests in France, he catalogued and praised the bribes that successive English kings had paid to the French for peace.<sup>33</sup>

These bribes were light burdens because actually waging war was colossally expensive. In a long section of the *Answer*, Cotton replied to the profit argument by listing “as they fall in sequence”—that is, chronologically, from the conquest to the reign of Queen Elizabeth—the taxes, loans, levies, ships, provisions, and men expended in war.<sup>34</sup> This “successive declaration of all taxations and supplies in every king’s time” constitutes Cotton’s first systematic treatment of the royal revenue. In this instance, he was keen to emphasize the noxious character of the levies. This had,

<sup>29</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fols. 3r–v.

<sup>30</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fols. 9r–v.

<sup>31</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fol. 3v.

<sup>32</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 4r–6r.

<sup>33</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fol. 4r.

<sup>34</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 6r, 11r.

of course, been a regular motif of medieval chronicles, so Cotton was able to provide a great deal of color through quotation (or at least paraphrase): William Rufus, in words borrowed from Henry of Huntingdon, “*tributis Angliam non abradens modo, sed excorians*” (was not just shearing, but rather skinning England with taxes): “so that, wearied with war and expense, *ne respirare potuit Anglia sub ipso suffocata*” (England, suffocated under him, could not breathe). Richard I, in the words of Roger of Wendover, “*elemosinae titulo vitium rapacitatis inclusit*” (covered his rapacious extortion with the title of alms), and, “as Tacitus saith,” “invented *nova et varia praedandi vocabula*” (new and various words for plundering). Cotton supplemented the chronicle evidence with an endless stream of quotations from parliamentary petitions and complaints.<sup>35</sup>

More recent princes had their expenditures reckoned by pounds, shillings, and pence—an unusual, and highly inaccurate, intrusion of numerical figures into early Stuart political argument. Before Elizabeth’s war with Spain, Cotton claimed, Sir William Cecil’s ruthless economy had managed to accumulate a £700,000 surplus in the treasury. This sum was deeply bogus—the Elizabethan exchequer had been crippled by embezzlement—and we should probably see the precise numbers mentioned as rhetorical at best. In any case, Cotton continued, when war arrived, costs mounted so quickly that the surplus gathered through decades of parsimony was spent more than twice over in only three years, “at which time [Elizabeth] was but entering into the vastness of her future charge.” Cotton provided estimates for annual expenses related to the expeditionary force in the Low Countries and for the cautionary towns of Flushing and the Brill and for the cumulative subsidies granted to the United Provinces and to Henry IV. Meanwhile, the profits of the naval war were largely “imaginary”: the 1596 attack on Cadiz cost £64,000 more than the spoils brought home, while even at the time “of most advantage” in the war with Spain, between 1588 and 1592, Royal Navy costs exceeded prize income by £200,000. Elizabeth spent down her surplus and a further £2.8 million in parliamentary subsidies, alienated her lands, sold her jewels, and left an enormous debt, all “by reason of war.”<sup>36</sup>

Historically, these excessive financial burdens had led inexorably to revolt. And whenever internal disputes did arise, English malcontents were sure to find a friend in France, who stood ever “ready to nourish the least spark of rebellion in this state.” The baronial revolt against John, the noble rebellion against Henry III, and the overthrow of Richard II were all to be counted as consequences of foreign war. Accordingly, England’s most bellicose kings were also generally the most foolish. Henry III’s mad dreams of conquering Sicily, stoked by the pope, spurred the revolt against his authority.<sup>37</sup>

<sup>35</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 11r–12r, 17r. See also Henry of Huntingdon, *Historia Anglorum: The History of English People*, ed. Diana Greenway, (Oxford, 1996), vol. 7, 444; Roger of Wendover, *Liber qui Dicitur Flores Historiarum*, ed. Henry G. Hewlett, 3 vols. (London, 1886–1889), 1:173.

<sup>36</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fols. 23v, 21r, 24r. See also John Guy, *Tudor England* (Oxford, 1990), 391–97; William Deringer, *Calculated Values: Finance, Politics, and the Quantitative Age* (Cambridge, MA, 2018), 16–21.

<sup>37</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fols. 7r–8r. The link between war, taxes, and civic unrest was commonplace; see James Hankins, *Virtue Politics: Soulecraft and Statecraft in Renaissance Italy*

These preoccupations made the *Answer* into almost a catalogue of England's bad kings: of Henry VI, who "retain[ed] nothing *ex paterna Majestate praeter specimen nominis*" (of his father's majesty apart from his name); of Richard II, detested by his subjects; and, perhaps worst of all, of Henry VIII, whom Cotton treated as an object of contempt. According to an account kept by Burghley, Cotton reported, from roughly 1538 until the end of Edward VI's reign, some £3,173,478 15s. 4d. was "spent at sea and land in foreign wars." To this sum had to be added the resources supplied to the emperor for wars in Italy or spent on armies sent into France during the first three decades of the reign. These eye-watering costs were met by "new and unheard-of taxes," intrusive projects, and "an inhumane spoil of sacred monuments and impious ruin of holy churches." Henry's waste of money and lives brought a return "so mean, as not worthy any place either in story or accounts." And after "having spent the treasure of his father and the bounty of his subjects," Henry was "forsaken and left as the Pasquil painted him, *inter Moysem, Christum & Mahumetem*, with this word, *quo me vertam nescio*" (I don't know which way to turn).<sup>38</sup>

Cotton concluded the *Answer* by arguing that the present-day geopolitical situation is particularly unsuitable for war. To project force on the continent, Britain had always needed allies. Not all confederates were equally useful: more remote and inland countries—Cotton mentioned the princes of Germany and the Baltic states—generally offered little military advantage. But the allies who had historically proven most useful—here Cotton highlighted the Duke of Brittany, the city of Genoa, the kings of Portugal and Spain, the empire, and the House of Burgundy—were no longer reliable. Indeed, several of these entities no longer existed, having been absorbed by major powers.<sup>39</sup>

Arguably the House of Burgundy, "so long our friend," now in a new guise as kings of Spain, still offered "the best hope of fast confederacy": trade between Britain and Spain was strong and "reciprocal," and the two kingdoms had no disputed territories to quarrel over. However, military alliance remained unthinkable because of the bitter memories of the late war, and because the Habsburg territories had grown so vast that Spain had "begun to affect a fifth monarchy"—that is, to aim at world domination. This growth in power had made Spain incapable of valuing an ally under terms of "equality" or "fellowship." Instead, all of Spain's military projects were now designed to expand its own dominions, "in that they never assist any now, but to make themselves master of that state." Allies of this sort could not be trusted to continue a treaty beyond their "own secret end[s]." These problems of trust were exacerbated by confessional difference, since at least some Roman clergy would hold it "not only worthy dispensation, but merit to break all leagues with the enemies of that church."<sup>40</sup>

More generally, Cotton argued, Europe's confessional divide—which ran not only between countries but also within them—made war against a Catholic enemy particularly dangerous. A Catholic enemy might find supporters among coreligionists in

(Cambridge, MA, 2020), 261; Rory Rapple, *Martial Power and Elizabethan Political Culture: Military Men in England and Ireland, 1558–1594* (Cambridge, 2009), 65.

<sup>38</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 18v, 20r, 23v, 20v.

<sup>39</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 32v–33v.

<sup>40</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 33v–34r, 35v–36v.

Britain or Ireland, exploiting the Three Kingdoms' own internal divisions. And if the war could be glossed as “a quarrel of religion,” a Catholic enemy might more easily find allies among coreligionists abroad, converting a conflict between particular polities into a general “*bellum sacrum* against us.”<sup>41</sup> Given prevailing conditions, Cotton concluded, the safest and most honorable course for Britain was “to remain, by a neutrality, Arbiter of Europe.” France and Spain in particular were so closely matched “that a little weight” would “sway . . . the balance.” Britain's position meant that neighboring states would “refer the judgment and order of their differences to us . . . Princes by their orators shall resort unto us as to the Common Consistory of Judgment in their debates . . . by this way shall we gain the seat of honor, riches and safety, and in all other but endless expense, trouble, and danger.”<sup>42</sup> Ironic modern echoes aside, Cotton's vision is not particularly coherent—how precisely could Europe be balanced without resort to arms?—but it reflects a long tradition of counsel reaching back to Wolsey, cited by Cotton in a marginal reference.

What sort of intervention was Cotton trying to make with the *Answer*? One might suppose it was occasional, relating to debates about a particular military intervention. Given the date of composition, candidates include the debate over the truce between the United Provinces and Spain, or perhaps the first Cleves-Jülich crisis (1609–10), a disputed succession that threatened to wreck that truce. Curiously, though, the *Answer* seems almost deliberately decontextualized from the specific events of 1609–10, ignoring the imminent crisis in the Rhineland and engaging only minimally with the debates about peace with Spain or alliance with the Netherlands that had dominated foreign policy discussions earlier in the decade. Opportunities to draw contemporary connections were ostentatiously ignored. For example, Cotton noted, almost in passing, that the Spanish were potentially untrustworthy, could not be relied upon to keep league with heretics, and seemed to be aiming for a universal monarchy. These arguments had been used to make the case for war with Spain, and indeed were still being so used. Cotton, however, used them to argue that Spain would be an unreliable *ally* in an offensive war.<sup>43</sup> Meanwhile, the military situation to which the *Answer* directed nearly all attention—war against France—had no relation to the events of 1609–10. The question of military intervention in France would become slightly more prominent between 1613 and 1616, during the prince of Condé's rebellions against the regency government; but Prince Henry died in 1612, and anyway the *Answer* does not apply particularly well to that situation either.<sup>44</sup> On the other hand, the framing of the *Answer* as an

<sup>41</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 35v–36v.

<sup>42</sup> Cotton, *Answer*, BL, Cotton MS Cleopatra F VI, fols. 37v–38r.

<sup>43</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fols. 33v–34r; Alexandra Gajda, “Debating War and Peace in Late Elizabethan England,” *Historical Journal* 52, no. 4 (2009): 851–78. There are a few other echoes of the earlier literature: for example, as Cotton did in the *Answer*, the author of *Considerations for the Peace Now in Speech* suggested that England might balance out the rivalry between Spain and France and cites trade links as a reason for peace with Spain to be durable. *Considerations for the Peace Now in Speech*, BL, Cotton MS, Galba D XII, fols. 194r–v.

<sup>44</sup> There are, however, occasional hints about pressing a claim to France. In 1603, just after James's accession, Philip III of Spain instructed his ambassador to offer assistance in regaining English possessions in France; see Robert Cross, “To Counterbalance the World: England, Spain, and Peace in the early 17th Century” (PhD diss., Princeton University, 2012), 64; Gorges ended his *Brief Discourse* with a cryptic hope that “Principes Walliae may become Principes Galliae”; see Gorges, *Brief Discourse*, Trinity College,

educational treatise for Henry is more or less confined to the title; the text never mentions him again, has little or nothing direct to say on perennial mirror-for-princes themes like royal virtue, and lacks the sycophantic register usually employed in letters and treatises actually directed to Henry.

It is perhaps more useful to see the *Answer* as part of a more general European shift toward the legitimization of peace. During the late sixteenth century, many European governments had tied their legitimacy to the prosecution of war, and particularly confessional war. Across combatant states, war was coded as masculine, glorious, patriotic, and reflecting zeal for true religion, while peace was effeminate and weak and reflected the pursuit of self-interest. But the conditions of peace beginning to prevail in the first decade of the seventeenth century required different legitimating strategies. Examples of pro-peace cultural productions include Pierre-Victor Palma-Cayet's *Chronologie Septenaire, ou Histoire de la Paix entre les roys de France et d'Espagne* (1605), which offered a revised presentation of Henry IV as a man of peace; Peter Paul Rubens's painting *Adoration of the Magi* (1609–10), commissioned by the Antwerp city government to celebrate the new possibilities offered by peace; and Ben Jonson's entertainment presented at the formal Stuart entry into London in 1604.<sup>45</sup> These are tips of a very large iceberg of speeches, performances, visual art, and texts praising peace.

Panegyrics of peace did not, however, monopolize the discursive space. Critics continued to insist that peace represented corruption, effeminacy, loss of martial vigor, and betrayal of religion. In France, Pierre de l'Hostal's *Soldat François*, published anonymously in 1603, sparked a three-year, semi-serious pamphlet controversy over the value of the new peace.<sup>46</sup> Perhaps the *Answer* was likewise responding not to a particular situation but rather to an ongoing dialogue about the value of peace. Although I have been unable to identify any work making the arguments that Cotton set out to refute, Sir Arthur Gorges's *Brief Discourse* (1610) comes the closest and may be treated as a suitable proxy. Gorges was undoubtedly a military man: he had served against the Armada in 1588 and captained a ship in the unfortunate Islands Voyage (1597), an account of which Gorges wrote up in 1607 with a dedication to Henry.<sup>47</sup> And the agenda of *Brief Discourse* was more martial than Cotton's *Answer*, emphasizing the importance of military readiness. Although the *Answer* was written before the *Brief Discourse* and does not specifically refute the points it raises—indeed, the two texts share several recommendations, such as reform of the navy—comparing them greatly clarifies what Cotton was trying to do.

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MS R.7.23\*, III, fol. 23r; Cotton himself would later send Prince Charles a collection of arguments on the English title to the French throne; see the document collection Cotton prepared for Henry, BL, Lansdowne MS 223, fols. 7r–95r.

<sup>45</sup> Pierre-Victor Palma Cayet, *Chronologie Septenaire, ou Histoire de la Paix entre les roys de France et d'Espagne* (Paris, 1605); Joost Vander Auwera, "Rubens' *Adoration of the Magi* in Light of Its Original Antwerp Destination," in *Rubens: The Adoration of the Magi*, ed. Alejandro Vergara (London, 2007), 27–53; Robert Fucci, "Rubens and the Twelve Years' Truce," in *Tributes to David A. Freedberg*, ed. Claudia Swan (London, 2019), 75–88; Ben Jonson, *B. Ion: his part of King Iames his royall and magnificent entertainment* (London, 1604), D1v–D2r; Smuts, "Making of *Rex Pacificus*," 374.

<sup>46</sup> Jules Mathorez, "À propos d'une campagne de presse contre l'Espagne," *Bulletin du bibliophile et du bibliothécaire*, [no. 40] (1913): 313–29 and 365–85.

<sup>47</sup> Colin Burrow, s.v. "Gorges, Sir Arthur (d. 1625)," *Oxford Dictionary of National Biography Online*, 23 September 2004, <https://doi.org/10.1093/ref:odnb/11097>.



For Gorges greatly differed from Cotton in his treatment of peace. Where Cotton saw peace as an unmitigated good, Gorges worried that the “blessed peace which both at home, and abroad we enjoy” would end up diminishing England’s wealth, weakening its military power, and corrupting its morality. Such a “blemished” peace, Gorges wrote, was no better than war. To Gorges, the main threat to the state was courtly excess, “vain and prodigal expenses.” King James ought to refrain from “opening his purse” to his “unprofitable” servants (“unprofitable” being “the gentlest term I can give”) who aimed “to draw out the last drop of the wealth of this state (already sufficiently exhausted)” to spend on foreign “vanities and superfluities.” A corollary was the devaluation of honors; Gorges repeated a number of jests meant to strike Henry with horror, including the story of a man who lost £300 “at dice” swearing that he had lost the gain of three knighthoods, or of two gentleman challenged by two knights to a game of bowls, who replied, “we two gentleman that are no knights, will play with you two knights that are no gentlemen. This was,” Gorges conceded, “somewhat witty, but too sharp.” In all, Gorges judged, the “kingdom cannot long continue in this violent excess without producing some grievous effects.” While other countries had seized on the European peace to rebuild their shattered finances, in England “all our thoughts and actions” had turned “to pleasures, and prodigality.”<sup>48</sup>

The contrast Gorges built between military virtue on the one hand and courtly luxury as a cause of moral and fiscal weakness on the other had deep roots in classical and early modern culture. Plato, Caesar, Plutarch, and Seneca all connected austerity with military vigor and luxury with “effeminacy.” This connection reappeared in early modern works from political treatises to advice manuals and sermons to the famous opening soliloquy of Shakespeare’s *Richard III*; “peace,” wrote Barnaby Rich with deliberate provocation, “is the nourisher of vices.”<sup>49</sup> The 1598 *Apologie* of Robert Devereux, 2nd Earl of Essex, built a contrast between the poverty of “former gallant ages,” when English arms were feared as far as the Holy Land, and contemporary luxury spending on “sumptuous buildings, surfeiting diet, our prodigality in garments”—“vanities” and “superfluous expenses” only serving “our idle and sensual pleasures.”<sup>50</sup>

Irresponsible luxury spending was also a widespread complaint about Jacobean misgovernment, and James repeatedly promised both his Privy Council and Parliament to restrict it.<sup>51</sup> In Cotton’s analysis, however, James’s preference for peace represented the pinnacle of fiscal wisdom, because the costs of courtly display were as nothing compared to the costs of war. This is the import of Cotton’s extensive

<sup>48</sup> Gorges, *Brief Discourse*, Trinity College, Cambridge, MS R.7.23, III, fols. 3r, 6v–11r.

<sup>49</sup> Barnaby Rich, *Allarme to England* (1578), B4v. See also Nikola Regent, “In the Shadow of Lacedaemon: Luxury, Wealthy, and Early-Modern Republican Thought,” *Journal of the History of Economic Thought* 41, no. 4 (2019): 477–509, esp. 481–88; J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*, rev. ed. (Princeton, 2003), 144–45, 247; Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2003), 28–32; Samuel Ward, *Woe to Drunkards: a sermon* (1622), frontispiece.

<sup>50</sup> Robert Devereux, *To Maister Antonie Bacon: An Apologie of the Earle of Essex* (London, 1600), D3r–v; see also Gajda, “Debating War and Peace in Late Elizabethan England,” 860; and the comments in *A Discourse of the Peace or rather agreement Supposed to have been offered unto Queen Elizabeth by the King of Spain Anno 1598*, BL, Stowe MS, 151, fol. 76r.

<sup>51</sup> John Cramsie, *Kingship and Crown Finance under James VI and I, 1603–1625* (Rochester, 2002).

discussions of taxations and impositions: one might think there was a fiscal crisis *now*, but in fact, the burden of taxation was relatively light and the crown's expenses relatively modest. Cotton even tried to calculate changes in coinage to show how vast medieval military expenditure had been. A scutage raised by Henry II in 1159 amounted to 124,000 pounds of silver, "which reduced to the standard of our money 5 shillings the ounce . . . will amount to near £400,000."<sup>52</sup> Before inflation had reduced their value, feudal revenues like scutage had thus represented enormous levies, enabling earlier kings to project force abroad. Cotton's reckoning made the military-fiscal establishment of the Plantagenet and early Tudor kings appear much larger and more onerous than that prevailing in the early seventeenth century. But rather than use this contrast to make an argument for reviving the English past, Cotton depicted that past as by turns wasteful, foolish, and tragic. Instead of being fiscally reckless, as so-called military men like Gorges suggest, the peaceful King James was leaving his kingdoms effectively untaxed.

Cotton's *Answer* is, in essence, an extraordinary defense of the Jacobean establishment, an oblique but powerful response to critics of its approach to European affairs and its lavish court spending. By putting James's reign in a very particular set of historical contexts, Cotton counseled his readers to count their blessings. And Cotton probably had readers other than Prince Henry in mind, partly because, as noted above, the text seems to lack most of the features of texts actually addressed to Prince Henry, and partly because the *Answer* circulated widely: almost thirty handwritten copies have been identified, some stand-alone commercial productions,<sup>53</sup> others in collections of tracts by Cotton,<sup>54</sup> and others in more miscellaneous collections of manuscript pamphlets.<sup>55</sup> Although most of the surviving copies appear to have been produced in the 1620s and 1630s, there is good reason to believe the *Answer* was already circulating around the time of its composition. As noted above, the copy I used for this analysis, from British Library Cotton MS Cleopatra F VI, is a scribal copy that survives in Cotton's papers, bearing light revisions in his own hand. The revisions can be dated to 1612 because the volume was assembled as part of Cotton's work for a revenue commission that year. Importantly, the base, unrevised text—the words of the scribe without Cotton's 1612 revisions—is closer to the text of other surviving exemplars. This suggests that the *Answer* entered circulation before Cotton's 1612 revisions.

Almost all copies are attributed to Cotton, a point worth considering. Reception studies have shown that attribution was one of the most important ways that readers evaluated pamphlet texts: authorship might change how people understood what the text was intended to do and therefore what it meant. An argument—say, against toleration of Catholics, supposedly by the archbishop of Canterbury—might mean one

<sup>52</sup> Cotton, *Answer*, BL, Cotton MS, Cleopatra F VI, fol. 12r.

<sup>53</sup> Commercial separates of the *Answer* include Beinecke Library, Osborn b180; Bodl., MS Eng. hist. d. 134; BL, Stowe MS 284, fols. 1r–47v; BL, Harley MS 1323, fols. 216r–32v; BL, Add. MS 11308, fols. 59r–77v; Inner Temple Library, Petyt MS, 538/31; Northamptonshire Record Office, FH 4155; Northamptonshire Record Office FH 67.

<sup>54</sup> Copies of the *Answer* in collections of Cotton's writings include Beinecke Library, Osborn b 22, fols. 84r–159r; Bodl. MS Rawlinson, D 911, fols. 124r–72v; Bodl. MS Tanner 103, fols. 1481r–71r; Bodl. MS Willis 57, fols. 487r–523v; BL, Add. MS 48095, fols. 1r–138v.

<sup>55</sup> Copy of the *Answer* in a miscellany, BL, Stowe MS 161, fols. 65r–155v.

thing if it were understood as really being the work of the archbishop and something very different if it were not. (Indeed, it might even be read as *criticism* of the archbishop for not adopting the position he ought.)<sup>56</sup>

What did an attribution to Cotton mean? Beyond Cotton's neighbors, personal associates, and fellow antiquaries, the group of people for whom the name "Robert Cotton" meant something specific—who knew it was the name of a trustworthy antiquary—were members of the kingdom's provincial political elite: in other words, the sort of people who were or might have been Cotton's colleagues in the first Jacobean Parliament. Over the course of that Parliament, this same group had shown themselves increasingly suspicious of the king's fiscal probity and concerned about court spending. Guided by Robert Cecil, Earl of Salisbury, the king and the Commons entered involved negotiations for the abolition of precisely those feudal revenues whose historical abuses Cotton had catalogued. At the same time, the regime also began to experiment with different modes of persuasion. The *Book of Bounty*, drawn up as internal guidelines after 1608, was printed in 1610 to make James's renewed commitment to fiscal moderation publicly "known to our Servants and Subjects."<sup>57</sup> The same year, Salisbury delivered a detailed description of the regime's fiscal position in Parliament. Copies of Salisbury's speech circulated widely in handwriting—indeed, it was the first Parliamentary speech to become a sort of manuscript bestseller.<sup>58</sup>

Cotton's *Answer* should be seen as part of this publicity push. Besides the arguments it made, the attribution, the context, and even the mode of reproduction point toward a specific audience. While manuscript transmission was once imagined as a tiny enterprise, consisting largely of single presentation copies, historians and literary critics have recently become aware of a much larger manuscript underground of commercial scriptoria and provincial collecting. To some extent, however, this more substantial manuscript industry appears to have been a product of the crises of the 1620s. Like Salisbury's speech, Cotton's *Answer* was a relatively early experiment in manuscript publicity, probably aimed at an elite audience numbering in the hundreds rather than at a promiscuous public.

## CONTEXT AND CONTENT OF THE ARGUMENTS

Although it was in many ways a very different text, a similar logic animated the *Twenty-Four Arguments, whether it be more expedient to suppress popish practices against the due allegiance to his Majesty, by the strict execution [of the laws] touching Jesuits, and Seminary Priests; or to restrain them to close Prisons, during life, if no Reformation follow*. "Strict execution" had a precise meaning: one of the first statutes passed in the new reign, An Act for the Due Execution of the Statutes against Jesuits, Seminary Priest and Recusants (1604), confirmed a statute of 1584 that gave seminary

<sup>56</sup> Castle to Trumbull, 8 and 15 August 1623, BL, Add. MS 72276, fols. 54v, 56r; Millstone, "Evil Counsel."

<sup>57</sup> *A Declaration of His Maiesties Royall Pleasure* (1610), 2; Peter Davison, "King James's Book of Bounty from Manuscript to Print," *Library*, 5th series, no. 28 (1973): 26–53.

<sup>58</sup> Pauline Croft, ed. "A Collection of Several Speeches and Treatises of the Late Lord Treasurer Cecil [. . .]," *Camden Miscellany* 29 (London, 1987): 245–317, at 249, 269–72.

priests forty days to depart the realm; a priest who failed to comply incurred the traditional punishments for high treason.<sup>59</sup> The burden of the *Arguments* was to determine whether it were better to hang, draw, and quarter Roman Catholic priests or instead to imprison them for life.

After a brief contemptuous gesture at those who “measure the mysteries of state by the rule of their self-conceited wisdom,” Cotton made twelve arguments for strict execution, and twelve against.<sup>60</sup> Although Cotton clearly favored leniency over strict execution, the *Arguments* display a more balanced posture than the *Answer*, with Cotton making his case “rather deliberately, than by way of conclusive assertion.”<sup>61</sup> The section against strict execution takes up the bulk of the *Arguments*, but the division is not nearly as lopsided as it is in the *Answer*. And while the *Answer* attacks militarists as conceited fools or self-seeking traitors, the second part of the *Arguments* takes seriously the concerns about security and obedience raised in the first part; indeed, I suggest that one of the main purposes of the *Arguments* was to prove that one *could* favor leniency even while taking seriously concerns about security and obedience.

The grounds for strict execution were familiar and plausible enough. Leniency provided favorable conditions for priests to make converts, as the “experience” of just the past “few years” had shown. But priests posed more than a spiritual danger. To be a “popish priest” was essentially to be “a disloyal renegado”; obeying the pope and refusing the oath of allegiance was tantamount to denying the “temporal power of the king” and thus his sovereignty—a form of treason. Imprisonment did little to avert the danger posed by such men, who might well continue their “whisperings” and outreach to “ignorant, doubtful or discontented persons” while in custody. And with no hope of release, these desperate men might well undertake “desperat[e] adventures against their king & country” in an attempt to regain their freedom. Killing them was the safer course: as the “Ancient Proverb” noted, “*A dead man bites not.*”<sup>62</sup>

Confinement and banishment might also be misconstrued as a reluctance to execute priests, and perhaps even as a tacit confession that the priests were indeed confined for difference of religion rather than for matter of state; and that not even the heretic James could in his “conscience . . . condemn [them] of any capital crime.”<sup>63</sup> This apparent wavering in the crown’s resolution would undermine the efforts to pressure Catholics into conformity or pacification.

In the second part, Cotton argued that the common aims of security and religion would be better served by leniency. He began by claiming that English Catholics posed little threat. Protestantism was relatively secure: the king was zealous and vigilant; “the multitude stands for us”—that is, the bulk of the population were anti-

<sup>59</sup> An Act for the Due Execution of the Statutes against Jesuits, Seminary Priests Recusants &c, 1604, 1 Jac. 1, c. 4.

<sup>60</sup> Cotton, *Arguments* [. . .], BL, Add. MS 11600, 22v–35r at fol. 22v, “Sir Robert Cotton ‘On the Suppression of Jesuits (11 August 1613, although this version dated 1628),” Manuscript Pamphleteering in Early Stuart England, <https://mpese.ac.uk/t/CottonSuppressionJesuits.html>. Although it is misdated and misleadingly titled and, as of this writing, in draft transcript, I cite this copy of the *Arguments*, because it is easily available to readers.

<sup>61</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 23r.

<sup>62</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 23r–v.

<sup>63</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 23r.

rather than pro-Catholic; while the “sword of justice”—that is, the severe penalty outlined in the statutes—remained ready to strike at need.<sup>64</sup> At any hint of rebellion, the government could simply shift back to strict execution. The question was, should the kingdom use the full rigor of the law in the absence of any immediate physical danger?

The dangers of Catholicism were, of course, not only physical: there was also the matter of reputation. In the first decades of the seventeenth century, the regime’s policy toward recusants had sparked a transnational controversy, and both the Church of England and King James had been targeted by leading Catholic theologians, jobbing controversialists, and anonymous satirists. Cotton invoked these “Papistical libels” repeatedly, consistently arguing that the reforms he suggested would weaken the rhetorical position of Jesuit critics such as Jacob Gretser, or “Cacodaemon Iohannes.” (The last was a slightly learned gag on the name of the controversialist Andreas Eudaemon-Joannes that, as Máté Vince has shown, was a favorite joke of Isaac Casaubon.)<sup>65</sup>

Most important was the spiritual threat of Roman Catholicism, a false religion that sought to tempt people away from the truth. For Cotton, this was a problem that violence could not solve. Although a prince might deal with civil conspiracy through swift and ruthless action, such courses worked best when the conspiracy amounted to no more than a “singular faction,” a limited group of discontented, power-seeking men. But English Catholicism was, instead, a “poison . . . diffused through the veins of a commonwealth,” more properly cured through “patient evacuation” than through “present incision.”<sup>66</sup>

As this passage suggests, one of the most striking aspects of the *Arguments* is Cotton’s theory of popery: what it was, where it came from, and why it persisted. Cotton argued that it was essential to understand popery as a deeply rooted, long-established religion. These features all told against severity. Catholics tended to be born, not made, with belief transmitted from parents, particularly mothers, to children. Preventing the reproduction of Catholicism in a new generation was thus “most intricate” and “full of difficulty,” requiring something like removing children from papist parents, a measure Cotton thought basically impossible. As a result, popery was bound to have a (slight) natural rate of increase.<sup>67</sup> The policies Cotton favored were therefore directed toward *constraining* popery to only this mode of transmission.

Roman Catholicism was also long established. Were Catholicism an emergent heresy, “new[ly] hatched out of the shell . . . severity might soon bury their opinions with their persons.” It might, for example, have been possible to “subdue Popery” during “the first year[s] of Queen Elizabeth,” when Catholics “feared to irritate the State, not knowing how far severity might extend;” “now,” however,

<sup>64</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 28v

<sup>65</sup> Cotton, *Arguments*, BL, Add. MS 11600, fols. 23v, 24r, 24v, 27v, 29r, 30r. See also Máté Vince, “Isaac Casaubon, Andreas Eudaemon-Joannes, John Prideaux, and Tarnished Reputations,” *Erudition and the Republic of Letters* 4, no. 3 (2019): 352–95, at 387–88. For relations between Casaubon and Cotton, see Sharpe, *Sir Robert Cotton*, 88–92.

<sup>66</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 25r.

<sup>67</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 33v.



“knowing the worst, they are resolved *agere & pati*” (to act and suffer the consequences).<sup>68</sup> The moment when severity might have worked had passed.

Finally, although doctrinally erroneous, Roman Catholicism was nevertheless a religion whose adherents were as strongly attached to it as Protestants were to Protestantism. Other than their mistaken religious beliefs, English Catholics were, after all, English people: pious, constant, contemptuous of death. This last—contempt for death sentences—was a national characteristic, noted by foreigners such as Giovanni Botero and confirmed to the English themselves by “daily experience.” If Englishmen tended to be resolute in the face of death sentences for petty crimes, Cotton argued, how much more resolute would they be were they “satisfied in their minds, that their sufferings are either expressly, or by implication for matter of Religion?” If a Catholic regime started executing Protestant ministers for their beliefs, would that, Cotton asked, weaken or rather strengthen the convictions of English Protestants? Meanwhile, executing priests and Jesuits would merely turn them into martyrs. An examination of “the volumes written in praise of their Priests’ Constancy, the Martyrology or Calendar of Martyrs,” made it painfully obvious “that by taking away of one, we have confirmed and united many.” Of course, the priests were only “counterfeit shadows of Martyrs to a true understanding,” but this was irrelevant; “they will be reputed for such” and attract “followers and admirers.”<sup>69</sup>

All this meant that neither killing nor imprisoning priests would make popery “vanish like a dumb show.”<sup>70</sup> Roman Catholicism was collective, a republic of opinion; simply eliminating particular men would not destroy the whole. Priests were not the primary mode through which popery persisted, and the execution of priests would likely have a counterproductive effect on the consciences of believing Romanists. Indeed, there was only so much that temporal law could do to combat a spiritual disease, and the task of winning converts was really a matter of Protestant evangelism (a process that had perhaps even been slowed “by relying more on the temporal than on the spiritual arms”). The traditional tools of evangelism—preaching, catechizing, and “ecclesiastical censure”—would “much more prevail to muzzle popery, than any fresh devices whatsoever.” Cotton even began to discuss which forms of ministerial practice might best convert residual Catholics. Diligent “public Catechizing” and preaching the “Word” (provided the preacher did not waste his time “unprofitably descanting upon the Scripture” nor “skirmishing against the worthy Pillars of our own profession”) were “the ordinary means” by which God called men to salvation; a renewed emphasis on enforcing church attendance would ensure more Catholics received a healthy dose. In addition, Cotton envisioned extending religious “instruction” into the heart of “private families,” an extension undertaken by the ministry, the bishops, and perhaps a new class of subordinate lay officers based on the tithing men of the Bible.<sup>71</sup>

The *Arguments* are full of similar projects for evangelization and regulation of popery. Most elaborately, Cotton suggested coupling a revision of the penal laws against priests with a replacement for the Oath of Allegiance. These two policies

<sup>68</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 28v.

<sup>69</sup> Cotton, *Arguments*, BL, Add. MS 11600, fols. 26v, 27r, 28r, 35r.

<sup>70</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 30v.

<sup>71</sup> Cotton, *Arguments*, BL, Add. MS 11600, fols. 28v, 30r–v, 31v, 32r–v, 34r.

suffered from related problems of over-severity. The penalties facing priests were so extreme as to make ordinary men and women generally unwilling to inform on their acquaintances. A less severe punishment might lower the moral costs of informing: how much more ready, Cotton asked, “is every common person to carry a malefactor to the jail then execution? and doubtless they will be no less forward to attach a priest, when they are assured that the worst of his punishments shall be a simple restraint within the walls of some old castle.”<sup>72</sup>

Similarly, Cotton argued, the penalties laid on those who refused the Oath of Allegiance—loss of up to two-thirds of landed property—were much too big. It was the size of the penalties that created the problem of dissimulation, of “disguised Romanists.”<sup>73</sup> Moreover, these huge recusancy penalties had become folded into the corrupt system of courtly rewards and pensions. The “begging” of recusancy fines had not only laid the regime open to criticism by papist pamphleteers but also weakened public respect for the law; poor recusants, from whom no material gain could be made, appeared to be more or less exempt.<sup>74</sup> The problems that troubled these two policies had led to a failure of surveillance: not only could priests hide themselves in “the crowd,” but the state lacked even a basic grasp of which of its subjects were Catholics in the first place. “But,” Cotton continued, “if we can discover the affection of the multitude,” the principal Romanists and priests might “easily. . . be unmasked.”<sup>75</sup>

The device Cotton then proposes seems appropriately baroque in its ambition. Every new inhabitant in a town, or servant newly entertained by a master, would be interviewed by a committee consisting of the local minister, churchwardens, “and other honest men.” This committee would press the new inhabitant or servant to “subscribe unto such brief and substantial articles concerning faith and allegiance as shall be according to Gods word and justice ordained to distinguish the sheep from the goats.” Cotton compared this course to the practices of “foreign countries,” whereby hosts were bound to bring their guests before a public officer “to certify his name, with the occasion of his coming, and intended time of abode in those parts.”<sup>76</sup>

One might object that producing brief and substantial articles that could readily distinguish the sheep from the goats was the classic impossible dream of the English confessional state, but this is to miss Cotton’s problem with the Oath of Allegiance. The text of that oath had been designed to distinguish loyalist Catholics from disloyal Catholics, not Catholics from Protestants, and its financial implications had led to widespread equivocation and dissimulation among the wealthy and to lax enforcement on the poor. Cotton’s proposal was specifically designed to address these problems: the articles would be offered to everyone, with *no penalty* for those who refused to subscribe. The idea was to get real answers, not conformity, all in the interests of surveillance.

<sup>72</sup> Cotton, *Arguments*, BL, Add. MS 11600, fols. 29v–30r.

<sup>73</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 29r.

<sup>74</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 30v. For this dynamic in action, see M. C. Questier, “Sir Henry Spiller, Recusancy, and the Efficiency of the Jacobean Exchequer,” *Historical Research* 66, no. 161 (1993): 231–50.

<sup>75</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 34r.

<sup>76</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 34r.

Admittedly, the project sounded difficult to implement, but “every thing is hard & scarcely pleasing in the beginning,” and Cotton left the precise “terms” for “better heads to work on.” There was also the familiar problem of using outward conduct to discover inner thoughts: if Cotton, as he said, “desire[d] to know the multitude’s inclination,” how far could an interview and subscription get at that? Perhaps some asked to subscribe would equivocate, and perhaps others—particularly the uneducated—would merely reply in “parrot’s language, pronouncing it knows not what.” Cotton conceded these obstructions were certainly possible, but he argued that it was nevertheless a better test than current practice, which rested entirely on reasoning from the “outward obedience of coming to Church” to the “inward thought of the heart.” With an oath, at least, “the confession of the tongue . . . must utter these secrets.”<sup>77</sup>

With more lenient punishment for priests and a more reliable census of Catholics, the government would be better positioned to apprehend priests and lock them away. Cotton also advocated a return to the “first easy law of twelve pence,” which imposed a simple set fine on anyone who “could not give a reasonable excuse for his absence from Church,” and suggested that the proceeds could be used to fund intelligence.<sup>78</sup> Offering cash rewards for discovering priests would both produce some actionable data and more generally make gentry households—full of servants with questionable loyalties—less secure for visiting priests. Funds might also be spent on recruiting spies in Catholic Europe, in Seville, Valladolid, Douai, Leuven, and Paris, who might “forewar[n]” the government of a priest’s return to England; the priest might then be “waited for at the ports, and from thence soon conveyed to a safe lodging.”<sup>79</sup>

All this was meant to be an experiment; “let severity sleep a while,” Cotton suggested, “and try what alteration clemency may procure.” Given a consensus goal (security from the dangers of popery), “it is not impertinent to try diverse paths, which may tend to the perfecting of our desires.” This language of timing, tuning policy, and a generally technical approach to government is repeated throughout: “sharp laws” against papists were tools of government, to be held in readiness “only for some times, and rare occasions,” rather than “an ordinary work for every day of the week.”<sup>80</sup>

The *Answer* and the *Arguments* thus differ quite markedly in tone, in content, and in treatment of the past, supposedly Cotton’s specialty. Whereas in the *Answer* Cotton drew heavily on Plantagenet and Tudor documents, in the *Arguments* he was concerned with a deeply modern problem—the proper response to confessional pluralism. Accordingly, he considered no past more remote than the mid-sixteenth century, and precious little of that: he made only brief references to Bonner and Gardiner, spared under Edward VI, who showed themselves to be “like a Snake kept in the bosom” under Mary; to the inter-Catholic disputes known as the Wisbech stirs; and a suggestion that the increase of popery could not be imputed to James’s “clemency” because, in fact, it began “towards the last end of Queen Elizabeth’s reign.”<sup>81</sup>

<sup>77</sup> Cotton, *Arguments*, BL, Add. MS 11600, fols. 34r–v.

<sup>78</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 33v.

<sup>79</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 30r.

<sup>80</sup> Cotton, *Arguments*, BL, Add. MS 11600, 27v, 28v, 29v, 33v.

<sup>81</sup> Cotton, *Arguments*, BL, Add. MS 11600, fols. 24r, 32v–33r, 28v, 28r.

In the *Arguments*, Cotton gave some sustained attention to the twin developments of Catholic separatism and Puritanism under Elizabeth. In the early years of the reign, Cotton suggested, the problem of recusancy was “scarcely known.”<sup>82</sup> Modern scholars agree that Catholic separatism became more widespread in the late 1560s, a trend they explain with reference to dynamics within the English Catholic community.<sup>83</sup> Cotton’s explanation focused instead on the waxing and waning of Protestant zeal. With the “Marian persecution . . . yet fresh in memory,” English Protestants regarded Reformed worship as “precious” and competed to see who could “show themselves most affectionate to the gospel”; ministers “haunted the houses of the worthiest men,” and county elites would meet even at “poor country churches.” The effect on Catholics was dispiriting. The “late persecutors,” Cotton claimed, were “so amazed at the sudden alteration of Religion, that they could not choose but say, *Digitus Dei est hic*”; ashamed to be thought of as papists, “they resorted daily both to our Churches and Exercises.”<sup>84</sup>

Cotton’s account of the end of this golden age is garbled. At one point he claimed that recusancy began to increase in a specific year, 1569; at another, that problems began with “Archbishop Grindal’s disgrace” in 1577; at a third, he blamed Nicolas Sander’s *De origine ac progressu schismatis Anglicano*, first printed in 1585, for popularizing the cunning device of “pinn[ing] the names of Puritans upon the sleeves of the Protestants that encountered them with most courage,” all to bring zeal into discredit. Sander’s ploy was effective because there were, indeed, a number of indiscreet Protestants, “who forerunning the authority of the magistrate, took upon them in sundry places & publicly to censure whatsoever agreed not with their private conceits,” broadcasting their views in “in pulpits and pamphlets.” Properly directed, such men might have been able to “do some good & memorable thing in the Church”—or at least could have been “made harmless by diversion.” Seized upon instead by Catholic polemicists, their indiscrete conduct made zealousness itself unfashionable, leaving others “frozen in zeal, & in such sort benumbed.” This vogue for coldness, originally a reaction to the intemperate would-be reformers, made anyone with the slightest “spark of earnestness . . . seemed no less than red fire hot, in comparison” (an observation Cotton attributed to Lord Keeper Nicholas Bacon). Thereafter, not only the overreaching reformers but anyone who attacked “Papists, or reprove[d] an idle drone, were incontinently branded with the ignominious name of Precisians.” The result, Cotton complains, was that many people believed that any “cross[ing]” of “Popery” might bring upon them “a foul aspersion of Puritanism.”<sup>85</sup>

Cotton’s sympathetic approach to Puritanism was essential for the *Arguments* because, even more than for the *Answer*, its persuasive force rested on the position assumed by the author—that is, by Cotton himself. To understand why, it is essential to reconstruct the immediate context of the *Arguments*. This context has been a matter of some confusion: although Marc Schwarz dates the *Arguments* to late 1617 (reading a reference to Lord Keeper Bacon as pointing to Bacon fils rather

<sup>82</sup> Cotton, *Arguments*, BL, Add. MS 11600, 33r.

<sup>83</sup> Alexandra Walsham, *Church Papists: Catholicism, Conformity, and Confessional Polemic in Early Modern England* (Woodbridge, 1993).

<sup>84</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 33r.

<sup>85</sup> Cotton, *Arguments*, BL, Add. MS 11600, fols. 33r–v, 29v.

than Bacon père),<sup>86</sup> several copies bear a precise date: 11 August 1613.<sup>87</sup> Internal evidence makes this earlier date more convincing. In the *Arguments*, Cotton referred to ongoing controversies with Gretser and Eudaemon-Joannes, both of whom released polemics against the Church of England between 1611 and 1613.<sup>88</sup> Cotton also refers briefly to the Vorstius affair (1611–12) as an abortive dispute among Protestant theologians; later in the decade, the split between Remonstrants and Gomarists would mature into a civil war in the Netherlands.<sup>89</sup> Cotton's elliptical reference belongs much more plausibly to the world of 1613 than of 1617.

The external evidence is also highly suggestive. The early months of 1613 had not been auspicious for English Catholic priests. Prince Henry's death in December 1612 had cancelled negotiations with Catholic powers for a marriage treaty. In February 1613, Henry's sister Elizabeth married the teenage Frederick V of the Palatinate, a leader of the recently formed Protestant Union and protégé of the Huguenot grandee Henry de la Tour, duc de Bouillon. Frederick's family history offered Catholics little encouragement: just a few years earlier, his father had captured the fugitive Jesuit William Baldwin and sent him back to London to face punishment for participation in the Gunpowder Treason. The English priest John Almond had been publicly executed on 5 December 1612, which various Catholic priests attributed to the influence either of Frederick or of their *bête noir*, the archbishop of Canterbury, George Abbot.<sup>90</sup>

Yet things soon began to change. With Henry and Salisbury dead, the court was increasingly dominated by members of the extended Howard clan: Nottingham, Suffolk, and, of course, Northampton. The royal favorite, Robert Carr, Viscount Rochester, had even commenced an affair with Northampton's niece Frances Howard, countess of Essex. Rochester's "hot" Protestant advisor, Sir Thomas Overbury, was sent to the Tower in April for refusing a minor diplomatic assignment intended to remove him from court; Howard's marriage would be annulled in September, and she and Carr would marry in December. The second half of 1613 was arguably the peak of Howard fortunes.

In June 1613, the regime began openly discussing a softer approach to Catholic priests with foreign ambassadors. After reassuring James that Huguenot privileges were safe under the regency government, the French ambassador, Samuel de Spifame, sieur de Buisseaux, "took the opportunity to say a few words in passing in favor of English Catholics." James replied that although there were severe laws

<sup>86</sup> Marc L. Schwarz, "'Twenty-Four Arguments': Sir Robert Cotton Confronts the Catholics and the Church of England," *Albion* 8, no. 1 (1976): 35–49, at 35.

<sup>87</sup> Copies of the *Arguments* bearing that date include Beinecke Library, Osborn b22, fols. 57r–83v; Bodl., MS Jones 28; Bodl., MS Bodley 966, 527–42; BL, Harley MS 354, fols. 10r–31v; BL, Lansdowne MS 213, fols. 19r–31v; Queen's College, MS 121, 137–51.

<sup>88</sup> Jacob Gretser, *Antitator Bellarminianus* (Ingolstadt, 1611); Andrea Eudaemon-Joannes, *Parallelus Torti ac Tortoris eius L. Cicenstrensis* (Cologne, 1611); Andrea Eudaemon-Joannes, *RP Andreae Eudaemon-Ioannis, Cydonii e Societate Iesu Responsio ad Epistolam Isaaci Casauboni* (Cologne, 1612); Peter Milward, *Religious Controversies of the Jacobean Age: A Survey of Printed Sources* (Lincoln, 1978), 94–135.

<sup>89</sup> Cotton, *Arguments*, BL, Add. MS 11600, fol. 32r; Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall, 1477–1806* (Oxford, 1995), 422–48.

<sup>90</sup> Michael Questier, *Dynastic Politics and the British Reformations, 1558–1630* (Oxford, 2019), 341–44; Frederick IV to James, 19 June 1610, and Bouillon to Edmondès, 26 October 1610, BL, Stowe MS 171, fols. 257r, 343r.



against religious minorities, “the rigor” of those laws “would not be observed . . . and as for the priests, he was content for them to be imprisoned” rather than executed as long as they took no actions against the state or returned from exile without permission.<sup>91</sup> The archdukes’ envoy, Ferdinand de Boisschot, Baron of Zaventem—who received much of his information from Northampton—told Archduke Albert that the Stuart government had concluded that killing priests had merely “increased the fervor of the Catholics” and “remedied nothing,” and therefore had decided to experiment with “a different mode of punishment.”<sup>92</sup> Although in early June the English Catholic archpriest George Birkhead had been expecting a “great persecution,” by early July the situation had softened: pursuivants continued to search for priests, spy on their affairs, and open their letters, but did not pounce: “the king may undo us when he pleaseth, but . . . in his wisdom, he forebearth upon reasons which we know not.” Birkhead worried that this leniency would be misinterpreted in Rome, as though he had struck some sort of deal with the government, and therefore he emphasized the priests’ continuing insecurity: “notwithstanding this forbearance, we look every day to be assaulted, and therefore crave to be remembered.”<sup>93</sup> Newsletters that reached the Cardinal-nephew Scipione Borghese told the same story: the English government had ceased to persecute Catholics so sharply (“si asperamente”), and the intercessions of foreign powers on behalf of English Catholics were proving surprisingly effective. In the summer, groups of imprisoned priests were released to gratify departing ambassadors: a handful for the Savoyard agent, and a dozen, including two Jesuits, for the Spanish ambassador. The order for the release of this last group was dated 13 August—two days after the date of Cotton’s *Arguments*.<sup>94</sup>

Although Cotton did not say so explicitly, the *Arguments* was essentially a defense of existing policy. Priests were occasionally executed, but most were simply imprisoned, creating clusters of priests in various London jails. This hothouse environment had, as Cotton suggested it would, perpetuated the bitter disputes festering among Catholic priests since the “Archpriest Controversy” of the 1590s. Alongside the venomous rivalry between the Jesuits and the secular priests emerged a third faction, the Clinkers, a group largely of Benedictines so called because they were imprisoned in the Clink Prison, who had made their peace with the government and were busy writing books in favor of the Oath of Allegiance.<sup>95</sup> The *Arguments* was composed and published at precisely the moment that the government began discussing this approach openly with foreign ambassadors.

<sup>91</sup> Buisseaux to Pierre Brulart, vicomte de Puisieux, 16/26 June 1613, Bibliothèque Nationale de France, Paris, MS fr 15987, fols. 87v–88r.

<sup>92</sup> Boisschot to Albert, 13/23 June 1613, Haus-, Hof- und Staatsarchiv, Vienna, LA Belgien PC 46, fol. 167r.

<sup>93</sup> Birkhead to More, 10 June and 11 July 1613, Westminster Diocesan Archive, London, Series A XII, 243, 273.

<sup>94</sup> Avviso, 5/15 and 11/21 June 1613, Archivio Apostolico Vaticano, SS Nunziature Diverse 207, fols. 496v, 502r–v; Council Orders, 22 June and 13 August 1613, The National Archives, PC 2/27, fols. 31v, 61r; Boisschot to Albert, 23 August/2 September 1613, Haus-, Hof- und Staatsarchiv, LA Belgien PC 46, fols. 231r–v.

<sup>95</sup> Michael C. Questier, introduction to *Newsletters from the Archpresbyterate of George Birkhead*, ed. Michael C. Questier (Cambridge, 1998), 1–38. For the label “Clinkers,” see p. 53.

While there were internal debates within the Jacobean regime about how to manage English Catholicism, the *Arguments* does not reflect those debates; there is little evidence that even the most anti-Popish Jacobean councilors—Archbishop Abbot, for example—argued for simply killing every seminary priest the government could catch. Instead, in the *Arguments* Cotton defended existing Jacobean policy against a persistent parliamentary demand. Following the passage of the 1604 statute, the Commons’ request for “due” or “strict execution” of the laws against priests reappeared in grievance petitions in 1607 and 1610; the lawyer Lawrence Hyde even floated it as a possible condition of the 1610 subsidy bill. Requests for “strict execution” would return to the agenda in 1614 and were familiar throughout the 1620s.<sup>96</sup> Although presented as a brief of counsel or even as a project, the *Arguments* were more a post-hoc apology for existing Jacobean policy toward Catholic priests, echoing for a domestic audience the message that the king and Northampton were delivering to the ambassadors of Catholic princes, prepared and published at a moment when significant releases were likely to draw attention to that policy, and directed against a position that had been, and would continue to be, advanced by successive Commons houses.

This was court policy in country clothes. While arguing for leniency toward priests, the *Arguments* reveres the Elizabethan religious settlement, particularly Archbishop Grindal; has some sympathy for Puritans if not for their intemperance; bemoans the waning of zeal; and shows a statist’s care for the king’s security and reputation and a Christian’s concern for the spiritual welfare of the kingdom at large. That voice also had a name: Sir Robert Cotton. Unlike most projects or real briefs of counsel, but very much like the *Answer*, the *Arguments* foregrounded its author, Cotton, relying heavily on his personal attributes—an independent gentleman seemingly outside the regime, a studious antiquary, a loyal Reformed Protestant—to fortify the arguments it made.

## CONCLUSION

Although Sir Robert Cotton was undoubtedly involved in the formation of Jacobean policy as an aide to Northampton, the *Answer* and the *Arguments* were probably not, as scholars have supposed, produced as part of the regime’s internal policy process. Rather, they were persuasive defenses of existing policy: peace rather than war, leniency rather than severity toward Catholic priests. The real target of these briefs was a “country” perspective associated with militarist critics of courtly excess like Sir Arthur Gorges and anti-popish parliamentarians like Lawrence Hyde. Given how strongly the briefs leaned on Cotton’s authorship, it is likely that the intended audience was people for whom the name “Sir Robert Bruce Cotton” would mean something: members of the first Jacobean Parliament and their associates and country gentlemen with an interest in status and antiquity.

Sir Robert Cotton played many roles: antiquary, historian, collector, advisor to the Howards, and member of Parliament. In the late 1620s, he would become entangled

<sup>96</sup> *Journal of the House of Commons*, 1:439; Elizabeth Read Foster, ed., *Proceedings in Parliament, 1610*, 2 vols. (New Haven, 1966), 2:119, 144, 255; Maija Jansson, ed., *Proceedings in Parliament, 1614 (House of Commons)* (1988), 74–75, 184–85, 421.

in the emergent oppositional politics of Sir John Eliot and John Selden and was briefly imprisoned for his role in circulating seditious manuscripts. But some of Cotton's first forays into manuscript publicity was as a defender, rather than a critic, of the early Stuart regime. This was, of course, a typical trajectory for a man of business. Mounting defenses of regime policy in the voice of a seemingly independent (but in fact highly connected) gentleman was a standard Elizabethan device; such semi-official efforts would continue to form an important part of parliamentary publicity campaigns into the 1640s and 1650s.<sup>97</sup> If historians have missed Cotton's early experiments with manuscript publicity, it is partly because of how carefully the works were framed. Indeed, the portrait of Cotton as a fusty antiquary sunk in contemplation of the past was itself partly created by Cotton to strengthen the arguments he advanced—through publishing—on behalf of the Jacobean regime's most controversial policies.

Tracts like Cotton's raise questions about whether published material purporting to represent counsel can be taken as reliable guides to the actual counseling process.<sup>98</sup> What Cotton presented as works of counsel aimed at princes and statesmen were in fact apologies for policies already in place. Their aim was, in part, to *represent* the process of counseling for an outside audience; to show that arguments for these policies did exist, even if the regime was reluctant to make that case in an official voice. But the arguments Cotton mounted for these policies were *not* necessarily the same as the arguments that carried weight inside the regime. For example, his discussion of leniency toward Catholic priests left out one of the most important concerns for the king himself: the use of clemency as a bargaining token in international relations. Cotton's aim was not to represent counseling transparently but rather to represent it in a way that responded to the concerns of critics. And where the knowledge economy of counsel production tended to anonymize its invisible technicians, in these cases Cotton's authorship played a major role in backstopping the persuasive strength of the briefs.

More importantly, Cotton's briefs give us an important perspective on the Jacobean regime's publicity practice and self-presentation. They show that the Jacobean regime understood that some of its policies were unpopular with key constituencies, indeed understood something about *why* they were unpopular, anticipated criticisms, and attempted to meet them—not through official pronouncement but through arranging for sympathetic publication. And publicity efforts were never the sole property of patriot elements seeking to rouse a militarist, Protestant nation. Rather, Cotton borrowed from, and responded to, country critiques in order to make the case for Jacobean kingship.

Most importantly, perhaps, the *Answer* and the *Arguments* reflect a set of dilemmas that afflicted numerous governments during the early seventeenth-century peace. Both the legitimation of peace and the concomitant management of confessional pluralism caught the Stuart regime in a vise between the expectations of international rivals and the suspicions of a provincial political elite. But these policies were not merely the idiosyncratic choices of an erratic king indifferent to public opinion.

<sup>97</sup> Jason Peacey, *Politicians and Pamphleteers: Propaganda during the English Civil Wars and Interregnum* (Aldershot, 2004), 173–202.

<sup>98</sup> Cf. Joanne Paul, *Counsel and Command in Early Modern English Thought* (Cambridge, 2020).

Indeed, many contemporary states faced eerily similar pressures. In Spain, critics worried that peace treaties with heretic countries, and the toleration for Protestant merchants demanded by those treaties, would undermine the spiritual and moral foundations of the kingdom.<sup>99</sup> In 1609, as Cotton was composing his *Answer*, the Truce of Antwerp generated a gargantuan and largely critical pamphlet literature in the United Provinces, just as Dutch negotiators came under immense pressure from their French allies to extend some measure of toleration to the Republic's large Roman Catholic population.<sup>100</sup> In 1613, as Cotton was writing his *Arguments*, France was facing a period of significant instability that called into question both the regency government's policy of rapprochement with Habsburg Spain and the privileges recently granted to French Protestants.<sup>101</sup> In many places, then, the new international system sparked a sort of patriot reaction, with demands for a more confrontational, militaristic foreign policy and a greater commitment to confessional uniformity.

We are used to looking for the transnational in people or texts that cross national borders: in translations, brokers, and dispersed networks. With Cotton's pamphlets, however, we can see texts written in English, circulated to relatively small audiences in manuscript, that were nevertheless responding to problems generated by a novel European situation. And just as the problems faced by the Stuart government had parallels elsewhere in Europe, so did Cotton's attempts at mounting a defense of their approach to those problems. During the 1610s, for example, the French statesman Pierre Jeannin composed a number of texts on problems of peace and religious pluralism that were framed as works of counsel but circulated widely in manuscript.<sup>102</sup> In consequence, although the study of manuscript pamphlets arose from concerns quite local to early modern English political history, the problems raised by the *Answer* and the *Arguments* suggest a need to reconsider what a transnational, European approach to early modern political communication might look like.

<sup>99</sup> García, *Pax Hispanica*, 48; Paul C. Allen, *Philip III and the Pax Hispanica, 1598–1621* (New Haven, 2000), 115; Werner Thomas, "The Treaty of London, the Twelve Years Truce, and Religious Toleration in Spain and the Netherlands (1598–1621)," in *The Twelve Years' Truce*, ed. Randall Lesaffer (Leiden, 2014), 277–97.

<sup>100</sup> Monica Stensland, "Peace or No Peace?" in *Pamphlets and Politics in the Dutch Republic*, ed. Femke Deen, David Onnekink, and Michel Reinders (Leiden, 2010), 227–52.

<sup>101</sup> Jean-François Dubost, *Marie de Médicis: La reine dévoilée* (Paris, 2009), 400–5.

<sup>102</sup> For example, see the collection of Jeannin tracts in the Bibliothèque Nationale de France, MS fr 17864, fols. 199r–219r.