

War, peace and commerce and the Treaty of London (1604)*

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ABSTRACT

The Treaty of London (1604) brought an end to the long Anglo-Spanish War. Scholars have assumed that peace was broadly welcomed, especially among the English mercantile community. Yet many merchants had made vast fortunes from the war, through privateering or opening trade routes with Spain's imperial territories. This article demonstrates that the lobbying of merchants significantly shaped the negotiations for the Treaty of London. Simultaneously, multiple manuscript treatises arguing pro or contra peace were widely circulated: these foregrounded commercial concerns in their analysis of foreign policy.

In his prose pamphlet *The Wonderfull Yeare* (1603), Thomas Dekker described his fellow Londoners' hopes and assumptions that the accession of King James – the 'Sun out of the North' – would usher in a golden age of peace. Dekker predicts a literal cessation of the long Anglo-Spanish War, which will be received as a blessing to particular social groups: 'Now does fresh blood leape into the cheekes of the Courtier: the Souldier now hanges up his armor, and is glad.' But it is the fortunes of London's commercial population that would be most emphatically transformed:

The thriftie Citizen ... seeing the golden age returned into the world againe, resolves to worship no Saint but money. Trades that lay dead & rotten, and were in all mens opinion utterly dambd, started out of their trance, as though they had drunke of *Acqua Coelestis*, or Unicornes horne, and swore to fall to their olde occupations. Taylors meant no more to be called Merchant-taylors but Merchants, for their shops were all lead fourth in leases to be turned into ships, and with their sheares (in stead of a Rudder) would they have/cut the Seas like Leuant Taffaty and sayld to the West Indies for no worse stuffe to make hose and doublets of, than beaten gold.

This enrichment of the city – Dekker is typically ambivalent about its desirability – would be sure to flourish if James's reign were truly to usher in the 'blessed frutes of peace'.¹

One year previously, the London literary scene was presented with a very different, if rather less sophisticated, perspective on the consequences of peace with Spain. The printed version of the anonymous play *A larum for London. Or, the siege of Antwerp* (1602) was a horrific (in plural senses)

* For valuable comments on drafts of this article I am indebted to Ian Archer, Anna Bayman, David Harris Sacks and George Southcombe; the anonymous reviewers for *Historical Research*; and Noah Millstone and the participants in the A.H.R.C.-funded colloquium on 'Europe's Short Peace, 1595–1620'.

¹ Thomas Dekker, *The Non-dramatic Works*, ed. A. B. Grosart (5 vols., 1884–6), i. 96–100; and A. Bayman, *Thomas Dekker and the Culture of Pamphleteering in Early Modern London* (Farnham, 2014), pp. 67–71. Manuscripts from the Cecil Papers at Hatfield House are cited with the permission of the Marquess of Salisbury, Hatfield House.

dramatization of George Gascoigne's account of the 'Spanish fury', blatantly titled as a warning for any of the London audience of the dangers of treating with the perfidious Spanish.² Rather than a spontaneous mutiny of soldiers, the massacre is presented as a premeditated plot by the Spanish commander 'Sancto Danila', whose forces, habituated to merciless bloodshed and deception, plan the massacre first by deceiving, then slaughtering the inhabitants. But the real culprits of the play are the mercantile governors of Antwerp, 'swilling Epicures', 'effeminate' with luxurious living, blithely 'secure' and trusting of their Spanish foe. Notably, they scorn to pay for and then even accept the free offer of military assistance of the virtuous Prince of Orange and his forces. The epilogue signals the author's intention that the example of Antwerp's 'bleeding fortune' and 'lamenting cries' 'be a meane all Citties to affright'.³ The didactic lesson that we might take away from this uncelebrated carbuncle of the Elizabethan stage, is that the rich and luxury-loving merchants of London would do very well to be wary of embracing peace with the Spanish enemy.

As Robert Cross has definitively shown, peace with Spain, enshrined in the Treaty of London signed in August 1604, was far from an inevitable outcome of the accession of James VI of Scotland to the thrones of England and Ireland.⁴ But it was a prospect that had been continually debated since at least 1598, and the Franco-Spanish Peace of Vervins, in which the English and Dutch had declined to participate.⁵ The term 'debate' enshrines the deliberation over policy in the highest circles of government – between monarch, privy council and in the wider court environment – but also a discourse that had a much deeper currency and social depth in the broader political culture. In particular, arguments for and against the peace were asserted in a series of widely circulated 'manuscript pamphlets', written around the flashpoints of 1598 and in 1603–4: these will form the core of the analysis of this article.⁶ The dangers of peace were also prophesized asymmetrically in a series of printed tracts translated from the Dutch, which painted the Spanish as insatiable tyrants, the Dutch as military heroes and peace as a disaster that would befall all free Protestant nations.⁷ Additionally the dilemma of peace was also explored on the public stage. If *A larum for London* is one of the worst extant plays from the golden age of Elizabethan drama, Peter Lake has recently shown that one of its 'timeless classics', Shakespeare's *Henry V*, was deeply engaged with contemporary debates about the continuation of the Spanish war, in light of the likely union with the crowns of Britain and Ireland.⁸ And if the Tudor reformations, which touched the lives of all subjects of the Crown, created the conditions for the first intermittently dynamic 'public sphere' in England, the evolution of public opinion was further extended and rendered more sophisticated by the multifarious impacts of war, which impacted the livelihoods of all.⁹ Every community was touched by the tangible demands of military service (voluntary or by conscription), wartime levies and taxation, and the less easily quantifiable development of anti-Catholic feeling and of national identity. As Dekker and the anonymous author of *A larum for London* implicitly recognize, one occupational group most clearly impacted by war encompassed those whose members made their living by trade.

² George Gascoigne, *The spoyle of Antwerpe* (1577); the play was first performed three years prior to publication (J. F. Stephenson, 'A mirror for London: the geopolitics of *A larum for London* at the Globe in 1599', *Parergon*, xxx (2013), 179–201).

³ *A larum for London*, sigs. A2r–v, [Gir].

⁴ R. Cross, 'To counterbalance the world: England, Spain and peace in the early 17th century' (unpublished Princeton University Ph.D. thesis, 2012); see also A. J. Loomie, *Toleration and Diplomacy: the Religious Issue in Anglo-Spanish Relations, 1603–1605* (Transactions of the American Philosophical Society, new ser., liii, part 6, Philadelphia, 1963). The most recent general account is M. Questier, *Dynastic Politics and the British Reformations: 1558–1630* (Oxford, 2019), pp. 320–6. Cross's insights complement the reassessment of the supposedly smooth accession of King James by Susan Doran (S. Doran, '1603: a jagged succession', *Historical Research*, xciii (2020), 443–65).

⁵ R. B. Wernham, *Return of the Armadas: the Last Years of the Elizabethan War With Spain* (Oxford, 1994), pp. 210–334; P. Croft, 'Brussels and London: the archdukes, Robert Cecil and James I', in *Albert and Isabella, 1598–1621: Essays*, ed. W. Thomas and L. Duerloo (Turnhout, 1998), pp. 79–86; P. Croft, 'Rex Pacificus, Robert Cecil, and the 1604 peace with Spain', in *The Accession of James I: Historical and Cultural Consequences*, ed. G. Burgess, R. Wymmer and J. Lawrence (London, 2006), pp. 140–54; and J. C. Grayson, 'From protectorate to partnership: Anglo-Dutch relations, 1598–1625' (unpublished University of London Ph.D. thesis, 1978), pp. 19–47.

⁶ A. Gajda, 'Debating war and peace in late Elizabethan England', *Historical Journal*, lii (2009), 851–78; Cross, 'To counterbalance the world', pp. 85–96; Doran, 'Jagged succession'; and A. Thrush, 'Parliamentary opposition to the peace with Spain in 1604: a speech of Sir Edward Hoby', *Parliamentary History*, xxiii (2004), 301–15.

⁷ H. Dunthorne, *Britain and the Dutch Revolt* (Cambridge, 2013), pp. 13–20.

⁸ P. Lake, *How Shakespeare Put Politics on the Stage* (New Haven, Conn., 2016), pp. 386–97.

⁹ P. Lake and S. Pincus, 'Introduction: rethinking the public sphere in early modern England', in *The Politics of the Public Sphere in Early Modern England*, ed. P. Lake and S. Pincus (Manchester, 2007), pp. 1–30, and S. Gunn, *The English People at War in the Age of Henry VIII* (Oxford, 2018).

Historians have shown that attitudes to peace at the turn of the seventeenth century were divided. To make a very crude division, scholars of Elizabethan political culture, who have emphasized the war-weariness of the 'nasty nineties' in Gloriana's so-called 'second reign', tend to assume that an end to war was strongly desired by most of the population and shunned by an unrealistic 'hawkish' constituency of courtly Hotspurs, led by the second earl of Essex, who anachronistically craved martial honour.¹⁰ Those historians looking forward to the revival of the 'Protestant cause' in the court of Prince Henry, and more intensely after the outbreak of the 'Thirty Years' War, have been much more sympathetic to the notion that peace with Spain was not universally or even widely popular, particularly after 1598, whereafter the bulk of war finance had been transferred to the Dutch.¹¹ And scholars have certainly assumed that being pro or contra war was determined by very particular mindsets and priorities. The war camp, it is argued, constituted courtiers, soldiers and ardent protestants, heirs to the militant Protestantism of Europe's wars of religion.¹² Another perspective sees these militant protestants as possessed of a classical-humanist ethos of public service that viewed self-sacrificing militarism as a virtuous patriotic duty and the flourishing of commerce a dangerous breeding ground for the luxury, corruption and individualism that portended the decline of states.¹³ On the other hand, those who sought peace have been defined as 'realistic' statesmen who recognized that the war effort would bankrupt the crown's treasury, that the pacification of Ireland was the Crown's most urgent military priority, and that the impact of war on trade (which, through depleted customs duties, further impoverished the Crown) had to be urgently relieved.¹⁴ The 'politique' attitudes of those sober statesmen, who aimed at political stability above all, was thus in natural alliance with the interests of the merchants, who, it is argued, were particularly concerned to end the war and to restore legitimate trade with Philip III's dominions. Religion, Pauline Croft has argued, was of secondary importance to 'livelihood' for the trading community, which had the most naked and uncomplicated interest in the fruits of peace.¹⁵

There are, though, considerable problems with these assumptions. The first lies in the tendency of those scholars of politics and religion who dip nervous toes into economic history and have assumed that the interests of 'merchants' and concerns of 'trade' were homogenous, and inevitably pacific. Both of these assumptions are, of course, nonsensical: the very varied interest groups that made up the so-called 'mercantile community' hardly held a single vision of commercial strategy or attitude towards royal diplomacy. Instead, there were considerable tensions and rivalries between the growing number of English trading companies, which included new joint-stock companies founded on the model of the Muscovy Company (founded in 1555), over the direction of economic policy and the scope of each other's privileges and monopolies.¹⁶

The wartime depression of the cloth exports to the continent, which had dominated the English economy in the earlier sixteenth century, certainly impacted the fortunes of members of the mightiest of the regulated trading companies, the Merchant Adventurers. During the Dutch revolt the demise of the Antwerp mart, which had accounted for the large bulk of the enormously lucrative exports of English cloth, had forced the company to open new routes for exports to Germany and the Baltic; meanwhile,

¹⁰ See J. Guy, 'Introduction', P. Collinson, 'Ecclesiastical vitriol: religious satire in the 1590s and the invention of puritanism' and J. A. Sharpe, 'Social strain and social dislocation' in *The Reign of Elizabeth I: Court and Culture in the Last Decade*, ed. J. Guy (Cambridge, 1995), pp. 1–19, 150–70, 192–211; and I. W. Archer, 'The 1590s: apotheosis or nemesis of the Elizabethan regime?', in *Fins de siècle: How Centuries End, 1400–2000*, ed. A. Briggs and D. Snowman (New Haven, Conn., 1996), pp. 65–88.

¹¹ Thrush, 'Parliamentary opposition'; and J. C. White, *Militant Protestantism and British Identity, 1603–1642* (Abingdon, 2016). In the long term, Protestant militarism would be revived in relation to the outbreak of the 'Thirty Years' War; see the classic study of T. Cogswell, *The Blessed Revolution: English Politics and the Coming of War* (Cambridge, 1989).

¹² G. R. Waggoner, 'An Elizabethan attitude toward war and peace', *Philological Quarterly*, xxxiii (1954), 20–33; R. B. Manning, 'The Jacobean peace: the irenic policy of James VI and its legacy', *Quidditas*, xxxix (2018), pp. 147–89 and J. C. White, 'Militant protestants: British identity in the Jacobean period, 1603–1625', *History*, xciv (2009), 154–75.

¹³ P. E. J. Hammer, *The Polarisation of Elizabethan Politics: the Political Career of Robert Devereux, 2nd Earl of Essex, 1585–1597* (Cambridge, 1991); M. Peltonen, *Classical Humanism and Republicanism in English Political Thought, 1570–1640* (Cambridge, 1995), pp. 18–53; and A. Gajda, *The Earl of Essex and Late Elizabethan Political Culture* (Oxford, 2012), chs. 2, 6.

¹⁴ Croft, 'Brussels and London'; and Croft, 'Rex Pacificus'. For a critique of Croft's perspective, see Cross, 'To counterbalance the world', pp. 101–2.

¹⁵ P. Croft, 'Trading with the enemy, 1585–1604', *Historical Journal*, xxxii (1989), 281–302; Manning, 'Jacobean peace', pp. 149–50; and Gajda, 'Debating war and peace'.

¹⁶ For the most recent general account, see E. Smith, *Merchants: the Community That Shaped England's Trade and Empire, 1550–1650* (New Haven, Conn., 2021); see also Robert Brenner's influential *Merchants and Revolution: Commercial Change, Political Conflict, and London's Overseas Traders, 1550–1653* (Princeton, 2003).

forbidden trade with the Spanish Netherlands and Iberian peninsula continued throughout the war.¹⁷ But there is no doubt that the opportunity to re-establish legitimate trade with Spanish Netherlands, Spain and Portugal, and a formal end to the hazards of commercial shipping during a state of war, was deeply desirable to the Merchant Adventurers. In a petition to Burghley in 1598, written to refute complaints of merchants from the outports that the decay of cloth exports was caused by their monopoly, the Adventurers explained that the bitter hardship spread through the commonwealth as a result of the declining cloth trade was rather generated by 'lack of convenient place of sale ... through warres.'¹⁸ And the peace of 1604 *did* facilitate booming English cloth exports to continental markets until the disastrous Cockayne project of 1614, when the Merchant Adventurers' charter was temporarily revoked.¹⁹

Other commercial rivals were similarly keen to recover and profit from pre-war trading relationships at the expense of the Merchant Adventurers. Alderman William Cockayne himself was the governor of the Eastland Company, whose privileges to trade with the Baltic habitually trespassed on those of the Merchant Adventurers.²⁰ Outside of the capital, smaller groups of merchants, especially those trading from west country ports such as Bristol also looked to peace to re-establish their lucrative pre-war trade in imports from the Iberian peninsula in the form of oil, woad, spices, salt and sugar.²¹ Indeed, the prospect of peace also appears to have provoked groups of provincial merchants and tradesmen as well as members of the new joint-stock companies into overt attacks on privileges of the regulated trading companies. Attacks on trading monopolies in parliament in 1604 and 1606 were advanced by M.P.s representing coastal towns, centres of local industry and even gentry, who hoped to spread more widely the renewed opportunities to participate in trade with France, Spain and Portugal that would follow the establishment of peace.²²

And yet, as Kenneth Andrews argued almost sixty years ago in his unsurpassed monograph on *Elizabethan Privateering*, many groups of merchants, especially members of the new import-focused joint-stock companies, had found undreamt of opportunities for enrichment through the war. In particular, those merchants trading in the southern Atlantic and the Mediterranean, through the newly chartered Spanish, Barbary, Venice and Turkey Companies (the latter merged in the Levant Company in 1592), gained fortunes through conflict with the Spanish empire. In part they attempted contraband trade with the New World, but far more profitable were the ventures of reprisal and plunder against the merchant ships of Portugal and Spain, returning to Europe from the East and West Indies and the West African coast.²³ While the Merchant Adventurers' riches were founded on the export of cloth, a new generation of merchants enriched themselves in the 1580s and 1590s with the profits of imports from trade and especially privateering – bringing to England silk, spices, oils, wine and especially sugar from Brazil, the refinement of which was a booming new industry in late Elizabethan England. The formation of the East India Company in 1600, dominated by merchants from the Levant Company, may have reflected the growing likelihood of a peace that would end the legitimacy of privateering, as well as the concern that the Dutch were coming to dominate the declining Portuguese trade in Asia.²⁴ In the long term, the Elizabethan war with Spain would reorientate the English economy to the global stage.

¹⁷ T. Leng, *Fellowship and Freedom: the Merchant Adventurers and the Restructuring of English Commerce, 1582–1700* (Oxford, 2020); G. D. Ramsay, *The City of London in International Politics at the Accession of Elizabeth Tudor* (Manchester, 1975); and G. D. Ramsay, *The Queen's Merchants and the Revolt of the Netherlands* (Manchester, 1986).

¹⁸ British Library, Lansdowne MS. 86, fol. 204r.

¹⁹ J. Benson, *Changes and Expansion in the English Cloth Trade in the Seventeenth Century: Alderman Cockayne's Project* (Lampeter, 2002); and Leng, *Fellowship and Freedom*, pp. 202–27.

²⁰ Smith, *Merchants*, p. 162.

²¹ These merchants exported smaller numbers of other English commodities: iron, lead, coal and consumables (D. H. Sacks, *The Widening Gate: Bristol and the Atlantic Economy, 1450–1700* (Berkeley, Calif., 1992) ch. 1).

²² The bill of 1604, which would have dissolved the trading companies, was passed in the house of commons, but stalled when the king prorogued parliament; the revival of the movement in 1605–6 sought the dissolution of the Spanish and French companies, and an act for free trade with Spain, France and Portugal signalled the demise of the recently constituted Spanish Company (T. K. Rabb, 'Sir Edwin Sandys and the parliament of 1604', *American Historical Review*, lxxix (1964), 646–70; R. Ashton, 'The parliamentary agitation for free trade in the opening years of the reign of James I', *Past & Present*, xxxviii (1967), 40–55; T. K. Rabb, 'Free trade and the gentry in the parliament of 1604', *Past & Present*, xl (1968), 165–73; R. Ashton, 'Jacobean free trade again', *Past & Present*, xliii (1969), 151–7; and P. Croft, *The Spanish Company* (London Record Society, London, 1973), pp. xxix–li).

²³ K. R. Andrews, *Elizabethan Privateering* (Cambridge, 1966), chs. 6, 8, 10.

²⁴ The best account of the early years of the East India Company is R. Mishra, *A Business of State: Commerce, Politics and the Birth of the East India Company* (Cambridge, Mass., 2018). Also see P. J. Stern, *The Company-State: Corporate Sovereignty and the Early Modern Foundations of the British Empire in India* (Oxford, 2011); C. G. A. Clay, *Economic Expansion and Social Change: England, 1500–1700*, ii: *Industry, Trade and Government*, (Cambridge, 2010); and Brenner, *Merchants and Revolution*, pp. 3–198.

Moreover, scholars' divisions between 'court' and 'city', chivalric protestants versus an alliance of 'politique' statesmen and merchants is also false. The voyages of reprisal against the Spanish foe attracted investment of money and manpower from a wide range of the political and social elite: Protestant nobles and gentry – the earl of Cumberland, Raleigh, Essex, as well as lesser provincial gentry – but also Sir Robert Cecil, the archetype of the 'realist' statesman allegedly inclined to peace, who also invested in privateering voyages and had many clients who were participants in profitable raids to the West Indies.²⁵ The lord admiral, Sir Charles Howard, earl of Nottingham, who was entitled to take a 10 per cent cut in the profits of plunder was a particular beneficiary, as was, of course, the Crown, which levied import duties on the whole, and whose naval primacy was enormously strengthened by the heavily armed ships of the privateers. From a Seville jail the prominent privateer Richard Hawkins sent a letter to Queen Elizabeth on 12 June 1598, strongly opposing the prospect of peace with arguments from the perspective of commercial gain: 'That the warr with Spaine hath bene profytable no man canne with reason gainsaye.'²⁶

By 1604 the variant demands of different forms of mercantile activity, which meshed the interests of Crown, nobility and greater merchants ever more closely, meant that economic concerns had a far more prominent and complex impact on the foreign policy of the Crown than in any previous age.²⁷ The foundation of multiple joint-stock trading companies from the 1570s onwards, in which the nobility invested, gave these corporations great lobbying power as well as essential contacts with the political elite. Meanwhile, it was not just the Crown that benefited from loans from the city: a significant proportion of the nobility were also in debt to the greater London merchants, further tightening the golden threads binding the city and the court.²⁸

This article will explore first some of the ways that commercial concerns were central to the debates surrounding the Jacobean peace. I will briefly adumbrate the ways that mercantile interests were represented in the diplomatic negotiations between the representatives of Philip III, the archdukes, and James VI and I. The most complex and extended aspect of the negotiations over the Treaty of London, which took place between May and August 1604, related to the 'entercourse' of trade between England, the United Provinces, Spain and the Spanish Netherlands. The only choleric and extended dispute, though, and the single issue that ostensibly threatened to derail the negotiations, was the demand of the English for free trade with the East and West Indies.²⁹ Here, the actions of the English commissioners seemed to have been particularly sensitive to the lobbying of both individual merchants and the representatives of trading companies, who directly attempted to counsel the commissioners and direct the course of this putative alliance between sovereigns – to involve themselves directly in the most sanctified aspect of the royal prerogative.

In the final part of the article I will turn to a closer analysis of the manuscript tracts debating the desirability of peace, comparing those of 1598 with those produced in 1603–4. This analysis will overturn the assumption that commercial concerns were of interest only to those promoting the peace, while the 'hawks' in favour of continuing the war were either blind or hostile to such matters. The centrality of economic issues on both sides of the debate are prophetic of much broader changes in the political thinking of the period. The 'classical-humanist' mindset that equated the flourishing of the commonwealth with the virtue, piety, martial prowess and self-sacrifice of its monarch and

²⁵ K. R. Andrews, 'Caribbean rivalry and the Anglo-Spanish peace of 1604', *History*, lxi (1974), 1–17; Andrews, *Elizabethan Privateering*, ch. 4; M. Nicholls and P. Williams, *Sir Walter Raleigh: in Life and Legend* (London, 2011) pp. 60–8, 136–7, 288–9; and G. C. Williamson, *George, Third Earl of Cumberland (1558–1605): His Life and His Voyages* (Cambridge, 1920).

²⁶ Hatfield House, Cecil Papers (hereafter 'C.P.'), 177/36; and A. L. Rowse, 'Sir Richard Hawkins: last of a dynasty', *History Today*, xxx (1980), 24–7.

²⁷ Smith, *Merchants*, ch. 6; R. Ashton, *The City and the Court, 1603–1643* (Cambridge, 1979); and I. W. Archer, 'Conspicuous consumption revisited: city and the court in the reign of Elizabeth I', in *London and the Kingdom: Essays in Honour of Caroline Barron*, ed. M. P. Davies and A. Prescott (Donnington, 2008), pp. 38–58. As Ramsay notes in his studies of merchants and politics in the earlier decades of Elizabeth's reign, commercial policy was subordinated to political necessity, and 'trade ran in channels that were politically predetermined' (Ramsay, *The Queen's Merchants*, p. 198).

²⁸ Ashton, *City and the Court*, pp. 30–40; D. H. Sacks, 'London's dominion: the metropolis, the market economy and the state', in *Material London, ca. 1600*, ed. L. C. Orlin (Philadelphia, 2000), pp. 20–54; and R. O. Bucholz and J. P. Ward, *London: a Social and Cultural History, 1550–1750* (Cambridge, 2021), pp. 167–97.

²⁹ The English diary of the negotiations is Thomas Edmondes's account, 'A Journal of the Conference betwixt his Majesties Comissioners and the Comissioners of the King of Spaine and the Arche Dukes of Austria', The National Archives of the U.K., SP 103/64, fols. 141r–193v.

greater members, was surpassed by a broader understanding of the intertwined military, economic and financial ‘interests’ of ‘the state’.³⁰ Scholars usually locate these developments in the post-Restoration period. Here it is argued that they can clearly be discerned in the economic arguments framing the debates about the ‘blessed frutes of peace’ that were articulated at the very beginning of the seventeenth century.

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In his first speech to parliament in March 1604 James VI and I famously and pre-emptively proclaimed that the enrichment of commerce was the most prominent advantage of his policy of ‘Peace abroad with all foreign Neighbours’:

At My coming here ... I found the State embarked in a great and tedious War; and only by Mine Arrival here, and by the Peace of My Person, is now Amity kept, where War was before. ... By Peace abroad with their Neighbours, the Towns flourish, the Merchants become rich, the Trade doth increase, and the People of all Sorts of the Land enjoy free Liberty to exercise themselves in their several Vocations, without Peril, or Disturbance.³¹

These self-aggrandizing words should also be recognized as a kind of pitch that observed the changing social composition of the house of commons. As Theodore Rabb has observed, one third of the new members of the Commons in this first parliament were investors in trade, including a significant number of merchants, ‘a proportion far higher than any other assembly’.³² James’s need to court mercantile approval was also soundly linked to the state of royal finances, which depended on revenue from customs and from loans. On 22 August, just four days after the signature of the Treaty of London, the Crown solicited a £20,000 loan from the Corporation of the City of London.³³ On 12 December merchants from the Levant Company, writing to Cecil, now Viscount Cranborne, to oppose James’s lucrative imposition on the import of currants and Mediterranean wine (a levy the company had traditionally exercised), reminded James’s chief minister that their commercial practices had invaluable enriched the Crown: ‘We have always employed ourselves in Traffique both for the encrease of the Kings customes, as also for many good commodities’.³⁴

James’s speech was not empty rhetoric. Upon his accession, he had immediately signalled his openness to treat with Spain, ordering an end to all reprisals against Spanish shipping, while Philip III opened access to Spanish and Portuguese ports to Catholic merchants in April 1603 and to non-Catholics in May. There was, however, a shadow over this new commercial amity: imports were subjected to the supplementary 30 per cent tariff recently imposed by Spain on all foreign trade other than with the Spanish Netherlands.³⁵ Nevertheless, it was with understandable optimism that the Spanish Company, which had been suspended since the outset of the war, reconstituted itself on 16 March and was issued with a new royal charter the following year.³⁶

And yet, the prospect of an end to the war economy met with far greater ambivalence from merchants with an interest in extra-European trade, who felt threatened rather than encouraged by the prospect of peace. Unlike the Spanish Company, both the Levant and East India Companies started the new

³⁰ See S. Pincus, ‘From holy cause to economic interest: the study of population and the invention of the state’, in *A Nation Transformed: England After the Restoration*, ed. A. Houston and S. Pincus (Cambridge, 2001), pp. 272–98; and Stern, *Company-State*, pp. 83–99.

³¹ James VI and I, *The Political Works*, ed. C. McIwain (New York, 1965), p. 270.

³² T. K. Rabb, *Enterprise and Empire: Merchant and Gentry Investment in the Expansion of England, 1575–1630* (Cambridge, Mass., 1967), p. 95. On James’s flexible use of this rhetoric, see M. Smuts, ‘The making of Rex Pacificus: James VI and I and the problem of peace in an age of religious war’, in *Royal Subjects: Essays on the Writings of James VI and I*, ed. D. Fischlin and M. Fortier (Detroit, 2002), pp. 317–87.

³³ The loan was reduced and restructured on the complaints of the corporation: the Crown instead raised the loan directly through the London livery companies, the Merchant Adventurers paying by far the lion’s share (R. Ashton, *The Crown and the Money Market, 1603–1640* (Oxford, 1960), pp. 114–17).

³⁴ C.P., 189/37; signatories included Richard Staper, Thomas Cordell, William Garway and John Eldred, who had been privateers as well as company members.

³⁵ T.N.A., SP 94/9, fols. 20r, 117r.

³⁶ Croft, *Spanish Company*, pp. 1–2. The revival was short-lived; the company was dissolved in 1606 (see above, n. 19).

reign on the back foot, defending rather than reasserting their privileges. The former were bargaining hard for the renewal of their patent, which they had revoked at Elizabeth's death in a wrangle over that thorny issue of the rival claims of Crown and company to levy duties on currants and wine imported from the Mediterranean.³⁷ Meanwhile, on 18 June 1604 the king startlingly challenged the East India Company's monopoly when he granted permission to Sir Edward Michelbourne (an investor they had taken great trouble to expel) 'to discover the countries of Cathay, China, Japan, Corea, and Cambay, and the islands and countries thereto adjoining, and to trade with the people there, notwithstanding any grant or charter to the contrary.'³⁸

Voices from the quarters concerned with overseas trade were also much more ambivalent about the possibility and the consequences of the peace unless very specific concessions from the Crown were achieved, and they vehemently expressed these concerns to the most powerful statesman in the land. The privateer Richard Hawkins, who had lobbied Elizabeth in 1598 to continue the war from his Sevillian prison, continued that campaign after his release, when his fortunes rose with an extraordinary turn of fortune's wheel.³⁹ Knighted and appointed mayor and M.P. for Plymouth and vice admiral of Devon all in the year following James's accession, he wrote to Cranborne on 20 June 1604, while the minister was in the thick of the Somerset House negotiations, with the same advice that he had offered Elizabeth: 'Knowinge ... the malice yreconcylable of the Spaniarde toward us ... hys weaknes, povertye, and impossebletye to hurt harme or annoye us ... I publish myself to hold yt more convenient to have the war contynued against Spaine then any peace concluded'. This peace, Hawkins wrote, would have no positive consequences for trade. Whatever the Spanish will promise, they will surely hinder English merchants with 'robberies by newe exactions and impossyons', exemplified by the punitive new 30 per cent tariff on imports. If his diplomatic counsel was to be ignored, and peace entertained after all, he hoped that Cecil 'and the rest of the honorable comyssyoners' might take his personal plight into account and tailor the terms of the treaty so that he might sue for compensation from the Spanish for his own and his father's losses, dating back to 1568.⁴⁰

Another Spanish Company merchant was even more forbidding: from London, Robert Savage wrote brusquely to Cecil on 8 June: 'Peace will littell availe or profitt us except we have leave to trade unto all his domynions, East and West Indies, Brazill, Germany ... without the exacting or paying any more customes or duties than usually we paid before [the outbreak of the war]'. As an export market, he explained, Spain no longer offered fertile opportunities for trade: the flooding of the market by merchants from at least ten different nations made English goods far less competitive than they had been before the war. Meanwhile, Spanish officials were ignoring Philip III's edict lifting reprisals, and arbitrarily confiscating merchandise, which hardly inspired confidence that the conditions of any treaty would be enforced. Savage's overarching message was bellicose, religious and surprisingly erudite: citing Cicero and St Paul, he insisted that 'gods glory, your princes honor and our cuntries good ... hould that a just warr is better than a wicked peace.'⁴¹

Thomas Alabaster, original member and honorary accountant of the East India Company, who had conducted contraband trade from Seville in the late 1580s and 1590s, also bombarded Robert Cecil with letters of advice on peace negotiations.⁴² In November 1603 he wrote that the likelihood of an 'honourable' peace, however so desired, was to be much doubted, given the 'ambicion' and malevolence of the Spanish. If negotiations must take place at all, the essential concession the English must insist upon was free trade with the New World and the East. Mediterranean trades, Alabaster explained, to Turkey, Italy and Spain itself were no longer lucrative – 'no longer trade of importance for exercise of

³⁷ For the renewal of their patent in 1600, the company had agreed to collect levies on imports of these commodities by non-freemen of the company in return for an annual £4,000 sum to the Crown. At the accession of James, the Levant Company merchants dissolved their patent, seemingly hoping to end the payment of the levy; James, instead, asserted the crown's right to collect the duties on impositions, and the company's patent was renewed on these terms on 14 December 1605 (A. C. Wood, *A History of the Levant Company* (Oxford, 1935), pp. 34–9).

³⁸ *Calendar of State Papers, Colonial Series, East India, China, and Japan, 1513–1616*, p. 139.

³⁹ C.P., 177/36.

⁴⁰ T.N.A., SP 94/10, fol. 58r; his formal suit to the commissioners, asking them to request compensation within the terms of the treaty is at fol. 60r. Hawkins's father was the famous privateer and explorer Sir John Hawkins.

⁴¹ T.N.A., SP 94/10, fol. 47r–v.

⁴² Andrews, 'Caribbean rivalry', p. 6; and K. N. Chaudhuri, *The East India Company: the Study of an Early English Joint-Stock Company* (London, 1965), p. 75.

merchants and of good shippes'. The long-distance trade that constituted England's commercial future, with the Americas and Asia, would also be the essential sinew of its security, providing the necessary supply of armed ships for the Royal Navy. If negotiations were to be included without securing this concession, Spain 'shall effect by this Peace which they could not doe by Warrs'.⁴³

Lobbying was a corporate as well as an individual phenomenon. Both the Spanish Company and the East India Company directly petitioned for their concerns to be considered by the English commissioners in the peace negotiations at Somerset House. The Spanish Company's demands, addressed to the privy council, ostensibly merely required the restoration of pre-war trading conditions, with freedom from molestation from either the civil authorities or the Inquisition. More controversial was their demand that any English goods confiscated and customs duties paid since James's accession that exceeded ancient impositions be rescinded – an indirect and most implausible attempt to gain the restitution for the hated 30 per cent duty imposed the previous year. Most ambivalent was their request that they might trade 'in any port or haven in the dominions of the King of Spain, and not restrained to any kingdom, dominion, place or port, but able to trade where they find themselves best treated and most commodious', a cleverly unspecific clause that could certainly be interpreted to imply trade with the Spanish and Portuguese empires.⁴⁴ The petition of the East India Company, addressed to the 'Lordships his Majesties Commissioners in the treaty', was not ambiguous at all. 'The merchants trading with the East Indies 'at their greate charge for the honor of this kingdome & the inlargment of the trade thereof' reminded the commissioners that they were organizing another voyage to the Far East 'of which besides the entercourse that shalbe found out thereby will bringe forth an increase & strength of the shippinge of this lande & the breeding of skilfull mariners'. In the conclusion of the treaty, nothing at all must be concluded that will hinder this trade 'out of which there maye growe soe greate a benefytt & strength to his Majesties domynions & the common Wealth of this kingedome'.⁴⁵ Furthermore, this was a symbiotic relationship: merchants were actively consulted during the process of the diplomatic negotiations on points about trade. On 31 May, Cecil even broke off discussion over conditions relating to Anglo-Dutch commerce, 'to receive informations from the merchants concerning this point, before they did further determine thereof'.⁴⁶

Merchants involved in overseas and domestic trade had long been a shadowy force in politics, petitioning Crown, privy council and parliament for privileges and concessions, and furnishing their own counsel on commercial policy.⁴⁷ And yet, the phenomenon of individual and corporate attempts to influence the terms of a treaty between sovereign princes, and the active involvement of merchants in furnishing expert advice in those most critical diplomatic negotiations, heralded a new and highly significant indicator of the wider public and central role that commercial concerns now held and would continue to play in the mainstream political life of the nation.

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The lobbying of merchants had tangible consequences. During the course of the treaty negotiations, points that had been perceived to be major causes of disagreement – the question of English soldiers serving in Dutch armies, the status of the cautionary towns – were resolved, in two sessions at the most. But negotiations over trade were much more fraught and protracted.⁴⁸ Commercial relationships between England, Brussels, Spain and the United Provinces threw up knotty problems: was it reasonable for the English to trade with both the Dutch and the Spanish, while the two camps

⁴³ T.N.A., SP 14/4, fol. 146r, 7 Nov. 1603. Also see SP 14/4, fol. 97r (Alabaster to Cecil, 18 Nov. 1603); SP 14/5, fol. 34r (Alabaster to Cecil, 16 Dec. 1603). Like Hawkins, during the negotiations of the following year, when the conclusion of a treaty was looming, Alabaster also requested that the treaty contain a stipulation allowing him to recover debts incurred by the confiscation of his goods during the era of the war: his petition to the council, dated July 1604, is T.N.A., SP 94/10, fol. 86r.

⁴⁴ Printed in Croft, *Spanish Company*, pp. 114–16. Manuscripts are Brit. Libr., Harley MS. 295, fols. 216r–220r; and T.N.A., SP 94/10, fols. 191v–192v.

⁴⁵ C.P., 190/12.

⁴⁶ T.N.A., SP 103/64, fol. 160v; and Cross, 'To counterbalance the world', pp. 285–6.

⁴⁷ I. W. Archer, 'The London lobbies in the later sixteenth century', *Historical Journal*, xxxi (1988), 17–44; and E. H. Ash, "A note and a caveat for the merchant": mercantile advisors in Elizabethan England', *Sixteenth Century Journal*, xxxiii (2002), 1–31.

⁴⁸ T.N.A., SP 103/64, fols. 141r–193v, 'A Journal of the Conference'.

were still at war? Could English traders, if exempt from the new 30 per cent tariff, 'vent' goods from the United Provinces to the Spanish Netherlands/Spain and vice versa? And if the English could trade with the Dutch, did this extend to supplying them with munitions?

But without doubt, the most heated and repeated question concerned trade with Spain's empire. In his instructions for his commissioners, James argued that this issue could be resolved with a neat solution that had been previously proposed at the abortive peace talks between England and Spain at Boulogne in 1600: trade could be granted to his English subjects, but only with those parts of the New World and Asia not physically inhabited by the Spanish or the Portuguese.⁴⁹ This wilful misinterpretation of the territorial dominion claimed by Philip III's monarchy was a compromise not likely to be accepted by either the Spanish or the merchants angling for unlimited freedom of trade; it seems to have been quietly ignored by the English in the course of their negotiations.

While the issue of free trade with the Spanish empire was first raised on 31 May (the fourth meeting of the negotiations) the matter was shelved until 18 June, the first truly rancorous session of the negotiations.⁵⁰ According to the English diary of events, James's commissioners demanded that Philip's representatives show them 'ancient treatyes' between England and Castile or Burgundy, that placed any territorial restrictions on trading agreements. The response from the senator of Milan was that any such treatises were irrelevant, as no liberty of trade to the New World and Far East had ever been granted to any ruler, not even the emperor or any other kindred of the king of Spain. The Spanish commissioners ended the session threatening that if the English insisted on their claim to participate in the Indian trade, they would be 'forced to their grieffe to breake off the Treatie'.⁵¹ On 4 July, when the issue was raised again in the sixteenth session, the English went on the attack, challenging the very claim of the Spanish to rule the New World. Alessandro Robida, the senator of Milan, provoked once more, exclaimed that the only positive clause concerning trade with the Indies was one that would exclude the English from these dominions. At this point, the earl of Northampton, for whom this issue was a specialist subject, seized the floor with a bellicose speech asserting that the law of nature and nations and the prescription of previous trading agreements precluded the right of the Spanish to prohibit any trade in any part of the world. Cecil finally soothed the situation. Rather extraordinarily, it was only in this very late session that he asked the Spanish delegates to confirm the most vital point: that their commission from Philip granted them no authority to commit to any clause relating to imperial trade other than 'to exclude [the English] from the libertie of trade with the Indies'. All of a sudden, the solution was quickly alighted upon – the same as had been agreed with the French in the Peace of Vervins in 1598. The English were to be granted free trade with the king of Spain in his 'dominions' the latter defined in entirely unspecific geographical terms – 'in quibus ante bellum fuit commercium iuxta et secundum usum et observantiam' (just as those matters were in commerce before the war, according to their use and observance), 'whereby their Lordships thought it fit rather to leave the matter to the libertie of the other interpretation of former treatyes ... [because] insisting of expresse permission or prohibition might giue interruption to the treaty'.⁵² To the Hispanophobic Ralph Winwood, envoy to the United Provinces, Cecil explained this point as a triumphant piece of chicanery: 'For altho' [Philip III] would have hazarded his Crown rather than have granted that, whereupon dependeth the very Life of his Estate, and that which he never yielded to any Prince of Europe, yet that which we have is rather affirmative.... For first all former Treaties carry no other Words, *then Liberty of Trade in all his Dominions*: Next that Word *secundum usum*, which is also expressed, doth rather make for then against us'.⁵³

Aspects of these negotiations give pause for thought. The English delegates were well aware that the same issue had been glossed in just this way in the Franco-Spanish peace of 1598: this solution had

⁴⁹ James's instructions can be found at T.N.A., SP 94/10, fols. 17v–23r; and Brit. Libr., Cotton MS., Vespasian C XIII, fols. 52r–61v.

⁵⁰ T.N.A., SP 103/64, fols. 175v–178r.

⁵¹ T.N.A., SP 103/64, fol. 178r.

⁵² T.N.A., SP 103/64, fols. 203r–212v.

⁵³ R. Winwood, *Memorials and Affairs of State in the Reigns of Queen Elizabeth and King James I*, ed. E. Sawyer (3 vols., London, 1727), ii. 28.

first been suggested by English delegates on 18 June.⁵⁴ As Cecil's comment to Winwood demonstrates, they also knew that concessions of the kind that they were demanding would be violently repudiated by the Spanish: insisting on trade with the Indies could have been the wheel upon which the negotiations were broken. Furthermore, Howard's speech on 4 July was not a piece of bravura extempore rhetoric, but very carefully prepared. The earl of Northampton had made his own notes on the issue of trade with the Indies, and had also solicited Sir Robert Cotton's scholarly advice, which came in the form of a proto-Grotian tract claiming that the laws of nature and nations made no earthly ruler master of the sea, while civil law and the precedent of historic treaties between the crowns of England, Portugal, Castile and Burgundy proved the right of the English to trade freely in any port or haven ruled by their heirs.⁵⁵ Seemingly, neither Howard nor Cecil had any desire to break off negotiations, or to ruin their careers in the interests of specific groups of merchants who insisted on trading with Spain's imperial territories: it seems likely, then, that their public endeavours to fight for this particular clause may have been performative, conducted for the purpose of demonstrating to the lobbying merchants that all attempts had been made to respond to their petitions and fight for their demands.⁵⁶ Here the exchanges between statesmen and lobbyists converge on the covert paths of political communication that characterized the crown's strange and strained engagement with public opinion in early Stuart England.

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The direct conflict in June 1598 between the earl of Essex and Lord Burghley in conciliar deliberations over the prospect of peace had provoked a novel response among statesmen. A series of position papers 'pro' and 'contra' the war were produced by both Essex and Burghley, and by several anonymous participants, which received varying levels of replication as 'manuscript pamphlets'.⁵⁷ The most famous of these, and the only non-anonymized tract, was Essex's *Apologie ... against those which falsly and maliciously taxe him to be the only hinderer of the peace, and quiet of his cuntry*, which was circulated first in manuscript, before its allegedly unauthorized publication in 1600 and again in 1603, after James's accession to the throne. Essex's tract was one of the most widely copied Elizabethan pamphlets, found in scores of manuscript miscellanies in the seventeenth century.⁵⁸ So too, though, was the tract derived from a paper by Burghley, 'Considerations of the peace now in speech', of which very large numbers of extant copies also survive.⁵⁹

Essex's *Apologie* in particular has received considerable scholarly attention, but its dual function as a policy manifesto and exculpatory piece of autobiography (which mimics William of Orange's *Apology*) has led to an underestimation of its intellectual strengths. The tract is fascinating in its presentation of Essex's political mentalities and priorities: his yoking of the peace to the contested succession; his sympathetic

⁵⁴ T.N.A., SP 103/64, fol. 177r–188v.

⁵⁵ Henry Howard, earl of Northampton, 'Reason against permission of the Indias', Brit. Libr., Cotton MS., Vespasian C XIII, fol. 401r; and Sir Robert Cotton, 'Reasons for the trade into the East and West Indians for the Merchants of England', Brit. Libr., Cotton MS., Vespasian C XIII, fols. 47r–50v. See L. L. Peck, *Northampton: Patronage and Policy at the Court of James I* (London, 1982), pp. 104–10.

⁵⁶ This supposition is supported by Howard's discussion of the speech to the clerk of the privy council, Sir Thomas Edmondes, whom he asked to make copies of his speech (T.N.A., SP 94/10, fols. 215r–v; copy on fols. 216r–v). These seem to be 'An Abstracte of such reasons as were used by the Earle of Northampton in defence of the English trade with the Indias, while the commission of treatie for peace with Spayne, was handled' (T.N.A., SP 103/64, fols. 24r–25v, 26r–28v).

⁵⁷ These tracts are discussed in Gajda, 'Debating war and peace'.

⁵⁸ Among the British Library Additional Manuscripts alone are the following copies: Brit. Libr., Additional MSS. 4128, fols. 29r–42v; 4129, fols. 1r–15v; 38137, fols. 161r–72v; 48063 (Yelverton MS. 69), fols. 238r–341v; 72411, fols. 1r–14v. See H. Gazzard, 'Idle papers': an *Apology of the Earl of Essex*, in *Essex: the Cultural Impact of an Elizabethan Courtier*, ed. A. Connolly and L. Hopkins (Manchester, 2013), pp. 179–200; also P. Hammer, 'The smiling crocodile: the earl of Essex and late-Elizabethan "popularity"', in Lake and Pincus, *Politics of the Public Sphere*, pp. 95–115; and Gajda, *Earl of Essex*, pp. 158–72.

⁵⁹ Sometimes entitled 'Considerations Touching the Peace now in Speech', examples are: All Souls College, MS. 155, fols. 80r–82v; University of Oxford, Bodleian Library, Rawlinson MS. D 160, fols. 10r–11v; Bodl. Libr., Tanner MS. 237, fols. 26r–31r; Brit. Libr., Add. MS. 48044, fols. 228v–233r; Brit. Libr., Cotton MS., Galba DXII, fols. 188r–198r; Brit. Libr., Stowe MS. 164, fols. 86r–89r; Huntington Library (hereafter 'H.L.'), EL MS. 7978, item 3; and H.L., HM 102, fols. 34v–37v. There are also four copies in London, Inner Temple Library (hereafter 'I.T.L.'), Petyt MS. 538, xvi, fols. 47r–48v, 103r–106v, 130r–134v, 139r–140r. That this tract was attributed by contemporaries to Burghley is recorded in the *Diary of Roger Wilbraham ... Camden Miscellany X* (Cambridge, 1902), pp. 27–30. In tracking down and citing manuscript versions of these tracts, I am indebted to the peerless and invaluable resource that is Noah Millstone and Sebastian Verweij's online database *Manuscript Pamphleteering in Early Stuart England* <<https://mpese.ac.uk>> [accessed 5 May 2023], supplemented by my own combing of the archives.

understanding that the political and religious liberty of the United Provinces is inextricable from its constitution; and his excoriation of his political opponents, whose greed and love of luxurious living have softened them to the siren call of peace from the duplicitous Spanish.⁶⁰ That this paragon of martial honour would be sympathetic to the concerns of commerce seems most unlikely, but in fact Essex, who was intimately acquainted with Alderman Thomas Smythe, the first governor of the East India Company, engaged directly with these issues, and in a manner that was highly accurate of future negotiations:

Trade into the Indies our zealous peacemakers wil not stand for, least the enemie offended wil grant to peace. Trafique into Spaine and Portugall we shall haue, and that is the onely condition that carries any shewe of aduantage to vs.

These gains, however, would be small and dangerous. Merchants flocking to the Iberian peninsula would soon discover ‘howe easie it will be for a faith breaking enemie to confiscate all our countrimens goodes, and to embarge and vse *English* shipping against *England*’.⁶¹

The overarching arguments and urgent tone of much of the tract are, in fact, highly similar to those of Richard Hawkins, whose letter to the queen urging the continuation of the war was also written around the same time.⁶² (Hawkins wrote with familiarity to Essex from his confinement in Seville; the earl had apparently attempted to intervene for his release from prison.⁶³) It is mirrored too in other anonymous pro-war tracts that supported Essex’s position in 1598–9. The ‘resolution of some doubtles nowe cast to move the simple men to embrace the conditions of peace offred by the Spanyardes to the English nation’ argues that Spain’s unrelenting refusal to allow ‘our trade into the Indias’ is one of the three key reasons why peace must be impossible. The only secure peace treaty must contain a clause protecting free trade with the Indies and the right to colonize unconquered territory – both of these rights are protected by the ‘law of nations and nature’. Should the peace be breached, the king must renounce his right to those dominions, ‘and give us title to Hispaniola, Cuba, Mexico or other such partes of the East and West Indies’. Furthermore, it is only through war that ‘we may employe our men of warr, our marchants and mariners in the low countries and indies’.⁶⁴

Conversely, tracts in favour of peace do not dwell overtly on the benefits of trade. Of the six ‘commodities’ that will follow on from a peace settlement – which include the lessening of the burdens of taxation, or Spanish succour for Ireland – the better establishment of ‘traffique’ with other nations and the opening of ‘trade of Spayne’ are points four and five, but they are quickly passed over; there is no mention of trade with the Indies at all.⁶⁵ A further anonymous tract arguing strongly for peace even acknowledges that an assault on Spain’s possessions in the New World, which are far too remote to defend, is an intoxicating scheme, which could potentially see English power drive out the Spanish: ‘Nothinge beinge soe generally longed for by all sorts of men in Europe, as to haue trade in ye Indies’. These ‘goulden hopes’, the author concludes, are too chimerical to build a strategy upon, while the queen’s exhausted coffers, rebellious Irish subjects and war-weary subjects all provide far more immediate and embodied reasons to conclude a peace.⁶⁶

The Jacobean succession re-energized the public discourse about peace, although the predominant textual evidence is of voices critical of ending the war. Sir Edward Hoby, a client of Cecil, even delivered a bellicose speech against the dangers of the peace in the house of commons, despite foreign policy being a topic theoretically forbidden in parliamentary debate.⁶⁷ A new clutch of manuscript

⁶⁰ Robert Devereux (earl of Essex), *An Apologie ... against those which falsely and maliciously taxe him to be the only hinderer of the peace, and quiet of his country* (London, 1600), sig. D3r.

⁶¹ Devereux, *Apologie*, sig. Dr–v. During his revolt of on 8 February 1601 Essex solicited armed support from Smythe, then sherrif of London; Smythe was duly imprisoned for some months (B. Morgan, ‘Smythe [Smith], Sir Thomas (c.1558–1625)’, *O.D.N.B.* <<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-25908>> [accessed 2 May 2023]; and Gajda, *Earl of Essex*, p. 30).

⁶² C.P., 177/36.

⁶³ Richard Hawkins to the earl of Essex, 20 Oct. 1597, C.P., 175/117; and Richard Hawkins to the earl of Essex, 1 Aug. 1598, C.P., 177/71.

⁶⁴ I.T.L., Petyt MS. 538, xlvi, fols. 36r–41r.

⁶⁵ I.T.L., Petyt MS. 538, xlvi, fols. 47r–48v.

⁶⁶ Brit. Libr., Cotton MS., Titus C VII, fols. 146v–147r.

⁶⁷ Thrush, ‘Parliamentary opposition’; but for a discussion of foreign policy in the parliament of Elizabeth, see G. Parry, ‘Foreign policy and the parliament of 1576’, *Parliamentary History*, xxxiv (2015), 62–89.

tracts were also written, while the tracts of 1598 gained new relevance: 'Considerations of the peace now in speech' was circulated and copied, while in 1603 Essex's *Apologie* was reprinted.⁶⁸ Some extant position papers, such as Robert Cotton's 'A discourse Whether yt be fit for Englande to make peace with Spayne', written at some point in 1603, was meant for Lord Henry Howard's private use;⁶⁹ other authors seem to have written with a wider audience in mind, and certainly received one. In particular, Walter Raleigh's tract 'Touching a War with Spain, and of the Protecting of the Netherlands' is addressed in certain copies to 'your Majesty', but survives in many anonymized manuscript copies, as does 'A Discourse of Peace or War', written under the name 'John Atkinson', which may have been a pseudonym.⁷⁰

Anti-peace tracts composed in 1603–4 share much in common with their Essexian predecessors, recycling expected themes: the untrustworthiness of the Spanish, the weakness of the seemingly mighty Spanish empire, the prospective fate of the United Provinces if England were to abandon the States to fight alone. But these tracts are also far more engaged with questions of trade and prosperity, and the balance of the power of European states in local and in global terms. The traditional Elizabethan conception of the international 'Protestant cause' is also strikingly muted. Cotton explained that the crucial questions pertaining to the treaty concerned matters of 'religion' or of 'state', but by the former he meant merely the conventional trope that the king of Spain used his Catholicism and support from the Pope as a pretext for furthering his insatiable imperial ambition.⁷¹

The stunning recent military victories of the Dutch, and their recent great gains over the Portuguese trade in the East Indies, which had been reported in sensational printed news pamphlets, are also reflected.⁷² Where future relationships with the Dutch are discussed in these tracts, it is not as co-religionists, but as bold military allies whose strength might be harnessed to destroy the Spanish enemy, or as potential rivals for naval supremacy. The author of the anonymous 'Projects touchinge the treaty of peace with Spayne', muses on the possibility that if abandoned, the Dutch might make their own separate peace with Spain or be conquered: 'What disadvantage might it be for us to have soe potente and nighe neighbors united the one ambitious thother discontented'. The 'hope of utilitie' – that is, trade – is no potent reason to make peace, as Spanish tariffs will create an imbalance of trade, to no advantage to the English export market. 'I scares holde it charitie nor good policie to ease those which oppresse us.'⁷³

Raleigh's tract also revolves around the desirability of maintaining a firm military alliance with the Dutch. At no point is this described as the natural friendship of Protestant brethren, but a necessary and pragmatic union of two powers dependent on naval power for their survival and strength. If the abandoned Dutch ally with the French, a far richer and more populous state than James's kingdom, the king's realms would be imperiled, while trade with the Baltic as well as Western Europe would be subject to the predations of the superior Dutch ships, both in the narrow seas and in the Sound. The notion that the 'merchant adventurers are of sufficient strength to make their own passage' occasions

⁶⁸ It seems that various of the copies of 'Considerations of the Peace nowe in speech' were made during 1603–4; for example, a copy is bound with a series of papers relating to the Treaty of London, including the articles of the treaty (Brit. Libr., Add. MS., 48044 (Yelverton MS. 49), fols. 227r–223r).

⁶⁹ 'A discours Whether yt be fit for Englande to make peace wth Spayne', Brit. Libr., Cotton MS., Vespasian C XIII, fols. 160r–162r; also see the anonymous tract addressed to Howard, 'Discourse upon the Kings necessity to make peace or keep warres with Spayne', Brit. Libr., Cotton MS., Vespasian C XIII, fols. 158r–159r.

⁷⁰ Raleigh, 'Touching the War with Spain' is found at Yale University, Beinecke Library, Osborn fb 178, fol. 1r–16v; Bodl. Libr., Carte MS. 96, fols. 82r–94r; Brit. Libr., Add. MS. 48062, fols. 370r–385r; Brit. Libr., Cotton MS., Vespasian C XIII, fols. 307r–310v; Brit. Libr., Harleian MS. 444, fols. 92r–108r; Brit. Libr., Sloane MS. 63, fols. 58r–69r; Cambridge University Library, ME Ee.2.34, fols. 109r–134v; Maidstone, Kent Archives, U 1457/27; London, Lambeth Palace Library, MS. 2858, fols. 2r–15v; London Society of Antiquaries, MS. 258, fols. 93r–105r; and Senate House, University of London, MS. 20, fols. 199v–210r. It is conveniently printed in *The Works of Sir Walter Raleigh* (8 vols., Oxford, 1829), viii. 299–315. Atkinson's tract can be found at Brit. Libr., Add. MS. 34219, fols. 1r–24v; Brit. Libr., Add. MS. 39254, fols. 3r–39v; Brit. Libr., MS. Harley, fols. 5r–25r; and T.N.A., SP 14/2, fols. 64r–72r. 'John Atkinson' does not appear to have operated as a merchant; there is an individual of that name who appears to have been one of the recipients of a grant to shipbuilders for the construction of five new ships in a docket signed by the lord admiral on 15 January 1600 (*Calendar of State Papers, Domestic*, 1598–1601, p. 383). I am indebted to David Harris Sacks for discussion of the mysterious 'Atkinson', and for this reference.

⁷¹ Brit. Libr., Cotton MS., Vespasian C XIII, fol. 160r.

⁷² E.g., *The battaile fought between Count Maurice of Nassaw, and Albertus archduke of Austria, nere Newport in Flaunders ...* (Austria, 1600); *Newes from Flaunders* (London, 1600); *The Conquest of the Grand Canaries* (London, 1599); and *A true and perfect relation ... concerning the flight of five Dutch shippes in the E. Indies against the Portugall fletee* (London, 1603).

⁷³ 'Projects touchinge the treatye of peace with Spayne', Brit. Libr., Cotton MS., Vespasian C XIII, fols. 165r–v.

a weak pun: 'Wheresoever the adventure is great and the profit little, the adventurer will soon give up'. But if the English and the 'industrious' Dutch could remain in unity, a great alliance of the sea powers would reign supreme: 'By assisting the Netherlands, your majesty might have made the war profitable, and by their shipping commanded all the trade in the world'.⁷⁴

'John Atkinson' shares Raleigh's sentiments about the necessity of a military and commercial alliance with the Dutch, and the danger that a Franco-Dutch alliance could spell disaster for English trade and security. Yet with the Dutch as allies, England can 'overthrow the king of Spaine tak his Indies from him and geve him what condicions of peace we will'. The whole tract is also a strikingly secular analysis, other than in one extraordinary section where Atkinson cites a host of biblical examples – David and Saul, Jereboem and Rehobeam, Ahab and Jehu – to prove that 'god rent kingdoms a sunder for the sins of theire rulers'. The reason for this single foray into biblical exempla seems conditioned not by a flash of spiritual enlightenment, but because Atkinson is citing the irrefutable proof from scripture that justifies the United Province's abdication of the sovereignty of Philip II – a question and mode of analysis he is quick to move on from: 'But for modern instances [which] are infinitt ... yt they are familiar to all the world I leave untouched. And shal wee or confederates be so squemish'.⁷⁵

And Atkinson is crushingly dismissive of any positive outcomes for trade as a consequence of the peace. As cloth is the only export that has been 'ventid' to Spain 'in tymes of peace', 'I would gladlie have it answered what profite you coulde make by the Spanishe trade by all your English commodities'. The English export market to Italy, Turkey, France and Eastern Europe in 'tin, lead, tallow, hydes, calves, skinnes, pilchards, hearing, corne & to be short all other merchandise our country yeelds' is buoyant; meanwhile, the Spanish, who now manufacture and export their own woollen cloth, no longer have any need of the English product. Atkinson concurs with Essex that the only likely outcome of the renewal of trade with the Iberian peninsula is 'a blow by Imbargoinge of our shippes & men' as a result of the probable outbreak of war. The Spanish king will certainly not grant trade with the East and West Indies or Brazil, which means that the profits from reprisal, which have so weakened his income and navy, will be lost for no good reason. Finally, in a highly revealing passage, Atkinson describes (with some exaggeration) the social and political transformation of the merchants who have made their money from overseas trade from the gutter to the highest echelons of the civic elite: 'From very beggars & not worth one groate are become mighty in estate, and thought worthy in regard of their wealth (by which our magistrates are most commonly chosen) to posse the most principall places ... in the citie of London'.⁷⁶ While the economic arguments of Hawkins, Savage, Alabaster, Raleigh and Atkinson had not prevented the Treaty of London, their interests had been at the heart of the negotiations. As Atkinson implies, the concerns of this new rich and dynamic elite, who would challenge and eventually replace the Merchant Adventurers as the wealthiest and most powerful group of merchants in the city, had a political potency that could not be ignored.

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The peaceful end to the Elizabethan succession crisis has, perhaps, blinded scholars to the extraordinary significance of the sequence of parallel events that shaped the first decade of Jacobean rule.⁷⁷ While James and his overworked councillors were negotiating for the Treaty of London, the king was unsuccessfully trying to persuade his English and Scottish subjects of the desirability of constitutional union, while balancing the wildly unrealistic expectations of Puritans and Catholics and newly exercising the Supremacy of the Church of England, whose peculiarities were another alien experience to this member of the Presbyterian Kirk. All of these concerns, and the articulation of opinion that they provoked, engaged king, statesmen and growing constituencies of politically astute subjects in analysis of the deepest matters of church and state: the prospective identity of the putative new kingdom of 'Britain', the relationship of kingly prerogative to positive law, the scope of royal

⁷⁴ Raleigh, *Works*, viii. 299–316.

⁷⁵ T.N.A., SP 14/2, fols. 64r–72r.

⁷⁶ T.N.A., SP 14/2, fol. 67v.

⁷⁷ Doran, '1603: a jagged succession'.

authority to command religious obedience or grant toleration. But perhaps the worst-studied form of thinking was the growing presence of an economic discourse that recognized the intertwined fortunes of the Crown, nobility and gentry and a mercantile elite, who were themselves, as Atkinson implies, in a stage of dramatic transformation, and were increasingly confident at seeking political solutions to their commercial concerns.⁷⁸ By the early seventeenth century 'economics' had become a 'reason of state.'⁷⁹

⁷⁸ See Mishra, *Business of State*.

⁷⁹ Pincus, 'From holy cause to economic interest'.