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Tudor ‘Reform’ Treatises and Government Policy in Sixteenth Century Ireland

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Thesis submitted for the degree of PhD
National University of Ireland, Cork
School of History

Vol. 1 of 2

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Declaration by Candidate

I, the undersigned, hereby declare that this thesis is my own work and has not been submitted for any other degree, either at University College Cork or at any other institution.

Signature: _____

Abbreviations

Add. MSS.	Additional Manuscripts (British Library)
AJLH	American Journal of Legal History
Anal. Hib.	Analecta Hibernica
Archiv. Hib.	Archivium Hibernicum
AU	W.M. Hennesy and B. McCarthy (eds.), *Annals of* Ulster, 4 Vols. (Dublin, 1887-1901)
BL	British Library
Bod. Lib.	Bodleian Library
Brit. Ac. Proc.	Proceedings of the British Academy
Cal. Carew MSS.	J.S. Brewer, et. al., *Calendar of the Carew Manuscripts, 1515*-1624, 6 Vols. (London, 1867-1873).
Cal. Ormond Deeds	Edmund Curtis (ed.), *Calendar of Ormond Deeds, 1172-1603*, 6 Vols. (Dublin, 1932-1934)
CLB	Chichester Letter Book
CPRI	James Morrin (ed.), *Calendar of the Patent and Close Rolls of Chancery in Ireland, Henry VIII-Elizabeth*, 3 Vols. (Dublin, 1861-1863)
CSPI	H.C. Hamilton, et. al. (eds.), *Calendar of State Papers, Ireland, 1509-1670*, 24 Vols. (1860-1912)
DIB	Dictionary of Irish Biography
ed./eds.	editor/editors
EHR	English Historical Review
ELH	English Literary History
EL	Ellesmere Manuscripts
f./ff.	folio/folios
Fiants	Kenneth Nicholls (ed.), *The Irish Fiants of the Tudor Sovereigns, during the reigns of Henry VIII, Edward VI, Philip and Mary and Elizabeth I*, 4 Vols. (Dublin, 1994).
HJ	Historical Journal
HM	Harleian Miscellany
HMC	Historical Manuscripts Commission
HT	History Today
Hunt. Lib.	Huntington Library
IAS	Irish Archaeological Society
IER	Irish Ecclesiastical Review
IHS	Irish Historical Studies
IJ	Irish Jurist
IMC	Irish Manuscripts Commission.
Ir. Econ. Soc. Hist.	Irish Economic and Social History
JBS	The Journal of the Butler Society
JCHAS	Journal of the Cork Historical and Archaeological Society
JCLAS	Journal of the County Louth Archaeological Society
Jn. Eccl. Hist.	Journal of Ecclesiastical History
JNMAS	Journal of the North Munster Archaeological Society
JRSAI	Journal of the Royal Society of Antiquaries of Ireland
L.P.	*Letters and Papers, foreign and domestic, Henry VIII* 21 Vols. (London, 1862-1932)

Lib. Muner.	Rowley Lascelles (ed.), *Liber Munerum Publicorum Hiberniae*, 2 Vols. (London, 1852)
LPL	Lambeth Palace Library
MS./MSS.	Manuscript/Manuscripts
NAS	The National Archives of Scotland
No.	Number
ODNB	Oxford Dictionary of National Biography
PAIS	Proceedings of the American Philosophical Society
PMLA	Publications of the Modern Language Association
Proc. Amer. Phil. Soc.	Proceedings of the American Philosophical Society
PRIA	Proceedings of the Royal Irish Academy
TNA: PRO	The National Archives: Public Records Office
SP	State Papers
SP Henry VIII	*State Papers during the reign of Henry VIII*, 11 Vols. (London, 1830-1852)
Stud. Hib.	Studia Hibernica
TAPS	Transactions of the American Philosophical Society
TCD	Trinity College Dublin
UJA	Ulster Journal of Archaeology
Vol.	Volume
WLB	Walsingham Letter Book

Note on Conventions

The year is taken as beginning on 1st January, as opposed to 25th March, as was the convention in early modern Ireland owing to the retention of the Julian Calendar.

When referring to the nobility I have generally utilised personal names when discussing events prior to an individual's elevation to the peerage, etc. and used their title thereafter. Thus, for example, William Cecil is referred to as such prior to 1571, and to as Burghley thereafter. In some instances, given the scope of the study, multiple individuals bore the same title. Efforts have been made in such cases to differentiate between these individuals by using first names, etc.. As such, for instance, Walter and Robert Devereux are distinguished by their differing first names and as first and second earls of Essex, respectively.

Generally recognisable modern spellings have been used for personal names and place names. Thus, for example, Carrickfergus is given as such, despite being just as often referred to as Knockfergus in the sixteenth century. In other instances, often for more obscure family names or place names, the contemporary usage has been applied. As such Tyrrye has been retained as such given that the modern spelling, Terry, appears not to have been in widespread use in the sixteenth century.

When quoting the original spelling has been, for the most part, retained, while all figures are given in Arabic numerals, even when appearing as Roman in the original documents.

When citing items from amongst the State Papers the title given in the original Calendars has been utilised. When referring to the foliation of the State Papers I have followed the bold printed letters generally located on the top right hand corner of the leaves.

The folio numbering for the Cotton MSS. utilised here is that found in the top corner of the leaves with a line through it.

Throughout the community of the Pale and the urban districts have been referred to as the Old English, while the magnates of English descent have generally been termed Anglo-Irish, a distinction owing to the general belief amongst political analysts in Dublin and its environs that figures such as the Geraldine earls had degenerated in contrast to their own cultural rigidity.

References to documents which are transcribed in the Appendix within the footnotes of the text are supplemented by reference to the numbering of the document in the Appendix following the citation in square brackets, e.g. John Alen, 'Lord Chancellor Alen to Mr Comptroller William Paget', 1548, TNA:PRO, SP 61/1/129 [App. no. 4].

List of Tables

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Introduction

During the sixteenth century hundreds of treatises were written on the political, social, economic and religious state of Ireland. Composed by a broad array of New English, Old English and Gaelic Irish writers, these tracts attempted to analyse the Irish polity and put forward ideas on how the crown might shape that polity into the future. Central to these studies was an intrinsic belief that Ireland was a deeply troubled place, though not all were agreed on what the cause of that turmoil was. Some, for instance, suggested that it was the survival of bastard feudalism, or 'coign and livery' as contemporaries termed the system of private military exactions, which was at the heart of Ireland's supposed anarchy. Others believed that the greatest obstacle facing the Tudor state in Ireland was variously the independence of the powerful lords of Ulster; the Scots incursions in the northeast of the country; the allure of Irish social and cultural mores which could lead even civil Englishmen to degenerate into barbarism; or the self-interest and naked corruption of crown servants in Ireland, which were responsible for the instability and disorder of the country. The solutions put forward were equally varied. These included regional conquest to reduce adversarial lordships; plantation, or targeted colonisation; the appointment of provincial presidents; and attempts to inculcate the peoples of Ireland to the virtues of English social, economic and cultural practices through a programme of social engineering and the establishment of regional garrisons. Later, these alleged solutions created further problems, notably in relation to the issue of financing the army and regulating the conduct of its constituent parts, to which the writers of political discourses responded by putting forward a variety of schemes to introduce an improved crown taxation system in Ireland or to cut back on expenditure by reducing the size of the garrison. The response of those who received the treatises at Dublin Castle and at Whitehall was variously to dismiss them, to adopt them unequivocally or, more usually, to incorporate piecemeal the proposals they contained. Though many were indeed ignored, and despite the fact that those which were implemented were regularly diluted owing to financial stringency, the importance of these texts and the ideas enunciated therein on the shaping of government policy in Tudor Ireland and the history thereof was immense.

The importance of these tracts has been proportionately acknowledged by historians of Tudor Ireland. Indeed some of the most seminal studies on political developments in

sixteenth century Ireland have been extremely reliant on these documents. For instance, Brendan Bradshaw's *The Irish Constitutional Revolution of the Sixteenth Century* posited on the basis of four such treatises that there was an Old English reform movement within the Pale during the reign of Henry VIII which was partially responsible for the erection of Ireland into a kingdom and the development of the policy known to posterity as 'surrender and regrant'.[1] Nicholas Canny's thesis concerning the role of Henry Sidney in the advancement of a strategy of conquest in Elizabethan Ireland was heavily reliant upon the lord deputy's position papers to show that this viceroy was a proponent of colonisation and provincial presidencies. He also drew on a number of other tracts to demonstrate how these policies were pursued at the time and how English perceptions of Gaelic Ireland changed in tandem.[2] Equally, Ciaran Brady's *The Chief Governors* sought to analyse the outlooks of a number of the Tudor viceroys by looking at their terms in office, but also by overviewing the ideas these individuals propounded in their statements on Irish policy.[3] While such works have added substantially to our understanding of the outlook of prominent viceroys such as Anthony St Leger, Thomas Radcliffe, third earl of Sussex, and Henry Sidney on matters of policy the viceroy-centric approach of these studies has meant that the multitude of political tracts composed by other government officials, religious figures, military officers, and minor bureaucrats at this time have been marginalised or even ignored. Accordingly, one of the major contentions of what follows is that this focus on a limited number of documents has distorted the picture of how policy was actually formulated for Tudor Ireland and has unwittingly created misunderstandings concerning the influences on, and actions of, the chief governors.

Though these studies are perhaps the foremost examples of how historians have woven these tracts and treatises into the political narrative of Tudor Ireland, many others have utilised them to analyse various aspects of government behaviour in the sixteenth century. The clearest example is in respect of the numerous monographs and articles which, when addressing the mechanics of plantation and colonisation in sixteenth century Ireland, have drawn heavily on the numerous schema drawn up to that effect.[4] An increasing number

[1] Brendan Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century* (Cambridge, 1979).
[2] Nicholas Canny, *The Elizabethan Conquest of Ireland: A Pattern Established, 1565-76* (Hassocks, 1976).
[3] Ciaran Brady, *The Chief Governors: The rise and fall of reform government in Tudor Ireland, 1536-1588* (Cambridge, 1994).
[4] The following is just a selection of some of these works. Robert Dunlop, 'Sixteenth Century Schemes for the Plantation of Ulster', in *Scottish Historical Review*, Vol. 22, No. 85 (Oct., 1924), pp. 51-60; idem, 'Sixteenth Century Schemes for the Plantation of Ulster', in *Scottish Historical Review*, Vol. 22, No. 86 (Jan., 1925), pp. 115-126; idem, 'Sixteenth Century Schemes for the Plantation of Ulster', in *Scottish Historical Review*, Vol. 22, No.87 (Apr., 1925), pp. 199-212; D.B. Quinn, 'Sir Thomas Smith (1513-1577) and the Beginnings of English

of works on religious developments at this time have also turned to position papers to accurately determine whether the state favoured a policy of coercion or persuasion in the effort to protestantise Ireland.[5] Studies of military policy and activity have inevitably been dependent upon treatises to ascertain what the various approaches to bringing conflicts such as the second Desmond rebellion to a conclusion were.[6] Finally, a host of works on institutional history and colonial ideology, as well as those charting occurrences in individual lordships and regions have looked at some of these treatises as a means to more fully comprehend issues as diverse as the policy of 'surrender and regrant', composition for cess, Tudor attitudes towards land cultivation and the Irish language, or more routine initiatives such as that to shire the country and introduce assize sessions into its remoter parts.[7]

However, despite this awareness of the centrality of the treatises to understanding government policy in Tudor Ireland, the genre as a whole has not been the subject of a

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Colonial Theory', in *Proc. of Amer. Phil. Soc.*, Vol. 89, No. 4 **(**Dec., 1945), pp. 543-560; D.G. White, 'The Reign of Edward VI in Ireland: Some Political, Social and Economic Aspects', in *IHS*, Vol. 14, No. 55 (Mar., 1965), pp. 197-211; idem, 'The Tudor Plantations in Ireland before 1571', PhD, 2 Vols. (TCD, 1967); Hiram Morgan, 'The Colonial Venture of Sir Thomas Smith in Ulster, 1571-1575', in *HJ*, Vol. 28, No. 2 (Jun., 1985), pp. 261-278; Michael MacCarthy-Morrogh, *The Munster Plantation: English migration to Southern Ireland 1583-1641* (Oxford, 1986); Nicholas Canny, *Making Ireland British* (New York, 2001).

[5] Brendan Bradshaw, 'Sword, Word and Strategy in the Reformation in Ireland', in *HJ*, Vol. 21, No. 3 (Sep., 1978), pp. 475-502; Helen Coburn Walsh, 'Enforcing the Elizabethan Settlement: The Vicissitudes of Hugh Brady, Bishop of Meath, 1563-84', in *IHS*, Vol. 26, No. 104 (Nov., 1989), pp. 352-376; James Murray, 'St Patrick's Cathedral and the University Question in Ireland, c. 1547-1585', in Helga Robinson-Hammerstein (ed.), *European Universities in the Age of Reformation and Counter-Reformation* (Dublin, 1998), pp. 1-21; Ciaran Brady and James Murray, 'Sir Henry Sidney and the Reformation in Ireland', in Elizabethanne Boran and Crawford Gribben (eds.), *Enforcing Reformation in Ireland and Scotland, 1550-1700* (Aldershot, 2006), pp. 14-39; Henry A. Jefferies, *The Irish Church and the Tudor Reformations* (Dublin, 2010); Mark A. Hutchinson, 'Reformed Protestantism and the Government of Ireland, c. 1565-1582: The Lord Deputyships of Henry Sidney and Arthur Grey', in *The Sidney Journal*, Vol. 29, Nos. 1-2, Special Issue: Sir Henry Sidney in Ireland and Wales (2011), pp. 71-104.

[6] Cyril Falls, *Elizabeth's Irish Wars* (London, 1950), pp. 35-48; Ciaran Brady, 'The captains' games', in Thomas Bartlett and Keith Jeffery (eds.), *A military history of Ireland* (Cambridge, 1996), pp. 136-159; John McGurk, *The Elizabethan conquest of Ireland* (New York, 1997); idem, 'The pacification of Ulster, 1600-3', in David Edwards, Pádraig Lenihan and Clodagh Tait (eds.), *Age of Atrocity: Violence and political conflict in early modern Ireland* (Dublin, 2007), pp. 119-129; Rory Rapple, *Martial Power and Elizabethan Political Culture: Military Men in England and Ireland, 1558-1594* (Cambridge, 2009), pp. 51-85.

[7] Vincent Carey, 'John Derricke's *Image of Ireland*, Sir Henry Sidney, and the Massacre at Mullaghmast, 1578', in *IHS*, Vol. 31, No. 123 (May, 1999), pp. 305-27; idem, *Surviving the Tudors: The 'Wizard' Earl of Kildare and English Rule in Ireland, 1537-1586* (Dublin, 2002), esp. pp. 87-93; Patricia Palmer, *Language and Conquest in Early Modern Ireland: English Renaissance literature and Elizabethan imperial expansion* (Cambridge, 2001); John Montano, *The Roots of English Colonialism in Ireland* (Cambridge, 2011); Jon G. Crawford, *Anglicizing the Government of Ireland: The Irish Privy Council and the expansion of Tudor Rule* (Dublin, 1993), esp. pp. 216-221, 307-308, 391-392; idem, *A Star Chamber Court in Ireland: The Court of Castle Chamber, 1571-1641* (Dublin, 2005), esp. pp. 181-194; Anthony McCormack, *The Earldom of Desmond, 1463-1583: The Decline and Crisis of a Feudal Lordship* (Dublin, 2005), pp. 83-87; Fiona Fitzsimons, 'The Lordship of O'Connor Faly, 1520-1570', in William Nolan and Timothy O'Neill (eds.), *Offaly: History and Society* (Dublin, 1998), pp. 207-242; idem, 'Cardinal Wolsey, the native affinities and the failure of reform in Henrician Ireland', in David Edwards (ed.), *Regions and Rulers in Ireland, 1100-1650: essays for Kenneth Nicholls* (Dublin, 2004), pp. 78-121; Gerald Power, *A European frontier elite: the nobility of the English Pale in Tudor Ireland, 1496-1566* (Hannover, 2012), esp. pp. 63-65.

systematic study. Rather historians, and literary scholars also, have tended to favour looking at individual texts or one of a number of canonical writers above more sustained scrutiny of large numbers of documents. Thus, for instance, Barnaby Rich, Richard Stanihurst and Richard Beacon have received ample attention, while John Davies' *A Discovery of the True Causes why Ireland was never entirely subdued* and Edmund Spenser's *A View of the Present State of Ireland* have been the cause of much spilt ink.[8] The latter in particular has spawned an industry of sorts, the effects of which have been perhaps as misleading as they have been enlightening.[9] While a heightened interest in the thoughts of one of the foremost figures of the English Renaissance on the country which so substantially shaped his life and works is understandable, the degree to which the focus on Spenser has distracted away from the hundreds of other political tracts on Ireland, scores of which have barely graced a footnote in recent times, let alone been subjected to endless scrutiny, is one of the more lamentable aspects of recent developments in the study of political discourse in Tudor Ireland.

[8] John Harrington, 'A Tudor Writer's Tracts on Ireland, His Rhetoric', in *Éire-Ireland*, Vol. 17 (Summer, 1982), pp. 92-103; Eugene Flanagan, 'The anatomy of Jacobean Ireland: Captain Barnaby Rich, Sir John Davies and the failure of reform, 1609-22', in Hiram Morgan (ed.), *Political Ideology in Ireland, 1541-1641* (Dublin, 1999), pp. 158-80; idem, 'Captain Barnaby Rich (1542-1617): Protestant witness in Reformation Ireland', PhD (TCD, 1995); Colm Lennon, *Richard Stanihurst: the Dubliner 1547-1618* (Dublin, 1981); John Barry, 'Derricke and Stanihurst: a dialogue', in Jason Harris and Keith Sidwell (eds.), *Making Ireland Roman: Irish Neo-Latin Writers and the republic of letters* (Cork, 2009), pp. 36-47; Sydney Anglo, 'A Machiavellian Solution to the Irish Problem: Richard Beacon's *Solon His Follie* (1594)', in Edward Chancy and Peter Mark (eds.), *England and the Continental Renaissance: Essays in Honour of J.B. Trapp* (Suffolk, 1994), pp. 153-164; Vincent Carey, 'The Irish face of Machiavelli: Richard Beacon's *Solon his follie* (1594) and republican ideology in Ireland', in Hiram Morgan (ed.), *Political Ideology in Ireland, 1541-1641* (Dublin, 1999), pp. 83-109; Alan Orr, 'Inventing the British Republic: Richard Beacon's *Solon His Follie* (1594) and the Rhetoric of Civilization', in *The Sixteenth Century Journal*, Vol. 38, No. 4 (Winter, 2007), pp. 975-994; Hans Pawlisch, *Sir John Davies and the conquest of Ireland: a study in legal imperialism* (Cambridge, 1985); James P. Myers, Jr., 'Early English Colonial Experiences in Ireland: Captain Thomas Lee and Sir John Davies', in *Éire-Ireland*, Vol. 23, No. 1 (Spring, 1988), pp. 8-21; Jean Brink, 'Sir John Davies: lawyer and poet', in Thomas Herron and Michael Potterton (eds.), *Ireland in the Renaissance, c. 1540-1660* (Dublin, 2007), pp. 88-104. The range of works on Spenser is vast and too cumbersome for inclusion in full here. For bibliographical information on the range of material, see Willy Maley, 'Spenser and Ireland: A Selected Bibliography', in *Spenser Studies*, Vol. 9 (1991), pp. 227-242; idem, 'Spenser and Ireland: An Annotated Bibliography, 1986-96', in *Irish University Review*, Vol. 26, No. 2, Special Issue: Spenser in Ireland: "The Faerie Queene" 1596-1996 (Autumn-Winter, 1996), pp. 342-353. Examples of some of the most important publications since Maley's bibliographical publications include, Andrew Hadfield, *Spenser's Irish Experience: Wilde Fruit and Salvage Soyl* (Oxford, 1997); Willy Maley, *Salvaging Spenser* (London, 1997); Nicholas Canny, 'Poetry as Politics: a view of the present state of the *Faerie Queene*', in Morgan (ed.), *Political Ideology in Ireland, 1541-1641*, pp. 110-126; David Edwards, 'Ideology and experience: Spenser's *View* and martial law in Ireland', in Morgan (ed.), *Political Ideology in Ireland*, pp. 127-157; Christopher Highley, *Spenser, Shakespeare and the Crisis in Ireland* (Cambridge, 1997); Matthew Greenfield and Jennifer Klein Morrison (eds.), *Edmund Spenser: Essays on Culture and Allegory* (Aldershot, 2000); Richard McCabe, *Spenser's monstrous regiment: Elizabethan Ireland and the poetics of difference* (Oxford, 2002); idem, *The Oxford Handbook of Edmund Spenser* (Oxford, 2010). On the argument that Spenser was not in fact the author of the *View*, see Jean R. Brink, 'Constructing the *View of the Present State of Ireland*', in *Spenser Studies*, Vol. 11 (1996), pp. 203-228; Andrew Hadfield, 'Certainties and Uncertainties: By Way of Response to Jean Brink', in *Spenser Studies*, Vol. 12 (1998), pp. 197-202.

[9] On this topic, see Hiram Morgan, 'Beyond Spenser? A historiographical introduction to the study of political ideas in early modern Ireland', in Morgan (ed.), *Political Ideology in Ireland*, pp. 9-21.

Discussion of the content of the *View* will not feature much in what follows, an omission justified on the basis that most of what was written in Spenser's *View* had been said many times prior to his writing; he simply said it better than anybody else. However, certain anomalies surrounding the text, for instance in the unparalleled survival of manuscript copies, will necessitate some reference to it when discussing the treatises as a genre.

The other major trend within these studies of texts and authors has been the overwhelming concentration on works which were printed, either in their own day, or subsequently.[10] This is a problem perhaps proportionate to the difficulties attendant upon the emergence of the academic Spenser industry, for, as will become abundantly clear, print, while significant, was not at the forefront of Irish political discourse in the sixteenth century; manuscript was the medium which mattered most.[11] Despite this, literary scholars especially, and indeed most historians also, have been only too willing to focus their attention on works in print.

However, this inclination, it seems, has also positively contributed to the increase in the number of manuscript treatises edited and published by academic publishers over the past several decades. Though numerous treatises were made available in the eighteenth and nineteenth centuries within antiquarian collections, the work of the Irish Manuscripts Commission, since 1928, and the space allocated to the printing of transcribed manuscripts in a number of prominent journals in recent years, has meant that the writings of individuals such as William Gerrard, Edward Walshe, Rowland White, Richard Hadsor and William Herbert have been reclaimed from obscurity.[12] Inevitably, though, the concentration

[10] This is perhaps epitomised in the handful of volumes offering a collection of excerpts from the writings of early modern commentators on Ireland, all of which have focused almost exclusively on canonical works in print. See, for example, James P. Myers (ed.), *Elizabethan Ireland: A Selection of Writings by Elizabethan Writers on Ireland* (Connecticut, 1983), which contained selections from Edmund Campion, Philip Sidney, John Derricke, Raphael Holinshed, Edmund Spenser, Barnaby Rich, John Davies, Fynes Moryson and Luke Gernon. A more wide-ranging collection was presented in Andrew Hadfield and John McVeagh (eds.), *Strangers to that Land: British Perceptions of Ireland from the Reformation to the Famine* (Cornwall, 1994), pp. 25-133, with the inclusion of writings by authors such as William Gerrard and Arthur Grey, though here again the concentration was entirely on works in print.

[11] On the centrality of manuscripts to all modes of official life in early modern England, see Peter Beal, *In Praise of Scribes: Manuscripts and their Makers in Seventeenth-Century England* (Oxford, 1998), pp. 3-5.

[12] The following is an extensive, though not exhaustive, list of those works which have been published. The first such work dates to the seventeenth century when James Ware (ed.), *The Historie of Ireland* (Dublin, 1633), published works by Edmund Campion, Meredith Hanmer, Henry Marlborough and Edmund Spenser. John Lodge (ed.), *Desiderata Curiosa Hibernica, or a select collection of State Papers*, 2 Vols. (Dublin, 1772), I, pp. 5-12, 87-150, 151-326, contains tracts by George Carey, Thomas Lee and William Farmer. Walter Harris (ed.), *Hibernica, or some antient pieces relating to Ireland*, 2 Vols. (Dublin, 1747), I, pp. 79-103, 430-440, contains a copy of Patrick Finglas' 'A Breviat of the getting of Ireland, and of the decaie of the same' and a 'Discourse' on Ireland by George Carew in 1614. Arthur Collins (ed.), *Letters and Memorials of State*, 2 Vols. (London, 1746), printed a number of important tracts by the Sidneys. Henry Harington (ed.), *Nugae Antiquae, Being a Miscellaneous Collection of Original Papers in Prose and Verse, Written During the Reigns of Henry VIII,*

Queen Mary, Elizabeth, King James, & c. By Sir John Harington, the tranflator of Arisoto, and others who lived in thofe times, 3 Vols. (London, 1792); IAS, *Tracts Relating to Ireland*, 2 Vols. (Dublin, 1841-1843), contained a number of tracts including those by John Dymmock and Robert Payne. John O'Donovan (ed.), *Miscellany of the Celtic Society* (Dublin, 1849), pp. 186-325, re-produced a pair of tracts by Henry Docwra. Walter Bourchier Devereux (ed.), *Lives and Letters of the Devereux, Earls of Essex, in the Reign of Elizabeth, James I and Charles I*, 2 Vols. (London, 1853); Herbert F. Hore (ed.), 'Marshal Bagenal's Description of Ulster, Anno 1586', in *UJA*, Vol. 1, No. 2 (1854), pp. 137-160; Herbert J. Hore and James Graves (eds.), *The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century* (Dublin, 1870), pp. 160-176, 267-268, printed a number of tracts by David Sutton, Walter Cowley, Oliver Sutton and Warham St Leger. Basil Montagu (ed.), *The Works of Francis Bacon, Lord Chancellor of England, with a life of the author*, 3 Vols. (New York, 1884); Edmund Hogan (ed.), 'Haynes' Observations on the state of Ireland in 1600', in *IER*, Vol. 8 (1887), pp. 1112-1122; idem, 'Haynes' Observations on the state of Ireland in 1600 – II', in *IER*, Vol. 9 (1888), pp. 54-66, 160-174; Standish O'Grady (ed.), *Pacata Hibernia, or, A history of the wars in Ireland during the reign of Queen Elizabeth, especially within the Province of Munster under the government of Sir George Carew, and compiled by his direction and appointment*, 2 Vols. (London, 1896); Henry Morley (ed.), *Ireland under Elizabeth and James I*, (London, 1890); C. Litton Falkiner (ed.), *Illustrations of Irish History* (London, 1904), contains documents by Josias Bodley, Luke Gernons and William Brereton. idem, 'Barnaby Rich's 'Remembrances of the state of Ireland, 1612' with notices of other manuscript reports, by the same writer, on Ireland under James the First', in *PRIA*, Vol. 26C (1906), pp. 125-142; James Buckley (ed.), 'Munster in A.D. 1597', in *JCHAS*, Vol. 12 (1906), pp. 53-68; C. Litton Falkiner (ed.), 'William Farmer's Chronicles of Ireland from 1594 to 1613', in *EHR*, Vol. 22, No. 85 (Jan., 1907), pp. 104-130; idem, 'William Farmer's Chronicles of Ireland. (Continued)', in *EHR*, Vol. 22, No. 87 (Jul., 1907), pp. 527-552; Thomas Gogarty (ed.), 'The Archbishop of Armachane's Opinion touchinge Ireland', in *JCLAS*, Vol. 2, No. 2 (Sep., 1909), pp. 149-164; Robert Twigge (ed.), 'Edward White's Description of Thomond in 1574', in *JNMAS*, Vol. 1 (1910), pp. 75-85; John Dawtrey (ed.), *The Falstaff Sage, being the life and opinions of Captain Nicholas Dawtrey* (London, 1927); Charles MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of His Report on Ireland', in *Anal. Hib.*, No. 2 (Jan., 1931), pp. 93-291; Herbert Wood (ed.), *The chronicle of Ireland, 1584-1608* (Dublin, 1933); Edward M. Hinton (ed.), 'Rych's Anothomy of Ireland, with an Account of the Author', in *PMLA*, Vol. 55, No. 1 (Mar., 1940), pp. 73-101; D.B. Quinn (ed.), *The Voyages and Colonising Enterprises of Sir Humphrey Gilbert*, 2 Vols. (London, 1940); idem, ''A Discourse of Ireland' (Circa 1599): A Sidelight on English Colonial Policy', in *PRIA*, Vol. 47C (1941/1942), pp. 151-166; idem, 'Edward Walshe's '*Conjectures*' concerning the state of Ireland', in *IHS*, Vol. 5, No. 20 (Sep., 1947), pp. 303-333; A.F. Vossen (ed.), *Two bokes of the histories of Ireland* (Assen, 1963); Katherine Duncan-Jones and Jan Van Dorsten (eds.), *Miscellaneous Prose of Sir Philip Sidney* (Oxford, 1973), pp. 3-12, prints Sidney's discourse on Irish affairs. Nicholas Canny (ed.), 'Rowland White's "Discors Touching Ireland", c. 1569', in *IHS*, Vol. 20, No. 80 (Sep., 1977), pp. 439-463; idem, 'Rowland White's "The Dysorders of the Irisshery", 1571', in *Stud. Hib.*, No. 19 (1979), pp. 147-160; Brendan Bradshaw (ed.), 'A Treatise for the Reformation of Ireland, 1554-5', in *IJ*, Vol. 16 (1981), pp. 299-315; Colm Lennon, *Richard Stanihurst: the Dubliner 1547-1618* (Dublin, 1981); John Bale, *The Vocacyon of Johan Bale to the bishoprick of Ossorie*, eds. Peter Happé and John N. King (Binghamton, 1990); William Herbert, *Croftus Sive in Hibernia Liber*, eds. Arthur Keaveney and John Madden (Dublin, 1992); Raymond Gillespie (ed.), 'Plantation and Profit: Richard Spert's Tract on Ireland, 1608', in *Ir. Econ. Soc. Hist.*, Vol. 20 (1993), pp. 62-71; Bernadette Cunningham (ed.), 'A View of Religious Affiliation and Practice in Thomond, 1591', in *Archiv. Hib.*, Vol. 48 (1994), pp. 13-24; Willy Maley (ed.), 'The Supplication of the Blood of the English Most Lamentably Murdered in Ireland, Cryeng out of the Yearth for Revenge (1598)', in *Anal. Hib.*, No. 36 (1995), pp. 1-77; Hiram Morgan (ed.), 'A Booke of Q + Answars concerning the warres or rebellions of the kingdome of Irelande', 1597, in *Anal. Hib*. Vol. 36 (1995), pp. 79-135; idem, 'Lawes of Irelande', in *IJ*, Vol. 31 (1995-96), pp. 307-312; Richard Beacon, *Solon his follie*, eds. Clare Carroll and Vincent Carey (Binghamton, 1996); Joseph McLaughlin (ed.), 'Select Documents XLVII: Richard Hadsor's 'Discourse' on the Irish State, 1604', in *IHS*, Vol. 30, No. 119 (May, 1997), pp. 337-353; Edmund Spenser, *A View of the Present State of Ireland*, eds. Andrew Hadfield and Willy Maley (Oxford, 1997); Graham Kew (ed.), *The Irish sections of Fynes Moryson's unpublished "Itinerary"* (Dublin, 1998); Alan Ford (ed.), 'Parr Lane, 'Newes from the Holy Ile'', in *PRIA*, Vol. 99C (1999), pp. 115-156; Ciaran Brady (ed.), *A Viceroy's Vindication?: Sir Henry Sidney's Memoir of Service in Ireland, 1556-78* (Cork, 2002); Raymond Gillespie (ed.), 'Three Tracts on Ireland, c. 1613', in *Anal. Hib.*, No. 38 (2004), pp. 1-47; Victor Treadwell (ed.), *The Irish Commission of 1622: An Investigation of the Irish Administration, 1615-22, and its Consequences, 1623-24* (Dublin, 2006), pp. 27-34, 40-47, 742-744, 755-763, contains transcription of tracts by Francis Annesley, Francis Blundell, Richard Hadsor and William Parsons. A number of tracts have also appeared as appendices to monographs. See, for example, Gerald Hayes-McCoy, *Scots Mercenary Forces in Ireland (1565-1603)* (Dublin, 1937), pp. 345-347, 349-355, which transcribes state

continues to be on tracts of a certain level of literary sophistication, while hundreds of treatises, which actually affected government policy substantially, remain available only through recourse to the original manuscripts, many of which are difficult even to identify, owing to inadequate calendars and poor catalogues.

Indeed the deficient nature of the latter tools renders study of the 'reform' treatises especially difficult. In many instances even identifying the relevant documents is particularly challenging. As such, for the purposes of the present study an exhaustive exploration of the major archival collections was necessary, a task which in the case of some previously underutilised manuscripts such as Cotton MSS. Titus B XII yielded rich rewards, but in others, notably the Carte MSS., revealed little beyond just how sparsely populated with treatises that collection is. The onerous nature of this archival scouring has no doubt also contributed to the fact that no systematic study of the treatises, such as is offered in the following pages, has previously appeared.

It is perhaps owing to all these impediments that historians have been reluctant to engage with the treatises as a body of work thus far. That they have been so is in spite of regular appeals that the tracts ought to be made more widely available in print and a systematic study of them undertaken. Thus, for instance, D.B. Quinn in the 1950s noted how the treatises 'have never been systematically collated and studied as a whole' and that if this could be accomplished 'it would add a chapter of great interest to Irish history'.[13] R.D. Edwards and Mary O'Dowd were more expansive in 1985 when they stated that:

"In view of the ideological debate which these treatises have aroused there is an urgent need to assess them from an archival viewpoint. They need to be placed in a chronological sequence and the main authors identified."[14]

Others such as Andrew Hadfield continued to call in the 1990s for more additional printed volumes of documents 'languishing in the state papers'.[15] Finally, in 1998 Alan Ford claimed that the way forward in studies of political discourse in Tudor and early-Stuart Ireland was to escape:

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papers by John Smyth and William Piers. Hiram Morgan (ed.), *The Battle of Kinsale* (Wicklow, 2004), pp. 394-407, prints a discourse by Ralph Birkenshaw.

[13] D.B. Quinn, 'Ireland and sixteenth-century European expansion', in T.D. Williams (ed.), *Historical Studies I* (1958), pp. 20-32, p. 23.

[14] R.D. Edwards and Mary O'Dowd, *Sources for Early Modern Irish History, 1534-1641* (Cambridge, 1985), p. 86.

[15] Andrew Hadfield, 'Review: Coloniser and Proselytiser', in *The Irish Review*, No. 13, Autobiography as Criticism (Winter, 1992/1993), pp. 169-172.

"from the tyranny of the existing canon [of treatises] and [by] expanding the scope of academic enquiry by investigating some of those texts that still lie unedited, unused and unread by scholars and explore in some depth their precise historical context."[16]

In light of this centrality of the treatises to the study of the political history of Tudor Ireland and the avowed need for a systematic survey it is curious that no such work has been produced. The closest was D.B. Quinn's 1966 *The Elizabethans and the Irish* which looked at a wide, though not exhaustive, array of tracts both in print and manuscript.[17] This pioneering but impressionistic monograph was primarily concerned with English perceptions of the Irish from a socio-anthropological perspective.

However, the decades since the appearance of Quinn's monograph have seen a wide ranging historiographical debate on the nature of government policy. As such, much of what follows will be located firmly within this debate, specifically as to whether the English state sought to conquer Ireland, or to 'reform' it.[18] The principle contention of the following study in this respect is that contemporaries, and in particular treatise writers, did not make such a distinction, for where 'conquest' and 'reform' were spoken of in the tracts they were more often than not held to mean the same thing and were used interchangeably. It was always accepted that Ireland would be conquered and amalgamated into the English state. What was at issue was the level of coercion to be employed, with some favouring an absolute strategy of military conquest and others arguing that the country ought to be subjugated by using a mix of military coercion and the extension of the common law throughout the country. The implication of both strategies, however, was that Ireland would be subsumed both politically and culturally within the English state and the contention advanced in recent times that 'reform' and 'conquest' were somehow mutually exclusive seems on the face of it somewhat erroneous.[19]

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[16] Alan Ford, 'Reforming the Holy Isle: Parr Lane and the conversion of the Irish', in Toby Barnard, Dáibhí Ó'Cróinín and Katharine Simms (eds.), *A Miracle of Learning: studies in manuscripts and Irish learning: essays in honour of William O'Sullivan* (Aldershot, 1998), pp. 137-163, p. 139.

[17] D.B. Quinn, *The Elizabethan and the Irish* (Ithaca, 1966). For other attempts at analysing the texts in a systematic fashion see Edward M. Hinton, *Ireland through Tudor eyes* (Philadelphia, 1933); Edwards and O'Dowd, *Sources for Early Modern Irish History*, pp. 85-105. However, the range of the former is quite limited, while the latter considered the treatises not in their own right but as part of a general introduction to the range of source material available to students of early modern Ireland.

[18] See, for instance, Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*; Canny, *The Elizabethan Conquest of Ireland*; Brady, *The Chief Governors*; Crawford, *Anglicizing the Government of Ireland*; idem, *A Star Chamber Court in Ireland*; Fitzsimons, 'Cardinal Wolsey, the native affinities and the failure of reform in Henrician Ireland'; David Edwards, 'The escalation of violence in sixteenth-century Ireland', in Edwards, Lenihan and Tait (eds.), *Age of Atrocity*, pp. 34-78.

[19] For this interpretation, see, in particular, Brady, *The Chief Governors*; Crawford, *Anglicizing the Government of Ireland*; idem, *A Star Chamber Court in Ireland*.

Consequently the decision to refer throughout to the documents as 'reform' treatises necessitates some explanation. In answer the explanation once given by T.K. Rabb to rationalize his use of the term 'crisis' in relation to the first half of the seventeenth century, despite possessing fundamental doubts concerning the utility of the term, can be cited; specifically that attempting to simply dispense with a term which has entered common parlance is essentially parlous:

"Nevertheless a concept that has become embedded in historical usage develops a life of its own. To discuss a subject while studiously ignoring the word that commonly describes it is to raise more problems than one solves. Whatever their doubts, scholars and students continue to speak of the Renaissance, the Cold War, and the seventeenth-century "crisis". No amount of debunking is going to remove this shorthand from our consciousness. It is not necessary, however, to surrender to convention without further ado, leaving all the grave reservations intact. Therefore, while retaining the term as part of the following analysis, I will be limiting its application quite strictly. Circumscribed in usage, it should illuminate rather than befog my purpose."[20]

Similarly, in what follows, 'reform' will be generally found in parentheses in the hope that this too will serve more to elucidate rather than to confuse.

Beyond this engagement with the historiographical debates currently underway, what follows is first and foremost a study of the treatises as a group of documents. Consequently attempts will be made to determine the actual number of tracts produced in the sixteenth century, while also assessing the various typologies and motivations for writing. As will become clear some were concerned with a broad range of issues, others on narrow matters in relation to military campaigning or institutional restructuring, while individuals took up their pens for multiple reasons ranging from a desire to extend government power to naked self-interest. Furthermore, it will be shown that the frequency with which authors composed treatises varied wildly with a relative dearth at times of particularly autocratic governance such as was experienced under Sussex, and a veritable explosion in political discourse in periods of crisis, as occurred during the Nine Years War.

This charting of the appearance of treatises links itself to one of the other central contentions of the following study, namely that there was an emergent public sphere, that sphere of life where private persons come together to discuss issues affecting public, and above all political, life, in Tudor Ireland. Recent years have seen a profusion of works on the public sphere in early modern England. This has been just one of the myriad developments in the broadening of the study of politics in Tudor England which has occurred over the past two decades. Previously it was argued forcefully by Conyers Read, J.E. Neale and Geoffrey

[20] T.K. Rabb, *The Struggle for Stability in early modern Europe* (New York, 1975), pp. 30-31.

Elton amongst others that the most important subjects of study for historians of high politics in Tudor England were the allegedly decisive role of the monarch in decision making, along with the centrality of formal institutions of government, notably the privy council, and the factionalism which was identified as being nearly endemic at the Tudor court.[21] Yet, recent work has deemed otherwise. In particular the thesis that politics functioned as a closed network of decisive monarchs working in consultation with a small clique of faction-ridden ministers has been replaced by one in which there was much more wide-ranging and informal political participation. In particular Simon Adams, Stephen Alford, Patrick Collinson, John Guy, Paul Hammer and Natalie Mears have demonstrated how limited the extent of factionalism was at the Tudor court and how politics there was considerably collegial, a necessity in the face of often prevaricating monarchs, particularly Elizabeth I whose failure to marry and produce an heir endangered the very future of the Protestant *respublica*.[22] In addition it has become apparent that the political world of Tudor England stretched far beyond politicians of the first rank to a network of informal counsellors who often served as ambassadors, conciliar agents and messengers. The relationships of elite and popular culture with central authority has also become of growing importance in the study of Tudor politics, while individual studies of once almost marginal political figures such as Robert Beale, Nicholas Bacon and Thomas Smith have appeared.[23] Finally, work on the public sphere has begun in the past several years.[24]

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[21] The following is just a brief selection of the relevant works. Conyers Read, *Mr Secretary Walsingham and the Policy of Queen Elizabeth*, 3 Vols. (Oxford, 1925); idem, *Lord Burghley and Queen Elizabeth* (London, 1960); J.E. Neale, *Queen Elizabeth I* (London, 1934); idem, *Elizabeth I and her Parliaments: 1559-1581* (Milan, 1955); idem, *Essays in Elizabethan History* (London, 1958); G.R. Elton, *The Tudor Revolution in Government: administrative changes in the reign of Henry VIII* (Cambridge, 1953); idem, *England under the Tudors* (London, 1974); idem, *Studies in Tudor and Stuart Politics and Government: Papers and Reviews, 1946-1972*, 4 Vols. (Cambridge, 1974-1992).

[22] For some of the most important contributions, see Simon Adams, *Leicester and the Court: Essays on Elizabethan Politics* (Manchester, 2002); Patrick Collinson, *Elizabethan Essays* (London, 1994); Stephen Alford, *The early Elizabethan polity: William Cecil and the British succession crisis, 1558-1569* (Cambridge, 1998); idem, 'Politics and Political History in the Tudor Century', in *HJ*, Vol. 42, No. 2 (Jun., 1999), pp. 535-548; John Guy (ed.), *The Reign of Elizabeth I: Court and culture in the last decade* (Cambridge, 1995); idem, *The Tudor Monarchy* (London, 1997); Natalie Mears, *Queenship and Political Discourse in the Elizabethan Realms* (Cambridge, 2005); Paul Hammer, *The Polarisation of Elizabethan Politics: the political career of Robert Devereux, 2nd Earl of Essex, 1585-1597* (Cambridge, 1999).

[23] David Cressy, *Society and Culture in Early Modern England* (Ashgate, 2003); idem, *Dangerous Talk: scandalous, seditious and treasonable speech in Pre-Modern England* (Oxford, 2010); Mary Dewar, *Sir Thomas Smith: a Tudor intellectual in office* (London, 1964); R. Tittler, *Nicholas Bacon: the making of a Tudor statesman* (Ohio, 1976); Patrick Collinson, 'Sir Nicholas Bacon and the Elizabethan Via-Media', in *HJ*, Vol. 23, No. 2 (Jun., 1980), pp. 255-273; Patricia Ann Brewerton, 'Paper Trails: Re-reading Robert Beale as Clerk of the Privy Council', PhD (University of London, 1998); Mark Taviner, 'Robert Beale and the Elizabethan Polity', PhD (St Andrew's University, 2000).

[24] See, for example, Peter Lake and Michael Questier, 'Puritans, Papists and the "Public Sphere" in Early Modern England: The Edmund Campion Affair in Context', in *The Journal of Modern History*, Vol. 72, No. 3 (Sep., 2000), pp. 587-627; idem, *The Anti-Christ's Lewd Hat: Protestants, Papists and Players in post-*

Yet for Ireland much of the focus of political history remains on formal institutions and those occupying high office.[25] In particular, in regard to the public sphere, scholars on the whole have been reluctant to engage with this issue in respect of the sixteenth century and indeed the seventeenth century also. What follows will argue that there is substantive evidence to suggest that as well as in England there was a public sphere emerging in Ireland at this time, particularly so from the outset of Elizabeth's reign when an exponential growth in treatise composition would seem to indicate that the conversation and debate on matters of public policy in Ireland was expanding significantly. In doing so it may contribute to the development of a political history for Tudor Ireland which posits a much wider political world than that of Dublin Castle.

Beyond these broad developments in the areas of high policy and discoursing as a whole, it is imperative to remember that the treatises are primarily about ideas and policy initiatives. The authors of these documents first and foremost were concerned to analyse the problems as they saw them in Ireland and to provide solutions thereon. Consequently perhaps the most central facet of the ensuing study is the charting of these proposals, when they first appear, and who propounded them, how others gradually became aware of these schemes, how, and if, they were implemented and whether or not they proved successful in any substantive fashion. The answer to these questions will be outlined for a wide range of political initiatives stretching from the campaign to 'reduce' south Leinster in the 1530s and the policy of 'surrender and regrant', through to the Ulster plantation and the mainstream acceptance of transplantation as a legitimate means of dealing with recalcitrant elements at the outset of the seventeenth century.

In order to best examine the development of these policy initiatives a chronological approach has been adopted for the present study. As such the principal topics which arise in the treatises in each distinct period will be looked at. Accordingly the scheme of composition will be examined as part of a wider study of the treatises produced during Sidney's tenures as lord deputy. By necessity some contextualisation will be provided, though this will be strictly limited. Finally, and perhaps somewhat unfortunately, this methodological approach will lead to some repetition of details, as, for example, it is not possible to chart the government's response to various problems it encountered in Ulster over the course of the century, notably

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Reformation England (New Haven, 2002); Peter Lake and Steven Pincus (eds.), *The politics of the public sphere in early modern England* (Manchester, 2007); Mears, *Queenship and Political Discourse in the Elizabethan Realms*; Alexandra Halasz, *The Market Place of Print: Pamphlets and the Public Sphere in Early Modern England* (Cambridge, 1997).

[25] See, in particular, Brady, *The Chief Governors*; Crawford, *Anglicizing the Government of Ireland*.

the incursions of the Scots and the recalcitrance of the Gaelic lords there, without reiterating certain points. Critically, this is largely owing to the fact that the treatises themselves were repetitious and, as will become abundantly clear, the aspirational solutions which appeared in them usually had long shelf lives in Tudor Ireland.

What follows, then, is a study of a particular set of documents, the ideas contained therein and of the authors of those texts. But it is hoped that this will also reveal much besides about the time and place these texts were produced in and in particular about the nature of government policy and action there, while also highlighting how people in sixteenth century Ireland discoursed about matters of public interest. Chapter One is a study of the 'reform' treatises as text which looks at the authorship, typology, form and composition of the tracts. Chapters Two through Six will then overview the major developments in Tudor political discourse on Ireland in five individual periods beginning with the reign of Henry VIII, moving through the mid-Tudor period and lord deputyships of Henry Sidney in Chapters Three and Four respectively, followed by an analysis of the period stretching from the second Desmond rebellion to the outbreak of the Nine Years War and concluding by examining the policy developments attendant upon the lead up to, course of, and aftermath of, that calamitous conflict, in Chapter Six. Ultimately, and finally, in the course of such an inquiry it is imagined that much will be revealed that will confirm D.B. Quinn's statement concerning the utility of these tracts for gaining some insight into the minds of Tudor Englishmen in Ireland, specifically that they were at once 'curious, surprised, hostile, censorious, nationalistic, reforming, and, paradoxically, at times sympathetic and brutal almost in the same breath'.[26]

[26] Quinn, *The Elizabethans and the Irish*, p. 33.

Chapter One – The 'Reform' Treatise

The sixteenth century witnessed an unprecedented proliferation of literature pertaining to the social and political landscape of Ireland composed by men of English birth, as well as those born in Ireland and varyingly of English and Irish descent. These documents are most commonly referred to as the 'reform' treatises of Tudor Ireland, an appellation owed both to the frequent use of the word throughout the texts themselves and to the ostensible intent of the various authors to postulate specific schemes for the ameliorating of Ireland's perceived political and social problems. The writings involved are a disparate array comprised of formal treatises, memoranda, reports, official and private correspondence, journals, histories, promotional literature and assorted print material. Variously titled as a 'Discourse', 'Survey', 'View', 'Discovery', 'Description', 'State', 'Dialogue', 'Narration', 'Relation', 'Device', 'Notes', 'Report', 'Information', 'Articles', 'Device', 'Boke', 'Opinion', 'Plot', 'Plat', 'Brief' or 'Breviat', hundreds of these texts are extant, the most conspicuous of which are canonical texts such as Spenser's *View* and Davies *Discovery*.[1]

There was evidently some precedence for this political discourse, the most conspicuous protagonist being the twelfth century scholar, Giraldus Cambrensis. His works on Ireland, incorporating elements of ethnography, topography and history, along with the *Polychronicon* of the fourteenth century Benedictine, Ranulf Higden, and the medieval annals of Christopher Pembridge and Henry Marlborough, acted as foundational texts for those who eclipsed them in the Tudor period.[2] Thus, for instance, Giraldus' works were

[1] Edmund Spenser, *A View of the Present State of Ireland*, eds. Andrew Hadfield and Willy Maley (Oxford, 1997); John Davies, 'A Discovery of the True Causes why Ireland was never entirely subdued', in Morley (ed.), *Ireland under Elizabeth and James I*, pp. 217-342.

[2] Giraldus Cambrensis, *Expugnatio Hibernica*, eds. F.X. Martin and A.B. Scott (Dublin, 1978); idem, *The History and Topography of Ireland*, ed. J.J. O'Meara (London, 1982); Robert Bartlett, *Gerald of Wales, 1146-1223* (Oxford, 1982); John Gillingham, 'Images of Ireland, 1170-1600: The Origins of English Imperialism', in *HT*, Vol. 37, No. 2 (Feb., 1987), pp. 16-22. The *Expugnatio* entered print for the first time following its inclusion in the 1587 edition of Holinshed's *Chronicles*. See Henry Ellis (ed.), *Holinshed's Chronicles of England, Scotland and Ireland*, 6 Vols. (London, 1807-1808), VI, pp. 121-232. W.R. Jones, 'The Image of the Barbarian in Medieval Europe', in *Comparative Studies in Society and History*, Vol. 13, No. 4 (Oct., 1971), pp. 376-407, esp. pp. 396-397; Ronald Waldron (ed.), *John Trevisa's translation of the Polychronicon of Ranulph Higden* (Heidelberg, 2004). For Pembridge's annals see the extracts made by Phillip Flattisbury in 1517 for the earl of Kildare collected together with other material in BL, Add. MS. 40,674. For an account of this manuscript and the annals generally, see Robin Flower, 'Manuscripts of Irish Interest in the British Museum 1', in *Anal. Hib.*, Vol. 2 (1931), pp. 310-329, esp. pp. 320-321. Regarding Marlborough's annals, as utilised in Tudor times, see William Camden, *Brittania, Or a Chorographicall Description of the Most flourifhing Kingdomes, England,*

utilised by a wide array of early modern commentators on Ireland from Richard Stanihurst and Edmund Campion to Meredith Hanmer and John Davies.[3] Similarly, copies of the *Polychronicon* and Giraldus' works were in the library of Gerald Fitzgerald, ninth earl of Kildare, in 1526, while those texts, along with Pembridge's annals, were all used in the compiling of *The Book of Howth*, which in turn was employed by Hanmer, George Carew and Davies.[4]

Conversely the fifteenth century is notable for a lack of similar commentary, which may be ascribed to a paucity of surviving records, but is most likely attributable to a growing ignorance of the neighbouring island. Domestic turmoil in England, the War of the Roses, and a concurrent devolution of effective power into the hands of the Anglo-Irish magnates effectively retarded the need for information relating to Ireland and the absence of such treatises reflects this lack of involvement.[5] Consequently, one of the earliest discourses to be composed during the sixteenth century alluded to the manner in which Ireland was neglected as a direct result of the turbulence created by the dynastic struggles over the crown of England:

"A greate cause of the deselacon of the land shuld seme to be of the remysnes of the kyng's progenytors that have not substanciallye sene to the lande, the defaulte wherof myghte be thoughte hathe growen by reason of the decension in Ingland betwext the houses of Lancastre and Yorke for the title of the crowne and sumtymes theone partie hathe reigned and other seasons theother partie…wherby they have not had oportunytie to provyde for Irland."[6]

However, a perceivable watershed was reached with the accession of Henry VIII. Though there had been some clamour for 'reform' within the lordship itself towards the end of the fifteenth century, primarily among the religious orders, it fell to Henry to become the first Tudor monarch to take a consequential interest in his Irish lordship.[7] The decision to take

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Scotland and Ireland, and the Iflands adjoining, out of the depth of Antiqvitie, 2 Vols. (London, 1637), II, pp. 195-201.

[3] Hiram Morgan, 'Giraldus Cambrensis and the Tudor conquest of Ireland', in Morgan (ed.), *Political Ideology in Ireland*, pp. 22-44.

[4] Gearóid MacNiocaill (ed.), *Crown Survey of Lands, 1540-41, with the Kildare Rental begun in 1518* (Dublin, 1992), pp. 312-314, 355-356; Valerie McGowan-Doyle, *The Book of Howth: Elizabethan Conquest and the Old English* (Cork, 2011), pp. 40-41, 53-61, 69-71.

[5] The paucity of texts for the period up to Henry VIII's reign is apparent from the reliance on administrative records in some general accounts, such as, D.B. Quinn, 'Anglo-Irish Local Government, 1485-1534', in *IHS*, Vol. 1, No. 4 (Sep., 1939), pp. 354-381; Steven Ellis, *Reform and revival: English government in Ireland, 1470-1536* (Woodbridge, 1986); idem, 'Henry VII and Ireland, 1491-1496', in James Lydon (ed.), *England and Ireland in the later middle ages: essays in honour of Jocelyn Otway-Ruthven* (Dublin, 1981), pp. 237-254.

[6] Robert Cowley?, 'A discourse of the evil state of Ireland, and of the remedies thereof', c. 1528, BL, Lansdowne MS. 159, ff. 2-16, f. 3v. The document has been calendared in L.P. IV(ii), 2405.

[7] See Brendan Bradshaw, 'The English Reformation and identity formation in Ireland and Wales', in Brendan Bradshaw and Peter Roberts (eds.), *British Consciousness and Identity* (Cambridge, 1998), pp. 43-111, for an analysis of the reform initiatives orchestrated by, for example, the Observant Franciscans.

an active role, however spasmodic, provided the foundation for these literary endeavours. Thus, 1509 acts as a suitable point to begin evaluating the 'reform' treatises.

The following chapter provides an overview of this political literature. An outline of the general authorship will precede analysis of the structure and typology of the texts. This will be supplemented by a look at the composition process, particularly by highlighting instances of intertextuality. In addition some general remarks will be made on the political function of the 'reform' treatise; why was it written and what channels did it pass through to affect policy making? But, it is necessary at the outset to direct attention towards a specific set of documents the importance of which for the development of political discourse in Tudor Ireland was immense, specifically those which originated within the Old English community in the years preceding the Kildare rebellion.

I – The Old English 'Reform' Authors

Ever since the appearance of Brendan Bradshaw's seminal study of political reform in Ireland during the reign of Henry VIII there has been an acute awareness of the significance of the handful of tracts written on the 'reform' of the lordship prior to the Kildare rebellion.[8] While scholars were conscious of the importance of these documents prior to Bradshaw's writing his supposition that the tracts constituted evidence for the existence of a 'reform' platform within the lordship which was influenced by the tenets of Christian humanism has generated widespread interest in these writings.[9] In particular he supposed that this platform substantially affected those who developed the conciliatory strategy of the early-1540s which saw the lordship raised to a kingdom and the policy known as 'surrender and regrant' implemented. The specifics of these later policies will be provided in the following chapter, but it is necessary to note here that Bradshaw's analysis of these treatises has been called into question in a recent article by Fiona Fitzsimons.[10] For instance, only one of the four tracts involved actually evinces the influence of Christian humanism, while Bradshaw did not attempt to identify the writer of the two of these four tracts for which the authorship is uncertain. Furthermore, and crucially, by supposing the existence of a 'reform' milieu,

[8] idem, *The Irish Constitutional Revolution of the Sixteenth Century*.
[9] For an example of a study which pre-dated Bradshaw's and which looked in extensive detail at these tracts, see D.G. White, 'Tudor Plantations in Ireland to 1571', PhD, 2 Vols. (TCD, 1967), I, pp. 21-69.
[10] Fitzsimons, 'Cardinal Wolsey, the native affinities, and the failure of reform in Henrician Ireland', pp. 80-92; Nicholas Canny, 'Introduction: Spenser and the reform of Ireland', in Patricia Coughlan (ed.), *Spenser and Ireland: An interdisciplinary perspective* (Cork, 1989), pp. 9-24, has also questioned Bradshaw's interpretation of Christian humanism.

Bradshaw has fundamentally distorted our understanding of these texts and their significance. Finally, Fitzsimons has suggested that rather than representing a movement for political change these tracts formed part of a pro-Butler effort to discredit the Geraldines.[11] This aside, Bradshaw's work on these treatises remains important in so far as it drew increased attention to them, for as the following will outline these texts were a major influence on later writers and are of fundamental importance to an understanding of political discourse in Tudor Ireland.[12]

Bradshaw's study concentrated on four tracts, specifically William Darcy's 1515 'Articles', the 1515 'State of Ireland and Plan for its Reformation', Patrick Finglas' 'A Breviat of the getting of Ireland and of the decaie of the same', variously assumed to have been composed at any time between 1515 and 1533, and the anonymous 'A discourse of the evell state of Ireland, and of the remedies thereof', written c. 1528.[13] However, the earliest documents to appear on the 'reform' of the lordship date to some years prior to 1515. The most noteworthy of these is a letter by Edmond Golding to the seventh earl of Ormond, dating to around 1511. Here he expressed dismay at the cultural degeneracy of the Pale wherein he noted that the Irish practice of riding without a saddle had been almost universally embraced, while English apparel was worn by few. He then urged Ormond to take action to curb the depredations of Irish military retinues in the Pale. Interestingly, Golding was the father-in-law of Patrick Finglas and he also singled out William Darcy for praise in his letter as one of the few who still wore English dress.[14] Another writer who has received little previous attention is Christopher Cusack who composed a series of statistical treatises whilst serving as the sheriff of Meath in 1511.[15] Generally, Cusack compiled a list of the principal landowners of that county, the surrounding areas and their military capabilities, an endeavour which may have been intended to demonstrate the resources available to the government should a more active role in the lordship be taken by the king.

Some years later, in 1515, appeared the first of those tracts identified by Bradshaw, the 'Articles' of William Darcy, which were presented at court upon Gerald Fitzgerald, ninth

[11] Fitzsimons, 'Cardinal Wolsey, the native affinities, and the failure of reform in Henrician Ireland', pp. 85-86.
[12] For previous studies on this influence, see Ciaran Brady, 'The road to the *View*: on the decline of reform thought in Tudor Ireland', in Coughlan (ed.), *Spenser and Ireland*, pp. 25-45; idem, *The Chief Governors*, pp. 1-10.
[13] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 32-57.
[14] Edmond Golding, 'Edmond Golding to the Earl of Ormond', c. 1511, *Cal. Ormond Deeds*, IV, app. 76, pp. 356-358. This document has been recently noted by Power, *A European frontier elite*, p. 63.
[15] Christopher Cusack, 'Collections concerning Ireland and especially Meath', 1511, TCD, MS. 594; idem, 'The extent of ye counties of Meath, Dublin and Louth, taken from ye collections of Christopher Cusack of Meath', 1511, TCD, MS. 804, partially printed in Brendan Scott, *Religion and Reformation in the Tudor Diocese of Meath* (Dublin, 2006), App. 1, pp. 149-151.

earl of Kildare, being summoned to England.[16] Darcy, whom Fitzgerald had removed from the post of under-treasurer the previous year, alleged that Kildare, the king's deputy in Ireland since his father's death in 1513, was responsible for the decay of the lordship. Kildare was purportedly following a by-now established practice for the great Irish magnates, of adopting Gaelic cultural and military practices, the most deplorable of which allegedly was 'coign and livery'. Derived from the Gaelic 'coinmeadh', the lords taking of hospitality from his tenants, and 'livery', an English expression for the providing of horsemeat by and for the same parties, the term was employed by Darcy as a catch-all phrase for the multitude of bastard feudal exactions imposed by the lords on the country.[17]

1515 also saw the appearance of the more extensive 'State' which was most likely composed by an English-born cleric, John Kite, who had recently been appointed to the archbishopric of Armagh and had written to Wolsey in 1514 declaring the necessity of reforming Ireland.[18] Kite's approval for the ecclesiastical office may well have been as a result of a decision to send him on a fact finding mission to Ireland, which resulted in the 'State'. Given his lack of experience on Irish affairs, though, it seems probable that the treatise was composed in consultation with members of the Old English community.[19] As in Darcy's memorandum the cause of the lordship's deterioration was identified in the 'State' as attributable to the cultural degeneracy of the Anglo-Irish lords of Ireland and the quasi-anarchic political system which prevailed there, epitomised by the adoption of the system of Gaelic exactions countrywide:

"Also, ther is more then 30 greate captaines of thEnglyshe noble folke, that folowyth the same Iryshe ordre, and kepeith the same rule, and every of them makeith warre and pease for hymself, without any lycence of the King, or of any other temperall person, saive to hym that is strongeyst, and of suche that maye subdue them by the swerde."[20]

The other two tracts which emerged from the Old English community at this time shared the concerns of Golding, Darcy and Kite, but added to them in a number of important

[16] William Darcy, 'Articles', 1515, Cal. Carew MSS. 1515-1574, 2; Steven Ellis, 'An English gentleman and his community: Sir William Darcy of Platten', in Vincent Carey and Ute Lotz-Heumann (eds.), *Taking sides?: colonial and confessional mentalities in early modern Ireland* (Dublin, 2003), pp. 19-41; *DIB*, s.v. Darcy, Sir William. Also, see Colm Lennon, *Sixteenth-Century Ireland: The Incomplete Conquest* (Dublin, 1994), pp. 77-86, who pays specific attention to Darcy when considering the rise of an anti-Kildare movement in the early decades of the century.

[17] C.A. Empey and Katharine Simms, 'The Ordinances of the White Earl and the Problem of Coign in the Later Middle Ages', in *PRIA*, Vol. 75C (1975), pp. 161-187.

[18] John Kite, 'John Kite, Archbishop of Armagh, to Thomas Wolsey, Bishop of Lincoln', 1514, TNA: PRO, SP 63/1/3; *DIB*, s.v. Kite, John.

[19] John Kite?, 'The State of Ireland and Plan for its Reformation', 1515, *SP Henry VIII*, ii, 1. The attribution of the tract to Kite is in Fitzsimons, 'Cardinal Wolsey, the native affinities and the failure of reform in Henrician Ireland', p. 84.

[20] Kite?, 'The State of Ireland and Plan for its Reformation', 1515, p. 6.

ways. Finglas' Breviat is hugely important in two respects. Firstly, he began the text with a historical analysis of the decline of the colony, thus providing for future treatise writers an example of how history could be utilised to rationalise and justify a renewed conquest of the country. Secondly, he recommended that this process be began by reducing south Leinster, an idea which gained wide currency in the Pale in the decades ahead.[21] The 'Discourse', most likely composed around 1528, also introduced a number of concepts which would appear in many treatises throughout the century. Specifically, the author, which a recent study has convincingly argued was Robert Cowley, a Butler servant, stated that there were three major causes of the decay of the lordship, two of which, cultural degeneracy and absentee landholding, were predominant in, or alluded to, in the other tracts of this time.[22] However, it was the third cause which was unique in its centrality to the 'Discourse', namely that it was the presence of faction, and in particular of the Geraldine affinity, which was at the heart of Ireland's difficulties.

The central characteristics of these documents are worth exploring in light of their importance in shaping political discourse on Ireland down to the end of the century and beyond. One of the most salient features was the manner in which the authors often attempted to structure their compositions into three sections, the first of which would present various details either on the history or geography of the country. As seen, Finglas began his work by overviewing how the lordship had declined through the thirteenth, fourteenth and fifteenth centuries and was pivotal in establishing the process whereby Tudor commentators used historical enquiry to justify the renewed conquest of Ireland.[23] Similarly, the 1515 'State' prefaced discussion of the means to 'reform' the country with a lengthy geographical account

[21] Patrick Finglas, 'A Breviat of the getting of Ireland, and of the decaie of the same', c. 1515, printed in Walter Harris (ed.), *Hibernica*, 2 Vols. (Dublin, 1747), I, pp.79-103; *ODNB*, s.v. Finglas, Patrick; McGowan-Doyle, *The Book of Howth*, pp. 1-10, looks at how Finglas, and to a lesser extent Darcy, set the precedent for using historical analysis to justify renewed conquest.

[22] Cowley?, 'A discourse of the evil state of Ireland, and of the remedies thereof', c. 1528; Fitzsimons, 'Cardinal Wolsey, the native affinities, and the failure of reform in Henrician Ireland', p. 85, attributes the document to Cowley. Conversely, White, 'Tudor Plantations in Ireland to 1571', I, pp. 48-54, attributes the document to Thomas Bathe citing a letter by Robert Cowley, 'Robert Cowley to Wolsey', 1528, *SP Henry VIII*, ii, 53. Brady, *The Chief Governors*, p. 249, has followed this attribution. However, it seems implausible. In the letter cited by White, Cowley notes, 'One Bath, of Irland, hath made a boke to present to your Grace, feynyng it to bee for the reformacion of Irland. But the effect is, but to dryve the Kynge to the extremytie to sende home my Lord of Kildare with auctoritie'. A casual reading of the Lansdowne text reveals a strong anti-Geraldine bias and consequently the text cannot be that referred to by Cowley. More likely Cowley, a Butler partisan, composed the text in response to Bathe's pro-Geraldine composition, which would now appear to be lost. *DIB*, s.v. Cowley, Robert.

[23] Finglas, 'A Breviat of the getting of Ireland, and of the decaie of the same', c. 1515, pp. 79-87.

of it, noting the major lords of each region.[24] Numerous writers, such as Edmund Campion, William Russell and Henry Bagenal would construct similar works later.[25]

The second characteristic of these foundational texts was that the authors attempted to analyse the problems of the lordship and indeed the wider country. This tendency was universally present in the documents in question and even Darcy's 'Articles' and Golding's letter, two texts which offer almost nothing by way of proposals on how to 'reform' the country, or any other ancillary information, did clearly lay out what problems pertained there. These ranged from the decay of the church to the excessive power of the earl of Kildare, but the foremost criticism centred on the presence of faction and the survival of bastard feudalism epitomised as 'coign and livery'. Again these analyses would have a long shelf life in Tudor political discourse on Ireland, faction, for instance, being identified by writers such as Sussex and William Herbert as a major contributor to the instability of the country, while 'coign and livery' was to become the embodiment of everything commentators believed was wrong with Ireland.[26] Considered inimical to the common law, though derided just as frequently as an effective means for the lords to maintain military retinues and, thus, resist the encroachments of the central government, these exactions became the most conventional object of censure for Tudor analysts of the Irish polity and countless treatises were composed solely on the means to discontinue their taking.[27]

The third characteristic of these tracts, and the third identifiable section of both Finglas' and Kite's treatises after the presentation of historical and geographical details and the analysis of the underlying problems of the lordship, was concerned with proposing ways to 'reform' the polity. A number of key ideas surfaced in these early tracts which would consistently be iterated in later treatises through to the end of the century. Foremost here was the conviction, especially prominent in the writings of Finglas, Kite and Cowley, that a policy of conquest ought to be implemented, with south Leinster, meaning Wicklow and Carlow, to

[24] Kite?, 'The State of Ireland and Plan for its Reformation', 1515, pp. 1-9.
[25] A.F. Vossen (ed.), *Two bokes of the histories of Ireland* (Assen, 1963); William Russell, 'Russell's Discourse of the present state of Ireland and the means to redress and refine the same', 1581, BL, Cotton MSS. Titus B XII, ff. 347-354 [App. no. 36]; Herbert F. Hore (ed.), 'Marshal Bagenal's Description of Ulster, Anno 1586', in *UJA*, Vol. 1, No. 2 (1854), pp. 137-160.
[26] Sussex, 'The opinion of th'Earl of Sussex touching the reformation of Ireland', 1560, Cal. Carew MSS. 1515-1574, 227; William Herbert, *Croftus Sive in Hibernia Liber*, eds. Arthur Keaveney and John Madden (Dublin, 1992).
[27] See, for example, Charles MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland', in *Anal. Hib.*, Vol. 2 (Jan., 1931), pp. 93-291; John Chaloner?, 'A Discourse of Coign and Livery', 1579, Cal. Carew MSS. 1575-1588, 123.

be intervened in first.[28] There was a groundswell of support for this initiative in the 1530s, as the scheme was quickly incorporated into the thinking of senior New English officials such as John Alen and William Brabazon.[29] In addition the government's settlement of the midlands from 1546 was, in effect, a realisation of this earlier design, albeit at a slight geographical remove. Similarly the writers of these foundational texts supposed that the cultural degeneracy of the Old English population could be halted by implementing existing statutes, such as the sumptuary laws in place since the fourteenth century. Efforts to do so would continue for much of the period in question, with individuals such as William Herbert being especially concerned with these provisions in their treatises.[30] While the onset of the reformation later doubtlessly altered the terms under which solutions to the problems within religious life were discussed the core ideas proffered in these pre-reformation tracts and those composed after the establishment of the Church of Ireland were broadly similar, namely that the physical decay of the church and the general lack of learning there needed to be addressed. The 1515 'State' concentrated on these matters and they were central to the programmes of those like George Browne, Hugh Brady and Henry Sidney who sought to evangelise or protestantise the country later.[31] Finally, the actual means of financing these efforts was a concern of the authors. As such Kite recommended that contributions be sought from the gentry and nobility in return for titles, while Cowley provided some details on how an army of 4,000 men could be provided for, noting the prices at which victuals should be taken up.[32] Financing became one of the foremost issues within the political discourse of Tudor Ireland.

Beyond these similarities in the structure, content and analysis of the Irish polity between these early foundational tracts and the hundreds of treatises composed later in the

[28] Finglas, 'A Breviat of the getting of Ireland, and of the decaie of the same', c. 1515, pp. 87-90; Kite?, 'The State of Ireland and Plan for its Reformation', 1515, pp. 24-27; Cowley?, 'A discourse of the evil state of Ireland, and of the remedies thereof', c. 1528, ff. 10-11r.

[29] See, for example, William Brabazon, 'William Brabazon to Crumwell', 1535, *SP Henry VIII*, ii, 105; John Alen, 'J. Alen to King Henry VIII', 1536, *SP Henry VIII*, ii, 150.

[30] William Herbert, 'A notes of such reasons which as moved Sir W. Herbert to put the statute in execution against Irish habits', 1589, TNA: PRO, SP 63/144/57(ii).

[31] Kite?, 'The State of Ireland and Plan for its Reformation', 1515, pp. 15-16; George Browne, 'Device of George Browne, Archbishop of Dublin, for converting the lately suppressed Cathedral Church of St. Patrick's beside Dublin into a University, the church now called St. Patrick's to be named the Church of the Holy Trinity, and the college to be Christ's College of the foundation of King Edward VI', 1547, TNA: PRO, SP 61/1/10, printed in E.P. Shirley (ed.), *Original Letters and Papers in Illustration of the History of the Church in Ireland during the reigns of Edward VI, Mary, and Elizabeth* (London, 1851), pp. 5-14; Hugh Brady, 'Hugh Bradie, Bishop of Meath to Cecill', 1565, TNA: PRO, SP 63/13/5, printed in Shirley (ed.), *Original Letters and Papers*, pp. 160-163; Henry Sidney, 'Sir Henry Sydney to Queen Elifabeth', 1576, printed in Collins (ed.), *Letters and Memorials of State* I, pp. 112-114.

[32] Kite?, 'The State of Ireland and Plan for its Reformation', 1515, p. 29; Cowley?, 'A discourse of the evil state of Ireland, and of the remedies thereof', c. 1528, ff. 11v-12r.

sixteenth century there is clear evidence of the influence of these documents in the survival of manuscript copies and their utilisation by later writers. The surviving copy of Cowley's 'Discourse', for instance, is found amongst the papers of Julius Caesar, a late-Elizabethan and Jacobean politician, while the only extant manuscript of William Darcy's 'Articles' was collected by George Carew nearly a hundred years after its composition. Accordingly, in these two incidences there is also clear evidence of the longevity of the ideas found in the writings of these Henrician commentators as why would these Jacobean politicians have collected and presumably consulted these texts if not for the continuing relevance of the proposals put forth therein?[33] Such longevity of ideas is critically important to note when charting the development of political discourse in Tudor Ireland. Though no copies of the 1515 'State' are to be found amongst the papers of later politicians there is tangible evidence of its influence in the fact that William Russell when composing his 1581 'Discourse' used the 'State' as a *topos*.[34] Yet, these signs of influence are slight compared to that of Patrick Finglas' 'Breviat', copies of which are to be found in most of the major manuscript collections for the study of Tudor Ireland, and which was cited not just in the attainder of Shane O'Neill produced in the 1569 parliament and the *Book of Howth* compiled by Christopher St Lawrence, the seventh baron of Howth, roughly between 1569 and 1579, but also nearly a century after its own composition by John Davies in his *Discovery*. Additionally, Finglas' treatise, in terms of number of extant copies, is likely exceeded for a Tudor treatise on Ireland only by Spenser's *View*.[35]

Thus, there is little doubting the significance of these texts for the development of political discourse in Tudor Ireland. The Old English community, moreover, would continue to play a prominent role in the writing of treatises down to the end of the century, but

[33] Admittedly Carew's collection was part-antiquarian/part-political but it is important to note that Darcy and Finglas' tracts would seem to be the earliest strict examples of the latter. See Cal. Carew MSS. 1515-1574, pp. 1-8.

[34] Russell, 'Russell's Discourse of the present state of Ireland and the means to redress and refine the same', 1581 [App. no. 36].

[35] Copies of the 'Breviat', some synopses, were owned by Walsingham. See BL, Cotton MSS. Titus B XII, ff. 480-483, ff. 586-587. Copies were also owned by Robert Beale. See BL, Add. MS. 48, 015, ff. 243-247; BL, Add. MS. 48,017, ff. 172-177. Carew also owned copies. See LPL, MS. 621, f. 92 (Cal. Carew MSS. 1515-1574, 1); LPL, MS. 600, f. 204. Other copies include, BL, Harleian MS. 35, ff. 204-220; TCD, MS. 581; TCD, MS. 786; TCD, MS. 842, ff. 25-36. (Hibernica version); TNA: PRO, SP 60/2/7; HMC, 2nd Report, App. (1874), p. 6, makes reference to an additional copy amongst the Cowper MSS., n. 16, ff. 35-41r. The use of the 'Breviat' in the attainder is noted in McGowan-Doyle, *The Book of Howth*, p. 6. On the background to the attainder and analysis of its contents, see Ciaran Brady, 'The attainder of Shane O'Neill, Sir Henry Sidney and the problems of Tudor state-building in Ireland', in Ciaran Brady and Jane Ohlmeyer (eds.), *British Interventions in Early Modern Ireland* (Cambridge, 2005), pp. 28-48, esp. pp. 33-39; McGowan-Doyle, *The Book of Howth*, pp. 76-77, looks at the inclusion of an excerpt from the 'Breviat' in *The Book of Howth*. Davies, 'A Discovery of the True Causes why Ireland was never entirely subdued', pp. 283-321.

especially during the Henrician and mid-Tudor periods. For instance, Patrick Finglas' son, Thomas, travelled to court and presented a tract on affairs in the lordship to the king in 1533, while others such as David Sutton, a Kildare landholder, provided information on Irish social and political issues in the course of 1537 to a commission of inquiry Henry had established.[36] Similarly political figures like the Cowleys, Robert and Walter, continued to solicit the government with their voluminous thoughts on Ireland, Robert, for instance, making the first overt statement in Tudor political discourse of the efficacy of scorched earth as a means to starve large sections of the population:

"The verey lyving of the Irishery doth clierly consist in twoo thinges; and take awey the same from them, and they are past for ever to recover, or yet noy any subject in Irland. Take first from them their cornes, and as moche as can not be husbanded, and had into the handes of suche as shall dwell and enhabite in their landes and countree, to brenne and distroye the same, so as the Irisshery shall not lyve therupon; then to have their cataill and beastes, whiche shuld be moste hardiest to com by, for they shalbe in woddes, and yet, with guydes and policy, they be ofte had and taken in Irland this day."[37]

Indeed even one treatise writer of Gaelic origins, Edmund Sexton, appeared in the 1530s.[38] Only a handful of these, however, would compose treatises in the course of the century. Furthermore, although members of the Old English community, such as Rowland White, John Ussher and Nicholas White, continued to compose 'reform' treatises down to the end of the century, during Elizabeth's reign 'reform' treatise writing became overwhelmingly dominated by one group of Irish society; the New English.[39]

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[36] Thomas Finglas, 'Report on Ireland to King Henry VIII', 1534, *SP Henry VIII*, ii, 69; Thomas Luttrell, 'Luttrell to Sentleger & c.', 1537, *SP Henry VIII*, ii, 184; David Sutton, 'Presentment by David Sutton to the King's High Commissioners.', 1537, TNA: PRO, SP 60/5/13, printed in Herbert J. Hore and James Graves (eds.), *The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century* (Dublin, 1870), pp. 160-166.

[37] The quote comes from, Robert Cowley, 'R. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 129, p. 329; Walter Cowley, 'W. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 131; Robert Cowley, 'The Devises of Robert Cowley, for the furtheraunce of the Kinges Majesties affayres in His Graces land of Irland', 1536, *SP Henry VIII*, ii, 147; idem, 'R. Cowley to Crumwell', 1537, *SP Henry VIII*, ii, 171; idem, 'R. Cowley to Crumwell', 1539, *SP Henry VIII*, ii, 275.

[38] Sexton was an anglicised Gael from Limerick. Appointed a sewer of Henry's chamber whilst in England in 1533, he acquired the mayoralty of Limerick in 1535 and was involved in the dissolution commission for north Munster. His constant quest for patronage and many efforts to ingratiate himself in London led to the composition of a treatise for the reformation of Ireland in 1535 and two more such documents in 1539. The 1535 treatise has not come down to us, however, for commentary on its supposed content and Sexton's career generally, see Clodagh Tait, '"A trusty and well beloved servant": The career and disinternment of Edmund Sexton of Ireland, d. 1554', in *Arch. Hib.*, Vol. 56 (2002), pp. 51-64; Edmund Sexton, 'A declaration of the haven & c. of Ireland "from Lupes head, which is the further land a sea board by north the river of Limerick, as also within the said river" collected by Edm. Sexten, one of the sewers of the chamber to Henry VIII', 1539, L.P. XIV(i), 997(i); idem, 'A declaration of the proportion of Ireland', 1539, L.P. XIV(i), 997(ii).

[39] For examples of tracts by Old English writers in the latter half of the century, see Thomas Cusack, 'The copy of the book sent from Sir Thomas Cusake, Lord Chancellor of Ireland, to the Duke of Northumberland's Grace for the present state of Ireland', 1553, Cal. Carew MSS. 1515-1574, 200; D.B. Quinn (ed.), 'Edward Walshe's '*Conjectures*' concerning the state of Ireland', in *IHS*, Vol. 5, No. 20 (Sep., 1947), pp. 303-333; Nicholas Canny

II – The New English 'Reform' Authors

The New English reform writers were a disparate array of actors representing the spectrum of officialdom, from viceroys and senior government officials to private secretaries and lowly bureaucrats, as well as a broad range of military men, religious officials, colonists and private observers. [40] Not all of them were English, a point often overlooked in discussions of the subject. A significant community of native Welshmen were active in Ireland throughout the period, men such as William Herbert and William Mostyn, both of whom composed numerous memoranda.[41] Additionally, a number of writers who appear to never have visited Ireland are nevertheless noteworthy for the range of works they produced on the country, whether on its history and geography or promoting colonial endeavours there. Prominent in this respect were the writings of Thomas Smith, John Dee, Francis Bacon and William Camden.[42]

The transfer of ideas from the pre-1534 Old English tracts to the New English authors occurred owing to the circumstances in which these individuals came to Ireland. From the outset of Henry's reign a steady flow of arrivals from England had been maintained, for example, when clerics such as William Rokeby were appointed to Irish positions or when attempts at increased direct control had brought administrators such as the earl of Surrey and their followers to the lordship. However, the influx of arrivals heightened in the 1530s when

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(ed.), 'Rowland White's "Discors Touching Ireland", c. 1569', in *IHS*, Vol. 20, No. 80 (Sep., 1977), pp. 439-463; Nicholas White, 'A plat for governing Ireland without charge to England, after the first year or so', 1578, TNA: PRO, SP 63/63/25.

[40] Hinton, *Ireland through Tudor Eyes*, provides a rather eclectic introduction to the variety of individuals who commented on Ireland. Also, see Quinn, *The Elizabethans and the Irish*, esp. pp. 20-33.

[41] For examples, see William Herbert, 'Description of Munster', 1588, TNA: PRO, SP 63/135/58; William Mostyn, 'Proposals of William Mostyn to the Lord Deputy and Council for the subjugation of Connaught', c. 1598, BL, Add. MS. 4,819, ff. 171-175 [App. no. 68].

[42] Thomas Smith, *A letter sent by I. B. Gentleman vnto his very frende Maystet [sic] R. C. Esquire vvherein is conteined a large discourse of the peopling and inhabiting the cuntrie called the Ardes, and other adiacent in the North of Ireland, and taken in hand by Sir Thomas Smith one of the Queenes Maiesties priuie Counsel, and Thomas Smith Esquire, his Sonne* (London, 1572); idem, *The offer and order giuen by Sir Thomas Smyth Kinghte, and Smyth his sonne, vnto suche as he willing to accompanie the sayd Thomas Smyth the sonne, in his voyage for the inhabiting some partes of the Northe of Irelande* (London, 1572); John Dee, *General and Rare Memorials pertayning to the Perfect Arte of Navigation* (London, 1577), esp. pp. 24-25; Francis Bacon 'Certain Considerations touching the plantation in Ireland', in Basil Montagu (ed.), *The Works of Francis Bacon, Lord Chancellor of England, with a life of the author*, 3 Vols. (New York, 1884), II, pp. 183-187; idem, 'Of Plantations', in Montagu (ed.), *The Works of Francis Bacon*, I, pp. 41-42; D.B. Quinn, 'Sir Thomas Smith (1513-1577) and the Beginnings of English Colonial Theory', in *Proc. of Amer. Phil. Soc.*, Vol. 89, No. 4 (Dec., 1945), pp. 543-560. Also, see Deborah Shuger 'Irishmen, Aristocrats and White Barbarians', in *Renaissance Quarterly*, Vol. 50, No. 2 (Summer, 1997), pp. 494-525, for analysis of the writings of both Smith and Bacon. Camden, *Brittania*; Rudolf B. Gottfried, 'The Early Development of the Section on Ireland in Camden's *Brittania*', in *ELH*, Vol. 10, No. 2 (Jun., 1943), pp. 117-130.

the end of the Kildare ascendancy led to the appointment of English-born officials and military officers to positions of prominence in Ireland. The possibility of political furtherance was supplemented by the prospects presented by the dissolution of the monasteries and the establishment of the Church of Ireland, events which brought churchmen and land speculators in toe.[43] Of those who arrived at this time and later commented on the Irish kingdom Anthony St Leger and George Browne, the archbishop of Dublin, are conspicuous.[44] Likewise, the Duke and Chaloner families settled in Meath and Dublin, respectively, around this time, New English families the second generations of which produced prominent politicians and treatise writers. Henry Duke was appointed sheriff of Breifne in the 1580s and composed a treatise on Ulster, while John Chaloner became the first Irish secretary of state and composed numerous tracts, primarily dealing with economic affairs.[45]

The influx of individuals continued beyond Henry VIII's reign, though the reasons for coming to Ireland were not necessarily as evident as in the 1530s. For example, Thomas Wood spent a brief stint in Ireland from 1551 to 1552. He arrived hoping to secure a lease on some monastic property in exchange for arrears of pay from the army, spent time as a messenger between the lord deputy, James Croft, and the privy council in London and just months after his arrival sent a report to Cecil anatomising 'this savage country'.[46] More significantly, Sussex obtained the viceroyalty in 1556 and arrived in Ireland with his brother, Henry Radcliffe, and brother-in-law, Henry Sidney, while Adam Loftus took up a position as Sussex's chaplain from 1560.

This sporadic migration gave way to a steadier flow of settlers under Elizabeth often with periods of sharp increase in new arrivals. Essex's Ulster enterprise brought Edward Denny, Barnaby Googe, Thomas Lee, John Norris and Barnaby Rich to Ireland and was followed a decade later by the Munster plantation, the participants in which would produce some of the most sophisticated political writings on Tudor Ireland. This tendency for many

[43] See Brendan Bradshaw, *The dissolution of the religious orders in Ireland under Henry VIII* (Cambridge, 1974), for the dissolution generally and Brady, *The Chief Governors*, esp. pp. 13-44, for the clientalism and corruption which surrounded the distribution of crown lands in the aftermath of the dissolution.
[44] See, for example, Anthony St Leger, 'Lord Deputy Sentleger to King Henry VIII', 1540, *SP Henry VIII*, iii, 322; George Browne, 'Theise be articles devised by the moste reverend Father in God, George, Archbusshop of Dublin, at the commaundement of our most dreade Soveraigne lorde the King, for the reformation of certen enormyties and abuses amonges his clergie', 1543, printed in J. Payne Collier (ed.), 'The Egerton Papers', in *The Camden Society*, Vol. 12 (1840), pp. 7-10.
[45] Patricia Palmer, 'Interpreters and the Politics of Translation and Traduction in Sixteenth-Century Ireland', in *IHS*, Vol. 33, No. 131 (May, 2003), pp. 257-277, p. 270; Henry Duke, 'Henry Duke to Burghley', 1587, TNA: PRO, SP 63/128/48 [App. no. 51]. For an example of Chaloner's writings, see 'Notes of certen inconveniences in Ireland with the remdeyes […] therby', 1578, BL, Cotton MSS. Titus B XII, ff. 50-52 [App. no. 34]; Colm Lennon, *The Lords of Dublin in the Age of the Reformation* (Dublin, 1989), pp. 135-137.
[46] Thomas Wood, 'Thomas Wood to Mr Secretary Cecill', 1551, TNA: PRO, SP 63/3/21, f. 49r. Wood was a major figure in the early history of puritanism in England. *ODNB*, s.v. Wood, Thomas.

authors to find themselves crossing the Irish Sea as part of a common military campaign or colonial endeavour became more pronounced as the scale of the conflicts increased and is indicative of the expanding New English community, particularly of those willing to comment on the need for 'reform'.[47] Yet perhaps the largest single element in this community of *arrivistes* was the garrison, which introduced soldiers such as John Travers, William Piers and Nicholas Malby, who from the 1540s served throughout the country in the growing network of government forts and castles and commented so prolifically on Ireland.[48]

The process whereby these newcomers adopted the analysis of the political, social and cultural problems of Ireland which prevailed amongst the Old English community of the Pale at the outset of the century seems relatively straightforward. In the early decades of this migration very little appears to have been known about Ireland and its inhabitants by those arriving from England, whilst a general ignorance of the geographical specifics of parts of Connaught and Ulster prevailed. For those taking up office, seeking promotion or patronage, or looking to champion new policy initiatives, information on the kingdom they found themselves in was needed quickly. It is hardly incongruous that those involved acclimatised by accepting much of the analysis proffered by individuals such as Finglas and the Cowleys, whether through reading the treatises they had prepared or through consultation in Dublin or elsewhere. Consequently these writers initially came to the same conclusions on the cause of the lordship's decline and enunciated similar proposals to remedy its woes. This absorption was seen almost immediately in the manner in which leading New English officials, such as John Alen and William Brabazon, began to favour one of the foremost concerns of the Old English theorists, the desirability of extending the Pale into south Leinster by conquering the O'Byrnes, O'Tooles and MacMurrough Kavanaghs.

A similar process would prevail down to the end of the century. As such, when Edmund Campion began compiling his 'Two bokes of the histories of Ireland' in 1570 he must, given the briefness of his sojourn in Ireland, have relied on information supplied to him by the residents of the Stanihurst and Barnewell households, with whom he stayed, and perhaps have utilised texts such as Finglas' 'Breviat' in his research.[49] On a similar note, though no specific mention is made of the documents by William Gerrard, the series of submissions he presented at court in 1577 on the history and political state of Ireland were

[47] This theme of joint arrivals is one of the central concerns of Hinton, *Ireland through Tudor Eyes*.
[48] Rapple, *Martial Power and Elizabethan Political Culture*, pp. 141-150.
[49] Vossen (ed.), *Two bokes of the histories of Ireland*; Colm Lennon, 'Edmund Campion's *Histories of Ireland* and Reform in Tudor Ireland', in Thomas M. McCoog (ed.), *The Reckoned Expense: Edmund Campion and the early English Jesuits* (Woodbridge, 1996), pp. 67-83. For an example of Stanihurst's writings on Ireland, *De Rebus in Hibernia Gestis*, and a comprehensive biography, see idem, *Richard Stanihurst*.

almost surely indebted to the exposition of the Irish polity found in documents such as the 1515 'State' and Finglas' tract.[50]

It has been suggested that, while the political thought of the Old English community of the Pale certainly affected that of many New English observers later in the century, there is a fundamental distinction to be made between the writings of the two groups, specifically in that the New English began to espouse methods for pacifying the country which were far more severe than anything which ever emanated from the pen of a political theorist born in the Pale.[51] The inference here is that there was a shift at some point in the mid-Tudor or Elizabethan period from a scenario where 'reform' through implementation of conciliatory policies such as 'surrender and regrant' was overtaken by 'reform' through application of the ubiquitous 'fire and sword'. This is often affirmed by pointing to the actions and writings of extremists such as Humphrey Gilbert and the increasing instances of atrocity, such as occurred at Belfast (1574), Rathlin Island (1575), Mullaghmast (1578) and Smerwick (1580).

This analysis certainly has an attractiveness to it; however, an interpretation made in light of the actual content of the treatises points to a more nuanced situation, one wherein the Old English were quite capable of coercive and brutal theorising as early as Henry's reign and where newcomers to Ireland wrote fervidly on the need for fair-dealing and sanguinity in the formation of Irish policy in the closing decades of Elizabeth's reign. Thus, observers such as Robert Cowley advocated the inducement of famine conditions to reduce recalcitrant elements, while an array of theorists from Finglas onwards favoured a programme of conquest. Similarly the application of the common law and a general antipathy towards reliance on the military and martial law to govern Ireland was evident within certain New English circles involving officials such as Robert Gardener and Robert Legge as late as the 1590s.[52]

This feature of Tudor political thought on Ireland will be elaborated upon further later; however, for the present some clarification of the process whereby certain New English commentators became disenchanted with the prospects of reforming Ireland during the 1560s

[50] MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland'.

[51] See, in particular, Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 258-287, where the emphasis is upon a number of Old English writers, the benevolence of whose writings is contrasted with that of the New English, epitomised to some extent in Bradshaw's referral to William Brabazon as 'a species of minor demon', p. 261. Also, see idem, 'Sword, Word and Strategy in the Reformation in Ireland'; Brady, 'The road to the *View*'.

[52] MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland'; Robert Legge, 'Memoranda', 1590, TNA: PRO, SP 63/152/2; Robert Gardener, 'Mr Justice Ro. Gardener to Walsyngham', 1590, TNA: PRO, SP 63/150/4. On the makeup of the legal community, from which many of these figures came, see Crawford, *A Star Chamber Court in Ireland*, esp. pp. 95-125; F.E. Ball, *The Judges in Ireland, 1221-1921*, 2 Vols. (Dublin, 1993), I, esp. pp. 104-228.

and 1570s needs to be attempted. This was epitomised in the letter of advice Henry Sidney sent to Arthur Grey upon his being appointed lord deputy of Ireland in 1580 which lamented that, 'My thinks it is nowe owte of Seafon to mak any Treatife or Difcorfe of a generall Reformacion'. However, this was not an especial remark upon a radical change in government policy but rather on the increasing realisation of the intractability of the Irish, both Gaelic and Old English.[53] Where it was once hoped, both in his own day as lord deputy, and before then, that the Irish would prove willing to adapt to a programme of 'reform' which involved elements of conquest and diminution of their power, their recalcitrance, at least of that of the majority of senior branches of the septs, was evident by 1580. Similar sentiments were expressed by Lodowick Bryskett the following year when in writing to Walsingham he compared Ireland to a cloak which had been mended so many times that 'all the world doth knowe, there is now no remedy but to make a newe, for to piece the old againe will be but labour loste'.[54] Ideas about creating a *tabula rasa* in Ireland would echo down to the century's end in the writings of figures like Spenser, John Dowdall and William Mostyn.[55] However, the development of this radical stance was not owing to a resignation that conciliation had failed in the face of the intractability of Gaelic Ireland. Rather it developed out of awareness that the aggressive policies which the government had favoured since the incursion into the midlands in 1546 had met with much stauncher resistance than anticipated. Accordingly, certain regions had experienced decades of turmoil as septs such as the O'Byrnes, O'Mores, O'Connors and Clandeboy O'Neills had persistently opposed the incursion of colonists and garrison elements. Furthermore, the Old English community of the Pale, amongst whom the idea of a renewed conquest had originated, had made it abundantly clear by the 1570s that they were not only unwilling to shoulder the overwhelming economic burden imposed by successive administrations to fund that conquest, but that they were willing to resort to constitutional opposition and even armed insurrection in protest.

These issues of reliance on a garrison system to govern the country after 1546, the growth of opposition in the Pale during the 1560s and 1570s and the persistence of a belief in the efficacy of common law 'reform' amongst large sections of the New English community will all feature prominently in the following pages. However, for the present it is necessary

[53] Henry Sidney, 'Sir Henry Sydney to Arthur Lord Grey, Lord Deputy of Ireland, how to proceed in his government of that Kingdom', 1580, in Collins (ed.), *Letters and Memorials of State*, I, pp. 279-283.
[54] Lodowick Bryskett, 'Lodowick Bryskett to Walsyngham', 1581, TNA: PRO, SP 63/81/5, f. 12v [App. no. 37].
[55] Spenser, *A View of the Present State of Ireland*; John Dowdall, 'Sir John Dowdall to Lord Burghley', 1596, TNA: PRO, SP 63/187/19; William Mostyn, 'A Plot for the cutting off of that "cruell and tironious traytor of Tiron" and of his wicked confederates', 1598, TNA: PRO, SP 63/202(iii)/185.

simply to note that there are distinct ambiguities in the political thought of Old and New English alike. This was often the result of external considerations, such as foreign war, or internal events, as when Shane O Neill's movements in Ulster retarded activity elsewhere. Such occurrences produced a somewhat sporadic and consequently nuanced political discourse. What is also apparent is that the level of conciliation or aggression displayed in 'reform' government shifted greatly, often with periods of sanguinity following in the wake of years of heightened military engagement as happened, for example, during the early years of Perrot's deputyship in the aftermath of the second Desmond rebellion. Similarly, the invasion of the midlands in 1546 followed immediately after the failure of the conciliatory 'reform' strategy of the early-1540s. Nonetheless, these dates should not lead to the positing of a tidy 'before' and 'after' interpretation. Policy and the political discourse that accompanied it, was ultimately more complicated than such an analysis would contend. But, before looking further at the chronological evolution of Tudor policy and the parallel development of ideas within this political discourse, it is first necessary to further develop our understanding of the 'reform' treatise as text by looking at the actual physical survival of these documents, their form and type, along with the composition process.

III – The 'Reform' Treatise

A. Quantity

In many ways it is difficult to accurately determine the number of extant treatises. This is largely owing to certain ambiguities in relation to establishing what actually constitutes a piece of 'reform' literature. For instance, it is necessary to look at some documents such as official correspondence and campaign journals, which, while not formal treatises, contain some invaluable reflections on the direction of government policy in Ireland. This feature of the treatises will be elaborated on in the proceeding section, but it is necessary to note here that these ambiguities complicate accurately resolving the number of extant treatises.

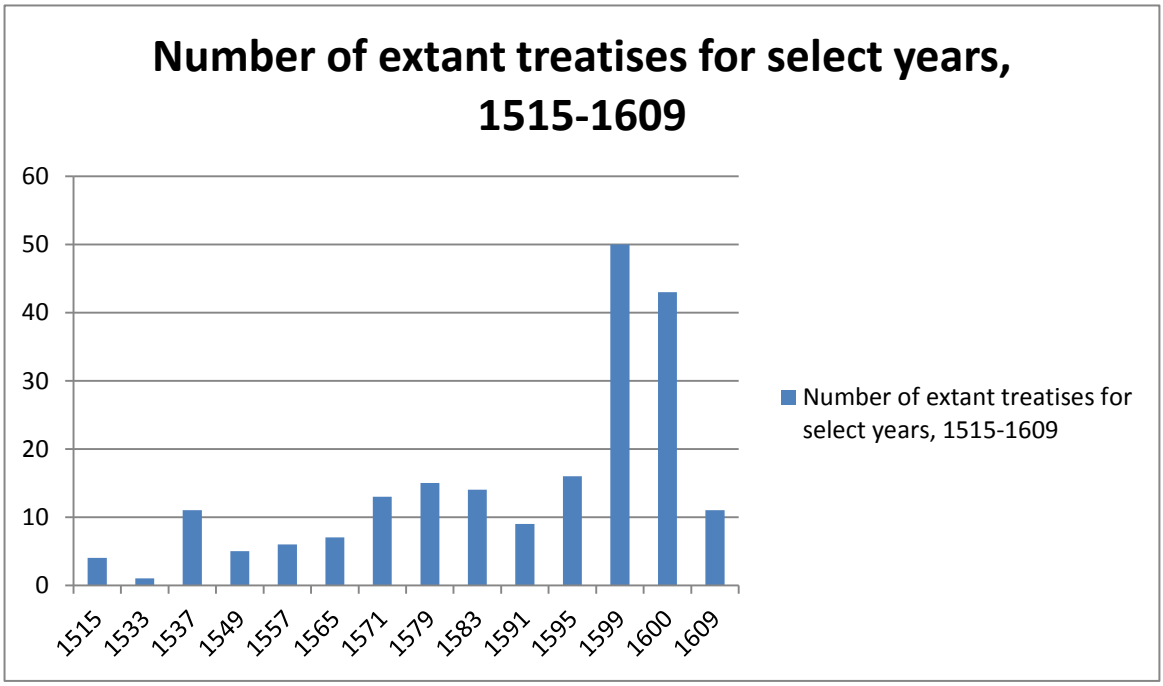
This aside it is reasonable to assert that for the century running from the accession of Henry VIII (1509) through to the inception of the Ulster plantation (1609), with which this study will conclude, that there are roughly seven hundred extant treatises. The overwhelming majority of these are found amongst the state papers. Beyond this repository the most significant collection for the treatises are the papers of George Carew, while those of Robert Beale are also extremely important.[56] The miscellaneous papers in the Cottonian collection in

[56] For the treatises from Beale's papers, see a number of documents scattered throughout, BL, Add. MS. 48,015; BL, Add. MS. 48,017.

the British Library are an invaluable source for treatises, many of which appear to have been owned at one stage by Francis Walsingham, while on a slightly lesser note a smattering of tracts are located amongst the Salisbury MSS., the Carte MSS., the De L'isle and Dudley MSS. and other collections.[57]

These documents were composed in almost every year after 1534, though the number which appeared each year varied greatly. Thus, for the late-1530s there are a significant number of extant tracts as individuals produced position papers in an effort to shape the manner in which Irish government would be proceeded with following the removal of Kildare. This tapered off in the 1540s, and for much of that decade, and the 1550s, there are

Table 1.1



Source: App.

very few extant treatises, as little as one or two per year. However, from the 1560s onwards there was a steady increase in the number of treatises – usually as much as ten a year – being produced which peaked at the end of the century as the Nine Years War witnessed an unprecedented level of consultation between the metropolitan government and officials in Ireland, manifest in the survival of dozens of tracts for the years at the height of the conflict.

[57] See, for example, Francis Perkins, 'Francis Perkin's Irish Project', 1610, HMC, Salisbury MSS. xxi, p. 281; Humphrey Gilbert, 'The book for the reformasion of Ireland', 1574, Bod. Lib., Carte MS. 56, ff. 254-263 [App. no. 30]; William Piers, 'Captain Pyers Articles for the North of Ireland', 1578, HMC, De L'isle and Dudley MSS. ii, pp. 87-91.

As will be elaborated upon subsequently this exponential increase in the number of treatises being produced from the 1560s onwards was in part owing to the emergence of a burgeoning public sphere in Ireland during Elizabeth's reign, which saw heightened levels of political discoursing and engagement with civil affairs.

It is, needless to say, difficult to determine what proportion of the volume of treatises produced during the sixteenth century this list of extant manuscripts actually represents. In some cases it seems almost certain that tracts, which there is evidence for the production of in Tudor times, have not come down to us. For instance, Edmund Sexton composed a discourse in 1535 which apparently has not survived, as did Thomas Bathe sometime around 1528.[58] James Ware in his work on the writers of Ireland attributed a treatise on Irish miscellanies to Henry Sidney which does not seem to correspond with any of his known extant works.[59] Finally, there are apparently no surviving copies of a number of works either in manuscript or print (if they ever went to press) which were entered on the stationers register prior to 1603.[60] Such evidence for the non-survival of tracts is, though, admittedly scant, a fact which may point to the possibility that the majority of texts of this kind produced at the time are in fact extant. Of course, this is wholly conjectural.

For those treatises which have come down to us only a single copy has survived for the overwhelming majority. On the other extremity there are a handful of tracts for which numerous copies survive. Versions of Spenser's *View*, for instance, are most numerous with at least fifteen copies, while several manuscripts of Finglas' 'Breviat', John Perrot's 1581 'Discourse', a position paper written by Edmund Tremayne in 1573, Thomas Lee's 'Brief Declaration' and Thomas Cusack's 1552 'Book' to Northumberland have also come down.[61] In between are a group of roughly forty treatises of which it would appear either two or three

[58] Tait, '"A trusty and well beloved servant": The career and disinternment of Edmund Sexton of Ireland, d. 1554'. On the likely disappearance of Bathe's composition, see n. 22 above.
[59] James Ware, *De Scriptoribvs Hiberniae* (Dublin, 1639), p. 136.
[60] Andrew Hadfield, 'Was Spenser's *View of the Present State of Ireland* censored? A review of the evidence', in *Notes and Queries*, No. 41(1994), pp. 459-463, esp. pp. 461-462.
[61] Edmund Spenser, *Works of Edmund Spenser: A Variorum Edition*, 11 Vols. (Baltimore, 1932), X, p. 39, lists the surviving copies of the *View*. On the surviving copies of Finglas' tract, see above n. 35. Copies of Perrot's 'Discourse' include Cal. Carew MSS. 1575-1588, 511, misdated as 1583; Fitzwilliam MS. 66; BL, Add MS. 48,017, ff. 63-71; BL, Sloane MS. 2,200; BL, Stowe MS. 159, ff. 181-193; BL, Harleian MS. 3,292, ff. 5-12. The full text of the 'Discourse' was printed in 1626. See the preface to E.C.S., *The Government of Ireland under the Honorable, Ivst and Wife Gouernour Sir Iohn Perrot Knight* (London, 1626). For the Tremayne tract, see BL, Cotton MSS. Titus B XII, ff. 357-360; Hunt. Lib., EL. MS. 1,701; BL, Add. MS. 48,015, ff. 274-277; Cambridge, Trinity College MS. 710. For examples of Lee's treatise, see TCD, MS. 652; BL, Royal MS. 17 B XLV; BL, Add. MS. 34,313, ff. 2-48. Copies of Cusack's 'Book' include BL, Harley MS. 35, ff. 180-194; BL, Add. MS. 48,015, ff. 266-273; TCD, MS. 842, no. 6; TNA: PRO, SP 61/4/43.

copies are extant.[62] Many of these exist owing to the production of a series of copies of tracts from Walsingham's papers for Beale's use in his role as shadow-secretary to Walsingham.[63]

One further issue concerns the number of treatises of which the authorship is uncertain. The number of these is substantial; roughly one in every five tracts is unsigned, lacking an endorsement or some other means to identify the author. In many such instances these tracts also lack a date. This, though, does not utterly preclude identification of the composer or dating of the text as both internal and circumstantial evidence can lead to a fairly convincing attribution. As seen there is strong evidence to suggest that Robert Cowley wrote the c. 1528 'Discourse'.[64] Similarly a tract on the 'reform' of Munster found amongst the Cotton MSS. would appear from internal evidence to have been written around 1574, most likely by Francis Agard who had been sent on commission there that year.[65] In other instances the provision of incidental details narrows the list of possible authors. One such case is a memorandum written on Ulster in 1589, the only details of the author provided being that he was a servitor of nearly four decades service in that province. Few government servants had nearly 40 years experience in the northern province and the author was almost certainly William Piers.[66] Conversely, very little can be determined in other cases. A tract entitled 'A small discourse about reducing Ireland to civility, without conquest by bloodshed, or notable charge' was clearly written by a New Englishman resident in Ireland, whose reference to Horace hints perhaps at a humanist education, while the tract was clearly written during Elizabeth's reign. This, and the fact that the composer leant towards a policy of 'reform' through conciliation is clear, but little else is determinable, not least because the tract is truncated.[67] Consequently the fact that the authorship and dating of a sizeable

[62] See, for example, Nicholas Malby, 'Againste Conie and Liuerie', 1578, BL, Cotton MSS. Titus B XII, ff. 172-173r, a second copy of which is BL, Add. MS. 48,015, ff. 300v-303v.
[63] See, for example, two groups of treatises relating, respectively, to 'coign and livery' and the first earl of Essex's efforts to colonise Ulster in the 1570s in Beale's papers, BL, Add. MS. 48,015, ff. 291-306, 313-344, which correspond approximately with a series of tracts which were apparently owned by Walsingham and are found at, BL, Cotton MSS. Titus B XII, ff. 172-184, 438-458.
[64] See above n. 22.
[65] Francis Agard?, 'Necessarie thinges to be considered of concerninge the quiett mantennace of the state of Munster', 1574, BL, Cotton MSS. Titus B XII, ff. 160v-164r [App. no. 31]. At the outset of the text it is suggested that 'a president be sent thither'. The tone here suggests that such an officer – Perrot presumably – has previously served there but the post was vacant. Furthermore, the author relates how he has negotiated with some of the lords of the province and again the sense is of a person who did so with some authority, suggesting it was Agard in his capacity as a commissioner. On Agard, see Crawford, *Anglicizing the Government of Ireland*, pp. 163-170.
[66] William Piers?, 'Plot for the province of Ulster to be reduced and continued in dutiful obedience to Her Majesty by an old servitor of upwards of 40 years', 1589, TNA: PRO, SP 63/145/16.
[67] 'A small discourse about reducing Ireland to civility, without conquest by bloodshed, or notable charge: addressed to Q. Elizabeth', c. 1558-1603?, BL, Cotton MSS. Faustina C IX, ff. 38-41.

proportion of the extant 'reform' treatises is not clear presents greater problems in some cases than in others.

IV – The 'Reform' Treatise B. Form

The array of extant documents which collectively constitute this political discourse are not a homogenous group of writings which yield easily to analysis. Indeed in some sense it is difficult to define with precision what actually constitutes a 'reform' treatise. The *Oxford English Dictionary* defines a treatise as 'A book or writing which treats of some particular subject; commonly, one containing a formal or methodical discussion or exposition of the principles of the subject'.[68] Clearly, then, texts such as Spenser's *View*, Barnaby Rich's *A nevv description of Ireland* and Richard Beacon's *Solon his follie* can be classified as treatises.[69] But beyond their formal and systematic nature the substance of such treatises can vary greatly. Some provided information on the cultural environment they observed in Ireland, others assessed military strategy and others still suggested ways to develop the country economically.

Furthermore, within this particular form there developed a number of sub-genres. For instance, the dialogue became increasingly popular towards the end of the century, perhaps as Willy Maley has suggested in response to New English fears of cultural degeneracy.[70] As such, the holding of conversations between English-born speakers in the *View* or the 'Dialogue of Silvyne and Peregrine' was intended to reinforce the belief that only through cultural insulation could the New English avoid contagion.[71] A somewhat similar sub-genre was the question-and-answer tract which was employed, for instance, by Nicholas Dawtrey and William Piers.[72] Here, though, it seems more likely that the intention was to reinforce the knowledge gap between the experienced man on the ground and the metropolitan government, Whitehall necessarily taking on the guise of the question poser whose queries

[68] John Andrew Simpson and E.S.C. Weiner (eds.), *The Oxford English Dictionary*, 20 Vols. (Oxford, 1989), XVIII, p. 464.
[69] Spenser, *A View of the Present State of Ireland*; Barnaby Rich, *A nevv description of Ireland* (London, 1610); Richard Beacon, *Solon his follie*, eds. Clare Carroll and Vincent Carey (Binghamton, 1996).
[70] Willy Maley, 'Dialogue-wise: Some Notes on the Irish Context of Spenser's *View*', in *Connotations*, Vol. 6, No. 1 (1996/97), pp. 67-77.
[71] Spenser, *A View of the Present State of Ireland*; Hugh Collier?, The Dialogue of Peregrynne and Silvynnus', 1599, TNA: PRO, SP 63/203/119, transcribed at http://www.ucc.ie/celt/published/E590001-001/index.html, which attributes the text to Collier.
[72] Hiram Morgan (ed.), 'A Booke of Q + Answars concerning the warres or rebellions of the kingdome of Irelande', 1597, in *Anal. Hib*. Vol. 36 (1995), pp. 79-135; William Piers?, 'Proiect for Ireland deliuered to ye Q. by an old captaine of Irland', c. 1594, BL, Cotton MSS. Titus B XII, ff. 567r-568r [App. no. 63], which circumstantial evidence suggests was authored by Piers.

the actual author of the tract obligingly answered. One further sub-genre was the rhetorical essay, a studied exercise in persuading monarch and senior ministers alike of the feasibility of a proposal, a typical example of which was Edmund Tremayne's 1573 discourse on the composition scheme.[73]

However, there are other documents which must be, and will be, considered as part of the 'reform' literature of the period. For example, numerous items of official correspondence warrant attention. The majority of such writings were addressed to leading ministers in London, though some were sent to the chief governor of the time. Consequently the principal recipients over the course of the century were Wolsey, Cromwell, Burghley, Leicester, Walsingham and Robert Cecil.[74] The higher the author's position in Ireland, the higher placed the intended recipient tends to have been. As such, low ranking officials like Henry Ackworth more often than not corresponded with the chief governor. When Ackworth did solicit Burghley he made some apologies for his lowly station.[75] However, Thomas Howard, earl of Surrey, later duke of Norfolk, and one of just four men to hold the post of lord lieutenant of Ireland in the course of the sixteenth century, usually bypassed all other channels and corresponded directly with Henry VIII.[76]

Such correspondence, while clearly not formal and systematic treatises, merit consideration as 'reform' literature, as the contents of many such letters is, nevertheless, far more consequential than some formal treatises. Andrew Trollope, for example, dispatched a series of lengthy reports to Burghley during the 1580s which, although they appeared as routine correspondence, contained in-depth expositions of the political state of Ireland and numerous suggestions on how to improve the same.[77] Similarly, Henry Sidney composed a number of letters detailing his progress through the four provinces in 1575 and 1576 which, while not displaying the characteristics of a formal treatise, must be considered in the same

[73] Edmund Tremayne, 'Whether the Q. matie be to be councelled to governe Ireland after the Irish manner, as it hathe bin accustomed, or to reduce it as neere as may be to English government', 1573, BL, Cotton MSS. Titus B XII, ff. 357-360 [App. no. 29]. The rhetorical nature of the tract has previously been pointed to by Crawford, *Anglicizing the Government of Ireland*, p. 391.

[74] See, for example, William Brabazon, 'Brabazon to Crumwell', 1539, *SP Henry VIII*, iii, 270; Henry Sidney, 'Lord Deputy Sydney to the Earl of Leicester', 1566, TNA: PRO, SP 63/16/35; Nicholas Malby, 'Sir Nicholas Malbie to Walsyngham', 1578, TNA: PRO, SP 63/60/37; Robert Rosyer, 'Mr Robert Rosyer to Burghley', 1586, TNA: PRO, SP 63/126/22.

[75] Henry Ackworth, 'H. Acworte to Burghley', 1574, TNA: PRO, SP 63/46/26.

[76] See, for example, Surrey, 'Surrey to King Henry VIII', 1521, *SP Henry VIII*, ii, 20. The third earl of Sussex and the second earl of Essex also exercised effective control of the position, but Henry VIII's bastard son, Henry Fitzroy, duke of Richmond and Somerset, nominally held the office from 1529. *ODNB*, s.v. Fitzroy, Henry.

[77] Andrew Trollope, 'Reipubliciae benevolus', 1581, TNA: PRO, SP 63/85/39; idem, 'Andrew Trollopp to Burghley', 1587, TNA: PRO, SP 63/131/64. Both are calendared imperfectly in W. Maziere Brady (ed.), *State Papers Concerning the Irish Church* (London, 1868), XXXV, LXXXVII.

vein given that in the course of these accounts Sidney laid out numerous proposals and statements on a whole range of topics relating to his programme for government.[78]

Of less consequence, though nevertheless noteworthy, are a handful of letters sent between private individuals. For example, an extensive letter possibly composed by a young Henry Docwra, though evidently not associated with the highest circles of government, details Richard Bingham's suppression of the Scots and Irish rebellion of 1586.[79] Nicholas Willoughby, a planter in Derry, addressed a letter in 1606 to his brother John. While praising certain aspects of Irish society he also remarked on the persistently unsettled atmosphere three years after the submission of Tyrone, stating 'we are in great danger of cuttinge our throats, for you shall have in some places fortie rogues together haunting the woods and caves under ground', while 'the people be so beastlie that they are better like beasts than Christians'.[80]

A third popular form of document was the report or journal. Composed by high ranking officials, such writings were often conceived both to inform certain parties in London of their activities and in many instances to defend those same actions. There was a sharp increase in the number of justificatory accounts of service being produced in the closing decades of the century as complaints about the corrupt dealings of Irish officials became rife. Thus, a number of viceroys, including Sussex and Sidney, composed journals and memoirs, or 'memory texts' as Maley has categorised them.[81] Similarly, there are extensive diaries

[78] Henry Sidney, 'Sir Henry Sydney to the Lords of the Council', 1575, in Collins (ed.), *Letters and Memorials of* State, I, pp. 75-80; idem, 'Sir Henry Sydney to the Lords of the Councell', 1575, in Collins (ed.), *Letters and Memorials of* State, I, pp. 81-85; idem, 'Sir Henry Sydney to the Lords of the Council in England', 1576, in Collins (ed.), *Letters and Memorials of* State, I, pp. 89-97; idem, 'Sir Henry Sydney to the Lords of the Councell', 1576, in Collins (ed.), *Letters and Memorials of State*, I, pp. 102-110.

[79] Henry Docwra, 'A Letter from a Gentleman to his Friend, of certain services done by Sir Richard Bingham upon the Rebels and Scots in Connaught', 1586, Cal. Carew MSS. 1575-1588, 621. The attribution of the 'Letter' to Docwra is by his recent biographer, John McGurk, *Sir Henry Docwra, 1564-1631: Derry's second founder* (Dublin, 2005), pp. 26-37, esp. p. 37, where McGurk suggests that Docwra composed the 'Letter' as part of a campaign to ingratiate himself into the Essex circle. The document is largely a paraphrase of Richard Bingham, 'A Discourse of the services done by Sir Richard Bingham in the county of Mayo, within the province of Connaught, for the quieting of the said country, suppression of such of the Burkes as revolted there, and the overthrow of the Scots who lately invaded the same province in July, August and September 1586', 1586, TNA: PRO, SP 63/126/53(i). For the background to the two documents, see Rory Rapple, 'Taking up Office in Elizabethan Connacht: The Case of Sir Richard Bingham', in *EHR*, Vol. 123, No. 501 (Apr., 2008), pp. 277-299.

[80] Nicholas Willoughby, 'Nicholas Willoughby to John Willoughby', 1606, printed in Walter Caverley Trevelyan and Charles Edward Trevelyan (eds.), 'Trevelyan Papers: Part III', in *The Camden Society*, Vol. 105 (1872), pp. 102-104.

[81] Willy Maley, '"The name of the country I have forgotten": remembering and dismembering in Sir Henry Sidney's Irish *Memoir*', in Herron and Potterton (eds.), *Ireland in the Renaissance, c. 1540-1660*, pp. 52-73, p. 57; Brady (ed.), *A Viceroy's Vindication?*. Alternatively they had them composed on their behalf, as Sussex did through the pen of Ireland's deputy herald, the Athlone Pursuivant, Philip Butler. These documents are collected together in LPL, MS. 621 and calendared in Cal. Carew MSS. 1515-1574, 207, 211, 212, 215, 217, 238. Copies are also contained in TCD, MS. 581.

extant which chart the terms in office of the chief governors, William Russell and William Pelham, while regional officials such as Richard Bingham and Henry Docwra composed reports of their service.[82]

Many of these texts are simply straight-forward records of past events and as such hardly necessitate consideration as part of the 'reform' treatises. Certainly Russell's diary or Arthur Grey's account of his time in the viceregal office seem to fall into this bracket.[83] However, a significant percentage of these journals were also suffused with ideas about the 'reform' of Ireland, a fact which makes approaching these writings inherently complicated. Such is the case with Thomas Cusack's 'Book' which he sent to Northumberland in 1553. This, while ostensibly a report on his progress around the country, also contains substantial 'reform' proposals, the sometime lord chancellor, for instance, recommending the establishment of provincial presidencies.[84] Documents of this kind cannot but be considered as part of the 'reform' literature.

One further form of document to consider is the limited, though significant, works which entered print at the time. These were often concerned with promoting various enterprises across the Irish Sea. Such was the case with the documents which passed through the press in relation to Thomas Smith's endeavour to colonise the Ards peninsula in 1572 and with Robert Payne's *Briefe description of Irlande*, a pamphlet the purpose of which was to contribute to the improvement of the country by fostering agrarian innovation and manufacturing industries.[85] Other print items relating to Ireland were designed for an English audience and either contained news of events in Ireland or were exhortations to end the conflicts there. A number of newsletters, augmented by the works of Thomas Churchyard, were produced to the former effect, while John Norden's entreaty for the success of Essex in

[82] William Pelham, 'A Breviate of the Proceedings of the Right Honourable Sir William Pelham, Knight, Lord Justice of her Majesty's realm of Ireland, during the time of his government there, which began the 11th of October 1579, and ended the 7th of September 1580', 1580, Cal. Carew MSS. 1575-1588, 480; William Russell, 'Journal of Sir William Russell, Lord Deputy', 1594-7, Cal. Carew MSS. 1589-1600, 270; Richard Bingham, 'A Discourse of the services done by Sir Richard Bingham in the county of Mayo, within the province of Connaught, for the quieting of the said country, suppression of such of the Burkes as revolted there, and the overthrow of the Scots who lately invaded the same province in July, August and September 1586', 1586; Henry Docwra, 'A Narration of Services done by the army ymployed to Logh-Foyle, vnder the leadinge of mee Sir Henry Docwra Knight', in John O'Donovan (ed.), *Miscellany of the Celtic Society* (Dublin, 1849), pp. 233-286.
[83] Arthur Grey, 'Lord Grey's service in Ireland, with an account of the state that realm was left in at his coming away, addressed to the Queen's Majesty', 1582, TNA: PRO, SP 63/95/82.
[84] Thomas Cusack, 'The copy of the book sent from Sir Thomas Cusake, Lord Chancellor of Ireland, to the Duke of Northumberland's Grace for the present state of Ireland', 1553, Cal. Carew MSS. 1515-1574, 200.
[85] Smith, *A Letter sent by I.B. Gentleman*; Smith, *The offer and order giuen by Sir Thomas Smyth*; Robert Payne, 'A briefe description of Ireland', in IAS, *Tracts Relating to Ireland*, I, no. 2.

ending Tyrone's rebellion is representative of the latter.[86] However, this pamphlet and print culture was not commonplace in the Tudor period, though it did anticipate the proliferation of such material during the seventeenth century and in particular during the Confederate War.[87]

Finally, the sixteenth century witnessed the production of numerous chronicles and histories. These varied in literary quality with William Camden, Richard Stanihurst and John Hooker, among others, producing works of considerable sophistication, while on the other hand a number of tangential chronicles pepper the state papers.[88] In addition writers such as Fynes Moryson interspersed accounts of their travels with relations of the history and cultural landscape of Ireland. These texts, while generally not venturing explicit proposals on how Irish policy should be shaped, are significant, not least for the account of Irish social mores contained therein. Thus, while the formal treatise is doubtlessly the most significant and numerous form in which 'reform' literature appeared, many of these other kinds of document, whether correspondence, journals and memoirs, print material or histories are often considerable as 'reform' literature and will be as such.

V – The 'Reform' Treatise C. Type

In a similar vein to the multiplicity of forms in which 'reform' literature appeared there were numerous types of treatise. The most basic type, and perhaps for that same reason one which was frequently composed, was the geographical description. The majority of the treatises provide some details either on the geography of the whole island or a localised area while many deal specifically with this subject. The composer generally commenced the work by dividing Ireland into either four, five or six provinces; four if one adhered to modern divisions, though most included Meath as a fifth, while a number elected to give Munster as two entries, specifically Desmond (Deasmhumhain or South Munster) and Thomond

[86] *The true reporte of the profperous fucceffe which God gaue vnto our Englifh souldiours againft the forraine bands of our Romaine enemies, lately ariued, (but soone enough to theyr cost) in Ireland in the year 1580* (London, 1580); John Norden, *A prayer for the prosperous proceedings and good successe of the Earle of Essex and his companies in their present expedition in Ireland against Tyrone and his adherents, rebels there* (London, 1599); *A Letter from a Souldier of good place to his friend in London, touching the notable Victorie of her Maiesties Forces there, against the Spaniards and Irifh Rebels: And of the yielding vp of Kynfale, and other places there held by the Spanyards* (London, 1602).

[87] On the exponential increase in the number of such works in the 1640s and the antecedents of these texts, see David O'Hara, *English Newsbooks and Irish Rebellion, 1641-1649* (Dublin, 2006), esp. pp. 17-18.

[88] Camden, *Brittania*; John Hooker, 'The Discourse and Discovery of the Life of Sir Peter Carew of Mohoneseotry in the County of Devon, Knight who died at Rosse in Irelande, anno 1575, and was buried in the city of Waterford', Cal. Carew MSS. 1515-1574, lxvii-cxviii; John Speed, *A description of the ciuill vvarres of England* (London, 1601); idem, *The Theatre of the Empire of Great Britaine* (London, 1611). For these manuscript histories, see, for example, 'Portions of some manuscript history of the time', 1599, TNA: PRO, SP 63/202(iii)/140.

(Tuathmhumhain or North Munster). These were then subdivided into counties, baronies, cantreds and ploughlands with concurrent information on the chief lords and the built environment of each area.[89] Supplementing these were descriptions which divided the country according to the lordships or 'countries' as they were often referred to as. Beginning with the 1515 'State' the tendency to designate certain regions as being O'Neill's country or O'Donnell's country, and so on, was pronounced throughout the century and dozens of tracts anatomising the country in this manner are extant.[90]

The earliest geographical treatise appeared in 1515 and was a brief pamphlet of sorts entitled the 'Description of Ireland'.[91] Similar accounts proliferated over the following decades. The purpose of such works seems relatively clear. As noted, Whitehall in the first half of the century was resoundingly ignorant of the geography of the remoter parts of Ireland. Consequently, as the effective reach of the government gradually extended beyond the Pale in the mid-Tudor period and into Connaught and Ulster during Elizabeth's reign information on the geography of those regions became a necessity in order to implement administrative rule therein.[92] Furthermore John Montano has recently suggested that such endeavours were also part of a wider drive to encourage land cultivation and development throughout Ireland.[93] The shiring of Clare in the early-1570s provides an illuminating example of this process accompanied as it was by the composition of a number of such descriptions of the county.[94] John Merbury explicitly testified to the link between administrative expansion and a desire for geographical knowledge in 1589 when at the outset of a memorandum concerning the composition in the O'Rourke lordship he noted, 'Ffor the perfyte devidyng or disposing of O'Rurck's contrye a geographical dyscripcion were very requisyte'.[95] In a similar fashion memoranda on individual septs, and the lands they inhabited, are extant which clearly were produced in response to specific difficulties being

[89] Examples include, 'What Ireland is and how much', 1549, Cal. Carew MSS. 1515-1574, 191; 'Notes of Ulster, Connaught, Munster and Leinster', 1560, Cal. Carew MSS. 1515-1574, 229. The form was still being used to some extent as late as 1614. See Oliver St John, 'The Description of Connaught, by Oliver St John, in the year 1614', 1614, Cal. Carew MSS. 1603-1625, 152.
[90] See, for example, 'Capteines of cuntryes in Irland', BL, Add. MS. 48,015, ff. 219-220; Humphrey Gilbert, 'The book for the reformasion of Irland', 1574, Bod. Lib., Carte MS. 56, ff. 254-263 [App. no. 30].
[91] 'Description of Ireland', 1515, L.P. II (i), 1367. A number of copies of this brief document circulated and were evidently still of interest some years later with one in the possession of Julius Caesar. See 'Descriptio hibernie Incipit sic', 1515, BL, Lansdowne MS. 159, f. 1.
[92] J.H. Andrews, 'Geography and Government in Elizabethan Ireland', in Nicholas Stephens and Robin Glasscock (eds.), *Irish Geographical Studies: essays in honour of E. Estyn Evans* (Belfast, 1970), pp. 178-191.
[93] John Montano, *The Roots of English Colonialism in Ireland* (Cambridge, 2011).
[94] Robert Twigge (ed.), 'Edward White's Description of Thomond in 1574', in *JNMAS*, Vol. 1 (1910), pp. 75-85; Martin Breen (ed.), 'A 1570 list of Castles in County Clare', in *JNMAS*, Vol. 36 (1995), pp. 130-138.
[95] John Merbury, 'Mr. John Merbury to Burghley', 1589, TNA: PRO, SP 63/146/60, f. 185r.

encountered with those who were the subject of the text, for example, on the Kellys and the Burkes in the 1570s and 1580s, respectively.[96]

Much of this activity must also be looked at in the context of William Cecil's efforts to map the Tudor dominions from the 1560s onwards in response to the undertaking of a similar project in Spain by Philip II, under the directorship of Pedro de Esquivel, and the inception of a similar project by Catherine de Medici in France.[97] This manifested itself in Ireland in the employment of Laurence Nowell, Robert Lythe and John Gough to produce maps on the sister kingdom, a process which continued down to the end of the century in the creation of official maps by individuals such as Francis Jobson and Richard Bartlett.[98] Therefore, those who gathered information on the geographical landscape of Ireland or drew up one of the many contemporaneous maps were participants in a sense in a much wider process whereby states' knowledge of the physical makeup of western Europe was expanding considerably.

In tandem with this discovery of the physical landscape of Ireland Tudor commentators were equally interested to describe the political and cultural environment they observed there, particularly in the Gaelic part of the country. In keeping with the significance of genealogical information in early modern society many of these inquiries were extensive listings of prominent families and septs in Ireland, both of Gaelic and Old English descent. The most tangible aspect of this anatomising, though, was in the repeated description of such axiomatic practices as 'coign and livery', succession by tanistry, inheritance by gavelkind and the adoption of Gaelic habits by the descendants of the original conquest, as well as various

[96] 'Note of the bonnaught and composition with the Kellys in Connaught, showing the great advantage gained to Her Majesty', 1579, TNA: PRO, SP 63/65/33; 'A note of the septs of the Burkes in the county of Mayo, in Ireland', 1586, TNA: PRO, SP 63/127/7.

[97] Stephen Alford, *Burghley: William Cecil at the Court of Elizabeth I* (Yale, 2008), pp. 16-17; David Buisseret, *The Mapmakers' Quest: Depicting New Worlds in Renaissance Europe* (Oxford, 2003), pp. 57-66; Geoffrey Parker, 'Maps and Ministers: The Spanish Habsburgs', in David Buisseret (ed.), *Monarchs, Ministers and Maps* (Chicago, 1992), pp. 124-152, has cast doubt on the notion that Philip II had a long term plan for mapping his dominions despite his support for certain cartographic projects. Peter Barber, 'England II: Monarchs, Ministers, and Maps, 1550-1625', in Buisseret (ed.), *Monarchs, Ministers and Maps*, pp. 57-98.

[98] For Nowell's map, see BL, Add. MS. 62,540; J.H. Andrews, 'The Irish Surveys of Robert Lythe', in *Imago Mundi*, Vol. 19 (1965), pp. 22-31, provides the background to Lythe's work and references to his numerous works. J.H. Andrews and Rolf Loeber, 'An Elizabethan Map of Leix and Offaly: Cartography, Topography and Architecture', in William Nolan and Timothy O'Neill (eds.), *Offaly: History and Society* (Dublin, 1998), pp. 243-286, provides an overview of an individual map. William Smyth, *Map-making, Landscapes and Memory: A Geography of Colonial and Early Modern Ireland c. 1530-1750* (Cork, 2006), pp. 21-53. Also, see Annaleigh Margey, 'Representing plantation landscapes: the mapping of Ulster, c.1560-1640', in James Lyttleton and Colin Rynne (eds.), *Plantation Ireland: Settlement and material culture, c.1550-c.1700* (Dublin, 2009), pp. 140-164; idem, 'Surveying and mapping plantation Cavan, c.1580-1622', in Brendan Scott (ed.), *Culture and Society in Early Modern Breifne/Cavan* (Dublin, 2009), pp. 106-120. For examples of the numerous maps of the time, see TCD, MS. 1,209, which contains examples by Francis Jobson, Christopher Jefford, John Speed and Richard Grenville. Also, see Gerald Hayes-McCoy, *Ulster and other Irish maps, c.1600* (Dublin, 1964).

statements associated with the preponderance of the Gaelic learned classes throughout the country.[99] The concentration on these practices was politically motivated and when they featured in the writings of New Englishmen, such as Sussex, Warham St Leger or John Perrot, it was generally as a prelude to sounding out proposals for dispensing of these practices countrywide.[100] Thus, for instance, William Herbert's description of the use of the mantle in 1589 was in the context of explaining his decision to prohibit the use of it on his lands.[101]

Manifestly, then, there were two polities in Ireland, one composed of competing Gaelic and some Anglo-Irish lordships, and the other that of the centralising Tudor state. Out of the drive to subjugate those lordships and cement the political hegemony of the English state in Ireland there developed a number of ways to 'reform' Ireland. One of these envisaged that Gaelic Ireland could be incorporated within the Tudor state through a programme of conciliatory 'reform'.[102] The focus here was overwhelmingly on the necessity of fostering the common law in Ireland, through the development of judicial and administrative institutions such as the court of castle chamber. In a similar vein the provincial presidencies, although they largely degenerated into military governance, were originally intended to act as conduits for the establishment of English legal norms in Munster and Connaught. The standardisation of the economic landscape of the country to mirror that of England was also envisaged and the authors of these tracts were just as concerned to promote the creation of freeholds and develop a system of taxation. Those who composed treatises of this kind were often of a legal or administrative background themselves and included prominent officials such as William Gerrard, Robert Gardener and Nicholas White.[103]

A second way to 'reform' Ireland was to recommend a more aggressive solution, either by a gradual extension of the Pale or a concerted programme of conquest. This was

[99] Kenneth Nicholls, *Gaelic and Gaelicised Ireland in the Middle Ages* (Dublin, 1972), surveys these practices. Also, see Quinn, *The Elizabethans and the Irish*, esp. pp. 34-57; Canny, *The Elizabethan Conquest of Ireland*, esp. pp. 117-136

[100] Sussex, 'The opinion of th'Earl of Sussex, touching the reformation of Ireland', 1560, Cal. Carew MSS. 1515-1574, 227; Warham St Leger, 'The nature of Sorowhen lands and other chargeable lands in Ireland', 1589, TNA: PRO, SP 63/144/84; John Perrot, 'Reasons to move your Lordships [the Privy Council] to cut away the Captainries and Tanistships used among the mere Irishry, to the end that the seignories of the Irish lords should descend from father to son, according to the common laws of England', 1590, Cal. Carew MSS. 1589-1600, 73.

[101] William Herbert, 'A note of such reasons which as moved Sir W. Herbert to put the statute in execution against Irish habits', 1589, TNA: PRO, SP 63/144/57(ii); Margaret Rose Jaster, 'Breeding Dissoluteness and Disobedience: Clothing Laws as Tudor Colonialist Discourse', in *Critical Survey*, Vol. 13, No. 3 (2001), pp. 61-77.

[102] On the development of legal and judicial institutions throughout the period, see Crawford, *Anglicizing the Government of* Ireland; idem, *A Star Chamber Court in Ireland*.

[103] See, for example, Nicholas White, 'N. White, Master of the Rolls, to Burghley', 1581, TNA: PRO, SP 63/87/55 [App. no. 39].

attested to as early as 1521 when Surrey, noting the 'principall cause, that Your Grace sent me hither for, was to enforme Your Highnes, by wich meanys and ways Your Grace myght reduce this londe to obedience', claimed:

"After my poure opinion, this londe shall never be broght to goode order and dew subjeccion, but only by conquest; wich is, at Your Graces plesure, to be broght to pas twoo maner off ways. One way is, iff Your Grace woll one yere sett on hande to wyn one contree, and a nother yere, another contree, and so contynew, tyll all at length be won. After myn opinion, the lest nomber, that Your Grace must occupie, can be no les then 2500",

while,

"iff Your Grace woll, in more brieff tyme, have your purpose broght to pas, and to set upon the conqwest in dyvers places, at one tyme; then, after my poure opinion, 6000 men is the lest nomber that Your Grace must occupie."[104]

Surrey's prescription for either a piecemeal extension of English rule utilising an average sized garrison or the employment of a large force to speedily effect a full conquest is, in retrospect, prophetic of how Tudor rule in Ireland would actually develop.

These tracts, advocating a military solution to 'reform' Ireland were composed extensively from 1515 onwards, the 'State' and Finglas' 'Breviat' essentially being blueprints for a renewed conquest, particularly in the regions adjoining the Pale in south Leinster. This became one of the principal subjects of the political discourse of the 1530s, while the establishment of a garrison system throughout much of Leinster and Ulster from 1546 inspired the regular composition of tracts providing details in respect of locations and troop allocations for these. For example, Sussex's most extensive composition on Ireland, his 'Opinion' of 1562 covers a great deal of issues, one of the principal being the need for military action in certain regions and the establishment of garrisons at locations such as Armagh.[105] Henry Sidney's demands during the negotiations surrounding his reappointment as lord deputy in 1575 largely concerned the size of his forces, their pay and victualling.[106] Even such mundane and persistent requests as those made by Nicholas Bagenal and William Piers to provide funds for the walling of Newry and Carrickfergus had a military motive,

[104] Surrey, 'Surrey to King Henry VIII', 1521, *SP Henry VIII*, ii, 20, p. 73. Though this is the most consequential treatise composed by Howard he reiterated the same points in other letters of the time and later in the 1530s. See idem, 'Surrey to Wolsey', 1520, *SP Henry VIII*, ii, 15; Norfolk, 'Norfolk to Crumwell', 1535, *SP Henry VIII*, ii, 104. On Howard's early career, see Susan Elisabeth Vokes, 'The early career of Thomas, Lord Howard, Earl of Surrey and Third Duke of Norfolk, 1474-c.1525', PhD (University of Hull, 1988); David Head, *The Ebbs and Flows of Fortune: The Life of Thomas Howard, Third Duke of Norfolk* (London, 1995), pp. 52-59; *DIB*, s.v. Howard, Thomas.

[105] Sussex, 'The opinion of the Earl of Sussex Lieutenat-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, Cal. Carew MSS. 1515-1574, 236.

[106] Henry Sidney, 'Lord President Sydney's notes for Ireland and demands in case he were sent again to be Deputy', 1574, TNA: PRO, SP 63/48/40.

while the Nine Years War occasioned the production of an unprecedented number of treatises on military affairs.[107]

One final means to 'reform' or subjugate the country was to colonise it.[108] Again, recommendations to this effect are to be found in Finglas' 'Breviat', and the idea gradually gained more and more adherents. Consequently the early-1550s saw the inception of the first state sponsored plantation in the midlands counties of Laois and Offaly. However, it was the late-1560s and early-1570s which witnessed the first intense efforts at colonising large sections of the country, primarily the south coast of Munster and northeast Ulster. Finally, the second Desmond rebellion in 1579 and the flight of the earls from Ireland in 1607 precipitated the plantations of Munster and Ulster. These actions led to the production of a range of works, some of which dealt with the theoretical side of colonisation as in Edward Walshe's writings and those of Rowland White, though many of these particular compositions were produced by those without direct experience of Ireland, ministers such as Thomas Smith and Francis Bacon.[109] But, the overwhelming majority of texts dealing with ways to 'reform' Ireland by colonising the country were concerned with putting forward proposals on various colonisation schemes. In this respect writers such as Humphrey Gilbert, Richard Spert, William Piers and Warham St Leger were quite prolific.[110] A peripheral concern in these texts as exhibited in the memoranda of John Alen and Ralph Lane was for transplantation to be begun to clear areas of intractable elements, though this particular idea did not gain widespread currency until quite late in the century and principally in the early-Stuart period.[111]

Another type of tract was that which dealt with religious matters within which there was a debate over what balance of persuasive methods and coercion should be employed to

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[107] Nicholas Bagenal, 'A Declaration how…the Newrie…May be fortified…by the Trayvell of Sir Nicholas Bagenall', 1577, HMC, De L'isle and Dudley MSS. ii, p.56; William Piers, 'Captain W. Pers to the Queen', 1571, TNA: PRO, SP 63/33/1.

[108] Some of the principal studies of colonial activity are, White, 'Tudor Plantations in Ireland to 1571'; D.B. Quinn, 'The Munster Plantations: problems and opportunities', in *JCHAS*, Vol. 71 (1966), pp. 19-41; Robert Dunlop, 'The Plantations of Leix and Offaly, 1556-1622', in *EHR*, Vol. 6, No. 24 (Jan., 1891), pp. 61-96; Canny, *The Elizabethan Conquest of Ireland*, esp. pp. 66-92; idem, *Making Ireland British*; MacCarthy-Morrogh, *The Munster Plantation*; Philip S. Robinson, *The Plantation of Ulster: British settlement in an Irish landscape, 1600-1670* (Belfast, 1994); Morgan, 'The Colonial Venture of Sir Thomas Smith in Ulster, 1571-1575'.

[109] Quinn (ed.), 'Edward Walshe's '*Conjectures*' concerning the state of Ireland'; Canny (ed.), 'Rowland White's "Discors Touching Ireland", c. 1569'; idem, 'Rowland White's "The Dysorders of the Irisshery", 1571'.

[110] See, for example, Richard Spert, 'The requests of Richard Spert and others for a grant of Desmond' lands, with a plot establishing certain trades there', 1583, TNA: PRO, SP 63/106/24 [App. no. 43].

[111] John Alen, 'Lord Chancellor Alen to Mr Comptroller William Paget', 1548, TNA: PRO, SP 61/1/129 [App. no. 4]; Ralph Lane, 'Offers of service touching the delivery of the English Pale from the annoyance of the Mores, to be performed by James Moore, who undertakes to draw the whole sept into any part of Munster now uninhabited and fallen to Her Majesty', 1584, TNA: PRO, SP 63/107/61(i) [App. no. 45].

protestantise the country. Generally, the central issues which arose in the writings of those, like Adam Loftus, William Lyon and William Jones, who addressed ecclesiastical affairs were that the physical state of the church and the lack of suitably trained ministers were hampering attempts at proselytization, factors which could be combated by appointing ministers from England and founding educational institutions in Ireland, both to prepare a domestically trained ministry and inculcate the population to the new faith.[112]

Finally, treatises were composed throughout the century which dealt with specific regional issues and agendas. Multiple documents of this type often appeared rapidly in the space of a few years in relation to a precise subject such as occurred in the late-1550s and early-1560s when the return to Ireland of Gerald Fitzgerald as eleventh earl of Kildare saw local landholders such as Francis Harbert, Richard Eustace and Oliver Sutton make a series of submissions criticising the magnate's actions in the region.[113] Developments in the provinces also led to the composition of such regional tracts, figures such as Edward Fitton, Ralph Rokeby, John Browne and John Merbury all concerning themselves, for instance, with developments in Connaught following the establishment of the regional administration there in 1569.[114] Similarly the perennial problem posed by the Scots in the northeast was the subject of numerous tracts by regional placemen such as William Piers, while the depredations of the O'Byrnes and O'Tooles south of the Pale featured in the writings of Henry Harrington and Andrew Trollope.[115]

These then were the primary types of document, although most authors were drawn to discussion of a range of issues. Successive chief governors on occasion had to effectively engage with multiple issues when reporting back to king, queen or privy council. Others were more specific but this ambiguity highlights the difficulty of tidy classification or easy

[112] Adam Loftus, 'The Chancellor Archbishop to Burghley', 1590, TNA: PRO, SP 63/154/37, calendared in Brady (ed.), *State Papers Concerning the Irish Church*, XCII; William Jones, 'William Johnes to Walsyngham', 1584, TNA: PRO, SP 63/111/31, calendared in Brady (ed.), *State Papers Concerning the Irish Church*, LIX; William Lyon, 'William Lyon, Bishop of Cork and Ross, to Sir Robert Cecil', 1600, TNA: PRO, SP 63/207(i)/108.

[113] Francis Harbert, 'Articles concerning the government of Ireland, principally addressed by an Irishman of Portlester', 1558, TNA: PRO, SP 62/2/15; Oliver Sutton, 'A book to be exhibited to the Lord Lieutenant against coin and livery, which the Earl of Kildare taketh with other the said Earl's enormities and abuses', 1565, TNA: PRO, SP 63/15/55; Richard Eustace, 'A devise for the perpetual reformation of the borderers of Kildare', c. 1568, BL, Cotton MSS. Titus B XII, ff. 248-249.

[114] Edward Fitton, 'Sir Edward Fyton to Cecill', 1570, TNA: PRO, SP 63/30/43; Ralph Rokeby, 'Ralph Rokeby to Cecill', 1570, TNA: PRO, SP 63/30/44; John Browne, 'Description of the County of Mayo', 1585, TNA: PRO, SP 63/117/16; Merbury, 'Mr. John Merbury to Burghley', 1589.

[115] William Piers?, 'A paper [apparently by Capt. W. Pers of Knockfergus, intended to be presented to Cecill or Sussex] relating the policy of Scotland, to promote James M'Donnell to be Lord of all the Isles of Scotland, with the reason of its failure', 1565, TNA: PRO, SP 63/9/83 [App. no. 19]; Trollope, 'Reipubliciae benevolus', 1581; Henry Harington, 'Memorial of Sir Henry Harington's service as Seneschal in the Byrnes' and Tooles' country', 1585, TNA: PRO, SP 63/121/20.

analysis, a fact made all the more difficult by our lack of understanding in regard to the composition process.

VI – The 'Reform' Treatise D. Composition

There is little doubt that a significant number of writers utilised the works of others when composing their own treatises. In many instances the debt is quite apparent, such as Camden's use of a piece written by William Good, an English Jesuit operating around Limerick in the 1560s for the 1607 version of his *Britannia*.[116] Laurence Nowell composed a chronicle of Ireland in the 1560s for which he appears to have utilised a number of medieval sources obtained from the library of William Cecil, including the *Polychronicon* and Pembridge's annals.[117] Similarly Giraldus Cambrensis' *Expugnatio Hibernica* was included in the 1587 edition of Holinshed's *Chronicles*, while in his contribution to the same work Richard Stanihurst directly cited a range of writers, including John Bale and Edmund Campion, as sources for his description of Ireland.[118] Furthermore, a recent study has shown that John Derricke's *Image of Irelande* was in part a response to Stanihurst's contribution to the first edition of the *Chronicles* published in 1577, which the Palesman in turn responded to by composing *De Rebus in Hibernia Gestis*.[119] Additionally, a number of individuals such as Meredith Hanmer relied on a range of material of both English and Gaelic origin.[120] Finally, Spenser's decision to name one of the protagonists in his dialogue Irenaeus may well have been influenced by the naming of a character in the *Dialogi Sex* of the catholic controversialist Nicholas Harpsfield. The sections of Harpsfield's work, published in 1566 under the name of Alan Cope, which addressed certain religious myths of Ireland were discussed and quoted at length by Stanihurst in his contribution to the 1587 edition of Holinshed's *Chronicles* from which Spenser may have taken the name.[121]

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[116] For further information on Good, see Quinn, *The Elizabethans and the Irish*, pp. 28-29.
[117] For Nowell's 'Chronica Hiberniae', see BL, Cotton MSS. Domitian XVIII, ff. 57-90. A series of Nowell's notes concerning Ireland can be found scattered through BL, Add. MS. 48,015; BL, Add. MS. 48,017; BL, Cotton MSS. Domitian XIII. For Nowell's composition of the chronicle, see Robin Flower, 'Laurence Nowell and the Discovery of England in Tudor Times', in *Brit. Ac. Proc.*, Vol. 21 (1935), pp. 47-73, esp. pp. 65-66. Nowell also produced an atlas of Ireland and England at the same time. See BL, Add. MS. 62,540.
[118] Ellis (ed.), *Holinshed's Chronicles of England, Scotland and Ireland*, VI, pp. 121-232.
[119] Barry, 'Derricke and Stanihurst'.
[120] Meredith Hanmer, 'The description of the Realm of Ireland, the circuit and bound of every county, with the names of all the principal towns, gentlemen, castles, rivers and freeholders', 1597, TNA: PRO, SP 63/201/157. Hanmer owned a number of manuscripts in the handwriting of the Irish antiquary Thady Dowling. See, for example, Robert Cowley, 'Book by Robert Cowley', 1538, TNA: PRO, SP 60/6/53.
[121] Ellis (ed.), *Holinshed's Chronicles of England, Scotland and Ireland*, VI, pp. 10-18; *ODNB*, s.v. Harpsfield, Nicholas.

Ordinarily, however, and in particular with manuscript tracts, what debt one may have owed to the work of others is not expressly apparent and in this instance analysis must often give way to suppositions. For example, William Gerrard was almost certainly familiar with the analysis of the history of the conquest up to the sixteenth century that he would have found in texts such as Finglas' 'Breviat', but it is not possible to determine with any precision to what extent he relied on such texts when he came to writing the series of memoranda he presented at court in 1577.[122]

A veritable web of intertextuality, though, is evident in relation to a number of documents composed in the 1580s and 1590s. It was noted by the original editor of the text that the 1598 'Description' of Ireland, attributed to S. Haynes, is similar in content to a number of documents composed previous to, and after it, including Bagenal's 1586 'Description', the 1596 'Perambulation' of Leinster, and a contemporaneous description of Antrim.[123] Furthermore, Hiram Morgan has suggested that a number of treatises, including Bagenal's 'Description' and a tract by Edward Waterhouse, shared a common source for their layout and information.[124] Whether John Dymmock relied on Bagenal, Haynes, or both, is questionable but he certainly used one for his own description of the northern province, whilst his relation of Essex's journey into Munster mirrors John Harington's journal account of the same events, which Dymmock copied extensively from. These works were in turn possibly consulted, along with Essex's correspondence and third person journals, by Fynes Moryson and James Perrot when those authors began writing their historical accounts of the campaign years later.[125]

Evidently, then, there is significant intertextuality, but it is difficult to extricate this from situations where specific ideas had simply become common currency. One conspicuous example was the universal acceptance of the idea that the Irish lordship had decayed as a result of the cultural degeneracy of the Old English and their adoption of 'coign and livery'.

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[122] MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland'.

[123] Edmund Hogan (ed.), *The Description of Ireland and the state thereof as it is at this present in anno 1598* (Dublin, 1878); Hore (ed.), 'Marshal Bagenal's Description of Ulster, Anno 1586'; Morgan Colman?, 'A Perambulation of Leinster, Meath and Louth, of which consist the English Pale and first of the county of Dublin', 1596, Cal. Carew MSS. 1589-1600, 260. The document is in Colman's hand, though not signed by him. For the description of Antrim taken from the Dobbs MS., see John Dubourdieu, *Statistical Survey of the County of Antrim with Observations on the means of improvement* (Dublin, 1812), pp. 1-7.

[124] Hiram Morgan, *Tyrone's Rebellion: The Outbreak of the Nine Years War in Tudor Ireland* (Suffolk, 1993), p. 40, n. 95.

[125] John Dymmock, 'A Treatice of Ireland c.1599', in IAS, *Tracts Relating to Ireland*, II, no. 1; John Harington, 'Sir John Harington's Report to Queen Elizabeth, concerning the Earle of Essex's Journey in Ireland, 1599', in Harington (ed.), *Nugae Antiquae*, I, pp. 31-59; Kew (ed.), *The Irish sections of Fynes Moryson's unpublished "Itinerary"*; Herbert Wood (ed.), *The chronicle of Ireland, 1584-1608*, (Dublin, 1933); L.W. Henry, 'Contemporary Sources for Essex's Lieutenancy in Ireland, 1599', in *IHS*, Vol. 11, No. 41 (Mar., 1958), pp. 8-17.

But it is rarely possible to determine if one author who reached such a conclusion did so after encountering such an analysis in another text or because it had entered common discourse, both verbal and written, at that time. Similar developments occurred in relation to the depiction of the Irish character. By the end of the period one writer need not have borrowed from any specific source to come to the conclusion that the natives were un-reconcilable barbarians, certainly outside the parameters of Renaissance civility, as the belief (or at least the widespread propagation of this conquest-justifying myth) was widespread with some time. Thus, for instance, Andrew Trollope commented acerbically on the barbarity of the inhabitants of the country shortly after his arrival:

"Ffor at this instante the Irishe men, except the waled townes, are not christyans, cyvell, or humane creators, but heathen, or rather savage, and brute bestes. Ffor many of them, aswell women, as men, goe comonly all naked saveing onely a lose mantle hangeng aboute them."[126]

By the time of Fynes Moryson's and Thomas Gainsford's writing on the topic during the reign of James I such views were hardly novel; all the more so when it is considered that Andrew Boorde's depiction of the Irishman was in print throughout England since the 1540s:

"For the people there be flouthfull, not regarding to fow and tille theyr landes, nor caring for ryches. For in many places they care nor for pot, pan, kettyl, nor for mattrys, fether beds, nor such implementes of houfhold, wherefore it is prefupposed they lak maners and be untaught and rude, the which rudeness which theyr melocoly complexion caufeth the to be angry and tefty wythout a caufe."[127]

Clearly there were a lot of individuals reading the material of others, while certain ideas gained widespread acceptance through word of mouth. This was especially so from the beginnings of Elizabeth's reign as discoursing between those moving in political circles, and consequently the exponential growth in treatise writing, led to a proliferation of ideas on the Irish polity, whether on martial law, the court system, religious affairs or any of the other myriad issues confronting policy formulators in Ireland. Thus, while many authors simply borrowed information from other texts, just as many would plausibly have been affected in their writing through exposure to current ideas in their daily encounters.

VII – The 'Reform' Treatise and the Tudor State

[126] Trollope, 'Reipubliciae benevolus', 1581, f. 97v.
[127] Kew (ed.), *The Irish sections of Fynes Moryson's unpublished "Itinerary"*. The Irish sections of Thomas Gainsford, *The Glory of England* (London, 1618), are printed in Quinn, *The Elizabethans and the Irish*, pp. 163-169; Andrew Boorde, *The fyrft boke of the Introduction of knowledge* (London, 1548), p. 22.

It remains to say something concerning the actual role of the treatise in the functioning of the Tudor state. The motive for composing a treatise was evidently quite varied and authors took up their pens for a variety of reasons ranging from a genuine desire to foster the designs of Dublin Castle to furthering sectional or personal interests, for instance by acquiring patronage or advancing the cause of a particular clique. Barnaby Rich attested succinctly to the manner in which personal motives, a desire to acquire political favour or further vested concerns, and occasionally to even promote progressive policies which might benefit the state, were all factors in the decision to compose a position paper in his 'Anothomy' of 1615:

"I thynke ther hath byne no one thynge more preiudy-cyall to the servyce of Irelande, then thes numbre of water castynge physytyans, that have taken uppon them to looke into the state of Irelande, to spye out the dysceases & to informe at random. they knowe not what them selves, sometymes for ther owne gayne. sometyme to helpe ther frendes. sometymes to hurt ther foes, sometymes for love, sometymes for haate, and some that would styll be pre-scrybynge of medycyns, that wer utterly ygnorant from whence the sycknes grewe."[128]

That patronage was one of the foremost motives in producing 'reform' literature is most starkly presented in the dedications of the numerous works which went into print at the time. Thus, Thomas Churchyard variously solicited Drew Drury (brother of William), Christopher Hatton and lord Howard of Effingham at the outset of his Irish works evidently in search of patronage, yet these endeavours were also part of a concerted effort, and, as Rory Rapple has suggested, a personally dangerous campaign to impress upon Elizabeth the virtues of the martial men of England.[129] John Derricke dedicated the *Image of Irelande* to Philip Sidney, the son of its central character Henry, and in doing so cast his text in support of the style of governance which had prevailed under the former lord deputy.[130] Following the accession of James I Robert Cecil became the subject of numerous dedications prefacing Irish works by Lodowick Bryskett and Barnaby Rich, among others, while Thomas Gainsford variously addressed his works dealing with Ireland to the duke of Buckingham and the earl of Clanrickard.[131] Many failed to find a hearing. Churchyard, despite tirelessly lauding the

[128] Edward M. Hinton (ed.), 'Rych's Anothomy of Ireland, with an Account of the Author', in *PMLA*, Vol. 55, No. 1 (Mar., 1940), pp. 73-101, p. 82.
[129] Rapple, *Martial Power and Elizabethan Political Culture*, pp. 73-75; *ODNB*, s.v. Churchyard, Thomas.
[130] Churchyard, *A generall rehearsall of warres* (London, 1579); idem, *The moste true reporte of Iames Fitz Morrice deathe and others the like offeders; with a brief discourse of rebellion* (London, 1579); idem, *A scourge for rebels wherin are many notable seruices trule set out, and thorowly discoursed of, with euerie particular point touching the troubles of Ireland, as farre as the painfull and dutiful seruice of the Earle of Ormonde in sundry sortes is manifestly known* (London, 1584); John Derricke, *The Image of Irelande* (London, 1581); Carey, 'John Derricke's *Image of Ireland*, Sir Henry Sidney, and the Massacre at Mullaghmast, 1578'.
[131] Lodowick Bryskett, *A Discvrse of Civill Life* (London, 1606); Rich, *A nevv description of Ireland*; idem, *A short suruey of Ireland* (London, 1609); Gainsford, *The Glory of England*; Thomas Gainsford, *The true, exemplary and remarkable history of the earle of Tirone* (London, 1619); Mark Eccles, 'Thomas Gainsford, "Captain Pamphlet"', in *Huntington Library Quarterly*, Vol. 45, No. 4 (Autumn, 1982), pp. 259-270.

achievements of others, took many years to obtain a substantial financial return, while Rich's efforts to bring an end to corruption and irreligion met with unequivocal disinterest.[132]

However, while print played a part in the political discourse of Tudor Ireland, notably in the printing of government directives such as the 'Ordinances for the government of Ireland' of 1534 and in the appearance of a handful of significant treatises, most significantly Richard Beacon's *Solon his follie*, ultimately the great majority of the 'reform' treatises appeared and circulated as manuscripts.[133] It is, unfortunately, largely difficult to determine the paths a manuscript treatise passed through after its composition. Nevertheless, in some instances there is tangible evidence of the gaining of a wide distribution amongst at least senior ministers and officials at Whitehall. Copies of the discourse which Edmund Tremayne composed in 1573 would appear on the basis of the locations of extant versions to have been owned or read by Francis Walsingham, Robert Beale, Walter Mildmay and Thomas Egerton.[134] There are at least fifteen extant copies of Spenser's *View* and while those who owned most of these cannot accurately be determined it is surely of immense significance that one version found its way into the second earl of Essex's commonplace book.[135] A collection of plots and discourses on Ireland which Walsingham had accumulated over the years were lent to Robert Cecil in 1596, presumably as he sought to develop a greater understanding of the crisis unfolding across the Irish Sea.[136] This was not the sole occasion

[132] On the reception of Rich's works, see Flanagan, 'Captain Barnaby Rich (1542-1617): Protestant witness in Reformation Ireland', PhD (TCD, 1995); idem, 'The anatomy of Jacobean Ireland : Captain Barnaby Rich, Sir John Davies and the failure of reform, 1609-22', in Morgan (ed.), *Political Ideology in Ireland*, pp. 158-180.
[133] 'Ordinances for the government of Ireland', 1534, *SP Henry VIII*, ii, 80; For analyses of Beacon's text, see Sydney Anglo, 'A Machiavellian Solution to the Irish Problem: Richard Beacon's *Solon His Follie* (1594)', in Edward Chancy and Peter Mark (eds.), *England and the Continental Renaissance: Essays in Honour of J.B. Trapp* (Suffolk, 1994), pp. 153-164; Markku Peltonen, *Classical Humanism and Republicanism in English political thought* (Cambridge, 1995), pp. 73-102; Alan Orr, 'Inventing the British Republic: Richard Beacon's *Solon His Follie* (1594) and the Rhetoric of Civilization', in *The Sixteenth-Century Journal*, Vol. 38, No. 4 (Winter, 2007), pp. 975-994; Vincent Carey, 'The Irish face of Machiavelli: Richard Beacon's *Solon his follie* and republican ideology in the conquest of Ireland', in Morgan (ed.), *Political Ideology in Ireland*, pp. 83-109. For a study of the creation and circulation of manuscripts, which is, however, given the concentration on pre-publication literary manuscripts, somewhat limited in its consideration of manuscripts which circulated as part of government bureaucracy, see H.R. Woudhuysen, *Sir Philip Sidney and the Circulation of Manuscripts, 1558-1640* (Oxford, 1996).
[134] For Walsingham's copy, see BL, Cotton MSS. Titus B XII, ff. 357-360. For Beale's copy, see BL, Add. MS. 48,015, ff. 274-277. A third copy, Hunt. Lib., EL. MS. 1,701, clearly came into Egerton's possession, however, it appears to have been copied at the request of Mildmay. See 'The Henry E. Huntington Library and Art Gallery: List from The Ellesmere Collection', in *Anal. Hib.*, No. 8 (Mar., 1938), pp. 431-441, p. 432, which notes that the treatise is endorsed, 'Edmond Tremayne's discourse at the request of Sir Wa: Mildemay'.
[135] See Folger Shakespare Library, MS. 6,185. This is noted in David Edwards, 'Ideology and experience: Spenser's *View* and martial law in Ireland', in Morgan (ed.), *Political Ideology in Ireland*, pp. 127-157, p. 155, n. 110. Other copies were also owned by senior ministers. See, for instance, that owned by Thomas Egerton. See, Hunt. Lib., EL. MS. 7,041.
[136] See, BL, Stowe MS. 162, ff. 46-62, the endorsement of which contains a note, possibly in William Davison's hand, reading, 'Sir R. Cecill hathe it of me, 1596'. This has previously been noted in John Cooper, *The Queen's Agent: Francis Walsingham at the Court of Elizabeth I* (London, 2012), p. 239.

when Walsingham's archive was employed by another and Beale appears to have had copies made of an extensive range of treatises on Ireland belonging to the secretary of state, principally relating to 'coign and livery' and the first earl of Essex's attempted colonisation of northeast Ulster.[137] Furthermore, the fact that senior ministers were reading the 'reform' treatises decades after their composition clearly shows that these writings had a long and consequential afterlife. Julius Caesar, at the start of the seventeenth century, possessed copies of a range of treatises written as early as the 1520s by, for instance, Robert Cowley, William Brabazon and John Alen.[138] Other treatises of which there are less surviving copies or tangible evidence of who read them may have circulated just as much. What is clear from this is that the 'reform' treatises in manuscript certainly circulated, were read and copied, and that they were not only considered useful by those who were charged with formulating Irish policy, but that they would have also influenced the very nature of policy.

Those who did write in manuscript, again, did so for a range of reasons. For instance Spenser appears to have acquired the support of the Essex faction at court shortly before his death, but the *View* was clearly not conceived solely out of a self-interested desire for patronage, but as a serious meditation on the direction of government policy in Ireland.[139] A contemporary, Geoffrey Fenton, after travelling to Ireland in 1580 began a long successful career based largely upon his acquisition of successive patrons, based conceivably on his political writings.[140]

An explicit reference to the link between the preparation of reform tracts and the obtaining of patronage was made by the author of a brief memorandum sent to Walsingham sometime around 1585, potentially by Thomas Williams. This document begins with a preface wherein the author acknowledges that his 'deuise' is composed of 'fewe pertyculers as from other sufficient collections', before conceding his motive:

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[137] See n. 35 above.

[138] See, for example, Robert Cowley?, 'A discourse of the causes of the evell state of Ireland, and of the remedies thereof', c. 1528, BL, Lansdowne MS. 159, ff. 2-16; William Brabazon, 'A note given to Mister Bellingham the worthie general Anno primus Ed. VI', 1547, BL, Lansdowne MS. 159, f. 31; John Alen, 'Instructions touching Ireland', 1556, BL, Lansdowne MS. 159, ff. 27-29r. There are numerous other tracts from the 1550s and 1560s in this collection by commentators such as Sussex and Thomas Alen.

[139] Edwards, 'Ideology and experience'.

[140] Fenton acquired the office of secretary of state with Walsingham's support in 1580, while one of the rewards of the favour he found with Burghley in the 1590s was in his appointment as surveyor general in 1591, an office which he exploited to become one of the most influential, and indeed one of the richest, government officials in Ireland. Judith Barry, 'Sir Geoffrey Fenton and the office of secretary of state for Ireland' in *IHS*, Vol. 35, No. 138 (Nov., 2006), pp. 137-159; *DIB*, s.v. Fenton, Sir Geoffrey. For an example of Fenton's compositions, see Geoffrey Fenton, 'G. Fenton's remembrances to the Privy Council for his despatch', 1581, TNA: PRO, SP 63/84/20.

"I humbly beseche your honor to pervse the same as principall, which in my simple opinion I do some what import, and are therfore deliuered as the testimonies of my zelous mynde towards my prince, my cvntre and your honorable selfe whom I desier to have the patron of my simple travells."[141]

Thus, what we have here is a very stark acknowledgement by a reformer that his ideas were extracted from the works of others and that his primary motive in composing a political tract on Ireland was to obtain patronage. Nevertheless, texts of this nature, despite their ostensible unoriginality, are not inconsequential, for by the authors very own admission the selection of which points he chose to borrow from the writings of others renders his work significant as reflective of his own thoughts on government policy in Ireland, while it also demonstrates the spread of key ideas.

Petitions to senior ministers such as Walsingham were quite common, though other successful suitors were more direct. Henry Bagenal, for instance, sought the implementation of a specific set of proposals for Ulster and travelled to court in 1586 where he presented his 'Description' and another 'Information'. Bagenal sought a reduction of O'Neill influence in the north by dividing their lands and the strengthening of his own family's position. A presidency for Ulster, along with funds to develop Newry, was also envisaged, along with what amounted to a martial law commission. His expedition was largely a success and a number of his requests were granted when he returned to Ireland.[142] Bagenal's case was somewhat unusual and while there are plentiful examples of suitors, such as Rowland White and William Gerrard, travelling to court on various consultative visits the majority of the treatises would not have been delivered personally. Many were not even sent to London, some individuals delivering their writings to Dublin instead from where they may have been forwarded either to a specific minister or the privy council at Whitehall.

Indeed early in the century there was still a pattern of individuals seeking favour from local powers and courts within Ireland, a trend which was particularly acute in the case of the Butlers and Kildare Geraldines. For instance, one of the earliest supplications for the 'reform' of Ireland, by Edmond Golding, was sent to the earl of Ormond. Similarly prolific treatise

[141] Thomas Williams?, 'Deuise for the reformation of Irland', c. 1585, BL, Cotton MSS. Titus B XII, f. 485v [App. no. 47]. The signature at the end of the tract is given as Thomas WF with the F over the right leg of the W. Given the reference to the mustering it has been assumed that the F here stands for an S, and, thus, Thomas Williams, who served as the muster master, and in 1585 had submitted a series of books on the musters to which the author may be alluding at the outset of the treatise.

[142] Hore (ed.), 'Marshal Bagenal's Description of Ulster, Anno 1586'; Henry Bagenal, 'The information of Sir Henry Bagenall touching her Majesty's service in the north of Ireland', 1586, TNA: PRO, SP 63/124/66. On the Bagenals generally see P.H. Bagenal, 'Sir Nicholas Bagenal, Knight Marshall', in *JRSAI,* Sixth Series, Vol. 6, No. 5 (Mar., 1915), pp. 5-26; idem, *Vicissitudes of an Anglo-Irish Family, 1530-1800* (London, 1925), esp. pp. 44-50; *DIB*, s.v. Bagenal, Sir Henry.

writers in the 1530s and 1540s, such as the Cowleys, Robert and Walter, and John Travers, although occupying government office were as much Butler partisans as they were dedicated adherents of Dublin Castle. Furthermore, the drive to increase the geographical range of government activity into parts of south Leinster and the midlands at this time was equally driven by the ambitions of the house of Ormond as it was the central government and few figures were as vociferously in favour of this approach as the Cowleys and even the eight earl himself.

However, this reliance for patronage on figures such as the earls of Ormond and Kildare slowly eroded as the century progressed, a development exemplified in the fact that while copious treatise composers, such as Patrick Sherlock and Nicholas White, first rose to positions of prominence as adherents of Thomas Butler, the tenth earl of Ormond, they later found themselves seeking favour at the fount of patronage, Whitehall, under the aegis of a centralising Renaissance state. White's case is particularly instructive. His father James served as steward to the ninth earl of Ormond and was one of those who met his demise along with the magnate in 1546 in one of sixteenth century London's worst incidences of food poisoning.[143] Nicholas began his career under Ormond in the 1550s, variously practicing law at the Butler court in Kilkenny, serving as seneschal of Tipperary (1561-4) and justice of the peace for Kilkenny and Tipperary (1563). Provision for him to be appointed to the inaugural council of Munster in 1566 was indicative of an attempt to protect Butler interests from within the new administrative organ, but also of White's drift towards government service. Following a series of visits to court in the late-1560s, during which he acquired the friendship and patronage of Burghley he ascended to high office, first as seneschal of Wexford and then as master of the rolls.[144] In the course of the 1570s and 1580s he sent numerous treatises to Whitehall, and usually to Burghley, on issues such as 'coign and livery', fiscal reform and official corruption.[145] Thus, although he maintained his links with Ormond it is highly instructive that this politician began his career at the Butler court in Ireland but rose to become one of the highest placed figures in the Irish administration by courting others at Whitehall. Moreover, the fact that White dispatched his treatises to Burghley is doubly enlightening, for despite his prominence at the Tudor court and the close relationship he enjoyed with the queen, Ormond, it seems, was not the recipient of 'reform' treatises, a sign

[143] David Edwards, 'Malice Aforethought? The Death of the Ninth Earl of Ormond, 1546', in *JBS*, Vol. 3, No. 1 (1986-87), pp. 30-41.
[144] *DIB*, s.v. White, Sir Nicholas; *ODNB*, s.v. White, Sir Nicholas. The entry in the *DIB* is the more expansive.
[145] For examples, of White's tracts, see Nicholas White, 'An answer to the discourse made in defence of Coyne and Liverye', 1578, BL, Cotton MSS. Titus B XII, ff. 176-177; idem, 'N. White, Master of the Rolls, to Burghley', 1581, TNA: PRO, SP 63/87/55.

of the shift from local sources of patronage to the centralised court in London.[146] This parallels developments for the other local courts in Ireland and while there are some isolated incidences of political commentators acquiring this brand of patronage, notably Richard Stanihurst under the eleventh earl of Kildare, the pattern as the sixteenth century progressed was more for the Anglo-Irish lords to become the subject of criticism within political treatises rather than recipients of such writings.[147]

As proposals increasingly arrived at Whitehall those which were deemed meritorious were generally put into effect in a lethargically slow fashion. The campaign to have an expeditionary force sent to Lough Foyle during the Nine Years War is one example of an initiative which took a markedly long time to materialise. The idea was initially conceived as part of Sidney's campaign against Shane O'Neill in 1566, with Edward Randolph landing an expedition there as part of the lord deputy's strike into Ulster. The garrison met its end on this occasion when the camp's powder supplies were set alight and the resulting explosion destroyed what buildings had been erected.[148]

The idea was resurrected with the outbreak of hostilities in 1594. John Norris wrote to Robert Cecil requesting that a force of 1,000 foot and 100 horse bound for the east coast, be redirected there in 1595.[149] The following year Henry Bagenal and John Dowdall recommended an expeditionary force to be sent by sea to some point in Tyrconnell or Derry, the Lough being the logical location.[150] Support continued through to 1598, Henry Wallop and Nicholas Dawtrey, for instance, appealing to London for a garrison to be established there.[151]

Finally, in August 1598 Samuel Bagenal was appointed to lead a force of 2,000 men to Lough Foyle, however these men, waiting to depart at Chester and Bristol, were redirected to Dublin as news of the heavy defeat of a force led by Samuel's cousin, Henry, at the Yellow Ford reached England. Though only temporarily suspended numerous individuals, including William Mostyn, Francis Jobson and John Baxter, continued to call for a garrison in the area

[146] On the tenth earl's career under Elizabeth, see Edwards, *The Ormond Lordship in County Kilkenny*, pp. 178-262.
[147] Such was the scenario from as early as 1515. William Darcy, 'Articles', 1515, Cal. Carew MSS. 1515-1574, 2, was an overt criticism of the ninth earl of Kildare.
[148] Cyril Falls, *Elizabeth's Irish Wars* (London, 1950), pp. 95-98. On Sidney's campaign into the North, see Richard Caulfield (ed.), 'Expedition of Lord Deputy Sydney into Ulster, including an assault on a crannog', in *JRSAI*, Fourth Series, Vol. 1 (1870), pp. 14-25.
[149] John Norris, 'Sir J. Norreys to Sir Robert Cecil', 1595, TNA: PRO, SP 63/180/9.
[150] Henry Bagenal, 'Project by Sir Henry Bagenal for the prosecution of the Earl of Tirone', 1596, TNA: PRO, SP 63/186/76; John Dowdall, 'Sir John Dowdall to Lord Burghley', 1596, TNA: PRO, SP 63/187/19.
[151] Henry Wallop, 'Sir Henry Wallop to Sir Robert Cecil', 1597, TNA: PRO, SP 63/200/55; Nicholas Dawtrey, 'Discourse on the rebellion in Ireland', 1598, TNA: PRO, SP 63/202(ii)/52.

as Essex's evident desire to launch an expedition was sabotaged by Cecil and others at Whitehall who failed to provision the forces in the western ports.[152] It was not until May the following year that a force of around 4,000 troops commanded by Henry Docwra landed at Culmore where the river meets the Lough.[153] Thus, it had taken nearly six years from the time the expedition was conceived until it was finally carried out, due to the perennial problems of Tudor governance; lack of troops and finances, military reverses, procrastination on the part of the monarch and a fatal lack of support for martial enterprises.[154]

Other initiatives spent years in gestation without ever actually reaching implementation. One such was the proposal to move the administrative capital from Dublin to Athlone which had been recommended as early as 1552 by James Croft who believed that the government's intervention westwards towards the Shannon over the previous few years made it imperative that the viceroy should reside there.[155] Shortly thereafter St Leger opined that if provincial presidencies were to be established that that for Connaught would be best operating out of Athlone.[156] This was indeed the site chosen for the residence of the president when Edward Fitton was appointed in 1569, however, many, including Patrick Sherlock, John Perrot and Anthony Power, continued to push the need in the 1560s and 1570s for the chief governors to base themselves in Athlone.[157] As late as 1581 William Russell asserted

[152] Mostyn, 'A Plot for the cutting off of that "cruell and tironious traytor of Tiron" and of his wicked confederates', 1598; Francis Jobson, 'Ulster's Unity', 1598, TNA: PRO, SP 63/202(iv)/83; John Baxter, 'A declaration of my employments by Sir Conyers Clifford into the county of Sligo, into the Brenny, O'Rourke's country, and into O'Donnell's country, with the estate of those parts and my opinion of the same', 1599, TNA: PRO, SP 63/206/92; idem, 'A declaration touching the building of Sligo, without any let to other services, the charges thereof, the time and the benefit which may ensue after the doing thereof', 1599, TNA: PRO, SP 63/206/93. Essex appears to have advocated such an expedition as early as 1597 but was undermined by those in charge of provisioning the necessary forces to the western ports. See L.W. Henry, 'The Earl of Essex and Ireland, 1599', in *Bulletin of the Institute of Historical Research*, Vol. 32 (1959), pp. 1-23. For a comparative study of the preparation and execution of the expedition with that sent by Philip III to Kinsale, see Hiram Morgan, 'Missions comparable? The Lough Foyle and Kinsale landings of 1600 and 1601', in Hiram Morgan (ed.), *The Battle of Kinsale* (Wicklow, 2004), pp. 73-90.

[153] On the subsequent history of the expedition, see Docwra, 'A Narration of Services done by the army ymployed to Logh-Foyle, vnder the leadinge of mee Sir Henry Docwra Knight'; Darren McGettigan, *Red Hugh O'Donnell and the Nine Years War* (Dublin, 2005), pp. 93-100. The definitive study is now McGurk, *Sir Henry Docwra*, pp. 53-203. Also, see a recent republication of O'Donovan's version of Docwra's text in, William Kelly (ed.), *Docwra's Derry: a narrative of events in North-west Derry, 1600-1604* (Belfast, 2003).

[154] For another example of the slow journey from conception to inception see Jon G. Crawford, 'The origins of the court of castle chamber: a star chamber jurisdiction in Ireland', in *AJLH*, Vol. 24, No. 1 (Jan., 1980), pp. 22-55; idem, *A Star Chamber Court in Ireland*, pp. 173-194.

[155] James Croft, 'Lord Deputy Croft to the Privy Council', 1552, TNA: PRO, SP 63/4/21.

[156] Anthony St Leger, 'Propositions for service in Ireland', 1555, TNA: PRO, SP 63/1/9, f. 28v [App. no. 10].

[157] Anthony Power, 'Anthony Powar his noate for reformation of Ireland vnto Mr. Sec. Walsingham', 1573, BL, Cotton MSS. Titus B XII, ff. 71-74, f. 71v [App. no. 28]; John Perrot, 'Note of the Lord President of Munster's opinion for reforming of Ireland', 1574, TNA: PRO, SP 63/54/39; Patrick Sherlock, 'A note set forthe by your mats faithfull servant, Patrick Sherlock, for the reformacion of Irland, and howe to augment your mats reuenewes, and to cutt of a great part of ye charges that your maty is dayly at for ye same', c. 1568, BL, Add. MS. 48,015, ff. 279-284r, f. 283r [App. no. 22].

that it was necessary to build a city there given its geographical centrality in the country where, he envisaged, the courts would be kept and a university established.[158] Despite decades of such proposals the initiative came to nothing and Dublin Castle remained the administrative hub of the kingdom.

Perhaps much of the cause of these delays and failures was the decidedly unspecific nature of much of the 'reform' tracts. In a great many instances writers made proposals without providing any of the necessary details on how to implement them. Thus, for instance, reformers would acknowledge the necessity of dispensing with 'coign and livery' yet fail to proffer any advice on what should be done with the thousands of men at arms throughout the country who would be affected or, and perhaps more importantly, how the government could actually force the lords, Gaelic and Anglo-Irish alike, to accept the prohibition. Rather a majority of treatise writers opted to convince their readers that the proposals they enunciated in their writings could be executed speedily and cheaply. This short-sightedness was to plague successive administrations in Tudor Ireland as poorly prepared schemes were implemented only to have them meet with failure from various pitfalls such as shortage of funds, a fundamental failure to understand the dynamics prevailing within individual regions or a lack of the resolve needed to carry on with certain policies.

Yet, in spite of these deficiencies, the 'reform' treatises were of immense significance in the history of Tudor Ireland. They were a vital medium for communicating ideas about how government should be conducted there and they consequently played a significant role in how that country developed in the course of the sixteenth century through the policies enacted by the Tudor state. The following chapters will demonstrate just how immense their role was by charting the development of this group of texts, the ideas put forward in them and their effect on government policy over the course of the sixteenth century. The first such period, the reign of Henry VIII, involved the writing of tracts on such issues as the drive to 'reduce' or conquer south Leinster and the policy which has become known as 'surrender and regrant'.

[158] Russell, 'Russell's discourse of the present state of Ireland and the way to redrese and reforme the same', c. 1581, f. 353v [App. no. 36].

Chapter Two – Conquest and Conciliation in Henrician Ireland, 1509-1546[159]

In recent years there has been a tendency within studies of Tudor political discourse in Ireland to focus on individual texts and, moreover, individual facets of individual texts. Many of these studies are very enlightening and have aided understanding and appreciation of the complexity of certain treatises. However, in many instances this has been at the expense of developing a greater understanding of the context in which these documents were conceived. To take the foremost example; we know a lot about Spenser's *View*, the question of whether it was censored, the role of geography in it, the respective role of Eudoxus and Irenaeus in representing Spenser's own views and how the text relates to his other *corpus* of works.[160] But what we know remarkably little about is who actually read the *View*, when they read it and if the individuals who read it were in a position of sufficient importance for it to actually affect policy-formation. While studying texts in and of themselves is, of course, valid and necessary establishing the context in which they were written is wholly imperative.

Certain works, for example Finglas' 'Breviat', Gerrard's submissions of 1577 and Davies' *Discovery*, as treatises possess markedly similar traits, concerned as they are with providing a historical justification for renewed conquest and exploring the legal backdrop to those efforts. However, once considered in light of the career of their authors and the circumstances in which they were written they become vastly different documents. Finglas wrote towards the beginning of the century when the prevailing consensus within the lordship was for a remodelling of the Geraldine-dominated government and renewed aggression in Leinster. Gerrard was writing in the late-1570s at a time when his primary concern was to correct the constitutional uproar brought about by Sidney's continuing resort to the cess and misuse of royal prerogative.[161] Davies, much later, sought to utilise the same historical

[159] This chapter will not address the whole of Henry's reign, but rather up to 1546 when William Brabazon led an incursion into the midlands counties.
[160] For examples of such analyses, see Hadfield, 'Was Spenser's *View of the Present State of Ireland* censored? A review of the evidence'; Ciaran Brady, 'Spenser's Irish Crisis: Humanism and Experience in the 1590s', in *Past and Present*, No. 111 (May, 1986), pp. 17-49.
[161] MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland, 1577-8'.

interpretations in his role as part of a cadre of hardliners seeking to reverse what was perceived to have been a soft settlement in the aftermath of the Nine Years War.[162]

Many similar ambiguities can be highlighted for the hundreds of 'reform' texts. Thus, the following chapters will avoid this by analysing the treatises in their immediate historical context. As such, the major 'reform' proposals of each period will be considered in light of actual initiatives pursued by Dublin or London. The first such discernible period centres on the reign of Henry VIII in Ireland up to the invasion of the midlands in 1546 and in particular the years following the Kildare rebellion of 1534. These years saw a wide ranging debate amongst government officials and other political actors on the direction of policy in Ireland. Intrinsically this debate focused on whether a general strategy of conquest should be adopted or whether a more conciliatory, and cheap, approach was favourable. What follows will seek to understand the various strands of this debate during the course of which the serious flaws which are inherent in previous studies of this period, studies which consistently concentrate on the more conciliatory policies at the expense of the more aggressive and jingoistic, will be underlined.

I – The Campaign for the 'Reduction' of Leinster

On 26 June 1536 the lord deputy of Ireland, 'Pour' Leonard Grey, and his council, including John Alen, William Brabazon, Edward Staples, Thomas Luttrell and Patrick Finglas, addressed a letter to King Henry VIII from Dublin stating their opinion on what direction Irish policy should take.[163] The government of the lordship had been transformed in the preceding two years. Where previously that polity had been dominated by a two-tier, vassal-suzerain power system, whereby the Geraldine earls of Kildare acted as a bridge between crown government and Gaelic Ireland beyond the Pale, the destruction of the house of Kildare following an ill-judged decision to revolt in 1534 had created a power vacuum in Ireland, particularly so in Leinster.[164] The question of how best to fill this vacuum was what concerned Grey and his co-authors in their letter of 26 June 1536.

The lord deputy and council were emphatic in their support for a new departure declaring that, 'such oportunytie, meanes, and waies for coquesting, subduying and reforming

[162] Hans Pawlisch, *Sir John Davies and the Conquest of Ireland: A study in legal imperialism* (Cambridge, 2002).
[163] 'The Lord Deputy and Council of Ireland to King Henry VIII', 1536, *SP Henry VIII*, ii, 133.
[164] Laurence McCorristine, *The revolt of Silken Thomas: a challenge to Henry VIII* (Dublin, 1987). The notion of a two-tier, suzerain-vassal relationship has been explored by Christopher Maginn, *'Civilizing' Gaelic Leinster: The Extension of Tudor Rule in the O'Byrne and O'Toole Lordships* (Dublin, 2005), pp. 5-46; Fitzsimons, 'Cardinal Wolsey, the native affinities and the failure of reform in Henrician Ireland'.

of your hole domynion' had been made available 'as the like hath nat ben seen theise hunderith yeres past, and God knoweth whether the like shall ever be seen agayne in our daies without a ferther greate charge'.[165] They proceeded to sound a familiar trope, one which bemoaned the decay of the lordship; those of English blood had either been replaced by Irishmen or had adopted the mannerisms of the latter. The occupation of the midlands and all areas just ten miles south of Dublin to Wexford by the Irish was perceived as a double affront as it severed communications between the English settlements in Munster and the Pale. As such the council was clear in its recommendations for the reform of the government:

"May it please Your Highnes to call unto your gracious memrory, how ofte and many tymes and for the more parte contynually, we have advertized Your Grace and your Counsaille, that Your Highnes, ne your heiers, shulde be at any assured stay to have your domynion defended from Irishmen, without your greate charges to be sustayned a new, ever within few yeres, onleste ye did conqueste Mcmurho, Omurho, Obyrne, Othole, and theire kinsmen, which inhabite bytwene Dublin and Waxforde, inhabiting the same with Inglishmen, or, at the leaste, subdue and reforme the saide parsons to a due obedience."[166]

Thus did Grey and the council members perceive the Irish scene in the summer of 1536.

This proposal, to 'reforme' or reduce south Leinster, as it was referred to at the time, particularly the O'Toole, O'Byrne and MacMurrough Kavanagh lordships, was not a particularly novel suggestion in 1536. That year, along with those directly proceeding from and preceding it, and the 1530s more generally, saw repeated calls by those occupying the highest offices in the Irish administration for the conquest of large swathes of Leinster. It will become evident that this lobby involved almost every senior government official in post-Kildare rebellion Ireland.

It is curious, then, that this particular initiative has garnered so little attention in previous studies of the period. Steven Ellis has been markedly silent on this subject in his extensive work on the 1530s, for instance, by acknowledging that Old and New English alike were united in the Henrician period in trying to commit the crown to conquest, but failing to provide anything but the briefest of overviews of how this lobby proceeded.[167] Brendan Bradshaw, while admittedly recognising that there was a significant campaign to convince the crown of the necessity of launching a conquest of Leinster, severely limited his discussion

[165] 'The Lord Deputy and Council of Ireland to King Henry VIII', 1536, p. 337.
[166] Ibid.
[167] Steven Ellis, *Tudor Ireland: Crown, Community and the Conflict of Cultures, 1470-1603* (London, 1985), pp. 108-150, covers the period from 1520 to 1547, however, discussion of the debate on a possible conquest and colonisation of south Leinster is restricted to a paragraph. Ibid., p. 132. Elsewhere in his work the topic has been completely ignored. idem, 'Thomas Cromwell and Ireland, 1532-1540', in *HJ*, Vol. 23, No. 3 (Sep., 1980), pp. 497-519.

of this topic despite its centrality to the period.[168] Instead he focused on the supposed moderation of government officials at this time in allegedly fomenting a liberal revolution. In his view figures such as Patrick Finglas and Thomas Luttrell were representative of a majority of moderates who dominated the government at this time, while there were only a few hardliners in favour of coercion, notably William Brabazon.[169] Moreover, where this campaign for a more aggressive stance in the regions bordering the Pale has been acknowledged it is identified as being a defensive strategy.[170] Bradshaw's interpretation has influenced most subsequent studies.[171] The are few exceptions to this rule. Dean Gunther White some time ago, in his unpublished work, called attention to and extensively detailed the lobby which called for an aggressive stance in Leinster before suggesting that the motive for those involved was an expectation of a land rush.[172] More recently John Montano has followed White in asserting that the principal objective of those in government at this time was to speculate over and cultivate land in Irish hands adjoining the southern periphery of the Pale.[173] Finally, Christopher Maginn and Emmett O'Byrne in the context of studies of the O'Byrnes and O'Tooles have alighted onto the drive to 'reduce' those lordships in the

[168] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*. The manner in which the more antagonistic aspects of the political ideology espoused by the Old English community is obscured in Bradshaw's work is epitomised in his discussion of the four tracts on which he bases his interpretation of that ideology. Here less than three pages are given over to the topic of expanding the lordship's effective reach into south Leinster, despite the fact that this topic is the single most important issue in the documents discussed along with cultural degeneracy and the proliferation of the Gaelic exactions such as 'coign and livery'. Ibid., pp. 45-48.

[169] Ibid., pp. 108-110. Bradshaw appears to have interpreted Brabazon more in the light of his later role in precipitating the invasion and subsequent plantation of the midlands from 1546. Thus, he refers to the under-treasurer as 'a species of minor demon' when over-viewing those events. Ibid., p. 261.

[170] Ibid., pp. 45-48.

[171] For instance, Ciaran Brady has followed him in suggesting that those who advocated militarism in the areas adjoining the Pale were proponents of a defensive strategy. Brady, *The Chief Governors*, pp. 1-10. Vincent Carey has posited that the aggressive approach was favoured by just a 'minority' of government officials. Vincent Carey, 'The end of the Gaelic Political Order: The O'More lordship of Laois, 1536-1603', in Padraig Lane and William Nolan (eds.), *Laois: History and Society* (Dublin, 1999), pp. 213-256, p. 219. Elsewhere he asserts that John Alen, a figure who composed numerous memoranda in support of a hardline policy in Leinster in the 1530s, had adopted a more militant approach by the 1550s in contrast to his alleged support for more 'general reform' in the Henrician period. idem, *Surviving the Tudor*, pp. 88-89. Similarly, Donal Moore has been willing to cast Brabazon's views as somehow exceptional by comparison with his contemporaries in government. Donal Moore, *'English Action, Irish Reaction': The MacMurrough Kavanaghs, 1530-1630* (Maynooth, 1987), p. 6. Nicholas Canny has surveyed the 1530s without mention of any such policy, while Colm Lennon's decision to acknowledge the magnitude of the debate surrounding the subjugation of Leinster yet deal with it in just a few sentences typifies the manner in which the historiographical treatment of this theme has been relatively muted by comparison with its actual importance for these years. Nicholas Canny, *From Reformation to Restoration, 1534-1660* (Dublin, 1987), pp. 15-32; Lennon, *Sixteenth-Century Ireland*, pp. 145-146.

[172] White, 'The Tudor Plantations in Ireland before 1571', I, pp. 70-112.

[173] Montano, *The Roots of English Colonialism in Ireland*, pp. 64-102.

aftermath of the Kildare rebellion, however, the full scale of the lobby remains to be fully explored.[174]

What is unusual about this tendency amongst modern historians to limit their discussion of or overlook the campaign for the reduction of Leinster in the 1530s is that the idea of launching a general conquest of Ireland, or a more restricted piecemeal conquest, was hardly a novel approach at the time. Surrey, writing in 1521 during his expedition to Ireland, sent his report to Henry wherein he outlined how the king could proceed with a piecemeal or immediate conquest of the country.[175] The perception of widespread support for a forward policy in Leinster is reinforced through a cursory perusal of the handful of extant position papers from the pre-1534 period. The 1515 'State' is largely a manifesto for encouraging a re-militarisation of the colony in order to allow the descendants of the twelfth century settlers to complete the conquest of Ireland.[176] The 'Discourse', written some time around the mid-1520s, possibly by Robert Cowley, envisaged the subduing of the O'Byrnes and the MacMurroughs, while Finglas, in his 'Breviat', remarked of the O'Byrnes, O'Tooles and MacMurroughs that, they 'wer not in this hundredth Yeres more feeble to be conquerid, than they are now'.[177]

Thus, there were considerable precedents for the campaign to convince Henry of the benefits which would ensue from adopting an aggressive stance in Leinster in the 1530s. However, this lobby was given a new lease of life in the aftermath of the Kildare rebellion. The destruction of the paradigm on which the lordship had been governed for several decades, specifically the two-tier, suzerain-vassal system headed by the Geraldines, necessitated the development of a new *modus operandi* for governing the lordship. Many government officials believed that the way forward was consolidation of the Pale by conquering south Leinster, and perhaps also the midlands, and from 1535 they began pressing their case to Henry and his secretary. It may well have been Cromwell who instigated this policy debate as a memorandum of his from 1535 questioned whether 'it shalbe expedient to begynne a conquest or a reformation' and 'how tharmy shall aduannce at marche and what

[174] Maginn, *'Civilizing' Gaelic Leinster*, pp. 46-54; Emmett O'Byrne, 'The Tudor State and the Irish of east Leinster', in Thomas Herron and Michael Potterton (eds.), *Dublin and the Pale in the Renaissance, c. 1540-1660* (Dublin, 2011), pp. 68-92. Also, see Robert Dunlop, 'Some Aspects of Henry VIII's Irish Policy', in T.F. Tout and James Tait (eds.), *Historical Essays by Members of the Owens College Manchester, Published in Commemoration of its Jubilee (1851-1901)* (London, 1902), pp. 279-306, esp. pp. 299-301, which was one of the earliest studies to draw attention to this aspect of Henrician Ireland but did not elaborate much thereon.
[175] Surrey, 'Surrey to King Henry VIII', 1521, *SP Henry VIII*, ii, 20.
[176] John Kite?, 'The State of Ireland and Plan for its Reformation', 1515, *SP Henry VIII*, ii, 1.
[177] Robert Cowley?, 'A discourse of the evil state of Ireland, and of the remedies thereof', c.1528, BL, Lansdowne MS. 159, ff. 2-16, calendared in L.P. IV(ii), 2405; Finglas, 'A Breviat of the getting of Ireland, and of the decaie of the same', c. 1515, pp. 88-89.

enterpryse shalbe takyn at hand'.[178] The resultant campaign to fully convince both the king and his chief minister that the reduction of Leinster was not just feasible, but desirable, was to last until 1537 when the king baulked at the cost of such measures.

Pivotally, this campaign and debate on the conquest of south Leinster had a significant effect on treatise writing during this period as exhibited in Table 2.1. Prior to the Kildare rebellion the composition of tracts had been quite sparse, with some years seeing one or two such documents appear often followed by a year or two of complete inactivity. This situation pertained up to 1534 at which time there began a steady increase in treatise composition, peaking in 1536 and 1537 at the height of the campaign to initiate a programme of conquest. However, this temporary surge was halted with the decision to adopt a cheaper policy of conciliation and during the years when 'surrender and regrant' was at the forefront of government policy in the early-1540s treatise composition became almost inert, a development which will be elaborated upon below.

Table 2.1: Number of extant treatises by year, 1532-1543

Year	*1532*	*1533*	*1534*	*1535*	*1536*	*1537*	*1538*	*1539*	*1540*	*1541*	*1542*	*1543*
No. of treatises	0	1	2	3	10	11	7	6	2	3	2	1

Source: App.

The first salvo in this campaign indeed appears to have been fired as early as 1534 when Thomas Finglas presented a 'Report' while at court for perusal by the king which suggested that the O'Byrnes, O'Mores and MacMurroughs be reformed.[179] Exactly what he meant by this is unspecified and such was the often ambiguous usage of the phrase in Tudor political discourse on Ireland that the extremes of either wholesale conquest or incorporation of those areas through extension of the common law into them could have been meant. However, Finglas did go on to suggest that prior to this reformation Henry should 'tak out and reserv to Your Grace, and your heires, land, forest, and revenus, such as shalbe thogh most best plesaunt and profitable for you'.[180] Furthermore, Finglas appears to have also brought a copy of his father, Patrick's, 'Breviat' with him to England.[181] The tract's concentration on the conquest and colonisation of Leinster would have reinforced Thomas' advocacy of confiscation in that province.

[178] Thomas Cromwell, 'Remembrances for Ireland', 1535, TNA: PRO, SP 60/2/31, f. 83r, calendared in L.P. VII, 1211.
[179] Thomas Finglas, 'Report on Ireland to King Henry VIII', 1534, *SP Henry VIII*, ii, 69.
[180] Ibid., p. 189.
[181] TNA: PRO, SP 60/2/7.

It is somewhat curious, then, that Bradshaw should make a distinction between Patrick Finglas, whom he claims was a moderate, and officials like William Brabazon, whom he contends represented a minority of extremists, for the under-treasurer's views were in fact almost identical to Finglas.[182] In a series of memoranda which Brabazon prepared for Cromwell in 1535 he clearly laid out his ideas on Leinster:

"Iff it now stond with the Kinges pleasure, the land of Irlond may be at commaundement, as His Grace will have, if it be quicklye handled; and in especiall, to banisshe the Tooles, the Burnes, and the Cavenaghs, which, with McMargho and his secte, which is easie to be done, and to procede further into other parties."[183]

Finglas' thoughts on the reformation of Leinster, concerned as they are with the military strength of the same septs and their overthrow, are almost indistinguishable from Brabazon's views:

"Furste, our Souveraigne Lorde the Kyng fhuld extend his gracious Power, for the Reformacione of Leinfter which is the Key and highwaye for Reformacione of the Remanent; and it is fituated in an Angle betwixt Waterfort and Dublyn, wherein no more Irishmen dwell, but the Kavenaghs, of whom Mac Morrogh is Capitaine, whych cannot make Horfemen pafs two hundreth, and the Byrnes and Tohills, which cannot make one hundreth Horfemen befides the Irish Inhabitaunts of ther Country, which be but naked Men, as Kerne, which wer not in this hundreth Yeres more feeble to be conquered, than they are nowe."[184]

Neither can it be said that Brabazon was more extreme in his outlook on the basis of the attention he gave to this topic, for, like Finglas, he was just as capable of exploring issues such as extending the common law and the collection of the parliamentary subsidy in his tracts on Ireland.[185] Therefore, it seems incongruous to make a distinction between one or two hardliners who favoured the conquest of Leinster and a majority of moderates who allegedly advocated increased involvement in the province, but in a more sanguine fashion.[186]

Indeed the New English official who expressed his opposition to the Gaelic Irish most vociferously was John Alen, who has consistently been identified as being of a moderate disposition.[187] While a report which he presented to Cromwell during a sojourn at court in 1533 is relatively benign in its approach to the governance of those areas outside the Pale, his views, as expressed in a letter to the king on 6 October 1536 at the height of the campaign to have a more aggressive policy advanced in Leinster, do not accord with this recent

[182] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 108-110.
[183] Quote from, William Brabazon, 'William Brabazon to Crumwell', 1535, *SP Henry VIII*, ii, 105, p. 279; idem, 'The Treasurer of War in Ireland to Cromwell', 1535, Cal. Carew MSS. 1515-1574, 70; *DIB*, s.v. Brabazon, Sir William.
[184] Finglas, 'A Breviat of the getting of Ireland, and of the decaie of the same', c. 1515, pp. 88-89.
[185] William Brabazon, 'Notes of certain remembrances', 1536, L.P. XI, 521.
[186] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 106-117.
[187] Ibid., p. 109; Carey, *Surviving the Tudor*, pp. 88-89; *DIB*, s.v. Alen, Sir John.

perception.[188] Here he claimed that 'if those parties of Leynster were conquest, reformed, or subdued to your due obedience, wherin McMurgho, the Byrnes, and Tholes, nowe inhabite' then it would 'kepe this lande in a staye…and yit have a yerely revenues into Englande'.[189] Furthermore, it was suggested that five or six forts should be set up in O'Connor's country to recover that area, which would also serve the purpose of preventing the inroads of the O'Briens across the Shannon.[190] Alen's own aversion towards the Irish is, however, revealed as much more acute than previously appreciated, claiming he would banish them entirely were it feasible:

"It mought be gathered herupon, that my meaning is here, that Your Grace shulde banishe all the wilde Irishe out of their landis. Althoughe I wolde it wer so, yit that is not myn entente, for I do not doubte, but the inhabitauntes of their landes mought be made good subjectes, the heddis being subdued; and if they mought be all banished, thinke it were not a litle difficultie to inhabite the lande agayne."[191]

Thus, it should be apparent that many of the appraisals made by recent historians of the individuals who lobbied for the conquest of Leinster, of whom Finglas, Brabazon and Alen are just the most conspicuous, are wholly inaccurate. This point is all the more salient given Bradshaw's reliance on character appraisals to buttress his theory of a 'liberal revolution'.

The debate over whether or not encroachments should be made into south Leinster appears to have become most intense around the time of Alen's writing in the summer and fall of 1536. To this period date a number of documents by the Cowleys, Robert and Walter.[192] One of these, a tract addressed to Cromwell by the father, Robert, is certainly the most belligerent document composed to lobby Henry and his secretary to undertake the wholesale subjugation of south Leinster and the midlands. Indeed it goes much further, for having outlined plans to fortify that province, for instance by walling Arklow and Ferns, constructing a further walled town in Fasagh of Bentree and erecting castles and piles in numerous other locations, Cowley went on to sketch a means to advance into the other provinces. In Ulster, Carrickfergus and Carlingford were to be re-edified, while a walled town was to be constructed at Armagh. Similar provisions were outlined for Munster and Connaught, however, Cowley's ideas were severe not just in the breadth of the conquest

[188] John Alen, 'Report to Crumwell', 1533, *SP Henry VIII*, ii, 64; idem, 'J. Alen to King Henry VIII', 1536, *SP Henry VIII*, ii, 150; *DIB*, s.v. Alen, Sir John.
[189] Ibid., p. 374.
[190] Ibid.
[191] Ibid., pp. 373-374.
[192] Walter Cowley, 'W. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 131; Robert Cowley, 'The Devises of Robert Cowley, for the furtheraunce of the Kinges Majesties affayres in His Graces land of Irland', 1536, *SP Henry VIII*, ii, 147.

imagined but also in the methods to be employed, which, as seen, included devastation of the countryside to induce famine.[193]

Cowley's solution was curiously not advocated by others who were lobbying the king at this time despite the fact that devastation of the countryside was practiced during the suppression of the Kildare rebellion.[194] Conversely, a number of his suggestions which may in turn have been borrowed from Finglas' 'Breviat' do appear to have found their way into perhaps the most extensive proposal for pacifying Leinster. 'A Memoriall, or a Note, for the wynnyng of Leynster' was a memorandum drawn up collectively by the lord deputy and council as a means to convince Henry of the appeal of planting and colonising the lands of the O'Byrnes, O'Tooles and MacMurrough Kavanaghs.[195] The document was dispatched to England on 10 February 1537 with a covering letter from the council which stated that they had drawn up the project to convince the king that 'no interprise mought be so honorable, neither more profectable for Your Highnes, than the reducing of Leynster to your obedience'.[196] The signatories to this covering letter included Grey, Ossory, James Butler, William Brabazon, Thomas Luttrell, Patrick Finglas, Gerald Aylmer and John Alen.

The scheme outlined was extensive. The three lordships were to be emptied of inhabitants in the initial phase. It was then envisaged that some ten or twelve thousand settlers would be brought in, some three or four thousand of whom would be taken from amongst the Irish of England. In a feature reminiscent of both Finglas 'Breviat' and Cowley's project, a series of walled towns and castles were to be occupied, specifically Wicklow, Arklow, Ferns, Enniscorthy, Ross, Leighlin, Carlow and Castledermot. Estates were then to be granted to the younger sons of English gentry families with title. For instance, one was to be made lord of Wicklow with a grant of land between Wicklow and Arklow. Each of these would maintain a certain number of soldiers who would be established as freeholders under the new lords and captains. To preside over this new nobility it was envisaged that the earldom of Carlow would be created with estates in Carlow, Ferns and Idrone. As such it was likely envisaged that the support of the English aristocracy could be secured by holding out the hope of acquiring further titles. To cement the conquest it was believed 1,600 would be

[193] idem, 'R. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 129.
[194] Edwards, 'The escalation of violence in sixteenth-century Ireland'.
[195] 'A Memoriall, or a note, for the wynnyng of Leynster, too bee presented too the Kynges Majestie and His Graces most honorable Counsayle', 1537, *SP Henry VIII*, ii, 162.
[196] 'The Lord Deputy and Council to King Henry VIII', 1537, *SP Henry VIII*, ii, 161, p. 408.

necessary of which 600 were to be under the newly created earl with the remainder commanded by the deputy.[197]

The sheer scale of this enterprise was equalled by just one other initiative, a project which holds an especial interest as a forerunner of the kind of semi-private plantation schemes favoured for a time under Elizabeth. This previously under-appreciated antecedent of the colonies founded by Thomas Smith and the first earl of Essex in northeast Ireland in the 1570s originated not amongst senior government officials but within a circle of county notables in Wexford.[198] The surviving evidence of their plans is a memorandum addressed to Cromwell in the summer of 1537 by Walter Brown[199], John Devereux[200] and Alexander Keating[201]. The trio were roundly critical of the settlement which had placed William St Loe as seneschal, along with his lieutenant, Watkin Apowell, and just 46 men, in Wexford to hold the county. As they saw it a force of even 300 would:

"withowt the ayde of the said counte wortths do no good but we do thynke that 5 or 6 thousyn parte souldiors parte husboune and other crafty men to tylle and inhabite the lands betwix Dulyng and Wexfford withyn litill contynuans wolde be a good benefite in augmentyng of our souerayne lords inheritans as to the grete defens and comford of all his naturall subiects."[202]

Again, this was not a radical departure from the plans laid out in Finglas' 'Breviat', however, Brown, Devereux and Keating proceeded to make a further suggestion which was distinctive.

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[197] 'A Memoriall, or a note, for the wynnyng of Leynster, too bee presented too the Kynges Majestie and His Graces most honorable Counsayle', 1537, pp. 412-416.

[198] White, 'The Tudor Plantations in Ireland before 1571', I, pp. 105-106, has briefly surveyed this scheme.

[199] Brown occupied the post of seneschal of Wexford in 1521 at which time he appears to have been imprisoned for a space of three months by Ossory. Hore and Graves (eds.), *The Social State of the Southern and Eastern Counties*, p. 47. The presentment for the body of the shire taken by the 1537 commission features him as the first signatory. This document along with the presentment for the county was heavy with anti-Butler sentiment with numerous claims made against him by Brown who states that in 1533 Ossory and his sons had robbed him. Ibid., pp. 45-47.

[200] The Wexford Devereuxs were related to the more well known English branch who became the earls of Essex late in the century. The residence of the family was Balmagir where Robert Devereux, second earl of Essex, passed a day in 1599. John Devereux held the constableship of the castle of Durbard's Island in 1530 at which time Ossory had illegally attacked the castle. Ibid., p. 39. He furthermore had acted as justiciary for the county at the beginning of Henry's reign. The presentment for the county of Wexford taken in 1537 appears to have been heavily influenced by Devereux whose name appears as the first signatory and whose complaints are prominent. Ibid., pp. 39-45. In 1539 he was appointed Chancellor of Wexford by St Leger and the other commissioners, however, Alen blocked the appointment, John Devereux, 'John Deverus, of the County of Wexford, to Crumwell', 1539, TNA: PRO, SP 60/8/26.

[201] The Keatings were a prominent family in Wexford at the time with a number of Keatings conspicuous in the presentments of 1537, however, except for a mention of the fact that he had applied for a bull to Rome, Alexander's name is absent from the documents. Hore and Graves (eds.), *The Social State of the Southern and Eastern Counties*, p. 46. Also, see a letter he addressed to Cromwell complaining of measures for Wexford, Alexander Keating, 'Alexander Ketyng to Crumwell', 1537, TNA: PRO, SP 60/5/5.

[202] 'Walter Brown, of Mulrancan, John Deverus and Alexander Ketyng, of County Wexford, to Crumwell', 1537, TNA: PRO, SP 60/4/27, f. 80r. On the record of these families in the local administration of Wexford, see D.B. Quinn, 'Anglo-Irish Government, 1485-1534', in *IHS*, Vol. 1, No. 4 (Sep., 1939), pp. 354-381, pp. 375-377.

Being conscious of the parsimony of the king in 1537 and the magnitude of the scheme proposed they stated:

"it may please your good Lordschipe that by your exortacion that our said souerayne Lord is pleasure will yess and lett to serue tyll as aleasse of all his said counte and libarty as well all maner rents, casualts, wards, wrecks, awosongs, with all other maner profits in the said counte".[203]

Therefore, many years before Thomas Smith began his private enterprise in the Ards these Wexford landholders proposed a similar project to Elizabeth's father for the opposite end of the country.

Ironically, both the 'Memoriall' and the Wexford scheme, the two most ambitious proposals concerning the disposal of lands in the province, were composed in 1537 when efforts to convince Henry of the desirability of going ahead with some form of conquest of Leinster were coming to an end. What had started in 1535 as a general debate on what policy should be adopted for settling those lands immediately adjoining the Pale snowballed in 1536 into the dominant issue of correspondence between Dublin Castle and Whitehall. On 2 January of that year the Butlers signalled their support for a forceable intrusion into the lands of the MacMurroughs, O'Byrnes and O'Tooles in a letter which was signed by Ossory, his son, James, Grey, Alen and Aylmer.[204] The urgings of Grey and the council members subsequently reached a crescendo in the latter half of 1536 and early-1537. As seen, they sent a clear statement of their collective thinking on the necessity of subduing south Leinster to Henry on 26 June. In tandem Grey and Brabazon made a foray into those regions earmarked for subjugation throughout the summer and succeeded in pacifying MacMurrough in an act which was conceivably intended to convince Henry and Cromwell of the feasibility of their aims.[205] This was supplemented by additional letters on 29 October to Henry and 23 November to Cromwell, the latter perhaps giving the most unambiguous statement of their position yet:

"And as concernyng our determynations for anny honorabell and profitable enterprise to be advaunced this next yere, we have severall tymes advertised the Kinges Majestie, and your Lordeship, that, in our opinions, ther is no enterprise more honorable, neyther more profitable for the Kinge and his heyres, neyther more feasible, and with les charges to be executed, then

[203] 'Walter Brown, of Mulrancan, John Deverus and Alexander Ketyng, of County Wexford, to Crumwell', 1537, f. 80r.
[204] 'Lord Ossory, &c. to Crumwell', 1536, *SP Henry VIII*, ii, 113.
[205] Walter Cowley, 'W. Cowley to Robert Cowley', 1536, *SP Henry VIII*, ii, 123; Thomas Alen, 'Thomas Alen to Crumwell', 1536, *SP Henry VIII*, ii, 139.

the reformyng of Leynster; especiallie thois parties betwixt Dublin and Waterforde by the sea cost, wherin Macmurgho, O'Brynne, the Tholes, and ther nations, been enhabited."[206]

Their final, and most comprehensive, statement came on 10 February 1537 in the shape of the 'Memoriall'.[207]

If this last act was intended as such a definitive statement of their ideas on the conquest of Leinster that it would finally meet with the king's acceptance the viceroy, councillors and those others who had promoted the scheme for so long were to be thoroughly surprised by Henry's response. The government of Ireland, far from being geared towards the 'reducing' of Leinster, was to be run with financial retrenchment as its guiding principle. In a scathing letter, which pointed towards blatant corruption and fiscal profligacy within the Irish set-up Henry stated:

"Good counsailors shuld, before their oune private gaynes, have respecte to their princes honor, and to the publique weale of the cuntrey whereof they have charge. A greate sorte of you (We must be plain) desire nothing ells, but to reign in estimacion, and to flece, from tyme to time, all that you may catche from Us."[208]

In keeping with this new found parsimony the size of the garrison was to be reduced, not augmented as the council's policy of conquest would have necessitated. Some calls to subjugate parts of Leinster were still to be heard in the weeks and months that followed, notably in Robert Cowley's recommendation to further Peter Talbot's suit to occupy lands bordering the O'Toole lordship, and in Thomas Luttrell's statement to the royal commissioners who arrived in the summer of 1537 that Leinster should be reformed so that the lordship 'mought be dyschargeid of the said inwarde enymise'.[209] However, Henry's letter earlier that year and Cromwell's determined efforts to reduce expenditure, and with it the size of the garrison, put paid to any hopes of a full conquest in 1537. Thus ended the most intense phase of the campaign for the reduction of Leinster.

Clearly, then, there was a concerted effort to convince Henry and Cromwell of the advantages of an aggressive front in Leinster from 1535 through to the spring of 1537. It encapsulated almost every senior government official, while other, less influential figures,

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[206] 'The Lord Deputy and Council to Henry VIII', 1536, *SP Henry VIII*, ii, 153; 'The Lord Deputy and Council to Crumwell', 1536, *SP Henry VIII*, ii, 156, p. 392.
[207] 'A Memoriall, or a note, for the wynnyng of Leynster, too bee presented too the Kynges Majestie and His Graces most honorable Counsayle', 1537.
[208] Henry VIII, 'King Henry VIII to the Lord Deputy and Council', 1537, *SP Henry VIII*, ii, 165, p. 423.
[209] Maginn, *'Civilising' Gaelic Leinster*, p. 53; Robert Cowley, 'Robert Cowley to Crumwell', 1537, *SP Henry VIII*, ii, 171, p. 446. Talbot was eventually appointed captain of the Harolds country in south Dublin in 1537. See *CPRI*, I, p. 26; Thomas Luttrell, 'Luttrell to Sentleger, &c.', 1537, *SP Henry VIII*, ii, 184, p. 506.

such as Thomas Agard and Martin Pellys, were also in support.[210] Evidently there was some limited opposition to the lobby. Anthony Colclought expressed his opposition to the project, while other senior officials, such as the lord chancellor, John Barnewall, and Thomas Cusack, were conspicuously silent on the issue.[211] This aside, the number of those who did support the lobby was such that it would be remiss to disregard its importance in the overall history of the period.

Indeed the significance of the ideas propounded at this time have a greater resonance when consideration is had of their re-emergence in the ensuing decades, for it was William Brabazon who orchestrated the invasion of the midlands during Anthony St Leger's absence from Ireland in 1546.[212] St Leger was conveniently detained in England defending himself on charges brought against him by Ormond and John Alen, another staunch supporter of the forward policy.[213] Furthermore, some months later, following Henry's death and the appointment of Edward Bellingham as lord deputy, Brabazon drew up a 'Note' for presentation to the new viceroy which urged among other initiatives the subjugation of Leinster.[214] Nor was this the only occasion on which Brabazon was at the head of a group seeking to undermine St Leger. As will be seen, in 1540 he and the Butlers were involved in a scheme to resurrect the campaign to 'reduce' Leinster.[215] Therefore, while the lobby was at its most intense in the two years from 1535 to 1537 it never faltered completely and was to be periodically reinvigorated in the ensuing years. Accordingly, in 1546 John Alen called for the captains in Leinster to be 'put to it afresh', and claimed this would see the province pacified in three years and all malefactors vanquished.[216] Similarly, Gerald Aylmer and Thomas Luttrell, who have been presented as moderates to date, led a consortium of individuals who sought a grant of Laois from the crown in 1550.[217] Even as late as 1558, Thomas Alen,

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[210] Thomas Agard, 'Agard to Crumwell', 1535, *SP Henry VIII*, ii, 90; Martin Pelles, 'Martin Pellys to Cromwell', 1537, Cal. Carew MSS. 1515-1574, 96.
[211] 'Council of Ireland to Cromwell', 1536, L.P. X, 1196.
[212] D.G. White, 'The Reign of Edward VI in Ireland: Some Political, Social and Economic Aspects', in *IHS*, Vol. 14, No. 55 (1965), pp. 197-211, esp. pp. 197-201.
[213] John Alen, 'J. Alen's Charges against Sentleger', 1546, *SP Henry VIII*, iii, 441; Anthony St Leger, 'Sentleger's Answer to J. Alen's Charges', 1546, *SP Henry VIII*, iii, 446; John Alen, 'J. Alen's Answer to Sentleger's Charges', 1546, *SP Henry VIII*, iii, 447. For more on Brabazon's surreptitious undermining of St Leger, see Christopher Maginn, 'A window on mid-Tudor Ireland: the 'Matters' against Lord Deputy St. Leger, 1547-8', in *Historical Research*, Vol. 78, No. 202 (Nov., 2005), pp. 465-482.
[214] William Brabazon, 'A note given to Mister Bellingham the worthie general Anno primus Ed. VI', 1547, BL, Lansdowne MS. 159, f. 31.
[215] 'Devyses of your moste humble subjectes for reformation of Laynster, and for contynuance of the same', 1540, *SP Henry VIII*, iii, 330.
[216] John Alen, 'A Note of the state of Ireland with a device for the same', 1546, L.P. XXI(i), 915, p. 445.
[217] 'Offers of Gerald Aylmer, Sir John Travers, and others, for the inhabiting and cultivating of Leix, Irry, Slewmarge, and other possessions of the O'Mores', 1550, TNA: PRO, SP 61/2/69.

brother to John, reworked the 'Memoriall' which the council had drawn up in 1537 and presented it to Sussex as a legitimate policy initiative.[218]

There was, then, a palpable campaign to coerce central government in London to adopt a policy for the subjugation of Leinster, a lobby which has been conspicuously absent from recent studies of that period. That this is so is evidently owing to a preoccupation with other policy initiatives which surfaced around this time, notably the scheme which with posterity has come to be known as 'surrender and regrant'. However, this is doubly incongruous, for St Leger's 'political alternative' was as much a pragmatic response to the abandonment of plans to launch an aggressive policy of conquest as it was a liberal programme of inclusiveness and conciliation.[219]

II – 'Surrender and Regrant'

The programme of formal indentures between the Gaelic lords of Ireland and the crown, which after William Butler's coining of the term has come to be known as 'surrender and regrant', was overseen in the early-1540s by Grey's successor as lord deputy, Anthony St Leger.[220] The new viceroy's experience of the lordship had begun in 1537 when he, along with George Paulet, Thomas Moyle and William Berners, had been dispatched by Henry on commission to investigate Irish affairs and see to an overhaul of expenditure there. This sojourn was no doubt critical in the formulation of his thoughts on Ireland and the policies he would employ there as viceroy, though the significance of those policies, and in particular St Leger's motivation in employing them, has inhered no little debate amongst historians of the period.

Brendan Bradshaw's interpretation of St Leger's policies has been central in this regard. While his contention that the deputy, with the aid of a number of Old and New English associates, notably Thomas Cusack, was the driving force behind the programme of 'surrender and regrant' has been accepted almost unequivocally, subsequent studies of the period have been less willing to concur with his analysis of the intellectual forces which

[218] Thomas Alen, 'Matters for the good government of Ireland', 1558, BL, Lansdowne MS. 159, ff. 72-79.
[219] The defining of St Leger's policies as a 'political alternative' is in Maginn, *'Civilizing' Gaelic Leinster*, p. 59.
[220] William F.T. Butler, 'The Policy of Surrender and Regrant. I', in *JRSAI*, Sixth Series, Vol. 3, No. 1 (Mar., 1913), pp. 47-65; idem, 'The Policy of Surrender and Regrant. II', in *JRSAI*, Sixth Series, Vol. 3, No. 2 (Jun., 1913), pp. 99-128; idem, *Gleanings from Irish History* (Dublin, 1925); *ODNB*, s.v. St Leger, Sir Anthony; Peter Piveronus, 'The Life and Career of Anthony St. Leger Ulcombe Kent (1496?-1559), Lord Deputy of Ireland: A Biographical Sketch in the Evolution of Early Tudor Anglo-Irish Policy', PhD (Michigan State University, 1972).

influenced St Leger. In particular, Bradshaw insinuated that the viceroy was inspired by the spirit of Christian humanism as manifested in a series of political tracts which originated from within the Old English community of the Pale.[221] Accordingly this led the new lord deputy to impress on Henry that the 'reform' of Ireland was not just a political necessity but a 'moral obligation'.[222] This interpretation contains serious flaws. For one, the ideas enunciated in a number of those tracts which allegedly motivated St Leger are out of step with the conciliatory approach he employed, while the deputy himself was at least as pragmatic as he was ideological, as is evinced by a perusal of his correspondence from the early-1540s.[223]

Bradshaw's interpretation has since been significantly revised. As noted, Fiona Fitzsimons has identified a number of fundamental flaws in his analysis of the political tracts on which so much of his study rests, while Brady has clearly outlined how the deputy was forced to rely on the corrupt distribution of monastic property in Ireland to build consensus for his policies.[224] More recently Maginn has characterised St Leger as neither Machiavellian manipulator nor political idealist, but rather as a pragmatist.[225] These revisions are all the more necessary given the continued preoccupation with the more conciliatory aspects of government policy in late-Henrician Ireland.[226] Contrary to this reading the period was in fact dominated by sabre-rattling by most of those holding high office in Ireland, and on occasion by the monarch himself. The 1530s witnessed a reluctance to engage in a policy of conquest solely owing to government unwillingness to fund such a forward strategy, while the final years of Henry's reign saw a return to a more aggressive approach to those lands immediately adjoining the Pale.[227] Therefore, far from dominating the formation of Irish policy between the Kildare rebellion and the accession of Edward VI, as so many previous studies have contended, the conciliatory strategy was the guiding light of policy for only a brief period

[221] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 32-57.
[222] Ibid., p. 205.
[223] 'The Lord Deputy and Council of Ireland to King Henry VIII', 1541, *SP Henry VIII*, iii, 349, for example, relates a campaign into O'Neill's country, during which time they 'burnid grete parte of the same, and distroyed miche of his cornis and butters'.
[224] Fitzsimons, 'Cardinal Wolsey, the native affinities and the failure of reform in Henrician Ireland', pp. 80-87; Brady, *The Chief Governors*, pp. 32-40.
[225] Maginn, *'Civilizing' Gaelic Leinster*, pp. 75-76.
[226] This is notably the case in Brady's study, but also in a number of textbooks for the period. Brady, *The Chief Governors*, pp. 13-71. Brady does accord Grey almost equal treatment to St Leger in his discussion of policy up until 1547, however, he then proceeds to argue the case for St Leger's centrality in the formation of policy during the mid-Tudor period. Ellis, *Tudor Ireland*, pp. 108-148; Lennon, *Sixteenth-Century Ireland*, pp. 144-164; S.J. Connolly, *Contested Island: Ireland, 1460-1630* (Oxford, 2007), pp. 99-123.
[227] White, 'The Reign of Edward VI in Ireland', pp. 197-201.

between Henry's reluctant acceptance of it's suitability in 1541 and the abandonment of the programme late in 1543.[228]

That there has been such disparity of opinion in relation to St Leger's reform programme and the policy of 'surrender and regrant' generally is perhaps owing to the dearth of sources which address these issues directly. This is especially so for position papers, memoranda and treatises which might give a clear indication of the lord deputy's and his associates' views on the conciliatory approach, for where there was no shortage of such expositions pertaining to the conquest or reducing of Leinster, there are only a handful of clear schema with regard to 'surrender and regrant'.[229] This comparative shortage of treatises is in part responsible for the unwillingness of historians to deal with the minutiae of 'surrender and regrant' recently identified by Maginn and has necessitated the analysis of more routine correspondence between Dublin and London to decipher the personal inclinations of those staffing the government of Ireland.[230]

The dearth of treatises on the conciliatory programme is most likely owing to a lack of enthusiasm for it amongst a significant number of those occupying government office and their continuing preference for a more aggressive solution to the administration of the country. This lobby had been quieted by the decision of Henry and Cromwell to favour financial retrenchment in 1537, but a subtle call for action in Leinster continued to suffuse the correspondence of a number of those involved.[231] This 'conquest party' was not a homogenous group of like minded officials who were united on policy decisions. Rather it was a loose group of government agents and Butler affiliates who were often at loggerheads over other issues but shared a common desire for a forward strategy in Leinster.[232] A further

[228] Curiously the truncated nature of St Leger's conciliatory programme has been readily acknowledged in the study which has contributed most to making the viceroy synonymous with late-Henrician Ireland as a whole. Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, p. 258.

[229] For an archetypal tract on 'surrender and regrant', see Thomas Cusack, 'Cusackes Devise to your most Noble and Honorable Wisdomes, concernyng soche yeftes, as the Kingis Majestie shall make to Irishmen of the landes and cuntreis which nowe they have, and to give them name of honor, and upon what conditions they should have the same, and ther requestes to have ther landes by yeft, as is aforsaide', 1541, *SP Henry VIII*, iii, 347.

[230] Christopher Maginn, '"Surrender and Regrant" in the Historiography of Sixteenth-Century Ireland', in *The Sixteenth Century Journal*, Vol. 37, No. 4 (Winter, 2007), pp. 955-974.

[231] See, for example, Robert Cowley, 'Robert Cowley to Crumwell', 1537, *SP Henry VIII*, ii, 171; Francis Harbert, 'Francis Harbart to Duke of Norfolk,', 1538, TNA: PRO, SP 60/6/7; Luttrell, 'Luttrell to Sentleger, &c.', 1537.

[232] For instance, there was some dissension between Thomas Agard, a close confidant of Brabazon's, and John Alen and Gerald Aylmer. See Walter Cowley, 'Walter Cowley to Crumwell', 1536, TNA: PRO, SP 60/3/40. Also a number of the most vocal advocates of an aggressive stance in Leinster were Butler partisans, notably the Cowleys, who clashed with government agents where the interest of the crown did not correspond to those of the Butlers. Conversely Brabazon wrote in recommendation of figures such as Anthony Colclought who opposed a conquest. William Brabazon, 'Vice Treasurer Brabazon to Crumwell', 1536, TNA: PRO, SP 60/3/48. The degree to which those who were united in seeking a more aggressive approach in Leinster could often be

unifying factor was that many of those involved had been advanced to their position in Ireland by Cromwell.[233] Surviving the secretary's downfall, these individuals, amongst whom Brabazon and Alen were most prominent, continued to favour the subjugation of the O'Tooles, O'Byrnes and MacMurrough Kavanaghs, and often conspired to undermine St Leger to attain that end.

The clearest indication of this was given in 1540 when a device for the 'reformatyon of Laynster' was drawn up by a cohort of council members and the Butlers.[234] This scheme, which was in effect a resurrection of the Brotherhood of St George, which had been established for defence of the Pale either in 1473 or 1474, recommended the appointment of a board of twelve officers or pensioners presided over by a 'Greate Maister'.[235] These regional commanders would be stationed throughout Leinster with the head resident in Ferns. That martial activity was the central purpose of the projected association was made clear by the provision of extensive figures on the munitions and pay of military retinues while details on the obligations of the Great Master and pensioners to the general hosting were also included. The members would assemble each St George's day at Ferns while half of the pensioners with the head were to appear before the deputy and a host of government officials twice a year to make account of their activities.[236]

Curiously two potential boards were provided at the conclusion of the document, one nominated by Ormond, the other by the council. The Butler panel recommended Ormond's brother, Richard Butler, as Great Master, with John Travers, a client of the earl's and the master of the ordnance, as chief pensioner.[237] Cahir McArt Kavanagh was to fill the position of second pensioner with a host of Kavanaghs besides, along with a handful of O'Byrnes and O'Tooles.[238] William St Loe's lieutenant in Wexford, Watkin Apowell, was recommended at the end along with Edmund Butler of Polestown.[239] The council's suggestions as to who

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suspicious of one another's motives is perhaps epitomised by John Alen's wish to see Butler power limited at a time when he and the earl were acting in concord to bring down St Leger, and concurrently bring about a revitalised policy of conquest in Leinster. See John Alen, 'A Note of the state of Ireland with a device for the same', 1546, L.P. XXI(i), 915.

[233] Brendan Bradshaw, 'Cromwellian Reform and the Origins of the Kildare Rebellion, 1533-34', in *Transactions of the Royal Historical Society*, Fifth Series, Vol. 27 (1977), pp. 69-93; idem, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 90-100.

[234] 'Devyses of your moste humble subjectes for reformation of Laynster, and for contynuance of the same', 1540.

[235] Johnathan Good, *The Cult of St. George in Medieval England* (Woodbridge, 2009), p. 109.

[236] 'Devyses of your moste humble subjectes for reformation of Laynster, and for contynuance of the same', 1540, pp. 272-273.

[237] On the growth of the Butler clientage network at this time, see Edwards, *The Ormond Lordship in County Kilkenny*, pp. 163-175.

[238] DIB, s.v. MacMurrough Kavanagh, Cathaoir.

[239] Ibid., p. 275.

should be appointed as Great Master and his pensioners was similar in so far as the Kavanaghs were well provided for, though the O'Byrnes and O'Tooles are noticeably absent from their list.[240] Watkin Apowell and Edmund Butler again featured, while Walter Brown of Mulrancan, who was last seen advocating an extensive semi-private plantation scheme for south Leinster, was also to be appointed as part of the council's plans. A consensus is evident between both Ormond and the council that John Travers would be first pensioner. However, the most significant point of departure between the Butler panel and that proposed by the council was in relation to the most senior position, that of Great Master, which as the administrative organ of government saw it should be staffed by the under-treasurer, William Brabazon.[241]

Clearly this initiative was not as militant as some of those which were favoured by the under-treasurer and his associates in government just a few years previously. The members of the Gaelic septs of south Leinster, for instance, made up half of the proposed pensioners, while the inclusion of members such as Art O'Toole, whose brother Turlough was at that time negotiating the first embryonic formal indenture with St Leger, augured a more moderate stance.[242] Moreover, the duties which it was envisaged the board members would carry out included the holding of assize sessions throughout Leinster and the administration of justice in the province generally. However, there was a definite militancy to the entire scheme, whether it was in the more than casual associations with the Brotherhood of St George, the extensive details on military retinues or the inclusion of certain members, for instance Watkin Apowell, who had been involved as William St Loe's lieutenant in Wexford in the outbreak of serious disturbances in that county.[243]

The aggressiveness of the scheme was perhaps muted as a result of the king's desire for more cost-effective ways to govern Ireland and also the opposition of the new lord deputy. Following his arrival in office St Leger appears to have concluded that the system of indentures between the crown and the Gaelic lords which had been entered into by Grey was indeed the correct approach to governing the lordship.[244] Such measures had not originated with St Leger's predecessor. They had been routinely utilised throughout the fourteenth and

[240] The Kavanaghs named on both the council's and the Butler's proposed board were Cahir McArt, Donal McCahir, Art McDonogh, Murghe McGarad and Creven.
[241] Ibid., p. 276.
[242] Maginn, *'Civilizing' Gaelic Leinster*, pp. 65-76.
[243] Ormond, 'Ormond to R. and W. Cowley', 1538, *SP Henry VIII*, iii, 240; Robert Cowley, 'R. Cowley to Crumwell', 1538, *SP Henry VIII*, iii, 245.
[244] On Grey's term as governor and his attempts at finding a workable *modus operandi* for governing Ireland, see Brady, *The Chief Governors*, pp. 13-25.

fifteenth centuries and Surrey at the time of his expedition to Ireland recommended the suit of Cormac Óge MacCarthy Reagh to hold his lands of the king.[245] Furthermore the author of the 'Discourse', most likely composed c. 1528 by Robert Cowley, had suggested that the Gaelic lords such as O'Neill and O'Donnell should be induced to accept the relinquishment of their estates and the re-bestowal of them by the monarch with payment of a chief rent.[246] Moreover, the two-tier, vassal-suzerain power system headed by the earls of Kildare operated on the same basis of reciprocal benefits as such indentures implied.[247] It was principally in an effort to control that two-tier system following the removal of its head, the earls of Kildare, that Grey began negotiating indentures and agreements of peace with a wide range of lords, primarily in Leinster and Ulster, actions which exposed him to charges of attempting to rehabilitate the Geraldine affinity with himself at the centre.[248] Far from initiating a new departure in Irish policy upon his arrival in office then, as Bradshaw has contended, St Leger adopted many features of Grey's programme, although admittedly adding substantially to the edifice he began with.

The policy of 'surrender and regrant' involved agreements between the Gaelic lords and the crown whereby the lord surrendered his lands to Henry who then regranted them, usually with some title of English nobility.[249] In doing so the king's 'Irish enemies', which the Irish lords had been identified as up to that point, became his lawful subjects with the rights that appertained to such. In tandem with the establishment of rightful ownership to land the formal indentures between the crown and the Irish lords involved an undertaking by the latter to enter into a programme of social and cultural reform. Thus, for instance, and perhaps most importantly, the Irish exactions, of which 'coign and livery' was deemed to be the most pernicious, were to be done away with, while it was also imagined that soon the lords would begin paying rents to the Irish government. To lend the scheme greater legitimacy an Act for the Kingly Title was passed in 1541 whereby Henry's status was altered from lord to king of Ireland, thus elevating the lordship to a kingdom. This final measure served two purposes. By on the one hand proclaiming Henry's claim to sovereignty over all Ireland it reinforced the

[245] Surrey, 'Surrey to Wolsey', 1521, *SP Henry VIII*, ii, 17.
[246] Robert Cowley?, 'A discourse of the evil state of Ireland, and of the remedies thereof', c. 1528, BL, Lansdowne MS. 159, ff. 2-16, ff. 12v-13r.
[247] Maginn, *'Civilizing' Gaelic Leinster*, pp. 5-32.
[248] Leonard Grey, 'Gray to King Henry VIII', 1538, *SP Henry VIII*, iii, 224; 'O'More's further Submission', 1538, *SP Henry VIII*, iii, 251; 'The Lord Deputy and Council of Ireland to King Henry VIII', 1538, *SP Henry VIII*, iii, 256; Leonard Grey, 'Gray to Crumwell', 1539, *SP Henry VIII*, iii, 279; 'Abridgement of the Treaties between Lord Deputy Gray and the Irishry', 1540, *SP Henry VIII*, iii, 284.
[249] Maginn, '"Surrender and Regrant" in the Historiography of Sixteenth-Century Ireland', provides the best recent survey of the policy. See, also, idem, 'The limitations of Tudor Reform: the policy of 'Surrender and regrant' and the O'Rourkes', in *Breifne*, Vol. 11, No. 43 (2007), pp. 429-460, esp. pp. 433-445.

strength of the 'surrender and regrant' agreements being negotiated between St Leger and the Gaelic lords. Secondly, it superseded the papal grant of the lordship of Ireland to Henry II, as enshrined in the 1155 bull *Laudabiliter* of pope Adrian IV, thus re-legitimising the claims of the English crown to Ireland which had been weakened following the split with Rome.

In some sense such a conciliatory solution to the problem of ensuring stability in the aftermath of the Kildare rebellion had always been plausible. It was certainly foreshadowed in the pragmatism Henry evinced in his instructions to Surrey in 1520:

"We, and our Counsail thinke and verilie beleve, that in caas circumspecte and politique waies be used, ye shall not oonely bring theym to ferther obedience, for thobservaunce of our lawes, and governyng theym selffes accourding to the same, but also folowing justice, to forbere to deteigne rebelliously suche landes and dominions as to Us in right apperteigneth; whiche thing must as yet rather be practised by sober waies, politique driftes, and amiable persuasions, founded in lawe and reason, than by rigorous dealing, comminacions, or any other inforcement by strenght or violence."[250]

Furthermore, two tracts dating to 1537 contained in embryonic form all of the components of what would become St Leger's conciliatory policy. One of these, by the bishop of Meath, Edward Staples, bore perhaps the clearest likeness to the policy St Leger later employed. Instructively this 'Information' was one of a series of documents which was prepared at the time for presentation to the commission of which St Leger formed a part. Here Staples calls for Cahir O'Connor to be created baron of Offaly and in return the new lord was to pay a fixed annual rent to the crown.[251] Staples' influence on St Leger's programme did not cease there, for as Bradshaw has shown it was he who petitioned the future lord deputy to have Henry proclaimed king of Ireland by act of parliament.[252] Moreover, it was this measure which the bishop of Meath chose to open his memorandum to the commissioners with:

"Fyrste, where the Iryshe men, of long contynuaunce, hathe supposyd the Regall estate of this lande to consyst in the Bysshop of Rome for the tyme being, and the Lordship of the Kinges of Englande heere to be but a governaunce under the obedyence of the same, whiche causith them to have more respect of due subjectyon unto the said Bysshop, then to our Soveraigne Lorde; therfore me semeith it convenient, that His Highnes be recognised heere, by Acte of Parlyament, Supreme Governour of this domynyon, by the name of the King of Ireland, and then to induce the Iryshe captaynes, aswell by ther othes as wryteinges, to recognise the same, whiche thinges shalbe, in contynuaunce, a greate motyve to bring them to dew obeydyence."[253]

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[250] Henry VIII, 'King Henry VIII to Surrey', 1520, *SP Henry VIII*, ii, 12, p. 52.
[251] Staples, 'A certen Information for our Souveraigne Lordes moste honourable Commyssioners in Irlande', 1537, p. 485. Another copy of the tract was owned by Robert Beale later in the century. See BL, Add. MS. 48,017, ff. 161-163. *DIB*, s.v. Staples, Edward.
[252] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 193-194.
[253] Staples, 'A certen Information for our Souveraigne Lordes moste honourable Commyssioners in Irlande', 1537, p. 480.

Staples' dedication to the idea of having Henry proclaimed king of Ireland was further evinced in the summer of 1538 when he again wrote to the commissioners to sound his support for the measure.[254] As such the germ of what would become St Leger's conciliatory programme was contained in the bishop's 1537 memorandum. In this respect Staples' role in at least the conception of the viceroy's strategy ought to be given as much credit as either the lord deputy himself, or his closest aide, Thomas Cusack, have been.[255]

The second, anonymously authored, memorandum which offered policy proposals that prefigured 'surrender and regrant' was composed by a government official who was most likely not on the council but was privy to the ideas which were being discussed at the highest levels in Dublin Castle in 1537.[256] His 'Devise' suggested a method for dealing with the MacMurrough Kavanaghs which it was believed could be applied to the other lordships:

"Ffirst, that he that is nowe called McMorughe, and euery one of the gentlemen of the Cavenaghes, haue a certain londs appointed to them, and to the heyres of ther bodies laufully begoten and euery of them to holde the said londs of the kings highnes by knights service, some by one hole knights ffee."[257]

The principals of social, economic and cultural reform which would later be employed by St Leger were then elaborated on. Accordingly the creation of freeholders was to be encouraged while those objects of perpetual censure, the Gaelic exactions, were to be done away with. The council's general position on the conquest of Leinster as exemplified in the 'Memoriall' sent by them to Henry early in 1537 was incorporated in a watered down fashion in a further provision which recommended the occupation of a string of fortresses across the province, notably Carlow, Leighlin, Ferns, Arklow and Wicklow.[258] Finally, it was noted that force could be utilised to impose such a settlement, the author remarking on 'the good strengh the kings highnes hath nowe of mere Inglisshe men in those parties…redy to chastise offendors'.[259]

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[254] idem, 'Bishop Staples to Sentleger, or Moyle', 1538, *SP Henry VIII*, iii, 233.
[255] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 193-194, 232-233, has noted Staples influence, but this diminishes in comparison with the emphasis on Cusack's role both in Bradshaw's text and in subsequent studies. This is somewhat curious given the absence of any papers by Cusack expressing similar views to Staples in the late-1530s.
[256] 'Devises for the ordering of the Cavenaghes, the Byrnes, Tooles and OMayles for such lands as they shall have within the county of Carlow, and the marches of the same county, and also of the marches of the county of Dublin', 1537, Cal. Carew MSS. 1515-1574, 113 (LPL, MS. 602, ff. 162-163) [App. no. 3]. Reference within the tract to the council's letters seems to indicate an individual familiar with their content but not actually a member of the board.
[257] Ibid., f. 162r.
[258] Ibid., ff. 162v-163r.
[259] Ibid., f. 163v.

Evidently, then, many of the prerequisites for the programme St Leger initiated in the early-1540s, a king attuned to the necessity of pragmatism, a credible set of policy proposals, and the experience gained from the failed system of informal indentures under Grey, were present when the new viceroy entered office. Furthermore, the recent conflagration caused by the formation of the so-called Geraldine League – a loose confederation of Gaelic lords, notably O'Neill and O'Donnell, acting in accord to militarily coerce the crown into the restoration of the house of Kildare in the person of the young Gerald Fitzgerald – augmented the need to find a new, and stable, *modus operandi* for dealing with Gaelic Ireland.

The scheme which eventually materialised in the course of 1540 and 1541 was articulated to central government in London, not by St Leger, but the speaker of the commons, and future lord chancellor, Thomas Cusack.[260] His 'Device' of 1541 clearly set out the advantages which would ensue if St Leger's programme was given the green light by Henry. The problem presented by Gaelic Ireland, as Cusack saw it, was that the lords' insecurity in relation to ownership of their lands led them to 'persevere in warre and mischief' and to be taken as 'Irish ennymies', whereas 'now they having ther landes of the Kingis Majestie…which is the chiefest meane, by good wisdome, to contynewe them in peace and obedience'.[261] He then elaborated on how the viceroy's system of formal indentures would lead to the end of succession by tanistry and its replacement with inheritance by primogeniture. Furthermore, the socio-economic foundations of the country would be transformed as fixity of tenure, an absence of the destruction wrought by perpetual warfare and the disappearance of the kern would lead to an improvement of the country.[262] Cusack then proceeded to discuss individual agreements which were being negotiated between crown and lord, yet it was not the greater Irish lords, such as O'Neill, O'Donnell, MacWilliam or O'Brien, who were prominent here, but O'Connor, O'More, MacMurrough Kavanagh, O'Byrne and O'Reilly.[263] This reinforces the perception that 'surrender and regrant', much as it has been vaunted as the cornerstone of a liberal revolution, actually developed out of a pragmatic need to find a working relationship with the lords of south

[260] *ODNB*, s.v. Cusack, Sir Thomas.
[261] Cusack, 'Cusackes Devise to your most Noble and Honorable Wisdomes, concernyng soche yeftes, as the Kingis Majestie shall make to Irishmen of the landes and cuntreis which nowe they have, and to give them name of honor, and upon what conditions they should have the same, and ther requestes to have ther landes by yeft, as is aforsaide', 1541, p. 326.
[262] Ibid., p. 327
[263] Ibid., pp. 327-330. The Leinster lords and O'Reilly are dealt with fairly extensively over two pages, while in contrast the greater lordships of O'Donell, MacWilliam and O'Brien are treated together in one paragraph. O'Neill does not figure in Cusack's 'Devise' in any fashion.

Leinster and the midlands following Henry's declaration of his unwillingness to foot the bill for a general policy of conquest there in the late-1530s.

This assessment is further supported through a perusal of the king's own instructions to the deputy and council throughout 1540 and early-1541. With three years past since his order for financial retrenchment in Ireland and a new dynamic operating in the making of policy in London following Cromwell's fall, the king's enthusiasm for a more aggressive front across the Irish Sea was growing anew. In a letter to the viceroy dated 26 September 1540 he ordered the lord deputy to 'reduce that corner, which the Cavenaughes, Toles, Brynnes, and their complices, inhabite, as it be no gall herafter to our Englisshe pale'.[264] Thus, just as the king was contemplating a renewed dedication to the conquest of Leinster, St Leger was initiating his conciliatory programme, a programme Henry was advertised of in a series of letters from the deputy and council in November.[265] Evidently Henry was swayed and early in 1541 he wrote back signalling his approval of St Leger's first tentative steps towards initiating 'surrender and regrant' indentures, taking particularly 'good parte' with the viceroy's negotiations with Turlough O'Toole.[266] That the deputy had temporarily gained the upper hand on the more militant element or 'conquest party' within the government was indicated by Henry's blunt statement concerning the scheme this group had put forward for governing Leinster through a Great Master and pensioners that 'We doo in noo wyse lyke any parte of your divise in that behalfe'.[267]

It is clear, then, that Henry's approach was pragmatic but what of St Leger himself who was allegedly masterminding a liberal revolution based on moral rectitude. This is hard to disentangle given the fact that the deputy left no explicit statement of his views in the form of a policy paper or treatise. Despite this handicap it is certainly reasonable to discount previous suggestions that St Leger was ideologically influenced by those tracts written within the Old English milieu in the decades prior to his arrival in Ireland. William Darcy's 'Articles', for example, do not exhibit any particular ideological bent, while Patrick Finglas was a proponent of the policy of conquest which St Leger was allegedly overturning under the influence of Finglas' 'Breviat'. However, even this latter point is contentious for in 1538 St Leger and his fellow commissioners had addressed a letter to Cromwell wherein they had claimed of Offaly that 'onlesse it be people with others then be there alredy, and also certen

[264] Henry VIII, 'King Henry VIII, to Sentleger', 1540, *SP Henry VIII*, iii, 325, p. 247.
[265] 'The Lord Deputy and Council of Ireland to King Henry VIII', 1540, *SP Henry VIII*, iii, 328; 'The Lord Deputy and Council of Ireland to King Henry VIII', 1540, *SP Henry VIII*, iii, 329.
[266] Henry VIII, 'King Henry VIII, to The Lord Deputy and Council of Ireland', 1541, *SP Henry VIII*, iii, 337, p. 293.
[267] Ibid.

fortresses there buylded and warded, if it be gotten the one daye, it is loste the next'.[268] Consequently there is evidence to suggest that St Leger was a late convert to his own policy of conciliation and was actually in favour of a policy of conquest in Leinster prior to this alteration in his outlook. Furthermore, it is clear from a perusal of St Leger's correspondence that there was at least a strain of forceful pragmatism running through his actions; a letter, for example, from him to Henry in late-1540 recounted a journey he had made into the lordship of the MacMurrough Kavanaghs where he spent ten days 'burnyng and destroying the same' until such time as MacMurrough submitted, renounced the name of MacMurrough and agreed to hold his lands of the king.[269] In the same letter St Leger explained his taking of pledges from O'Connor as 'he is not somoche to be trusted, but alwaies we muste, as nere as we may, kepe hym under'. An almost identical practicality is displayed in a report on his progress in Ulster.[270] Certainly he expressed quite benevolent sentiments elsewhere, for example in his well known statement some years later in relation to Andrew Brereton's mistreatment of Con O'Neill that 'such handling of wild men hath done much harm in Ireland'.[271] Yet Bradshaw has excused his more aggressive words and actions as products of a strategy of 'exemplary conciliation', a phraseology which explicitly aims to moderate the more unscrupulous side to St Leger's actions in office.[272] Ultimately a more balanced appraisal of the deputy who orchestrated the programme of 'surrender and regrant' will have to take greater stock of his essentially pragmatic, as opposed to idealistic, personality, or as Robert Dunlop characterised it his 'constructive statesmanship'.[273]

Indeed the perception of a policy of pragmatism is compounded by the knowledge that contemporaries based in England clearly recognised that 'surrender and regrant' was devised as a means to lock wayward lords who had been pacified into binding accords of amity with the crown. William Thomas in a panegyric of Henry VIII's life presented to Edward VI briefly mentions Ireland noting that the policy devised by Henry and implemented by St Leger at the start of the 1540s was to lay 'in such substantial garrisons in the straits of his borders' which 'constrained them to humble themselves…to a perpetual peace'.[274] This done he confirmed 'his force with mercy' and 'rewarded divers of them with…places of civil

[268] 'Sentleger, &c. to Crumwell', 1538, *SP Henry VIII*, ii, 196, p. 536.
[269] Anthony St Leger, 'Lord Deputy Sentleger to King Henry VIII', 1540, *SP Henry VIII*, ii, 322, pp. 235-236.
[270] 'The Lord Deputy and Council of Ireland to King Henry VIII', 1541, *SP Henry VIII*, iii, 349.
[271] Anthony St Leger, 'Lord Deputy Sentleger to Mr. Secretary Cecill', 1551, TNA: PRO, SP 61/3/18, as quoted in White, 'The Reign of Edward VI in Ireland', p. 205.
[272] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, p. 209.
[273] Dunlop, 'Some Aspects of Henry VIII's Irish Policy', p. 293.
[274] J.A. Froude (ed.), *The Pilgrim: A Dialogue of the Life and Actions of King Henry the Eight* (London, 1861), p. 67.

honour, as earls, barons, knights'. As such the writings of this obscure Welshman would appear to confirm that those at court in St Leger's own day believed the new policy employed in Ireland was grounded on pragmatism and the employment of a considerable degree of coercion.

While St Leger's personal motivations in entering into his conciliatory programme in the early-1540s have generated substantial debate, the course and results of that programme have been generally agreed upon. Following the negotiation of a number of embryonic agreements between lords such as Turlough O'Toole the net of those with whom St Leger was arranging formal indentures widened to include lords from all four provinces.[275] In Ulster Conn O'Neill became earl of Tyrone, after Henry refused him the earldom of Ulster, however, negotiations with Manus O'Donnell stalled.[276] The other notable agreement was between O'Brien and the crown, Donal being granted the title of earl of Thomond. Elsewhere negotiations with lesser lords also saw them receive English title, for example MacGillopadraig, who as baron of Upper Ossory was the first Gaelic lord to sit in the Dublin parliament as an English peer. A number of other attempts at 'surrender and regrant' arrangements were abortive. Such was the case in the O'Toole lordship where the murder of Turlough O'Toole scuppered the arrangement arrived at between him and the viceroy.[277] In other areas like the O'Rourke and O'Reilly lordships of Breifne negotiations simply petered out as the policy was abandoned late in 1543.[278]

The legacy of 'surrender and regrant' proved ambiguous. The primary problem encountered in the following decades was in relation to the establishment of successors to the first earls of Thomond and Tyrone. In particular, the crown's inexplicable decision to support Matthew O'Neill, Conn's son, though possibly illegitimate, as second earl, paved the way for years of antagonism in Ulster between the crown and Shane O'Neill, whose claim to succeed in Tyrone was stronger through tanistry. Similarly the crown's desire to introduce social, cultural and economic change within the lordships appears to have fallen far short of its stated aims and as late as the 1570s and 1580s schemes were still being hatched to introduce some form of taxation in Connaught and Ulster.[279] Conversely in Thomond the policy finally

[275] Maginn, *'Civilizing' Gaelic Leinster*, pp. 65-76.
[276] Henry VIII, 'King Henry VIII to the Lord Deputy and Council', 1541, *SP Henry VIII*, iii, 361; idem, 'King Henry VIII to the Lord Deputy and Council', 1541, *SP Henry VIII*, iii, 370.
[277] Maginn, *'Civilizing' Gaelic Leinster*, p. 74.
[278] idem, 'The limitations of Tudor Reform: the policy of 'Surrender and regrant' and the O'Rourkes'; Ciaran Brady, 'The O'Reillys of East Breifne and the Problem of 'Surrender and Regrant'', in *Breifne*, Vol. 6, No. 23 (1985), pp. 233-262.
[279] For a study of a lordship which demonstrates that acceptance of English title did not lead to a commensurate adoption of English social and political ideas, see David Edwards, 'Collaboration without Anglicisation: The

came to fruition from the 1580s onwards, in a lordship which had suffered decades of internal unrest following the cown's decision to support another unsuitable candidate in the shape of Donough O'Brien as second earl. The succession of Donough O'Brien as fourth earl in 1582 marked a rare success in the long run for St Leger's programme the earl serving as a prominent loyalist during the Nine Years War and eventually being appointed president of Munster in 1615.[280]

That the positive results of the conciliatory programme which was followed between 1540 and 1543 should have proved so limited is in part owing to events both before and following St Leger's initiative. The years between the Kildare rebellion and St Leger's arrival in office saw a wide-ranging campaign to have a general policy of conquest adopted in relation to south Leinster. This was briefly abated by the inception of the policy of 'surrender and regrant', while concerns over the possibility of a combined French and Scottish intervention in Ireland dominated affairs there in 1544 and 1545.[281] However, 1546 saw a renewed effort by the 'conquest party' in Dublin to launch an aggressive intervention into the midlands, particularly in Offaly where Brabazon fortified Daingean in what would become a prelude to the plantation of that county and Laois. Thus, the period between the Kildare rebellion and the end of Henry's reign ought to be associated to a far greater extent with the efforts of a substantial element in Dublin to begin a general conquest of Leinster. St Leger's programme was an alternative based largely on pragmatism and it is scarcely credible to suggest that as a result of his conciliatory programme 'Ireland emerged in the early modern period with a new constitutional status, as a sovereign kingdom under the crown', with 'a new ideology of nationalism…which aspired to unite Gaelic and Anglo-Irish alike in common devotion to the native land'.[282]

III – Regional Problems: Colonies and Presidencies?

The problems confronting the Irish administration under Henry extended beyond the Pale and the marcher areas immediately adjoining it. An awareness of this fact no doubt informed a memorandum, entitled 'Note of five shirys that shold be obedient vnto the king', which was

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MacGiollapadraig Lordship and Tudor Reform', in Patrick Duffy, David Edwards and Elizabeth Fitzpatrick (eds.), *Gaelic Ireland, c.1250-1650* (Dublin, 2004), pp. 77-97.

[280] Conall MacAongusa, 'Thomond in a European Context: The Uí Bhríain Dynasty, 1450-1581', MA (UCC, 2005), details the internal struggles of the O'Briens following upon the 'surrender and regrant' arrangement arrived at in the early-1540s; Brian O'Dálaigh, 'A Comparative Study of the Wills of the First and Fourth Earls of Thomond', in *JNMAS*, Vol. 34 (1992), pp. 48-63.

[281] William Palmer, *The Problem of Ireland in Tudor Foreign Policy* (Suffolk, 1994), pp. 55-65.

[282] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, p. 31.

drawn up in 1536 and identified the MacMahon and O'Reilly lordships as areas for future government intervention.[283] Ultimately, though, problems could present themselves from even further afield and in the course of Henry's reign two such difficulties did so from the extremities of the country, specifically the earls of Desmond in the southwest and the Scots in the northeast. Particular regional problems of this nature would persist throughout the century and would see the composition of an abundance of tracts designed to combat these specific issues, tracts which often bore little resemblance to treatises emanating, for instance, from Dublin Castle, which were usually concerned with more general 'reform' initiatives.[284]

The estrangement of the Geraldine earls of Desmond from crown government was of long standing. Although Thomas, eight earl, had been appointed as lord deputy in 1463, five years later he was executed and relations between Dublin Castle and the Munster earls had stagnated thereafter. James, eleventh earl (1520-29), conducted negotiations with both Francois I and Charles V as the French king and Holy Roman Emperor variously found themselves at loggerheads with Henry VIII, leading in the French case to a formal treaty in 1523.[285] Indeed, such was the perceived seriousness of Fitzgerald's actions that a bill for his attainder was prepared in 1528.[286] This acrimony with the Desmond Geraldines continued into the 1530s with the crown variously supporting a pretender against the fourteenth earl, James Fitzjohn, as he involved himself in the Geraldine League. However, a *rapprochement* of sorts had been affected by the 1540s.[287]

In response to these oscillating relations a number of reformers suggested action against Desmond. William Rokeby, archbishop of Armagh, was quite lenient in his memorandum of 1520 when he recommended:

"That loving letters be written by the King to Desmond, Sir Piers Butler, and others…A promise should be made in Desmond's letter that if he do his duty like his ancestors, the King will give him a general pardon."[288]

Conversely the pro-Butler author of the 'Discourse', written c. 1528, was not so eager to compromise and favoured the wooing of the earl's uncles and his Gaelic allies, who might

[283] 'Notes of the five shires in Ireland, which should be obedient to the king', 1536, TNA: PRO, SP 60/3/88.
[284] For examples of this species of text, see John Merbury, 'Mixed collections, by Capt. J. Merbury, proving the necessity to make war in Connaught', 1589, TNA: PRO, SP 63/146/57; Nicholas Dawtrey, 'Propositions for the South and North Claneboys, Killultagh, Kilwarlin, and Killaleertogh, to be graunted to the chieftains in fee farm for a reasonable chief rent to Her Majesty', 1594, TNA: PRO, SP 63/174/52.
[285] James Hogan, *Ireland in the European System* (London, 1920), pp. 9-34; Declan M. Downey, 'Irish-European Integration: The Legacy of Charles V', in Judith Devlin and Howard B. Clarke (eds.), *European Encounters: Essays in Memory of Albert Lovett* (Dublin, 2003), pp. 97-117; Mary Ann Lyons, *Franco-Irish Relations, 1500-1610: Politics, Migration and Trade* (Suffolk, 2003), pp. 27-34.
[286] 'The Lord Deputy and Council to the King, Wolsey, and others', 1528, TNA: PRO, SP 60/1/66.
[287] McCormack, *The Earldom of Desmond, 1463-1583*, esp. pp. 58-74.
[288] William Rokeby, 'Memoranda for Ireland', 1520, L.P. III (i), 670.

then act in opposition to Desmond.[289] Such inflexibility was also on display in the 1530s, a result no doubt of earl James' negotiations with foreign powers at a time when the Tudor state's international position looked increasingly precarious. This ensured that a much harder stance was taken. Thomas Finglas, for instance, in 1534 suggested a forceful pacification of the earldom, now held by James' uncle, Thomas, twelfth earl (1529-34), and the attainder of his lands if he proved unreceptive to the government's wishes, while in 1536 Robert Cowley recommended that Desmond be prosecuted 'with all extremytie, as the Kinges arrogant rebell'.[290]

Yet, there was also a more accommodating element within the government. A 'remembrannce' which was directed to Cromwell in 1536 was drawn up with the intention of rehabilitating the earl and consequently re-establishing English government in Munster.[291] As such, Desmond's 'homage' to the crown was to be symbolized by a renewed payment of yearly rents into the exchequer. Sheriffs were to be reappointed throughout the earl's lands to implement the common law. Finally, there was to be an investigation into concealed lands in the southwest as 'the king hath lost moche of his right in that cuntrye' and now was 'the tyme to helpe to reforme hit'.[292]

Shortly thereafter, though, a rival claimant to the earldom, James FitzMaurice found favour at court and it subsequently became government policy to support his claim. This attitude was epitomised by Robert Cowley who in 1537 wrote disparagingly of James FitzJohn 'who pretendith to be Erle' declaring of FitzMaurice that 'it shalbe the Kinges honour he may have the better remedie'.[293] Acrimony continued through the late-1530s, however, the death of James FitzMaurice in 1540 saw a peace brokered between Desmond and the government. Thus, by 1542 John Alen, a former critic of the earl, noted 'he is of Inglish blode, and therwith a wyse man, and doth repayre to Youre Highnes to seke your mercie, grace, and favours, I have goode hope of his well doing'.[294]

One further solution to the problems wrought by Desmond's intransigence and the general problem of administering wayward regions such as Munster which surfaced at this

[289] Cowley?, 'A discourse of the evil state of Ireland, and of the remedies thereof', c.1528.
[290] Finglas, 'Report on Ireland to King Henry VIII'; Robert Cowley, 'R. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 147, p. 367.
[291] 'Remembrance for Mr. Secretary [Crumwell] for settling the Earl of Desmond's lands', 1536, TNA: PRO, SP 60/3/49 [App. no. 2].
[292] Ibid., f. 103r.
[293] Cowley, 'Robert Cowley to Crumwell', 1537, p. 447.
[294] John Alen, 'J. Alen to King Henry VIII', 1542, *SP Henry VIII*, iii, 369, p. 392. For Alen's former criticism of Desmond and support for the rival claimant, James FitzMaurice, see idem, 'J. Alen to Crumwell', 1539, *SP Henry VIII*, iii, 272, p. 137

time merits especial attention, specifically the proposal to establish a regional council in the south presided over by a provincial president. Modelled on the Councils of the North and of Wales and the Marches the first such proposal came from John Alen in 1533 when he suggested a president for Munster who would oversee a board composed of the temporal and ecclesiastical lords of the province:

"Because that Dublin, where the Kinges Counsaile doo sytt, is soo far from the said counties, and upper parties of the lande,…it were necessarie that dyvers in that parties were appoyntid as the Kinges Counsaile, and oon of theym to be President; as thErle of Ossorie, or the Lorde Thesaurer, his son, and the Archebisshop of Casshell; with theym the Busshop of Waterford, the Bisshopp of Lymeryk, the Bisshop of Ossory, the Maior of Waterforde, with the two comyssioners or justices that shalbe resident in that parties."[295]

His thoughts were seconded in 1539 when William Brabazon wrote to Cromwell on the necessity of such a body for the southern province which he envisaged would also hold jurisdiction over Kilkenny and Wexford.[296] A third supporter, John Travers, extended the scope of the proposed scheme in 1542 by suggesting not just a council in Munster but also one in Ulster.[297]

Moreover, Travers' writing appears to have coincided with efforts on St Leger's part to have an embryonic council appointed in Munster. There was no mention here of a president but what was envisaged was a council of arbitration within which the now rehabilitated earl of Desmond and the bishops of Waterford, Cork and Ross would occupy a position of prominence.[298] This would appear not to have come to fruition and in 1546 Alen reaffirmed his belief that a council ought to be established in the south.[299] It may have been this which led to a renewed effort by Henry and the privy council to arrange for the establishment of a council that year. The evidence for this is scant but it appears that the archbishop of Cashel was intended to serve as president.[300] Consequently it is legitimate to suggest that had it not been for the combined disturbances wrought by Brabazon's invasion of

[295] John Alen, 'Report to Crumwell', 1533, *SP Henry VIII*, ii, 64, p. 173.
[296] William Brabazon, 'Brabazon to Crumwell', 1539, *SP Henry VIII*, iii, 270.
[297] John Travers, 'Certaine Devices for the Reformation of Ireland', 1542, *SP Henry VIII*, iii, 382.
[298] 'Lord Deputy and Council of Ireland to King Henry VIII', 1542, *SP Henry VIII*, iii, 375, pp. 413-414. The document was subscribed by St Leger, along with two supporters of the presidency scheme, Brabazon and John Alen. 'Indenture, 26th Sept., 34 Hen. VIII., between Sir Anthony Sentleger, Deputy; James, Earl of Desmond; William Brabazon, Treasurer at War, and Under-Treasurer of Ireland; John Travers, Master of the Ordnance, and Osborn Echingham, Marshal of the Militia, of the one part, and the Lord Barre, *alias* the Great Barre; Machartymore, Lord de Rupe, *alias* the Lord Roche; Maghartie Reaghe; Tady McCormog, Lord of Musgrie; Barry Oge, *alias* the Young Barre; O'Sulyvan Beare, captain of his nation; Donald O'Challogan, chief of his nation; Barry Roo, *alias* the Lord Reade Barry; McDonogho of Allowe, captain of his nation, and Sir Gerald FitzJohn, of the other part', 1542, Cal. Carew MSS. 1515-1574, 172.
[299] John Alen, 'A note of the state of Ireland with a devise for the same', 1546, L.P. XXI(i), 915.
[300] See 'Minutes of Council, with the King's Commands', 1546, *SP Henry VIII*, iii, 448, p. 583, which recommends that a council be established at Limerick presided over by the archbishop of Cashel.

the midlands, Henry's death some months later and a change of administration at Dublin Castle that a president and council might have been appointed to Munster as early as the 1540s. The policy proposal, though, persisted and would later be implemented.

The other major regional problem which confronted the government in Henrician Ireland was the incursions of the Scots, predominantly in the shape of the MacDonnells who from the late fourteenth century had been making inroads into Antrim and other parts of Ulster. Given the antagonistic relationship between the lordship of the Isles and the kings of Scotland through much of the fifteenth and into the sixteenth century a strong MacDonnell presence, even one which encroached into parts of Ireland, was not looked at too unfavourably. However, with the reaching of an accord between James V of Scotland and the Clan Donnell in the early-1530s the MacDonnells presence in the northeast of Ireland suddenly became threatening towards the security of the wider English state.[301]

Accordingly, a number of policy proposals emanated from Ireland from the 1530s onwards on this issue. Writing in 1539 John Alen suggested a relief force of five or six ships and seven or eight hundred men to be dispatched to Olderfleet, primarily to combat the Geraldine League, but also 'to do displesur to the Scottes'.[302] Brabazon, just a few weeks before Alen, had written Cromwell urging him to impress upon the king the necessity of dispatching two ships, one eight tonne and one fifty tonne, to patrol the waters between northeast Ireland and the Isles, claiming it was the MacDonnells who were the chief strength of the northern lords in their combination against the state.[303] John Travers, some time later in his 'Devices', mirrored the under-treasurer's thoughts when he counselled that a captain should be appointed either to Carrickfergus or Olderfleet who should be provided with a galley or bark to patrol the waters between Ireland and Scotland. Furthermore the Scots inhabiting a number of castles along the sea coast, who numbered some two or three

[301] On the continuing settlement of the Scots in the North in the preceding period, see Simon Kingston, *Ulster and the Isles in the Fifteenth Century: the lordship of the Clann Domhnaill of Antrim* (Dublin, 2004); Philip Smith, 'Hebridean Settlement and Activity in Ireland, c. 1470-1568', MA (Queens University Belfast, 1993); idem, 'On the Fringe and in the Middle: The MacDonalds of Antrim and the Isles, 1266-1586', in *History Ireland*, Vol. 2, No. 1 (Spring, 1994), pp. 15-20; Jamie Cameron, *James V: The Personal Rule, 1528-1542* (East Lothian, 1998), pp. 228-254; John Bannerman, 'The Lordship of the Isles', in Jennifer Brown (ed.), *Scottish Society in the Fifteenth Century* (London, 1977), pp. 209-240; Alison Cathcart, 'Scots and Ulster: the late medieval context', in William P. Kelly and John R. Young (eds.), *Scotland and the Ulster Plantation* (Dublin, 2009), pp. 62-83; James Michael Hill, *Fire and Sword: Sorley Boy MacDonnell and the Rise of Clan Ian Mor, 1538-1590* (Athlone, 1993), pp. 5-19; Gerald Hayes-McCoy, *Scots Mercenary Forces in Ireland (1565-1603)* (Dublin, 1937), pp. 8-12.

[302] Alen, 'J. Alen to Crumwell', 1539, pp. 137-138.

[303] Brabazon, 'Brabazon to Crumwell', 1539.

thousand, were to 'be expulsed from the saide castels, and order taken that non of them be permytted to haunte nor resorte into this countre'.[304]

Travers was writing just as the danger which a growing Scottish settlement in Ireland posed was becoming most acute, for in 1542 Henry declared war on Scotland in what would lead to the Rough Wooing.[305] This was compounded shortly thereafter when Henry and Charles V allied against Francois I's France who in turn renewed the 'Auld Alliance' with Scotland. Consequently rumours began to abound of a French backed invasion of Ireland to be led by Gerald Fitzgerald, the exiled head of the Kildare Geraldines, while St Leger and the Irish council reported that French and Scottish ships were combining to commit 'dyverse hurtes' off Lambay and Carrickfergus.[306] The lord deputy's reaction was in any event limited and he simply requested two ships to 'peruse the northe partes of this lande' for French and Scottish shipping.[307] Although the alleged threat of a Franco-Scottish invasion of Ireland led by Fitzgerald remained acute no major endeavour was to be undertaken to dislodge the Scots from the northeast.

Overall the measures proposed in the few treatises and reports which contemplated the problems posed by the Scots presence primarily in Antrim and Down were remarkably unimaginative, generally, and briefly, suggesting that by placing a token garrison at some location, such as Olderfleet or Carrickfergus, and appointing a handful of ships to patrol the straits between Ireland and the Isles, any further incursions could be prevented. But, there was one suggestion put forward at this time for tightening the crown's hold on Ulster which was somewhat novel, though the primary objective in this instance was to overawe the Gaelic lords of the province and reconquer the region. This came in the 1515 'State', wherein the author – possibly John Kite – recommended that large parts of Ulster, notably in the northeast around the Ards peninsula, the Glens, Carrickfergus and the Dufferin, be conquered and inhabited by the English nobility of England and Ireland:

"Also, nowe the King maye lyghtly, with noble folke of Ingland, and of Ireland, conquere and inhabyt a greate parte of the countye of Wolster, that hathe byn conqueryd and inhabytyd

[304] Travers, 'Certaine Devices for the Reformation of Ireland', 1542, p. 432.
[305] Marcus Merriman, *The Rough Wooings: Mary Queen of Scots, 1542-1551* (East Lothian, 2000).
[306] 'The Lord Justice and Council to Henry VIII', 1544, *SP Henry VIII*, iii, 407; 'The Lord Justice and Council to Henry VIII', 1544, *SP Henry VIII*, iii, 408. The most comprehensive study of Franco-Irish relations at this time has concluded that rumours of such an invasion of Ireland in the mid-1540s amounted to mere posturing, designed to distract English resources away from more vital arenas of the war. See Lyons, *Franco-Irish Relations, 1500-1610*, pp. 59-74. Quote from 'The Lord Deputy and Council to King Henry VIII', 1543, *SP Henry VIII*, iii, 391, p. 459.
[307] Anthony St Leger, 'Sentleger to Wriothesley', 1544, *SP Henry VIII*, iii, 410, p. 507; D.G. White, 'Henry VIII's Irish Kerne in France and Scotland, 1544-1545', in *Irish Sword*, Vol. 3 (1957-8), p. 213-225 . On the role of Ireland in this international conflict, see Palmer, *The Problem of Ireland in Tudor Foreign Policy*, pp. 55-65.

with the Kinges subgettes before nowe, that is to saye the barony of Lecchahyll, the barony of the Arde, the baronye of the Dyiferens, the barony of Cragfergonnes, the barony of Bentrye, the baronye of Grene Castell, the barony of Doundrom, the baronye of Gallagh, the barony of Mawlyn, the barony of Tuscard, the barony of Glynnes, and all the remenent landes, that lyeth betwyxt the Grene Castell and the ryver of the Banne; and to exyle, banyshe, and expulsse therfro all the captaines, growen and dyscendeyd of the blode and lynage of Hughe Boy Oneyll for ever."[308]

Whether this was the inspiration for those who would later set themselves to conquering and colonising the northeast in order to prevent the Scots arrivals is uncertain, but it is of consequence that this idea surfaced at this time. As with the notion of establishing provincial councils headed by presidents to control the more wayward provinces, such policy initiatives are first to be found entering political discourse on Ireland at this time. In subsequent years they would first become increasingly favoured on a theoretical level and finally be implemented on a practical one. It is of significance when assessing the importance of the 'reform' treatises to note that these schemes appear to have been most clearly and forcefully articulated in these documents.

It is difficult to overstate the importance of this period for the subsequent development of treatise writing in Tudor Ireland and government policy there more generally. A number of foundational texts were composed between the outset of Henry's reign and the 1540s which provided commentators on Ireland down to the end of the century with the basic ideas on which nearly all policy drives and ideological persuasions would be based. Perhaps most importantly the great quandary of whether it was best to affect a conquest of Ireland through more conciliatory methods, as attempted under St Leger in the early-1540s, or by coercion, as most senior officials evidently favoured in the mid-1530s, arose at this time. This would resonate in political writings down to the end of the century and even as the Nine Years War loomed policy papers were still arriving at Whitehall variously advising moderation and mercilessness. Just as importantly, schemes such as creating provincial councils and bringing wayward districts under the greater control of Dublin Castle through the settlement of colonies of loyal English subjects also began to appear in the theoretical designs of treatise writers. Furthermore, the manner in which increased intervention in Ireland was rationalised and justified by treatise writers by denigrating both Gaelic society and the injurious effect it was having on the supposed civility of the Old English community – many of which ideas were gathered from Medieval writers such as Giraldus Cambrensis – largely has its origins in

[308] John Kite?, 'The State of Ireland and Plan for its Reformation', 1515, *SP Henry VIII*, ii, 1, p. 24.

tracts from this period. Finally, and maybe most saliently, the idea emerged in the 'reform' treatises at this time that the Pale ought to be extended, with the preferred location for expansion into being south Leinster. This call for 'reducing' the Gaelic parts of the country adjoining the Pale was temporarily shelved in favour of the brief experiment in conciliation that was 'surrender and regrant' whilst being vigorously implemented between 1540 and 1543. However, the subsequent period saw renewed urges for more coercive methods by many authors of 'reform' treatises and it was indeed this option, rather than conciliation, which was trumped for from the invasion of the midlands in 1546 onwards into the mid-Tudor period.

Chapter Three – The mid-Tudor period, 1546-1565

The period of Irish history which roughly begins with Edward VI's accession and runs through to the viceroyalty of Thomas Radcliffe, third earl of Sussex, witnessed wide sweeping changes in the political landscape of the country. Where the effective reach of the government had largely been restricted to the Pale and its immediate environs in the years following the Kildare rebellion it widened in the mid-Tudor years to embrace the rest of Leinster and large parts of Ulster and Munster. The first major, state-sponsored plantation of the Tudor age was undertaken in the midlands counties of Laois and Offaly, inaugurating a general pattern of confiscation and colonisation which would come to significantly shape Ireland over the proceeding century and a half. Finally, in Ulster the government's conflict with Conn O'Neill's son and successor, Shane, presaged the acrimony of the crown's relations with the lords of that province under Elizabeth which ultimately culminated in the Nine Years War and the Ulster plantation.

The significance of these years has consequently aroused considerable debate amongst historians of Tudor Ireland. Deliberation has specifically focused on whether the years around 1547 should be viewed as a significant tipping point in the history of the period or if the commencement of the mid-Tudor period saw very little real change in policy in Ireland. The former interpretation has a long past with scholars as far back as Philip Wilson identifying Edward's accession as marking a radical departure in Irish history, a conviction with which Brendan Bradshaw later agreed, albeit with some markedly different reasons for reaching such a conclusion.[1] D.B. Quinn also suggested that the 1550s saw a notable change in the manner in which Ireland was governed, though his interpretation was exceptional in claiming that this divergence was owing to the influence of Spanish colonial theory on administrators operating in the second Tudor kingdom.[2] D.G. White laid considerable emphasis on the incursion into the midlands in 1546 as marking something of a new

[1] Philip Wilson, *The beginnings of Modern Ireland* (Baltimore, 1913), pp. 295-426; Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, pp. 258-288.
[2] D.B. Quinn, 'Ireland and sixteenth-century European expansion', in T.D. Williams (ed.), *Historical Studies I* (1958), pp. 20-32.

departure.[3] Steven Ellis and Colm Lennon have identified 1547 as marking the beginning of a breakdown in relations between the crown and the various indigenous communities of Ireland.[4] More recently a range of historians have continued to point to the significance of the years around Henry's death in instigating a new departure in government policies.[5] The markedly more aggressive approach to governance of the midlands in particular, and the resort to colonisation there, have been pointed to as evidence for such a point of demarcation, along with increasing militarisation, generally, throughout Leinster.

In an alternative interpretation it has been posited that the arrival of the mid-Tudor period saw very little change in how Ireland was governed. Foremost here is the work of Ciaran Brady. Pointing to St Leger's periodical reappointment throughout the reigns of Edward and Mary and the adoption of many aspects of that governor's conciliatory 'reform' programme by both Edward Bellingham and James Croft, Brady has maintained that there was a marked continuity of policy into the mid-Tudor years.[6] As such, his study has sought to mirror developments in the historiography of mid-Tudor England over the past several decades by revising the traditional view of crisis, arguing instead for considerable stability and continuity in the middle years of the sixteenth century.[7] Similar to Brady in this respect is the work of Jon Crawford who has suggested there was no discernible break with the Henrician period around 1547 by placing emphasis on the development of administrative and judicial institutions from the early-1540s onwards.[8] Equally, Nicholas Canny, by stressing the novelty of the later viceroyalties of Henry Sidney, has muted the significance of the mid-Tudor period.[9]

While the argument for continuity possesses validity in some respects it is evident that the years around Henry's death and his son's accession witnessed a distinct shift in the

[3] White, 'The Reign of Edward VI in Ireland: Some Political, Social, and Economic Aspects'; idem, 'The Tudor Plantations in Ireland before 1571', I, pp. 195-235.
[4] Ellis, *Tudor Ireland*, pp. 228-277, pp. 314-320; Lennon, *Sixteenth-Century Ireland*, pp. 164-175.
[5] See, for example, Brian C. Donovan, 'Tudor Rule in Gaelic Leinster and the Rise of Feagh McHugh O'Byrne', in Conor O'Brien (ed.), *Feagh McHugh O'Byrne: The Wicklow Firebrand* (Rathdrum, 1998), pp. 118-149; Edwards, 'The escalation of violence in sixteenth-century Ireland'; Fitzsimons, 'The Lordship of O'Connor Faly, 1520-1570'; Maginn, *'Civilizing' Gaelic Leinster*, pp. 86-98; Moore, *'English action, Irish reaction'*, pp. 6-10; Emmett O'Byrne, *War, Politics and the Irish of Leinster* (Dublin, 2003), pp. 173-186; Rapple, *Martial Power and Elizabethan Political Culture*, pp. 139-150; Power, *A European frontier elite*, pp. 113-144; Montano, *The Roots of English Colonialism in Ireland*, pp. 117-122.
[6] Brady, *The Chief Governors*, pp. 45-71.
[7] M.L. Bush, *The Government Policy of Protector Somerset* (London, 1975); Jennifer Loach and Robert Tittler (eds.), *The mid-Tudor polity, c. 1540-1560* (London, 1980); David Loades, *The mid-Tudor crisis: 1545-1565* (London, 1992).
[8] Crawford, *Anglicizing the Government of Ireland*.
[9] Canny, *From Reformation to Restoration*, pp. 33-107. This is the general argument of idem, *The Elizabethan Conquest of Ireland*, however, pp. 34-36, do lay emphasis on the development of a garrison system and the introduction of plantation during the mid-Tudor period.

manner in which Ireland was governed. Clearly the militarisation of Leinster, as well as southern and eastern Ulster, in the late-1540s presents an unambiguous evidential basis for suggesting a break with the past.[10] Furthermore, the initial resort to plantation, the proliferation of martial law commissions and an increasing dependence on purveyance, or the cess as it would come to be known, to support the garrison are all features which are indicative of heightened militarisation and aggression. Evidently there were exceptions to this trend towards an alteration of policy, most crucially in the survival of the programme of 'surrender and regrant', noted by Brady.[11] Yet, even in this respect Christopher Maginn has ably demonstrated how this conciliatory initiative never regained its former verve after 1543 and survived only in a watered down, and often ineffective, form for the remainder of the century.[12]

In effect what occurred, then, from 1546 onwards was the collapse of St Leger's 'political alternative' which had sought to replace the two-tier, suzerain-vassal system operated by the Geraldines with a binding relationship between the crown and the Gaelic lords.[13] It was superseded by reliance on the military executive to control those areas immediately adjoining the Pale, above all in the midlands.[14] This was hardly unforeseeable. The previously noted campaign calling for the conquest of large swathes of Leinster foreshadowed these developments and it appears that only Henry's parsimony, and the conciliatory programme which St Leger developed as a result of that tightfistedness, prevented the drift towards militarisation as early as the late-1530s. This arrested development would be corrected in the late-1540s when, as will be seen, a number of factors combined to pave the way for a more strident, militaristic policy in Leinster, though the focus would be on the midlands when this aggressive strategy was finally opted for, not south Leinster as had been envisaged in the 1530s.

What follows is an analysis of the extant policy documents from Henry's final years, when the midlands were invaded by a government force headed by William Brabazon, up to the conclusion of Sussex's term in Ireland and the uncovering of rampant malpractice by Nicholas Arnold. This will serve to emphasise the fact that the forward strategy of

[10] Edwards, 'The escalation of violence in sixteenth-century Ireland'; Rapple, *Martial Power and Elizabethan Political Culture*, pp. 139-150.
[11] Brady, *The Chief Governors*, p. 51, argues the case that the resort to 'surrender and regrant' under Croft evinces the resilience of the conciliatory programme, yet clearly this particular policy was never as central to the political programme of subsequent governors as it was under St Leger.
[12] Maginn, '"Surrender and Regrant" in the Historiography of Sixteenth-Century Ireland', p. 565.
[13] idem, '*Civilizing' Gaelic Leinster*, p. 59.
[14] This is one of the central arguments of Fitzsimons, 'The Lordship of O'Connor Faly, 1520-1570'.

militarisation and plantation, which had been baulked at during Henry's reign, was reinvigorated and made the guiding light of policy. This will be indicated by an analysis of policy developments in Leinster and the midlands, where resort was had to plantation and militarisation, and Ulster, where government rule became gradually more confrontational, particularly in relation to Shane O'Neill and the Scots. In addition there will be considerable consideration of the manner in which the administration of the Irish kingdom, government policy therein, and political discourse in tandem, was impacted upon by the longest serving and most influential chief governor of this period, the earl of Sussex. Throughout analysis of the policy documents which were attendant upon these developments will be employed. However, before the implications of Sussex's tenure as viceroy can be explored it is first necessary to turn to the closing years of Henry VIII's reign and those immediately thereafter, for if government policy in Tudor Ireland changed dramatically around mid-century it was the result of the substantial expansion of the government's effective reach at this time; particularly in Leinster.

I – Leinster: Militarisation and Plantation

In the closing months of the reign of king Henry VIII John Alen composed a 'Note' on the state of Ireland. This extensive treatise bears many of the hallmarks of a typical tract on Ireland, including a geographical description of the country and recommendations that administrative reform be encouraged in the regions, specifically through the creation of a provincial council at Limerick. The greater part of the lord chancellor's composition, though, was concerned with a well-worn theme, the extension of the Pale into southern Leinster. As seen, this pre-occupation with the lordships of the O'Byrnes, O'Tooles and MacMurrough Kavanaghs was rampant in the late-1530s and continued to attract attention in correspondence between Dublin and London in the early-1540s. What is unusual about Alen's treatment of this subject was his introduction of an element which had only been mentioned briefly in previous tracts on Leinster. As such he noted that 'it wer almost as facile to reduce Laynster to a lawe as O'Chonor to the state he was in fyve or sixe years paste'.[15] Alen's tract, with its inference that Brian O'Connor Faly, head of the midlands sept, might be reduced, could be considered prophetic were it not for the author's centrality to the process whereby sustained government intervention in Laois and Offaly was initiated.

[15] John Alen, 'A note of the state of Irelande with a dyvise for the reformation of the same', 1546, TNA: PRO, SP 60/11/53, f. 156r. The tract is also calendared in L.P. XXI(i), 915.

The events immediately leading up to the first foray into the midlands have been detailed elsewhere and need only be sketched in the briefest of detail.[16] St Leger was recalled in 1546 to answer a series of complaints which ranged from charges of factionalism to corruption and to resolve a running feud between himself and Ormond. Attempts at sabotaging the lord deputy may well have been orchestrated by a group of high ranking individuals including Ormond, Alen, Walter Cowley and the man serving as lord justice in St Leger's absence, William Brabazon. In London St Leger emerged victorious with his noble accuser falling victim to food poisoning and Alen and Cowley variously suffering removal from office and imprisonment.[17]

However, the lord deputy returned to an Ireland where events had proceeded apace without him. During his absence Donough O'Connor had launched an incursion into Kildare, perhaps owing to displeasure at the stationing of Henry Cowley at Carbery Castle on the Offaly frontier in 1544.[18] Brabazon's subsequent decision to use this isolated incidence of unrest as a pretext for a general invasion of the O'Connor and O'More lands was one of the most significant moments in mid-Tudor Ireland. Far from being a transitory campaign on the edges of the Pale, Brabazon proceeded to fortify and garrison O'Connor's castle of Daingean and the O'More stronghold at Ballyadams. On his return to Ireland St Leger did not reverse these first tentative steps towards the establishment of a network of garrisons throughout Leinster. Furthermore, following Edward VI's accession St Leger was replaced in the viceregal office by Edward Bellingham whose time in government was substantially affected by the bellicose attitude of Somerset's regime, along with, it would seem, a pair of policy documents drawn up by Brabazon in 1547 advocating that the aggression he himself had displayed in the midlands be continued.[19] Here he returned to what he noted was a very old theme, specifically the plan to 'reduce to obedience…this Leinster'.[20] Claiming that more highly placed officials in Ireland had written on this topic than there was paper available he

[16] See, for example, David Edwards, 'Malice Aforethought? The Death of the Ninth Earl of Ormond, 1546', in *JBS*, Vol. 3, No. 1 (1986-87), pp. 30-41.
[17] Ibid.; idem, 'Further Comments on the Strange Death of the 9th Earl of Ormond', in *JBS*, Vol. 4, No. 1 (1997), pp. 58-64.
[18] idem, 'The escalation of violence in sixteenth-century Ireland', p. 67.
[19] Brabazon, 'A note giuen to Mr Bellingham, the worthie generell anno primo E. 6th', 1547; Maginn, 'A window on mid-Tudor Ireland: the 'Matters' against Lord Deputy St. Leger, 1547-8'. The latter document was most likely composed by Brabazon and is a list of 139 allegations proffered against St Leger. It's relevance to the midlands lay in a number of articles at the end (132-139) which specifically criticised the conciliatory approach and questioned whether a reformation of parts of Leinster should have been attempted in years gone by. The significance of these documents and their possible influence on Bellingham's government has previously been pointed to by White, 'The Reign of Edward VI in Ireland', pp. 199-202.
[20] William Brabazon, 'A note giuen to Mr Bellingham, the worthie generell anno primo E. 6th', 1547, BL, Lansdowne MS. 159, f. 31r.

lamented ‘yet it is as it was’.[21] The under-treasurer and sometime lord justice would have this disappointment alleviated in the succeeding years. From this point can be traced the process whereby Leinster was very rapidly militarised, while the war which intermittently ensued from this date between the crown and the midlands septs would eventually result in the plantation of Laois and Offaly.

While the first attempts at developing the plantation did not materialise until 1550, and even then proceeded quite slowly through to the 1560s, the militarisation of a wide arc of land spanning outwards from the Pale and embracing much of Leinster and south Ulster occurred very rapidly. The most visible sign of this advance was in the appointment of a network of seneschals, sheriffs and constables to oversee the establishment of garrisons throughout an area stretching westwards to the Shannon and as far north as Carrickfergus. These regional commanders were established as overseers in certain lordships within which it was envisaged the system of Gaelic exactions would be expediently remitted into seneschals’ dues.[22] The ensuing resources would then be utilised to support the wards and garrisons under the various commanders whose role was to establish control over the surrounding countryside.[23] This process was articulated most succinctly at the time by Walter Cowley in a number of policy documents he addressed to Bellingham in the course of 1549.[24] Writing a detailed letter from Wexford in January he recommended a significant programme of fort construction, with Roscommon, Athlone, Carlingford, Carrickfergus, Nenagh and Sligo all earmarked as locations for garrisons, with those in the midlands to be continued and a mobile force to be employed between Cork, Kinsale and Youghal.[25] Elsewhere, in a specially composed ‘Device’ Cowley elaborated on the manner in which he envisaged that the north Munster countryside would support a regional commander at the abbey of Wony, in this instance noting that he should:

“haue the Rians, Doyers, bothe the Ormonds, the Meaghers, Are, Rourkes and Breanes in this side the Shennon, to beare a certaine contribution to him yerly, leving by estimacion half

[21] Ibid.
[22] For examples of the dues which it was expected would be remitted to the various regional commanders, see ‘An order taken between the Constable or Captain of Leighlin, and such as inhabit the parcels that are appointed territory under the rule of the same, at Waterford, the last of April, in the time of Sir James Croft’, 1552, Cal. Carew MSS. 1515-1574, 196; ‘An order taken by the Lord Deputy and Council the last of April, anno regni Edwardi sexti [sexto] 1552, between the Constable of Catherloghe and those which do inhabit the parcels appointed territory under the said Constable’, 1552, Cal. Carew MSS. 1515-1574, 197.
[23] Edwards, ‘The escalation of violence in sixteenth-century Ireland’; Rapple, *Martial Power and Elizabethan Political Culture*, pp. 139-150.
[24] *DIB*, s.v. Cowley, Walter.
[25] Walter Cowley, ‘Walter Cowley to the Lord Deputy Bellyngham’, 1549, TNA: PRO, SP 61/2/12, f. 23.

such certaine contribucions to the captaynes of the countries there, and bynding theim for their rate to haue ther stables and a certaine standing housholde."[26]

Cowley proceeded to recommend the extension of this system throughout Leinster remarking that, where established, seneschals were to 'be at the chardges of the countre for the keaping of them in quyete'.[27]

Such a course of action was not particularly original. Its theoretical conception was largely to be found in the multitude of policy documents on the 'reduction' of Leinster produced most feverishly in the late-1530s, but also in the intervening years, albeit with less regularity. Equally, there had been some tentative steps towards actually establishing pockets of military force to oversee areas distant from Dublin, the most conspicuous example being William St Loe's appointment to Wexford in the 1530s. What differentiated those earlier developments from what transpired in the early years of Edward's reign, however, was the scale on which it occurred.

The most conspicuous sign of this advance was in the establishment of the two midlands forts at Daingean in Offaly (later Fort Governor) and Fort Protector in Laois following Brabazon's incursion there. In the course of the following three to four years an effective network of garrisons and settlements were established in a wide arc emanating outwards from the Pale at such key locations as Athlone, Leighlin Bridge, Wexford, Wicklow and Dungarvan, along with Newry, Lecale, Dundrum and Carrickfergus in Ulster.[28] Overseen

[26] idem, 'Device by Walter Cowley for reformation of certain exactions in the country of Cahir M'Arte Kavanagh, who has made a very honest offer, which is meet to be embraced and well accepted', 1549, TNA: PRO, SP 61/2/25(i), printed in Hore and Graves (eds.), *The Social State of the Southern and Eastern Counties*, pp. 281-286, p. 283.

[27] Ibid.

[28] The under-treasurer was again instrumental in extending the effective net of Dublin Castle when he was appointed constable of Athlone Castle in 1547, a post which was retained as a perquisite of office by his successors at the head of the treasurer. *DIB*, s.v. Brabazon, Sir William; Harman Murtagh, *Athlone: History and Settlement to 1800* (Athlone, 2000), pp. 36-42. John Brereton was established as seneschal of Wexford in 1547 and was followed shortly thereafter in that office by John Issam. See *Fiants, Edw. VI*, 8, for Brereton's grant of the office of seneschal. 'Lord Deputy and Council of Ireland to the Privy Council', 1548, TNA: PRO, SP 61/1/125, gives notice of Issam's appointment. Early in 1548 Thomas Alen was appointed constable of Wicklow castle, while that Autumn Robert Dillon, operating out of Athlone, campaigned into eastern Connaught. See *Fiants, Edw. VI*, 138, for Alen's grant of the office of constable. *DIB*, s.v. Dillon, Sir Robert; Robert Dillon, 'Robert Dillon to the Lord Deputy Bellingham', 1548, TNA: PRO, SP 61/1/106; idem, 'Robert Dillon to the Lord Deputy Bellingham', 1548, TNA: PRO, SP 61/1/109. Anthony Colclought was selected to oversee and fortify Leighlin Bridge in 1549 in the same county, Carlow, where Brian Jonys and Robert St Leger were established as important regional commanders. *DIB*, s.v. Colclough, Anthony; *Fiants, Edw. VI*, 249; *Lib. Muner.*, I, pt. 2, p. 118. Early in 1550 Peter Dalton was appointed to oversee the Daltons' country in Westmeath, a county which experienced further incursions in the following months owing to land grants to Brabazon and others. See *Fiants, Edw. VI*, 464. For grants of land to William Brabazon, William St Loe and Francis Digby, respectively, see *Fiants, Edw. VI*, 778, 787, 817. In Ulster Nicholas Bagenal, Andrew Brereton and Roger Brooke were established at Newry, Lecale and Dundrum, respectively, while in Munster some sporadic appointments in the shape of James Walsh and Andrew Wyse as constables of Dungarvan and Limerick were made. For Bagenal's grant of Newry, see *CPRI*, p. 228-229; Bagenal, 'Sir Nicholas Bagenal, Knight-Marshal'.

by a cadre of seneschals and constables, from 1556 these were also often operating under commissions of martial law and had increasing resort to purveyance to supply their forces.[29] Many of these officers and subsequently their successors in those offices, individuals such as Francis Agard, Nicholas Malby, Nicholas Bagenal, Thomas Alen and William Piers, were to become significant authors of treatises.[30]

Moreover, this process, whereby the borders of the Pale were pushed outwards, is especially significant given that it was the culmination of several decades of conceptualising on the part of officials in Dublin and elsewhere. This had manifested itself earlier in the repetitive calls for action in Wicklow and Carlow, the ubiquitous 'reduction' of Leinster. The resonance of that earlier campaign with this later process of expansion was exhibited most sharply in a series of memoranda which were produced by the Alen brothers, John and Thomas, during Mary's reign which repeated much of the arguments of the 1530s concerning the necessity of a forward strategy.[31] The difference in the programme of militarisation which was advocated at both times was that when it was finally put into practice from the late-1540s onwards it was to be on a much broader scale than previously expected.

Central to these proceedings was the development of the settlements in Laois and Offaly. Originally restricted to the two military strongholds established by Brabazon, thoughts on how to develop the area evolved into the late-1540s and early 1550s, driven by continuing conflict between the state and a number of the midlands septs such as the O'Connors, O'Mores and O'Dempseys. The idea of establishing settlements entered this discourse as early as 1547, but this was complemented by alternative, and ancillary, policy proposals. Thus, for instance, John Alen writing a very brief memorandum to the comptroller

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For a full account of the controversy which ensued from Brereton's appointment, see 'The Council in Dublin to the Privy Council', 1551, TNA: PRO, SP 61/3/25. See *Fiants, Edw. VI*, 558; 772, for the respective grants to Walsh and Wyse. Wyse succeded his father who had held the Limerick office since 1523 and surrendered it in 1551. See *Lib. Muner.*, I, pt. 2, p. 116. Robert St Leger had been constable of Dungarvan since 1544 before Walsh was appointed. Ibid., p. 123.

[29] Edwards, 'Beyond Reform'; Brady, *The Chief Governors*, pp. 209-244.

[30] See, for example, Francis Agard?, 'Necessarie thinges to be considered of concerninge the quiett mantennance of the state of Munster', 1574, BL, Cotton MSS. Titus B XII, ff. 160v-164r; Nicholas Malby, 'An opinion touching the government of Ireland, foreign invasion only excepted', 1579, Cal. Carew MSS. 1575-1588, App. 8. On the increasing prominence of the garrison figures to the Irish set-up, see Rapple, *Martial Power and Elizabethan Political Culture*, pp. 144-150. Also, see Michael Quinn, 'Francis Cosby (1510-80), Stradbally, Queen's County and the Tudor Conquest of Ireland', in *History Ireland*, Vol. 14, No. 5 (Sep.-Oct., 2006), pp. 20-24, for a case of study of one of these figures.

[31] John Alen, 'A discourse of the power of Irishe men in Leynster', c. 1556, BL, Lansdowne MS. 159, ff. 21-23 [App. no. 11]; Thomas Alen, 'Matters for the good government of Ireland', 1558, BL, Lansdowne MS. 159, ff. 72-79 [App. no. 13]. The latter tract is largely a reworked version of the 'Memoriall' drawn up by the Irish council in 1537 to convince Henry of the wisdom of a forward policy in Leinster. See 'A Memoriall, or a note, for the wynnyng of Leynster, too bee presented too the Kynges Majestie and His Graces most honorable Counsayle', 1537, *SP Henry VIII*, ii, 162.

of the household, William Paget, in 1548 recommended the transplanting of the principal O'Connors and O'Mores to Boulogne and Calais where 'if they wer killid the king had lost neuer a true man, and long from hens'.[32] Conversely, reconciliation with the Gaelic Irish of the region remained a possibility throughout the period with pardons being granted even while Cowley was conducting a survey of the territories as a preliminary to plantation.

Nevertheless, settlement remained the preferred solution to the midlands question and it was at the heart of a small, but significant, proposal from which the roots of the plantation of Laois and Offaly can be traced. This was drawn up in 1550 by a group of individuals representing a diverse range of figures from Irish political life. Central were a clique of high ranking political figures, notably Gerald Aylmer, Thomas Luttrell, Patrick Barnewall, at that time master of the rolls, John Travers and Richard Aylmer, while other individuals of a military background or otherwise, such as Oliver Sutton, Giles Hovenden and Francis Cosby, who were to become prominent figures in their own right, were also involved. The initiative they favoured was confined to Laois where they requested to have all lands to them and their heirs with the exception of some small parcels which would be reserved to Lea and Carlow castles and the king. Then they stated that despite the wasted state of those lands they would:

"yelde yearely to the king's matie after Mychelmas come twelve monneths six hundreth pounds Yrishe, and shall from Michelmas nexte kepe the fforte ther vpon ther owne proper costes and chardgs and from Ester nexte forwarde no more to be ther at his highnes chargs to fyftie men."[33]

This scheme bears a marked similarity to that put forward by Brown, Devereux and Keating for Wexford over a decade previously, but unlike in that instance tangible results ensued. Indeed many of those involved had received leases in the midlands over the twenty-four months prior to the joint application for Laois.[34] Clearly, following presentation of their 'Offers' late in 1550, the county was not made over to the group wholesale, however, this should not lead to a diminished view of the proposal's importance either. While the project might not have been adhered to in the manner envisaged it did set in motion the granting of a substantial number of individual leases, in February and March of 1551, just a few months

[32] John Alen, 'Lord Chancellor Alen to Mr. Comptroller Sir William Paget', 1548, TNA: PRO, SP 61/1/129, f. 230r [App. no. 4].
[33] 'Offers of Gerald Aylmer, Sir John Travers, and others, for the inhabiting and cultivating of Leix, Irry, Slewmarge, and other possessions of the O'Mores', 1550, TNA: PRO, SP 61/2/69, f. 198r [App. no. 6].
[34] See, for instance, *Fiants, Edw. VI*, 407, for a grant of lands in Laois to Gilves Hovendon.

after the document was drawn up.[35] Moreover, of the twenty-three names appended to the application thirteen received plots either in Laois or Offaly.[36] If the impact of the 'Offers' has generally been muted by historians it is perhaps owing to the fact that the principal organisers of the application, civic officials such as the Aylmers, Barnewall and Luttrell, were amongst those who did not receive lands in the midlands. Rather the beneficiaries were those whose names appeared further down the list of signatures on the 'Offers' who, in keeping with the settlement's role as a military colony, were primarily soldiers and local landowners.

The grants included stipulations which would become staples of English colonisation in Tudor and Stuart Ireland including obligations to improve the built environment, provide for the defence of the region and introduce English social and cultural norms, but the lack of prior planning marked the midlands initiative at this early stage as quite distinctive from later endeavours.[37] Furthermore, despite Croft's desire to create copyholds, shire the two counties and foster the growth of the common law, the incipient colony remained simply a series of sparse settlements located around what were primarily military outposts.[38] Thus, while some tangible steps towards the establishment of a colony in the midlands counties were taken under St Leger and his near successors in chief office, these were limited and did not meet with the expectations of some of the theorists of such a settlement.

It was this lack of coherence in the development of the plantation which prompted Edward Walshe to compose a series of 'Conjectures' in 1552 on the midlands question and also colonial policy in Ireland more generally.[39] Here he argued that the law had to be fostered in order to produce a densely populated colony:

"For without that lawe a fewe havinge the Lande they shalbe weke the lande shalbe wast and an endles cry shalbe to the kinge for helpe and so for savinge to the kinges maiestie after cowleyes opinion a little some of rent wherby the plantinge of men can not be thicke the kinge shalbe at contynuall chardges and thinges shall contynue in an vncertaynty example of leyse and offayly."[40]

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[35] *Fiants, Edw. VI*, 661-736, are primarily concerned with leases of land in the two counties in February and March of 1551.

[36] *Fiants Edw. VI*, 407 (Giles Hovendon), 661, 944, 954 (Mathew Kyng), 662 (William Iarbard), 673, 685 (William Hydney), 693, 1143 (Oliver Sutton), 696 (Thomas Smythe), 697 (Anthony Colclought), 699 (Thomas Jacob), 716 (Henry Wyse), 724 (Francis Cosby), 735 (Roger Brooke), 740 (Walter Peppard), 741 (John Travers),

[37] See, for example, a lease of lands in Offaly to Redmund Óge Fitzgerald, *Fiants, Edw. VI*, 732, which stipulated that the O'Connors were not to inhabit the granted lands, sufficient weapons were to be retained for the king's service, a contribution towards the cess, and towards the fort at Daingean, was to be borne and Fitzgerald was not to be absentee.

[38] James Croft, 'Instructions for Mr. Wood to be declared to the Privy Council', 1551, TNA: PRO, SP 61/3/54, f. 159v.

[39] *DIB*, s.v. Walshe, Edward.

[40] Quinn (ed.), 'Edward Walshe's '*Conjectures*' concerning the State of Ireland', p. 315.

Citing the classical Roman precedent of establishing thickly populated colonies on small areas of land, Walshe went on to opine that plantations in Ireland should also be densely settled, unlike what was occurring in Laois and Offaly.

Walshe's tract – the incidental importance of which for the history of colonisation in Ireland has been traced by D.B. Quinn – stands as a sharp critique of the half-heartedness with which the settlement policy in the midlands had been followed and of the unruly state of the colony in the early-1550s.[41] Yet, despite being addressed to Northumberland, it appears to have had little, or no, discernible effect. Indeed the years between the Waterford man's writing and the appointment of Sussex in 1556 saw little headway made in reinvigorating the initiative while the fortunes of the O'Connors and their Gaelic neighbours were actually buoyant at this time.[42]

The midlands enterprise was ostensibly lent a new lease of life upon Sussex's appointment in 1556, which proved to be almost entirely artificial. It was concluded that the native Irish were to be granted one-third of all lands in the counties, a reservation of sorts which would be located on the western extremity of the midlands. The remaining lands would be distributed amongst Old and New English settlers, with provision also made for supporting the forts by assigning three ploughlands to each. Grants came with stipulations to create freeholds, cut passes and generally provide for the defence of the colony.[43] The new dispensation was copper-fastened in 1557 by acts of parliament which invested ownership of the planted lands to the crown and saw the erection of the two counties into shire ground as Queen's county (Laois) and King's county (Offaly), with the settlements around Fort Protector and Daingean renamed Maryborough and Philipstown, respectively.[44]

Despite these promising beginnings the rekindled plantation policy was shortly extinguished yet again as negotiations broke down with the O'Connors and O'Mores. In response Sussex attempted to strong-arm the natives into submission, a policy which backfired spectacularly and resulted in years of intermittent conflict between the septs and the garrisons headed by Henry Radcliffe, Francis Cosby and Henry Cowley. During this period

[41] Ibid., pp. 303-314.
[42] Fitzsimons, 'The Lordship of O'Connor Faly, 1520-1570', pp. 222-225; White, 'The Tudor Plantations in Ireland before 1571', I, pp. 332-341.
[43] 'Orders for Leix', 1556, TNA: PRO, SP 62/1/19; 'Orders for the holding of the English that shall be placed in Leix', 1556, TNA: PRO, SP 62/1/20; 'The consignation of Leix', 1556, TNA: PRO, SP 62/1/21; 'Division of Offaley', 1556, TNA: PRO, SP 63/7/62. The correct dating of the latter document, which has been misdated in the calendar of the state papers is found in White, 'The Tudor Plantations in Ireland before 1571', I, pp. 380-384. On these developments, see Dunlop, 'The Plantation of Leix and Offaly', pp. 67-68; Susan Doran, 'The political career of Thomas Radcliffe, 3rd Earl of Sussex, 1526?-1583', PhD (London University, 1979), pp. 91-93.
[44] Dunlop, 'The Plantation of Leix and Offaly', p. 69, reprints the act.

of unrest the plantation was not advanced past the planning stage arrived at throughout the course of 1556 and 1557.

This period of uncertainty witnessed the articulation of a number of different solutions to the midlands war, which offered radically different interpretations on the plantation there. The first of these was written in November of 1556 by John Alen. The former lord chancellor may well have been familiar with Walshe's earlier strictures given that his scheme centred around the erection of a small number of towns which would be well populated and best suited for securing the two counties. The inhabitants were preferably to be of English birth, but at least of English descent, while racial segregation was to be enforced. There was an overtly militarised aspect to Alen's enterprise, whether it was in the recommendation that the towns be settled 'vpon the borders and towardes the fastnes' or his remark that 'the more manlie inhabitants the better'.[45] Clearly such pronouncements were not indicative of a civilian colony. There were also extensive details on the erection of ditches, creation of freeholds and provisions for the forts, with a further stipulation that absenteeism not be tolerated in any fashion.[46]

If Alen's memorandum, given its emphasis on a strong, military colony, represented one of the more extreme solutions to the long-running midlands problem, that of Cormac MacBrian O'Connor certainly expressed the more conciliatory alternative. O'Connor's is one of the most unusual extant treatises. While there were a smattering of treatises composed throughout the century by Gaelic writers, notably Edmund Sexton, Miler McGrath, Turlough O'Brien and Francis Shane, these were all establishment figures acting in co-operation with the Tudor government.[47] O'Connor, though, was associated with the most unruly elements in the midlands, his father having been imprisoned in Dublin Castle since 1554. No writer at equal odds with the Tudor government in Ireland appears to have attempted so brazenly and explicitly to proffer advice on how that government should conduct its business. Writing towards the close of the 1550s O'Connor attempted an analysis of the root causes of the unrest in his native region, a study the kind of which was conspicuously absent from most tracts on Laois and Offaly at this time. O'Connor presented the problem in simple terms; law and order had not been fostered in the midlands:

[45] John Alen, 'Instructions touching Ireland', 1556, BL, Lansdowne MS. 159, ff. 27-29r, f. 27r.
[46] Ibid., f. 27v.
[47] See, for example, Miler McGrath, 'Book set down in writing by the Archbishop of Cashel by Her Majesty's express commandment declaring the state of Ireland', 1592, TNA: PRO, SP 63/164/46; Francis Shane, 'A brief discourse by Francis Shaen, declaring how the service against the northern rebels may be advanced, and the Connaught tumults in some sort repressed', 1597, TNA: PRO, SP 63/198/124 [App. no. 67].

"The first and moste notable cause wherfor thos two contrees of Aphaly and Leyse, and all other the lyke, haue transgressid and lyvid withowt order or rule was, and yet is, by cause ther was never lawe mantay, civill order proscribed vnto them, nor the people edified nor instructyd in the knowledge of god."[48]

This was clearly a simplification but one which served well O'Connor's purpose, to have 'the restitucion of those 2 contrees with all other possessions therto belonginge to me, and to myn heires, and to the O'Mors'.[49] Pointing to the money that could be saved and the resources that might be directed towards more pressing problems in Ulster, the Irishman essentially called for the abandonment of the plantation scheme.

Yet, it has been noted, that Cormac's petition was highly anachronistic, pre-supposing that O'Connor power was still strong enough by the end of the 1550s to act as the lynchpin of stability in the midlands that it had once served as in the 1530s.[50] Inevitably, though, it was not awareness of this fact that led to acceptance of the more aggressive solution in the midlands, but Sussex's continuing preference for a military-style colony, a belief he clearly articulated in 1562 when he opined that for Laois and Offaly;

"it will be needful to continue an England born captain, as there now is, to have the charge and guarding of those counties with the two forts in them, and to have the order and government of the foresaid seven Irish countries adjoining; and for his better maintenance to have in ordinary wages 40 horsemen, 200 footmen, and 200 kerne, whereof 20 horsemen, 100 footmen to be placed in the fort in the Queen's county, 20 horsemen, 100 footmen to be placed in the fort in the King's county, and the 200 kerne…and in all extraordinary causes he may be speedily assisted by the principal Governor, as the case shall require." He must have authority to execute martial law."[51]

As a result of this preference when the plantation was finally initiated in 1563 it was dominated by the army. White estimates that of 88 grantees over half were associated with the military.[52] Irish grantees, though not corralled into a reservation-type segment as the Marian scheme had proposed, were limited to those who had either conformed or received pardons. Furthermore, the plantation ensured that the Irish were polarised between conformist landholders and landless tenants with little rights to the areas they occupied.[53] This latter element did not long remain tranquil and as early as 1564 the intermittent conflicts between

[48] Cormac MacBrian O'Connor, 'A device for the government of Ireland showing by what means the countries of Offaley and Levx, and the ten countries adjoining to them may be brought to peace and quiet', c. 1559, TNA: PRO, SP 63/1/84, f. 204r [App. no. 15].
[49] Ibid.
[50] Fitzsimons, 'The Lordship of O'Connor Faly, 1520-1570', pp. 228-229.
[51] Sussex, 'The opinion of the Earl of Sussex Lieutenant-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, p. 338.
[52] White, 'The Tudor Plantations in Ireland before 1571', II, p. 51.
[53] Fitzsimons, 'The Lordship of O'Connor Faly, 1520-1570', p. 230.

disaffected O'Connors, O'Mores, and others, and the crown colony, which would characterise the plantation for the remainder of the century, had erupted. Thus, the midlands settlement, by the end of the period under consideration, had not advanced much beyond being a beleaguered military colony, reliant upon Dublin castle and Whitehall for subventions that would ensure its survival.[54]

From the above it is safe to conclude that a significant change in government policy occurred from the late-1540s. In 1546 Dublin Castle's sway did not extend far beyond the four county Pale, the second Pale extending from Kilkenny southwest into Cork and some isolated pockets in Wexford. Conversely, in the years which followed there was an extensive chain of regional garrisons overseen by a coterie of seneschals and constables established. This extended as far north as Carrickfergus, westward to the Shannon and south into Munster, with Leinster, in particular, experiencing a high degree of militarisation and was augmented by the establishment of the first major state-sponsored plantation of the Tudor period in the midlands counties. That colony, though, remained in a nascent state and as such it was earmarked for revitalisation when a new dynamism was leant to crown government in Ireland in the latter half of Mary I's reign. This occurred with the appointment of Thomas Radcliffe, lord Fitzwalter, and soon to be third earl of Sussex, as viceroy in 1556.

II – Sussex and Political Discourse

From its very inception in 1556 Sussex's viceroyalty was fundamentally different from that of any of his near predecessors in office. Heir apparent to the earldom of Sussex, and earl in his own right from 1557, Radcliffe was the first aristocrat appointed to govern Ireland since the Kildare rebellion over twenty years earlier. The increased prestige he enjoyed as a magnate serving as viceroy and the consequent manner in which this translated into a more powerful remit in Ireland was exhibited in the fact that while serving there for the better part of a decade he enjoyed the title of lord lieutenant, a distinction and position of authority which was only exercised effectively by two others in the sixteenth century; Surrey in the early-1520s and the second earl of Essex at the height of the Nine Years War.[55] What was more Sussex came to the viceregal office with at least some conception of how he intended to

[54] On the subsequent history of the colony, see Ibid., pp. 232-234; White, 'The Tudor Plantations in Ireland before 1571', II, pp. 115-162; Carey, 'The End of the Gaelic Political Order', pp. 237-248; idem, 'John Derricke's *Image of Irelande*, Sir Henry Sidney and the Massacre at Mullaghmast, 1578'.
[55] As noted previously Henry Fitzroy also served nominally as lord lieutenant from 1529. See *ODNB*, s.v. Fitzroy, Henry.

govern Ireland, an agenda of sorts, which he refined into a systematic programme by the early-1560s.[56]

This was in stark contrast to the other mid-Tudor governors. Brabazon, for instance, clearly believed consolidation of the government's hold on the midlands should be its primary objective but he never served as anything other than an interim lord justice. Conversely, the man he attempted to convert to this principle through his policy documents of 1547, Bellingham, was a military man sent to oversee a war which he did not create.[57] As such, despite the manner in which he has, with few exceptions, been depicted as a bellicose character, it is difficult to ascertain what his actual views on Ireland were, particularly so since there is no extant treatise or overt statement of his thoughts on Ireland.[58] In a similar vein to Brabazon two other interims governors, Thomas Cusack and Gerald Aylmer, were not in a position to impose their own vision of policy on Ireland and, as will become clear momentarily, there is actually evidence to suggest that figures such as these, and Aylmer in particular, were becoming quite disaffected with the administration as the 1550s progressed.

Though serving as lord deputy James Croft, too, was not in a position to shape government policy in Ireland in the manner which Sussex later would. There is at least one instance of him earning a stern rebuke for his own views contradicting those of Whitehall. This occurred in the fall of 1551 in response to a letter Croft had dispatched to Dudley the previous May. Here, Croft had explained the reason for the delay in erecting a series of fortifications around Cork, Kinsale and Baltimore. Citing a lack of resources and a reluctance to impinge further on those of the inhabitants, he urgently requested funds directly from Dublin to support him in his task. Expostulating further on the task of reforming Ireland he claimed that:

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[56] Brady, *The Chief Governors*, pp. 72-81.
[57] See above pp. 97-98.
[58] Bellingham was represented as such as early as the late-nineteenth century. See, for instance, Richard Bagwell, *Ireland Under the Tudors*, 3 Vols. (London, 1885-1890), I, pp. 326-345. For additional examples of studies of Bellingham which have been less than complimentary, see Wilson, *The Beginnings of Modern Ireland*, pp. 299-308; Bradshaw, *The Irish Constitutional Revolution*, pp. 259-260; Lennon, *Sixteenth-Century Ireland*, pp. 164-167. For a more recent depiction of Bellingham as bellicose, see Power, *A European frontier elite*, pp. 116-136. One of the significant exceptions is Brady, *The Chief Governors*, pp. 48-51, who has argued somewhat convincingly that Bellingham was not as bellicose as previously believed. *ODNB*, s.v. Bellingham, Sir Edward. In the absence of a policy paper composed by Bellingham, see his correspondence, which deals overwhelmingly with routine issues as the supply of the army. See Edward Bellingham, 'Lord Deputy Bellyngham to the Mayor of Drogheda', 1548, TNA: PRO, SP 61/1/57; idem, 'Lord Deputy Bellyngham to the Privy Council and the Mayor of Dublin', 1548, TNA: PRO, SP 61/1/67; idem, 'Lord Deputy Bellyngham to Cahir McArte Kavanagh', 1548, TNA: PRO, SP 61/1/104; idem, 'Lord Deputy Bellyngham to the Earl of Thomond', 1548, TNA: PRO, SP 61/1/137; idem, 'Lord Deputy Bellyngham to O'Carroll', 1548, TNA: PRO, SP 61/1/138; idem, 'Lord Deputy Bellyngham to Mr. John Issam', 1548, TNA: PRO, SP 61/1/140.

"The people of this land are they never so savage be the creatures of god, as we are, and ought of charytie to be cared for as our brethern and therto the kinges matie is their souerayne lord appoincted to governe them in all godly and cyvill ordre, through whose gouernment, if the people perish, howe greate is the bourden."[59]

He also called for wages to be paid on time and sounded a belief which he would reiterate for many years to come; that Ireland had to be reduced by means of justice.[60] The response from Edward some weeks later is revealing of just how limited the influence of many of the mid-Tudor viceroys was in comparison to Sussex's later authority. Rather than enthusiastically endorse the new governor's call for fair dealing and conciliation the king admonished him for his failure to proceed with the fortifications ordering that;

"whensoever ye are prescribed an order from vs or the lords of the counsail ye do your vttermost tobserve it, for if you woll gyve ear vnto perswasions ye shall not wante of soche there as in stede of counsaile woll travell tobase you".[61]

He was to continue with the fortification strategy as laid out by the council regardless of what appealed to his own better judgement.

Finally, there was St Leger for whom there are a number of treatises extant from this period. Nevertheless, the evidence of these and some additional correspondence points not to a figure who had a significant hand in forming and shaping policy for implementation in Ireland, but rather a man advising moderation in the face of an increasingly belligerent executive. In a letter to Cecil on 19 January 1551, for instance, he cast scorn on those who had called the earl of Tyrone a traitor at the council table noting that 'suche handeling of wylde men hathe don muche harme in Yrland', while also remarking on incidences of 'habominable murders and roberies' by government agents.[62] Furthermore, a memorandum which he submitted to the privy council prior to his re-appointment in 1550 urged handling of 'Yrishmen with the more humanite', though this was a pragmatic step 'lest they by extremytie shuld adhere to other fforen powers'.[63] Overall this tract, though dealing largely with routine issues such as the provision of supplies for the country, urged the brand of conciliation which St Leger had overseen during the heyday of 'surrender and regrant' in the 1540s. This most assuredly was not what was being implemented under Edward and it would

[59] James Croft, 'Sir J. Croft to J. Duddeley, Earl of Warwick, Lord Great Master of the Household', 1551, TNA: PRO, SP 61/3/27, f. 64r [App. no. 7].
[60] Ibid., f. 64v.
[61] Edward VI, 'The King to the Lord Deputy Croft', 1551, TNA: PRO, SP 61/3/48, f. 136r.
[62] Anthony St Leger, 'Lord Deputy Sentleger to Mr. Sec. Cecill', 1551, TNA: PRO, SP 61/3/3, f. 9v.
[63] idem, 'Remembrances for Yrelande', 1550, TNA: PRO, SP 61/2/55, f. 132r [App. no. 5].

be unwise to suggest that St Leger was programmatic in the 1550s in the manner in which Sussex would later be.[64]

In contrast to all of these Sussex, in a series of treatises which he composed throughout his long time in office, articulated clear and systematic ideas about governing the country and in many instances succeeded in having them implemented. Much of the details of these will be looked at more closely elsewhere, but in brief, these included a commitment to consolidating the government's hold over Leinster through establishment of the midlands plantation, a concurrent enterprise to advance into Ulster, principally through the erection of a provincial capital at Armagh with subsidiary garrisons at Carrickfergus, Newry and Lough Foyle, a staunch dedication to upholding the 'surrender and regrant' arrangements arrived at in the 1540s and a determination during his early years in Ireland to rid the northeast of the Scots presence. The methods which Sussex advocated to achieve these ends altered little during the near decade he was in office. Overall his belief was that extension of the cess, expansion of the garrison, the settlement of pockets of loyal New Englishmen and an increasing proliferation of martial law commissions could bring more recalcitrant areas into the orbit of the government's control. Supplementing this he urged the creation of provincial presidencies and the fostering of legal and judicial institutions as a means to anglicise the country more fully.[65]

That Sussex was single-minded in his approach towards Irish policy is clear not just from the clarity of exposition in his writings, particularly the later treatises from 1562, but also in the manner in which he appears to have stifled political consultation. The years of his holding of high office in Ireland witnessed a noticeable decline in political discourse there. This dearth of treatises on matters of high policy in the late-1550s and early-1560s has been pointed to by Brady who surmised that it was the earl's autocratic style of governance which was responsible for the phenomenon.[66] Moreover, when those with an eye to writing position papers did take up their pen at this time they more often than not concerned themselves with practical issues such as victualing or local disputes, as James Barnewell and Francis Harbert

[64] Brady, *The Chief Governors*, pp. 48-71.
[65] For some of the viceroy's numerous compositions, see Sussex, 'A present remedy for the Reformation of the North and rest of Ireland', 1556, TNA: PRO, SP 62/1/13; idem, 'The opinion of th'Earl of Sussex touching the reformation of Ireland', 1560, Cal. Carew MSS. 1515-1574, 227; idem, 'The opinion of the Earl of Sussex Lieutenant-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, Cal. Carew MSS. 1515-1574, 236; idem, 'A relation of the Earl of Sussex, in what sort he found the Kingdom of Ireland, when he came thither, and in what estate the same was *in anno* 1562, and his opinion of the reform thereof', 1562, Cal. Carew MSS. 1515-1574, 237. On the efforts to introduce administrative and judicial institutions along the lines of England, see Crawford, *Anglicizing the Government of Ireland*.
[66] Brady, *The Chief Governors*, pp. 81-82.

did.[67] Admittedly some commentators, such as the Alen brothers, John and Thomas, and John Walshe, proffered ideas on the governance of Ireland, though there is little evidence to suggest these obtained much of a hearing from the lord lieutenant.[68] Edward Walshe, for instance, was clearly prolific at this time, authoring a number of books on Irish policy, the majority of which, however, are not extant.[69] Nevertheless his bypassing of Dublin Castle to solicit Whitehall with his ideas is indicative of the lack of consultation within Ireland at this time. In a letter to Cecil in 1559 he wrote at length on his knowledge of Irish affairs and how to remedy that country's woes before requesting 'to be supported for one yere here in Englande' to act as a policy advisor.[70] This rather unusual request clearly evinces how at least this political theorist was willing to circumvent an Irish executive which was uninterested in independent policy formation to solicit Whitehall in this respect.

Thus, as Table 3.1 illustrates, the period did not witness a high level of consultation between either Dublin Castle or Whitehall with the wider political establishment in Ireland such as had occurred in the mid-to-late-1530s. The falling levels of treatise composition which had occurred in the early-1540s continued unabated into the late-1540s and early-1550s. The fact of Sussex's stifling of political commentary seems not to be borne out by the slight increase in treatise production in years such as 1559, however, the vast majority of such writings were actually being produced either by the viceroy or directly on his behalf. Furthermore, the slight increase in 1559 is explicable on the basis of the accession of Elizabeth, the beginning of a new reign obviously leading to the submission of a heightened number of treatises as Irish officials sought to influence the formation of policy under the new regime. Overall, though, the level of treatise composition remained markedly low, a development which is wholly curious for the period Sussex was in office as the expanding

[67] James Barnewell?, 'Instructions touching Ireland', 1559, BL, Lansdowne MS. 159, ff. 119-121; idem, 'Instructions touching Ireland', 1559, BL, Lansdowne MS. 159, ff. 123-124. The attribution of these documents to Barnewell follows Brady, *The Chief* Governors, p. 82. Francis Harbert, 'Articles concerning the government of Ireland, principally addressed by an Irishman of Portlester', 1558, TNA: PRO, SP 62/2/15. Also, see an anonymous tract dealing with largely administrative issues such as the perusal of the council book, and the acquisition of proper notes and records in relation to acts of parliament, hostings and the cess. 'Notes of remembrance, probably for Sir Thomas Radeclyff Lord Fitzwauter, on being appointed Lord Deputy', 1556, TNA: PRO, SP 62/1/11.

[68] John Alen, 'Instructions touching Ireland', 1556, BL, Lansdowne MS. 159, ff. 27-29r; Thomas Alen, 'Thomas Alen to Secretary Cecill', 1558, TNA: PRO, SP 63/1/9; John Walshe, 'Informacion geven [to the Privy Council] by your oratour John Walshe of Youghell in Irlande for the reformacion of th'enormities of the saide Realme', 1559, BL, Add. MS. 4,767, f. 123 [App. no. 14].

[69] Edward Walshe, 'The detection of the onely difficulte errors wherby the quenes matie and the gouernors of Yrland were hitherto deceaved and wherby the faythfull subiect were abused', c. 1563, BL, Cotton MSS. Titus B XII, ff. 207-210; idem, 'Edw. Walshe to Sir W. Cecill relative to the government of the Earl of Sussex and Sir Henry Sydney, and recommending a different policy as contained in his three books', 1559, TNA: PRO, SP 63/1/71. Walshe refers to other, evidently lost, works of his dating from these years in both documents.

[70] Ibid., f. 158v.

New English community in Ireland and the extension of the government's reach into the provinces ought collectively to have led to a growth in treatise writing. That it should have, were it not for the restrictive environment during Sussex's tenure, is borne out by the fact that the number of extant tracts entered a gradual, but tangible, upswing from the point of his removal from office in the mid-1560s which continued thereafter.

Table 3.1: Number of extant treatises for select years, 1547-1568

Year	*1547*	*1549*	*1551*	*1556*	*1557*	*1559*	*1561*	*1562*	*1565*	*1568*
No. of treatises	2	5	6	4	6	8	3	6	7	11

Source: App.

In only one area does this silencing of political discourse appear not to have pertained. This was in relation to the growing calls for the establishment of provincial councils headed by presidential officers. This had gained some adherents during Henry's reign as a means of tackling problems in regions which were comparatively geographically remote from Dublin, but in Edwards's reign it gained increasing support. Walter Cowley, writing in 1549, drew up and sent a memorandum to Bellingham wherein he recommended councils in Munster, Ulster and Connaught.[71] In 1552 Thomas Walsh, in contrast to so many of the vague 'reform' proposals written throughout the century, composed an extremely detailed treatise on the topic of establishing a president in Munster. The authority which Walsh envisaged such a figure would hold was impressive. This included, for instance, the right to investigate land tenure, establish freeholders, survey and revalue crown lands, administrative power over the eleven bishoprics in the province and power to collect all escheats, fines, customs, and other dues.[72] Moving on he listed the nine towns which a president would have jurisdiction over, stating that a prison, freeschool and court was to be established in each of these and even providing a model diagram for the latter.[73] The president was to be assisted by six councillors, two of whom would be of a legal background, a captain to head the one hundred man strong retinue which would be attendant upon the president, a surveyor, a receiver and a clerk to the council. Extensive details on the pay and victualing of both the council officers and the military retinue were given. He concluded by stating that there were numerous

[71] Walter Cowley, 'Walter Cowley to Lord Deputy Bellyngham', 1549, TNA: PRO, SP 61/2/12.
[72] Thomas Walsh, 'Report by Thomas Walsh on the state of Ireland', 1552, BL, Add. MS. 48,015, ff. 259-265r, 259-260r [App. no. 8]. Another copy of this tract is TNA: PRO, SP 61/4/72, which is, however, a truncated version of that referenced. This version, evidently owned by Robert Beale, is clearly a copy, while the original appears to have been lost.
[73] Ibid., ff. 260v-262r. The nine towns listed were Waterford, Dungarvan, Youghal, Cork, Kilmallock, Limerick, Cashel, Clonmel and Kilkenny.

theories about how to bring Ireland to a 'certaine reformacion', but that the surest means to do so was to establish a president in Munster.[74]

Support for provincial councils continued to grow through the 1550s and into the 1560s. In his 'Conjectures', also written in 1552, Edward Walshe seemed to posit that councils were necessary for each province, though he only made explicit reference to the necessity of such an institution for Munster.[75] Cusack in his 'Book' which he sent to Northumberland in 1553 sought a president for Munster, Connaught and Ulster.[76] A treatise, likely composed by St Leger in 1555, also recommended provincial councils for Connaught and Munster. In addition to a president to head these he recommended that two councillors and a secretary be appointed, while each was to be attended by a military retinue of 80 men.[77] St Leger explicitly named Clanrickard and Desmond to be appointed to the two offices, however, he also implied that a vice-presidential office would be created, and it is unclear whether it was these officials who would, in effect, exercise the presidential power, with the earls fulfilling an honorary role, or if the magnates would actually perform some tangible function.[78] Shortly thereafter the earl of Desmond proposed that councils be established composed of the lords of a given region and presided over by the earls.[79] Another tract, written slightly later in the 1550s, this one perhaps by Rowland White, also endorsed the appointment of the magnates and lords to presidential office in Ireland. Critically, though, White envisaged that these would be drawn from England. Accordingly, the earl of Warwick would be appointed to Munster, lord Grey to Connaught, Sussex's focus would now be exclusively on Ulster, with the only non-noble, Henry Sidney, to oversee Leinster.[80]

The following decade, which would witness the inception of the scheme, saw its championing by Sussex himself. He sounded his support in 1560, though his musings at this

[74] Ibid., f. 264.
[75] Quinn (ed.), 'Edward Walshe's '*Conjectures*' concerning the state of Ireland'. The explicit references to presidents are on pp. 316, 321.
[76] Thomas Cusack, 'The copy of the book sent from Sir Thomas Cusake, Lord Chancellor of Ireland, to the Duke of Northumberland's Grace for the present state of Ireland', 1553, Cal. Carew MSS. 1515-1574, 200.
[77] Anthony St Leger, 'Propositions for services in Ireland', 1555, TNA: PRO, SP 62/1/9, ff. 28v-29 [App. no. 10]. The attribution of the document to St Leger is by White, 'Tudor Plantations in Ireland before 1571', I, p. 345.
[78] Ibid., ff. 28r-29v.
[79] Brady, *The Chief Governors*, pp. 90-91; Desmond, 'James Earl of Desmond, High Treasurer of Ireland, to Queen Mary', 1558, TNA: PRO, SP 62/2/11; Robert Remon?, 'The declaration of the Earl of Desmond's chaplain, touching the abuses and government of Ireland in clerical and political affairs', 1558, TNA: PRO, SP 62/2/12.
[80] Rowland White?, 'Book of the waste and decay of the English Pale, and the cause of the same', 1558, TNA: PRO, SP 62/2/77. The attribution of the book to White is in Brady, *The Chief Governors*, pp. 81-82.

time did not extend beyond a fleeting call for councils at Galway and Limerick.[81] In 1562, though, when he set down his thoughts on Ireland at greatest length, he elaborated much further. Leinster was to continue to be governed by a handful of captains, individually overseeing specific regions such as the midlands counties and the Wicklow region, but the other three provinces were each to have a president and council. The specifics Sussex provided on how these presidencies should be established and how they would operate were inherently contradictory. In his briefer 'Relation' he recommended that martial figures be appointed in each province, with attendant councils composed of the lords spiritual and temporal and some legal officials. These were to have equal military retinues of forty men.[82] However, a remarkably different picture is presented in his extensive 'Opinion' which confirms Brady's proposal that Sussex's conception of how the office would operate in Ulster was fundamentally different to that foreseen in Connaught and Munster.[83] Here the details for the latter two provinces are markedly the same as those provided in the 'Relation', the lord lieutenant noting that they would 'use a direction differing from the President of Ulster, as he is placed in a better country, and amongst better or less dangerous people'.[84] It followed that the north would require different measures. The president there would have a military retinue of 100 horse, 300 foot, 200 kern and 200 galloglass at his disposal so that he might be 'the strongest man in Ulster'.[85] In tandem a building programme was to be commenced and the president was to oversee a severe implementation of the laws, the tone of this stricture leading to the suspicion that a commission of martial law would be involved, though this point is unclear.[86] That there was a clear consensus by the 1560s that provincial councils should be created is clear from the support the initiative garnered even amongst the Pale community, a section of the Irish populace which, as will be seen, was becoming increasingly disaffected with Sussex's administration. Thus, in the course of 1562 and 1563 Thomas

[81] Sussex, 'Articles of aduise sent from the lorde lieuftenant, from Drodagh, by Gilbert Gerrard, attorney generall', 1560, BL, Cotton MSS. Titus B XIII, ff. 12-13.
[82] idem, 'A relation of the Earl of Sussex, in what sort he found the Kingdom of Ireland, when he came thither, and in what estate the same was *in anno* 1562, and his opinion of the reform thereof', 1562, Cal. Carew MSS. 1515-1574, 237.
[83] idem, 'The opinion of the Earl of Sussex Lieutenant-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, Cal. Carew MSS. 1515-1574, 236.
[84] Ibid., p. 335.
[85] Ibid., p. 332.
[86] Ibid., pp. 332-334.

Cusack and William Bermingham both composed treatises separately appealing for the appointment of presidents for Munster, Connaught and Ulster.[87]

Thus, the growth in support for the appointment of provincial presidents during Sussex's time as chief governor is noteworthy, not just because this policy would subsequently be implemented under Sidney, but because it actually engendered some discourse in the generally barren years in that respect of the earl's lord lieutenancy. But this singular example does not negate the idea that Sussex was indisposed to open and wide political consultation, for there was one issue more than any other which came to dominate his time as viceroy, which in normal circumstances should have aroused considerable debate and yet on which there was bizarrely almost no treatises written. This was the problem posed by Ulster and specifically Shane O'Neill.

III – Ulster: Shane O'Neill and the Scots

The rise of Shane O'Neill as head of the lordship of Tír Eoghain flew from the very outset in the face of the designs of Dublin Castle. Not only was he one of Conn's younger sons and, thus, not the legitimate successor to his father's title by primogeniture, but the crown had previously reposed it's confidence in Matthew, an affiliate son of Tyrone, by acknowledging him as Conn's successor designate and elevating him to the peerage as first baron of Dungannon. However, the balance of power within the lordship shifted throughout the 1550s and by 1559 Shane had established himself as head of the O'Neills.[88] Relations between the Elizabethan government and the Ulster lord would oscillate for the remainder of Shane's life. When Shane's position was relatively strong by comparison with the crown appeasement was often favoured by Whitehall, but when the government felt in a position of sufficient strength outright opposition to the northern lord was trumped for.[89]

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[87] Thomas Cusack, 'Mr. Thomas Cusack, relative to a reformation in the government of Ireland', 1562, TNA: PRO, SP 63/5/33 [App. no. 17]; William Bermingham, 'Bermyngham's memorial of advice for the government of Ireland', 1563, TNA: PRO, SP 63/9/27 [App. no. 18].

[88] For further background, see Ciaran Brady, *Shane O'Neill* (Dundalk, 1996), pp. 22-35.

[89] For instance Shane was intermittently at war with the government up to his reception at court in 1562. Ibid., pp. 35-47; James Hogan, 'Shane O'Neill comes to the Court of Elizabeth', in Séamus Pender (ed.), *Féilscríbhinn Torna: Essays and Studies Presented to Professor Tadhg Ua Donnchadha* (Cork, 1947), pp. 154-170; Ellis, *Tudor Ireland*, pp. 238-241; Lennon, *Sixteenth-Century Ireland*, pp. 269-270; Doran, 'The political career of Thomas Radcliffe', pp. 32-69; Ciaran Brady, 'Shane O'Neill Departs from the Court of Elizabeth: Irish, English, Scottish Perspectives and the Paralysis of Policy, July 1559 to April 1562', in S.J. Connolly (ed.), *Kingdoms United? Great Britain and Ireland since 1500: Integration and Diversity* (Dublin, 1999), pp. 13-28. However, in 1563 when he reached the apogee of his power, raiding Armagh and the Pale, the crown concluded a somewhat humiliating treaty with him at Drumcree, which included acknowledgement of him as Conn's successor. See Brady, *Shane O'Neill*, pp. 48-52; Ellis, *Tudor Ireland*, pp. 241-242; Lennon, *Sixteenth-Century*

This oscillation between periods of conciliation and enmity was reflected in the political tracts composed on the subject of Shane's position in Ulster and his relationship with the crown. This discourse, as noted, is remarkable, not just for the stated dichotomy, but also for the limited nature of it. For all that Shane taxed Dublin Castle's time and resources the number of writers who actually ventured an opinion on how to deal with the Ulster lord was curiously small.

This reticence did not of course, though, extend to Sussex who became increasingly obsessed with bringing about Shane's downfall over the course of his lord lieutenancy. His foremost views in this respect are found in his major policy documents of 1560 and 1562, though clear articulations of Sussex's views in this regard are also to be found elsewhere. The foremost example of the latter is in a letter he addressed to Cecil in 1561. Here he presented a highly idealised view of an Irish kingdom which was stable with the exception of the baleful northern lord, on whose overthrow the future security of Ireland depended:

"Yf Shane be overthrowen all is setteled, yf Shane settell all is overthrown. To overthrowe him nowe wylbe a charge, to defend him when he hath overthrowen wylbe a gretter charge, And to think to deteyr him in the state he is in for a tyme is but fancye."[90]

In truth this tendency in the lord lieutenant, to perceive O'Neill as the fulcrum on which the success or failure of his viceroyalty rested, seems to have been prevalent as early as 1560 when he dispatched Gilbert Gerrard to England with some 'Articles of aduise', the very first of which stated bluntly, 'To displace Shane O'Neyle'.[91]

For the chief governor the danger posed by the Ulster lord was intrinsically tied up with that raised by the presence of faction in Ireland, as propounded in a tract he wrote in 1560. This apparently manifested itself most palpably in the re-emergence of the Geraldines under the aegis of the eleventh earl and was evinced in the provinces in the rise of Donal O'Brien in Thomond and Shane in Tír Eoghain. That these two pretenders should have scuttled the 'surrender and regrant' arrangements arrived at in Henry's day was a double affront to the crown. Responding to his own analysis Sussex recommended that the Butlers

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Ireland, pp. 270-271; Doran, 'The political career of Thomas Radcliffe', pp. 69-83. The latter action, though, was reliant upon a parliamentary statute extinguishing the Dungannon title and it was frustration at the delay in calling a parliament which might do so which led Shane to re-commence campaigning in Ulster, an act which ushered in the final phase of his relations with the Elizabethan regime. During this Shane suffered a series of military reverses and the crown consequently suspended its policy of appeasement, resolving to engage the Ulster chieftain militarily, a scenario which prevailed up to his death in 1567. See Brady, *Shane O'Neill*, pp. 52-65; Lennon, *Sixteenth-Century Ireland*, pp. 271-274

[90] Sussex, 'Lord Lieutenant to Cecill', 1561, TNA: PRO, SP 63/4/37, f. 81r.

[91] idem, 'Articles of aduise sent from the lorde lieuftenant, from Drodagh, by Gilbert Gerrard, attorney generall', 1560, BL, Cotton MSS. Titus B XIII, ff. 12-13r, f. 12r.

be promoted as a counterweight to the Geraldines, a measure which went beyond preferment of Ormond and his relatives to advancement of those regional lords which had traditionally been associated with the Butlers. Consequently, MacCarthy Mór and O'Donnell were recommended for elevation to the peerage as earls.[92]

This particular tract was composed in 1560 and beyond a general statement concerning the desirability of removing Shane from power did not elaborate on measures to be taken against O'Neill, instead concentrating on the perceived mechanics of faction in Ireland. By 1562, however, when he composed his most extensive disquisition on Ireland, his 'Opinion', Sussex was prepared to be far more expansive. Shane, he contended, had to be expelled entirely from Tyrone. The lordship should then be divided into three parts which would be granted to Henry O'Neill, Turlough O'Neill and Turlough Luineach. The central element of Sussex's settlement, though, would be located at Armagh, where a strong town was to be constructed, with a president established there. As seen, this figure was to be provided with a large military retinue and there is little doubt that Sussex envisaged a martial government for the province. Further walled towns were to be erected at Carrickfergus, Lough Foyle and Newry, while a network of castles and bridges were to be constructed along the principal lines of communication throughout the province.[93]

Sidney's approach to Shane was broadly similar to Sussex's although he had briefly flirted with the idea of more amicable relations whilst serving as interim lord justice in 1559. At this time he and O'Neill had entered into a bond of gossipric and Sidney's impression as relayed in a 'Note' by Sussex to the queen was that Shane might 'be made the best instrument in Ireland for the scourge of the Scotts'.[94] But by the eve of his appointment as lord deputy Sidney was expressing similar, if less expansive, sentiments to the erstwhile lord lieutenant's pessimistic outlook on O'Neill. His claim that Shane would 'never be reformed but by force' was a clear articulation of his standpoint, and he went on to suggest two courses, either to proceed immediately with a military campaign or to temporize until such time as the crown's position could be strengthened by fortifying Newry, Dundalk and Carrickfergus, and restoring Calvagh O'Donnell in Tyrconnell.[95] Thus, both Sussex and Sidney appear to have

[92] idem, 'The opinion of th'Earl of Sussex touching the reformation of Ireland', 1560. Also, see Carey, *Surviving the Tudors*, pp. 97-120.
[93] Sussex, 'The opinion of the Earl of Sussex Lieutenant-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562.
[94] idem, 'Notes of the Earl of Sussex to induce Queen Elizabeth to permit him to remain in England', 1559, TNA: PRO, SP 63/1/13, f. 23r.
[95] Henry Sidney, 'Sir Henry Sydney's articles for the publick affairs of Ireland', 1565, TNA: PRO, SP 63/13/46, f. 110r [App. no. 21].

held significantly similar views which encapsulated the more confrontational approach to relations with Shane.

The countervailing argument is to be found in a memorandum which was drawn up by Thomas Cusack, prior to his negotiating of a treaty with Shane on the crown's behalf at Drumcree in 1563. Here, the former lord chancellor allowed that if Shane would agree to establish peace in his domain he should be acknowledged in the title of O'Neill by the queen. Furthermore, the rights and duties he claimed over MacMahon, O'Hanlon and Magennis were to be agreed to, besides which his claims over McGuire, O'Rourke, O'Reilly and for certain lands in Tyrconnell were to be put to arbitration.[96] Finally, a standing commission was to be established to oversee the province, but far from being a check on his behaviour Shane, upon 'shewing him self a good subiect', was to 'haue principall aucthoritie and rule in that comission'.[97]

Nicholas Arnold went even further in his inference that the best means to reduce the Ulster lord was through appeasement. Writing his 'Notes' in 1565, when the orthodox view was that Shane would no longer be temporised with, Arnold claimed that 'he may become so good a subiect as hereafter her matie shall thinke mette rather to be cherisshed the throwen owt'.[98] It was the lord justice's opinion that 'the makinge of O'Nele ryche and stronge, and the assuring of him of the queenes mats favour and proteccion, woulde rather overthrowe O'Nele'.[99] In essence his argument was that O'Neill sought power in Ulster over his neighbours and through recognition of his position by the crown. It was the government's failure to grant such power which had created years of unrest in the north. Consequently, by allowing Shane to accede to the position he aspired to he could be made peaceful and amenable to English rule and in addition moulded into an ally to aid in the expulsion of the Scots from Ireland.[100]

These, then, were the two strategies, conciliation and outright opposition, available to the government in relation to Shane. Both were variously pursued in the course of the 1560s with appeasement approved of when the crown's fortunes were waning and a general preference for a military solution designed to remove the Ulster lord from power at times

[96] Thomas Cusack, 'A memorial for Sir Thomas Cusack of certain things to be declared to the Lord Lieutenant Sussex, as to means to be used to bring Shane O'Neill to submission', 1563, TNA: PRO, SP 63/8/64, f. 128. The document has been heavily annotated by Cecil.
[97] Ibid., f. 129r.
[98] Nicholas Arnold, 'Notes to be considered of, by Cecill, for the government of Ireland, sent by the Lord Justice Arnold to the Earl of Leicester and Cecill', 1565, TNA: PRO, SP 63/12/20, f. 62r [App. no. 20].
[99] Ibid.
[100] Ibid., f. 62v.

when the political and military landscape looked more favourable. Circumstances ranging from conditions in the midlands, Shane's own military strength in the north and political unrest in the Pale all played a hand in determining the government's policy from year to year, although, perhaps the most significant factor in this regard was the persistent presence of the MacDonnells in northeast Ulster, and the government's oscillating relations therewith throughout the late-1550s and 1560s.

As seen, the Scots problem had taxed successive administrations, both in Dublin and in London, as early as the 1530s. The international significance of a strong MacDonnell presence in Antrim and Down became starkly clear in the 1540s as an allied France and Scotland threatened to intervene in Ireland on behalf of a range of Irish interests, including the exiled Gerald Fitzgerald and the O'Connors.[101] Awareness of the dangers presented by this Trojan Scottish presence in Ulster, given the prevailing diplomatic situation, led the Edwardian regime to take a number of preventative measures in relation to the northeast. The appointment of a range of military figures in Ulster was in part to curb the spreading settlement of the MacDonnells, with Carrickfergus in particular acting as an advance outpost, variously headed by Ralph Bagenal, Walter Floddy and Edward Larkin as constables thereof.[102] Furthermore, Croft's initial arrival in Ireland was to oversee the fortification and defence of the southern and northeast coastline in order to secure those areas against a possible French invasion and the depredations of the MacDonnells. A campaign to Rathlin followed late in 1551, which Cusack, whose report to Warwick on the journey is the principal source for the engagement, suggested had been somewhat successful, but which in actuality ended in disaster and the release of Sorley Boy MacDonnell from imprisonment at Dublin.[103] By the end of the reign the Scots presence in Ulster was expanding rather than contracting.

Sussex's vision for northeast Ulster, in keeping with the general tenor of his programme for government, was far more ambitious. Early in 1557 he sent a response to a set of articles Mary had addressed to him in November of 1556, wherein he outlined an elaborate scheme to establish settlements along much of the northern coastline of the country.[104] It was envisaged that this vast colonisation project, which has received remarkably little attention

[101] On the negotiations between the French king and various elements among the Irish and Anglo-Irish during the reign of Edward VI, see David Potter, 'French Intrigue in Ireland during the Reign of Henri II, 1547-1559', in *The International History Review*, Vol. 5, No. 2 (May, 1983), pp. 159-180. Also, see Lyons, *Franco-Irish Relations, 1500-1610*, pp. 77-108; Palmer, *The Problem of Ireland in Tudor Foreign Policy*, pp. 55-72.
[102] *Lib. Muner.*, I, pt. 2, p. 119.
[103] Thomas Cusack, 'Thos. Cusake, Chancellor of Ireland, to the Earl of Warwick', 1551, TNA: PRO, SP 61/3/52; Hill, *Fire and Sword*, pp. 35-37.
[104] Mary I, 'Articles sent by the Queen to Lord Fytzwauter to be considered, 17 Nov. 1556', 1556, TNA: PRO, SP 62/1/22(i); Sussex, 'Opinions of Lord Fytzwauter on the above articles', 1557, TNA: PRO, SP 62/1/22(ii).

from recent historians, would centre on the major havens in the north; Carlingford, Strangford, Carrickfergus, Olderfleet, Lough Foyle and the Bann.[105] Emphasising the abundance of resources available in these areas, Sussex recommended the construction of towns and re-edification of existing castles and fortifications. Directly addressing the problems wrought by the encroachments of the MacDonnells the lord lieutenant suggested the construction of a town at Belfast to curb their incursions:

"the plac most necessary to be inhabyted at the fyrst for the expulsing of the Scotts be Belfaste, whiche standeth nere to [thene] of the water of Knockfergus, Knockfergus, Owelderflyte, the Ban and the playns of Clandeboye, lying betwext the soyd places. I would think on thowsand inhabytants that might bothe manuer the grownd and vse ther wepons for the defenc if it wer fully suffycyent for [them vaz.] banyshing of the Scotts and the quyetyng of the realme."[106]

The remainder of Sussex's memorandum focused on the provisioning of the proposed settlements across Ulster, with especial emphasis on the development of trade between the port towns and those which would be established in the interior.[107] Despite pressing for his proposal to be put into action throughout 1557 his northern colony was stillborn. Meanwhile efforts to dislodge the MacDonnells from the northeast took the conventional shape of military campaigns which the lord lieutenant conducted in 1557 and again in 1558.[108]

Sussex was not the only significant Irish figure voicing his belief in the orthodox view, that the Scots ought to be expelled entirely from Ireland, at this time. John Alen, perhaps as early as 1556, was pressing a case for the establishment of two garrisons, of three to four hundred men each, which would serve to expulse the Scots and encourage inhabitation.[109] George Dowdall, the archbishop of Armagh, suggested in 1558 that the lords of Ulster be courted to expel the Scots from the northeast:

"And to banishe the Scottes, out of the whole realme, the most easiest waye, shalbe by Pollecye, to procuer all the Irishemen, wch you call wylde Irishe, against them; And that none entertayne any parte of them ffor their warres, the one against, the other, thoroughe all the whole Realme. And alsoe those wch be there scituated aboute them in the North, As, O

[105] Ibid., ff. 71v-72r; Robert Dunlop, 'Sixteenth Century Schemes for the Plantation of Ulster', in *Scottish Historical Review*, Vol. 22, No. 85 (Oct., 1924), pp. 51-60, esp. pp. 52-54. This is a brief overview, but is still the most detailed. Also, see Brady, *The Chief Governors*, pp. 96-97. Sussex's biographer, Doran, 'The political career of Thomas Radcliffe', pp. 13-14, 96-97, briefly passed over the scheme, referring to it as a 'suggestion'.
[106] Sussex, 'Opinions of Lord Fytzwauter on the above articles', 1557, f. 73r.
[107] Ibid., f. 73r-74r.
[108] idem, 'Articles delivered to Sir Henry Radeclyff to be explained to the Queen', 1557, TNA: PRO, SP 62/1/31; idem, 'Lord Deputy Sussex to the Queen', 1558, TNA: PRO, SP 62/2/70; idem, 'Lord Deputy Sussex to the Queen', 1558, TNA: PRO, SP 62/2/71; idem, 'Lord Deputy Sussex to the Queen', 1558, TNA: PRO, SP 62/2/75; Hill, *Fire and Sword*, pp. 46-50; Doran, 'The political career of Thomas Radcliffe', pp. 12-24.
[109] Alen, 'A discourse of the power of the Irishe men in Leynster', c. 1556, f. 22r [App. no. 11].

Doneill…And O Cahan…the Captayne of Clanneboye…The Earle of Tyroon…to Travayle Daylie ffor their Banisheinge."[110]

Yet, Dowdall's proposal, made at a time when Shane O'Neill's star was on the ascendant, was proving an increasingly improbable means to solve the Scots problem. Effectively the government did not possess the strength to keep both the MacDonnells and the new lord of Tír Eoghain simultaneously at arm's length. Signs of this shifting situation are to be seen in Cormac MacBrian O'Connor's memorandum, written at the close of the 1550s, which envisaged that Elizabeth might accommodate those Scots settled in Ireland of long time, as a means to prevent any further encroachments. Furthermore, O'Connor was in favour of a renewal of the 'oulde freindshippe' which had existed between the crown and the Scots of the Isles early in Henry VIII's reign.[111]

Cormac's advocacy of a rapprochement between the Tudor state and the Scots settlers in northeast Ireland was significantly prophetic, for in 1560 a revolution of sorts in diplomatic relations between England and Scotland occurred which would have a profound effect on Dublin Castle's response to the MacDonnells presence in Antrim and Down over the coming years. This centred on the Treaty of Berwick, negotiated in 1560 between the protestant Lords of the Congregation in Scotland and the Tudor state. Under the established terms Elizabeth would intervene militarily in her northern neighbour's affairs to expel the French and consequently allow for the establishment of protestantism in Scotland. The significance of this for Irish affairs lay in a stipulation that Archibald Campbell, fifth earl of Argyll, and one of the foremost lords of the Congregation, utilise his dominant position in the western Highlands to intervene militarily in Ulster against Shane O'Neill. Accordingly the MacDonnells in the course of these negotiations suddenly became a boon to English rule in Ulster, where since the 1530s forcible expulsion of them from the northeast had been the preferred policy.[112]

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[110] Thomas Gogarty (ed.), 'The Archbishop of Armachane's Opinion touchinge Ireland', in *JCLAS*, Vol. 2, No. 2 (Sep., 1909), pp. 149-164, p. 159.

[111] O'Connor, 'A device for the government of Ireland showing by what means the countries of Offaley and Levx, and the ten countries adjoining to them may be brought to peace and quiet', c. 1559, f. 206v [App. no. 15].

[112] Jane Dawson, *The Politics of Religion in the Age of Mary, Queen of Scots: The Earl of Argyll and the Struggle for Britain and Ireland* (Cambridge, 2002); idem, 'Two Kingdoms or Three? Ireland in Anglo-Scottish Relations in the Middle of the Sixteenth Century', in Roger Mason (ed.), *Scotland and England, 1286-1815* (Edinburgh, 1987), pp. 113-138; Hill, *Fire and Sword*, pp. 57-99; Hiram Morgan, 'The End of Gaelic Ulster: A Thematic Interpretation of Events Between 1534 and 1610', in *IHS*, Vol. 26, No. 101 (May, 1988), pp. 8-32, esp. pp. 14-20; idem, 'British Policies before the British State', in Brendan Bradshaw and John Morrill (eds.), *The British Problem, c.1534-1707: State formation in the Atlantic Archipelago* (London, 1996), pp. 66-88, esp. pp. 76-80; George Hill, *An Historical Account of the MacDonnells of Antrim including notices of some other septs, Irish and Scottish* (Belfast, 1873), pp. 129-144; Hayes-McCoy, *Scots Mercenary Forces in Ireland*, pp.

However, the proposed invasion by Argyll failed to materialise as the early-1560s saw a continuous shifting of alliances between Shane, the Scots and the Tudor state.[113] Thus, although the MacDonnells were central to both O'Neills military reverses and subsequent murder in 1567 no firm footing had been found on which to ground relations between the Scots in Ireland and the Tudor state by the late-1560s.[114] This precarious situation manifested itself most tangibly in the musings of the former lord deputy, James Croft, who wrote a short memorandum in 1561 in which he stated that the decay of Ireland was owing solely to two points; the lack of laws and ministers to enforce them and;

"the great acesse that Scotts hath in to the north partes of Ireland, partely by makyng invasions to spoile the countres, but chiefly callid in by the inhabitannts of the realme to help to defende them and to revenge their wrong or to vsurpe vpon their neighbors".[115]

Despite essaying that this was one of the foremost obstacles to the 'reform' of Ireland the former lord deputy equivocated to some extent when providing a potential remedy:

"it is most necessary that the matter be deply considered, as whether it shalbe mete to extirpe all the Scotts or by degrees to put away some parts of them, and retayne parte for a tyme, or that those Scotts which be now in Conaught with the Irish lords may be taken to the princs service and that there bonaught may be borne ouer the countrey."[116]

This indecision, though, was not mirrored in what proved to be perhaps the most important position paper written on the means to be employed to remedy the Scots problem at this time. This was an extensive proposal put forward in 1565 by a group of twelve individuals. The identity of those involved is unknown, with the exception of William Piers, the constable of Carrickfergus castle, who acted as representative for the company and whose name is appended to the proposal submitted at this time.[117] Their request was to effectively be granted all of Antrim and Down in fee farm from the queen to hold free of all rents for seven years while they established a colony therein. As such they aimed to 'enter the northe parte of Ireland in the chief place of the Scotts force and expell them from all possession in that

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80-84; Palmer, *The Problem of Ireland in Tudor Foreign Policy*, pp. 73-88. For the French element to these events, see Lyons, *Franco-Irish Relations, 1500-1610*, pp. 109-130.

[113] Dawson, *The Politics of Religion in the Age of Mary, Queen of Scots*, pp. 104-110, 126-137

[114] Ibid., pp.155-165; Hill, *Fire and Sword*, pp. 115-122; Ciaran Brady, 'The killing of Shane O'Neill: some new evidence', in *The Irish Sword*, Vol. 15 (1982-3), pp. 116-123.

[115] James Croft, 'A remembrance by Sir James Croft showing the need of some to administer justice throughout Ireland, and proposing that Grammar Schools be erected, that the people may be bred to be meet for that purpose; also the dissensions in Ulster, the number of Scots, and proposals for reformation thereof', 1561, TNA: PRO, SP 63/3/17, f. 42r [App. no. 16].

[116] Ibid., f. 42v.

[117] William Piers, 'A paper [apparently by Capt. W. Pers of Knockfergus, intended to be presented to Cecill or Sussex] relating the policy of Scotland, to promote James McDonnell to be Lord of all the Isles of Scotland, with the reasons of its failure', 1565, TNA: PRO, SP 63/9/83 [App. no. 19]; *DIB*, s.v. Piers, William.

realme'.[118] In tandem they would assist Calvagh O'Donnell in regaining a foothold in Tyrconnell, while it was further propounded that Shane and the Scots might both be reduced by putting them 'bothe in one warr'.[119] Expanding on the proposed settlement they earmarked it to grow to the size of 4,000 inhabitants within three or four years:

"Itm wee shall wth the grace of god within the terme of three or ffowre yeres next comeinge plant ffowre thowsand inhabitants of her naturall subiects in that northe cuntrey and at thend of seven yeres wee shall yelde vnto her highnesse a yerelie rent of a syse, viz. for everye acre of arable land, medowe and pasture 4*d* Irishe, every acre of mountayne, heathe and wood 1*d* Yrysh, to be answered as parcell of her mats revenewe of Ireland."[120]

Of Elizabeth they requested that 1,000 cavalry and 2,000 foot be levied out of England, victuals for the first year and the use of four ships including the *Phoenix*. In addition the unknown group of twelve sought corporate status, along with the rights to exploit all commodities and fishing in the area. Piers centrality to the project was confirmed in a request that £12,000 be granted them to wall Carrickfergus and reinforce the castle there.[121] The religious needs of the proposed colony were also catered for in a provision calling for the appointment of 'sume wurthie learned man to the bishopryck of Downe', while the company themselves would strive to obtain learned preachers and ministers to inhabit amongst them.[122] Finally, a commission of martial law was requested 'as a necessarye remedye against all sudden mutinies and rebellions'.[123]

This proposal, with its emphasis on semi-private colonisation of the northeast as the best means to stem the flow of Scottish settlers into Ireland, does not appear to have met with approval from the queen, most likely owing to its ambitious, and costly, requests. Nevertheless, the document is extremely significant, for it appears to have formed the basis for the policies pursued in Ulster over the following decade, culminating most spectacularly in the failed colonies attempted by Thomas Smith and the earl of Essex. Indeed the direct link between the Piers tract and these later measures was made clear in one of Sidney's most significant memoranda, written prior to taking office in 1565, wherein he claimed of the Scots that 'the suerrest and sonest' means to dispel them was 'to inhabit betwene them and the sea'. In the margin next to this point Sidney scribbled 'Note Cap Peers hys offer for thys'.[124]

[118] Ibid., f. 181r.
[119] Ibid., f. 180r.
[120] Ibid., ff. 181r-181v.
[121] Ibid., ff. 181v-183v.
[122] Ibid., f. 183v.
[123] Ibid.
[124] Sidney, 'Sir Henry Sydney's articles for the publick affairs of Ireland', 1565, f. 110r [App. no. 21].

Therefore, by the late-1560s the shape which the political landscape of Ulster would take on for the period which encompasses Sidney's viceroyalties was becoming apparent. With Shane removed from 1567 and the rampant granting of colonisation rights in the northeast proceeding apace it appeared that much of the problems which had plagued successive mid-Tudor administrations in Ulster had ceased to figure so prominently. However, as will be seen in the following chapters, the colonisation projects of the 1570s, by and large, ended in spectacular failure, while the disappointing of the crown's hopes that Hugh O'Neill would serve as its instrument in the province brought Ulster to the fore of the crown's Irish problems again by the 1580s. But it was not just these long running problems that presented themselves from the north and elsewhere which were threatening the vitality of crown government in Ireland during Elizabeth's reign, for Sussex's time in office witnessed the first major signs of disillusionment amongst the Pale community with the drift of government policy.

IV – 'O let your matie be substancially ware of gardyner's crafty sect, that wude sey and vnsey with one brethe'

Clearly the years of Sussex's holding of high office in Ireland witnessed a noticeable decline in treatise composition. Equally so it seems relatively evident that this lack of debate on policy issues was owing to the autocratic nature of the earl's lord lieutenancy and his stifling of political discourse. Yet, there was a second, and perhaps equally as profound, reason for this absence of consultation between political commentators in Ireland and the Sussex regime, for the earl's was the first administration to engender widespread criticism within the Pale and beyond. This opposition focused on a number of abuses of power within the executive, above all the social and economic problems which were attendant upon heightened militarisation, and played a significant, if not crucial, part in the eventual downfall of the lord lieutenant's administration.[125] In effect this was the first major stirrings towards one of the most important developments within the political discourse of Elizabethan Ireland; complaint about how the kingdom was being administered and specifically how excessive levels of corruption and a reliance on overly coercive methods, instead of conciliation, was actually detrimental to the extension of crown government, rather than to its advantage. This literature

[125] Brady, *The Chief Governors*, pp. 89-94, 101-107, 209-244; idem, 'Conservative subversives: the community of the Pale and the Dublin administration, 1556-86', in Patrick Corish (ed.), *Radicals, Rebels and Establishments, Historical Studies XV* (Belfast, 1985), pp. 11-32.

of complaint would become widespread and, contrary to current perceptions about the New English drift towards the use of more uncompromising methods in the closing decades of the century, extremely significant and influential in late-Elizabethan Ireland. But, for the present it was largely concentrated on criticising the earl and his administration. Thus, while political discourse in Ireland was stymied by Sussex's potential disregard for the policy initiatives of others at this time, it was especially hindered by a concentration amongst political elites in the Pale and elsewhere on opposing the regime rather than working in cooperation with it.

Criticism of those in charge of Dublin Castle was nothing new. It was especially prevalent amongst those seeking to undermine office-holders in the hopes of benefiting from a change in personnel through advancement or the adoption of alternative policies. John Alen in particular falls into this latter category. However, the 1550s witnessed the emergence of a distinct type of critique, one which fixed its attention explicitly on the drawbacks of aggressive military policies and the financial burdens attendant upon them. One of the earliest such stirrings is contained in a set of 'Articles' dating to roughly 1553. Here it was suggested that very little gains had accrued from the spending of vast sums of money by Croft on his Ulster expeditions, while the anonymous author pointed to corruption within the military executive and called for the under-treasurer and the auditor, amongst other crown officers, to be questioned to that effect:

"To these matters let ther be callyd the thesaurer, Watkyn Ap Howell, Iohn Wakeley, Mathew King, Roberte Cusake, Gyles Ovington, Thomas Jenynson, audytor, Anthony Marche, Roger Broke and their seuerall deposicions kepte vntill god may send tyme that they may be present with others face to face that truthe may herein appere, and no lenger be kepte backe for feare of threate, or other displeasure."[126]

These sentiments were mirrored just months later in 'The Treatise for the Reformation of Ireland' which recounted what would appear to have been a critical debate on government policy amongst a prominent scion of the Pale community. The evidence is admittedly somewhat tenuous, coming as it does from the pen of an anonymous individual, writing around 1555, who in the course of his tract relates a gathering at the house of a Mr Aylmer, wherein matters of public policy were discussed.[127] The author notes that it was this event which prompted him to compose his treatise, during the course of which he sharply criticises the militarisation of Ireland and the development of the garrison network under Edward. He goes on to describe the soldiery as 'a multitude of rash needy soldiers' whose presence was

[126] 'Articles to be inquyred of concernyng the state and affayres of Irelande', c. 1553, BL, Lansdowne MS. 159, ff. 57-58, f. 58v [App. no. 9].
[127] Brendan Bradshaw (ed.), 'A Treatise for the Reformation of Ireland, 1554-5', in *IJ*, Vol. 16 (1981), pp. 299-315.

unnecessary in a country which 'coveted nothing so much as the knowledge of a law'.[128] Furthermore, in the midst of a general condemnation of the policy of militarisation he assailed the 'greedy soldiers, that sought nothing else but spoil and continuance of service'.[129] That the author of this document should draw his inspiration to write such a critique from a discussion which quite possibly took place at Gerald Aylmer's, or his brother Richard's, house is instructive for in its substance it stands in opposition to many of the policies Gerald was charged with overseeing while serving as lord justice from late-1552 through 1553. In addition the debate which took place at the Aylmer household is interesting as one of the first ostensible signs of the emergence of a public sphere in Tudor Ireland, a point to be returned to shortly.

Thus, there was antecedents for the growth of wider discontent under Sussex, and some of the general *topoi* of that complaint literature, heightened militarisation, excessive corruption and an intolerable economic burden, were emerging, however, these were soon dwarfed by the torrent of unrest aroused by the earl's administration. Admittedly a number of tracts from this period lamented the economic deterioration of the countryside without directly assigning responsibility for this decline to the viceroy. One such was a book, perhaps an early composition by Rowland White, which despite lamenting the decayed state of the Pale wholly endorsed the administration.[130] Yet, this support was somewhat anomalous and the vast majority of those analysing the economic landscape were quick to identify the viceroy as the source of the problems therein.

Sussex's principal critics during his first years in Ireland were unquestionably George Dowdall and the earl of Desmond who in a series of letters and tracts composed in the closing year of Mary's reign articulated many of the discontents which would emanate from the Pale community over the coming decades.[131] Dowdall, in a series of submissions made between

[128] Ibid., p. 309.
[129] Ibid., p. 308.
[130] Rowland White?, 'Book of the waste and decay of the English Pale, and the cause of the same', 1558, TNA: PRO, SP 62/2/77. Much of the document is made up of folios which are blank except for headings, which would seem to indicate that the text was left unfinished. The author's support for the administration is seen in a suggestion that the government of the four provinces be given to four individuals including Sussex and Sidney in Ulster and Leinster, respectively, with the earl of Warwick and lord Grey in Munster and Connaught. The attribution of the book to White is in Brady, *The Chief Governors*, pp. 81-82.
[131] George Dowdall, 'George Dowdall, Archbishop of Armagh and Primate of all Ireland, to Nicholas Heath Archbishop of York and Lord Chancellor and the Privy Council', 1557, TNA: PRO, SP 62/1/61 [App. no. 12]; idem, 'Articles submitted to the Privy Council by the Primate of Armagh', 1558, TNA: PRO, SP 62/2/44; idem, 'The effecte of the booke exhibited by the Archbishop of Armagh', 1558, TNA: PRO, SP 62/2/45; Gogarty (ed.), 'The Archbishop of Armachane's Opinion touchinge Ireland'; Desmond, 'James Earl of Desmond, High Treasurer of Ireland, to Queen Mary', 1558, TNA: PRO, SP 62/2/11; Brady, *The Chief Governors*, pp. 89-91; Bradshaw, *The Irish Constitutional Revolution*, pp. 267-275; White, 'The Tudor Plantations in Ireland before

late-1557 and his appearance at court in the summer of 1558, was the more expansive in his descriptions of the straitened conditions prevailing in Ireland. The wars, both in Leinster and Munster, had seen the countryside wasted, while the added burden of finding and providing for the enlarged garrison was leading to the further impoverishment of the queen's subjects. Famine had already claimed 'manny hundredth of men, wymen and children'.[132] The primate also directly implicated the viceroy in this despoliation, claiming he had orchestrated the burning and looting of the cathedral church at Armagh as a reprisal for Dowdall's opposition to the administration's policies.[133]

Yet, it was not simply to criticise those at the helm in Ireland that the archbishop and the earl took up their pens and they did not hesitate to express their own ideas on what direction policy should be taking. Desmond recommended the establishment of a four man commission to determine why conditions in the country had deteriorated to the state they were in, who was responsible for that decline and how the situation might be ameliorated. He proceeded to articulate his own view that a general policy of conquest was not advisable given the 'hole lande woulde not countervaill the chardgs', while 'if all Yrishe men coulde be trayned on by fayre meanes' then, conversely, a gradualist, assimilative programme might be 'the better way'.[134] It seems plausible that the pair were acting in unison to convince queen and privy council of the wisdom of a change in policy as Dowdall in his 'Opinion' also delineated the choice between a conciliatory policy and one of conquest before calling for adoption of the former. This was most necessary so that the country could be held with 'a small number of Souldiers, that shall not be a sore Burthen, ffor the English Pale'.[135]

Effectively, then, a protest movement, small in scope, but composed of prominent figures, was emerging in the early years of Sussex's tenure of office. Ultimately, however, this proved of little lasting significance, given the death of the two protagonists later in 1558. What mattered more was the substance of their complaints, with its emphasis on the failure of militarisation, the high-handed behaviour of members of the Irish executive, the misbehaviour of the soldiery and above all the intolerable economic burden of the cess. Dowdall had alighted onto this latter issue in his letter to the lord chancellor and archbishop of York, Nicholas Heath, late in 1557, when he claimed that the Pale was reduced to extreme

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1571', I, pp. 398-404, 417-422; Doran, 'The political career of Thomas Radcliffe', pp. 118-119; *DIB*, s.v. Dowdall, George; *DIB*, s.v. Fitzgerald, James fitz John.

[132] Dowdall, 'The effecte of the booke exhibited by the Archbishop of Armagh', 1558, f. 103r.

[133] idem, 'George Dowdall, Archbishop of Armagh and Primate of all Ireland, to Nicholas Heath Archbishop of York and Lord Chancellor and the Privy Council', 1557, f. 172 [App. no. 12].

[134] Desmond, 'James Earl of Desmond, High Treasurer of Ireland, to Queen Mary', 1558, f. 17r.

[135] Gogarty (ed.), 'The Archbishop of Armachane's Opinion touchinge Ireland', p. 157.

poverty by reason of 'cess to hostings, cess of corne, bewff and all kinde of victwalz to forts, the plasinge of souldyors, there horses and horsboyes vpon fermorz'.[136] This critique of the method whereby the military establishment in Ireland was increasingly being supported would prove the most enduring aspect of Desmond and Dowdall's criticisms.

The cess developed from the practice of purveyance which had been employed both in England and Ireland since late medieval times. Purveyance involved the crown's right to have royal forces supplied, along with the royal household, or that of the chief governor's in Ireland, by the country on the basis of the royal prerogative. Goods, primarily in the form of foodstuffs, were obtained at under the market value to be paid later.[137] The practice appears to have not remained indistinguishable from the Gaelic exactions in the form of 'coign and livery' by the end of the fifteenth century.[138] Thus, purveyance was a traditional aspect of crown government in Ireland, but one which became increasingly onerous as recourse was more frequently had to it as the sixteenth century developed. However, a distinct alteration in the methods employed to supply the royal forces appears to have occurred under Bellingham through 1547 and 1548 as he converted the obligation to provide for the hosting into an order for the baronies of the Pale to provide supplies for the midlands forts.[139] That the Pale community viewed this new obligation as something more substantial that traditional purveyance and a rather more burdensome series of dues which were roughly assessed, rather than fixed, seems clear from the fact that it became known as the cess or assessment.

Unrest at this innovation was not immediate – though Bellingham was obliged to write a series of stinging letters to the mayors of Dublin and Drogheda ordering compliance – and the lack of dissent was most likely the result of the infrequent recourse to such a method.[140] The process was repeated just once between Bellingham's original usage and the appointment of Sussex; by Croft in 1551. It was under the earl, though, that the cess began to assume its position as the primary source of contention between Dublin Castle and the Pale community, as Sussex exploited it in his first year in office and proceeded to do so in every subsequent year.[141] It appears that it was during 1557, when Sussex cessed for the second

[136] Dowdall, 'George Dowdall, Archbishop of Armagh and Primate of all Ireland, to Nicholas Heath Archbishop of York and Lord Chancellor and the Privy Council', 1557, f. 172r [App. no. 12].
[137] Allegra Woodworth, 'Purveyance for the Royal Household in the Reign of Queen Elizabeth', in *TAPS*, New Series, Vol. 35, No. 1 (Dec., 1945), pp. 1-89; Bryce Lyon, *A Constitutional and Legal History of Medieval England* (London, 1960), pp. 394-395; Brady, *The Chief Governors*, pp. 215-219.
[138] Ellis, *Tudor Ireland*, pp. 27-28; Crawford, *Anglicizing the Government of Ireland*, pp. 369-373.
[139] Brady, *The Chief Governors*, pp. 219-220.
[140] Edward Bellingham, 'Lord Deputy Bellyngham to the Mayor of Drogheda', 1548, TNA: PRO, SP 61/1/57; idem, 'Lord Deputy Bellyngham to the Privy Council and the Mayor of Dublin', 1548, TNA: PRO, SP 61/1/67.
[141] Brady, *The Chief Governors*, pp. 220-230.

time, and suspicions of the intent to regularly exploit the system would have arisen, that unrest first began to emerge concerning its use, as clearly evinced in Dowdall's writings. Yet, it was not until the early-1560s that critics of the practice began objecting to its use in a truly vociferous and concerted fashion and when they did their complaints would extend beyond the cess to incorporate a wide range of corrupt and destructive practices either engaged in or fomented by Sussex's government.

The genesis of this campaign seems reasonably clear. By the early-1560s an opposition movement was operating in the Pale, which sought to oppose, through non-compliance, the demands imposed by the cess. More significant, however, than this physical defiance was the decision of some of the representatives of that community to bypass the Irish executive and appeal at court for redress of their grievances. Subsequently a group of Pale-born students, attending the Inns of Court at that time, gained a hearing before the privy council, perhaps owing to the influence of Dudley, in 1562.[142]

These Palesmen presented their grievances in the form of a 'Book' declaring the current state of the Pale. In it the intolerable economic burden imposed by the cess was outlined, with the complainants pointing towards 'the extremitie of the said Ceasses', not simply in the scale and frequency thereof, but also in the obligation to provide for a boy and two horses for every solider 'whose infinite charge and unruelie Doinges are not possible to be written'.[143] However, the problems attendant upon this imposition were as great, if not greater, than the practice of cess itself. The 'cators', those officials charged with obtaining goods for supplying the governor's household, were singled out for especial rebuke for the extortion they practiced, while the soldiers were accused of murder and rape.[144] Compounding these problems was the simple fact that the army was being stationed in the Pale 'where…there is no syrvice[?] to be don for the same'.[145] Overseeing all of this was a corrupt executive who, the students inferred, were cessing far more than was necessary for private gain, along with allowing 'coign and livery' to be practiced in the Pale.[146] Finally, it was claimed that the administration had exploited the recent currency debasement to reduce the repayments owing to those whom cess had been imposed upon and who were lucky

[142] Ibid., pp. 101-103; Doran, 'The political career of Thomas Radcliffe', pp. 119-130, contains one of the most expansive, and generally overlooked, overviews of the students complaints and Sussex's subsequent rejoinders.
[143] 'A book comprehending twenty-four articles, specifying the miserable estate of the English Pale in the years 1560 and 1561, delivered to the Privy Council, by certain students of Ireland and subscribed with their hands', 1562, TNA: PRO, SP 63/5/51, printed in, Crawford, *Anglicizing the Government of Ireland*, App. 2, pp. 432-438, 435-436.
[144] Ibid., pp. 434-436.
[145] Ibid., p. 435.
[146] Ibid., pp. 434-437.

enough not to fall into the category of those who 'yet do remaine unpaid'.[147] In conclusion the students surmised that if the current burdens imposed by the expanded garrison, both in the form of the cess and ancillary extortion, were continued then 'the pore and miserablie cuntrie' would continue to 'runneth Dailly into waste and utter decaie'.[148]

The students' protest produced mixed results. Sussex was forced to make direct answer to several of the accusations laid against his government, but a number of the most prominent Palesmen involved, conversely, were committed to the Fleet, hardly a sign of unequivocal success. Yet, the episode had drawn attention to Irish affairs and particularly those in the Pale and the complaints received simply needed reiteration by more legitimate figures to garner further attention. This duly occurred in the summer of 1562 in the shape of the prominent Meath landholder, William Bermingham, and to a lesser extent the long-serving New English official, John Parker.

Of the two, Parker was the more expansive.[149] His critique of the earl's government was contained in a lengthy book addressed to the queen in June. Here, it was suggested that a racketeering business of sorts had been set up by Sussex, and a cohort of his senior officials, including his brother, Sidney, Fitzwilliam, George Stanley, Jacques Wingfield, Nicholas Heron and Francis Cosby, whom Parker variously referred to with vitriol as 'cormorants' and 'these cruell Egipcians'.[150] Ironically Parker, who had been at the heart of St Leger's administration during the heyday of its corrupt dealings in monastic lands in the 1540s, pointed first and foremost to exploitation of crown lands by Sussex's followers to line their own pockets.[151] Moving on Parker condemned the practice of cess, an 'invencion' he stated which would prove to be the 'most pestilent ouerthrowe of your maties comen welthe there that can be imagined'.[152] Further accusations mirrored those of the Pale students, whom Parker mentioned explicitly at the outset of his diatribe, including the suggestion that the Gaelic exactions were being abused by figures such as Heron in Carlow and that the debasement of the currency had been exploited by Sussex's clique to enrich themselves.[153] In conclusion to this very overt attack on the lord lieutenant and those associated with him in

[147] Ibid., pp. 436-437; Conyers Read, 'Profits on the Recoinage of 1560-1', in *Economic History Review*, Vol. 6, No. 2 (Apr., 1936), pp. 186-193.
[148] Crawford, *Anglicizing the Government of Ireland*, p. 437.
[149] *DIB*, s.v. Parker, John.
[150] John Parker, 'A slanderous book addressed to the Queen against the Lord Lieutenant Sussex and other governors of Ireland', 1562, TNA: PRO, SP 63/6/37.
[151] Ibid., ff. 77v-80r.
[152] Ibid., f. 81v.
[153] Ibid., ff. 80-88.

government Parker wrote, 'O let your matie be substancially ware of gardyner's crafty sect, that wude sey and vnsey with one brethe'.[154]

Clear in his criticism though he may have been, but significantly influential in bringing the Irish executive to book Parker was not. It was Bermingham who was undoubtedly the more influential, though frustratingly the less expressive of his reservations concerning Sussex's government. Thus, one of the most significant documents in relation to his criticism of the administration is a brief list of simple questions which pondered what benefits had accrued from six years of war under the lord lieutenant, whether goods being cessed for the midlands forts were in fact being put to that use and if the rents from the midlands were in fact finding their way into the crown's coffers.[155] However, the one major recommendation made by Bermingham was for secret musters to be conducted to determine how much fraud was occurring within the army set-up and it was this latter point, more so than any other of the complaints received in the course of 1562, which impressed on Elizabeth and her councillors the necessity of investigating Irish affairs.[156] Here were allegations which went beyond injustices being perpetrated against the Pale community to hit at the monarch's own purse, for the imputation was that the subventions annually dispatched from England to Ireland were to finance an army which was intentionally kept well below number.

That it was this issue, more so than any other, which moved Whitehall to action is revealed in the response late in 1562. A commissioner, Nicholas Arnold, was dispatched to Ireland at the end of the summer with instructions to follow up on Bermingham's accusations concerning the muster.[157] Elizabeth was explicit in stating that it was this which had occasioned Arnold's appointment.

"We be enformed by one William Bermingham, sheruiant of Methe that we haue been greatelie deceved in our musters there for lacke of nombers and for other abuses in supplyenge of souldiors at the muster with hired men."[158]

[154] Ibid., f. 89r.
[155] William Bermingham, 'Interrogatories relative to Bishopricks, Soldiers, Cesses, Musters, Leix and Offaley, Dead Pays', 1562, TNA: PRO, SP 63/6/28.
[156] Ibid., f. 57r. Also see a subsequent memorandum by Bermingham on this topic which was drawn up after the decision to investigate Irish affairs had been taken. idem, 'William Bermyngham to the Marquis of Northampton and Sir W. Cecill', 1562, TNA: PRO, SP 63/6/53; Brady, *The Chief Governors*, p. 103.
[157] *ODNB*, s.v. Arnold, Sir Nicholas.
[158] Elizabeth I, 'Instructions given to Sir Nicholas Arnold, knight, at his first going over into Ireland', 1562, TNA: PRO, SP 63/6/49, f. 149r.

Thus, despite the range of complaints addressed by the Palesmen, and other agents such as Parker, it was the practice of fraudulent musters, attested to by Bermingham, which above all led to the investigation into Sussex's government.

Subsequent events have been narrated at length elsewhere.[159] Arnold arrived late in 1562 and proceeded to conduct a preliminary investigation which revealed that abuses were at least substantial enough to warrant further inquiries. Consequently, a commission consisting of Arnold and Thomas Wrothe was established in October of 1563. Their work over the following months, combined with the ostensible failure of Sussex's Ulster policy, symbolised in Cusack's capitulation on the crown's behalf to Shane O'Neill at Drumcree, effectively combined to bring the earl's government to an end by 1564.

Arnold was selected to succeed as lord justice the governor he had helped to bring down and while the requirements of his new office inevitably directed his energies elsewhere, he continued to investigate the affairs of the previous administration. That he believed serious wrongdoings had been perpetrated by senior officials within both the civil and martial executives is clear from the major memorandum he sent to Cecil and Leicester in the first weeks of 1565. However, the new viceroy was evidently being impeded in his attempts to uncover the scale of the misconduct:

"And there of I shoulde discourse all those frivolus reasons and devics which the capens (and their advocate Mr Dix) have vsed to make, to the ende they mought procure the paye into their owne hands (and the cawses of all those losses which mought ensewe to her matie and contrye thereby), I shoulde write to the trooble of your honnor in readinge a longe booke."[160]

Ultimately, this assertion, that wrongdoings had unquestionably been committed, but failure to fully determine the extent or nature of those offences, was as far as Arnold's commission would progress. As Brady has noted, the specific circumstances of the lord justice's appointment implied that his government, and the methods employed, should necessarily be the antithesis of Sussex's; that is less militaristic and certainly more appreciative of the concerns of the Pale community, and their inability to fund any major campaigns, whether in Ulster or Laois and Offaly.[161] As such a drastic reduction in the size of the garrison was mooted. However, this resolution, coming at a time when O'Neill was again restless in Ulster and disturbances were rife amongst the midlands septs – spurred on, Arnold believed, by the captains in the forts there – could not have come at a more inopportune time. Effectively

[159] Brady, *The Chief Governors*, pp. 103-107; Doran, 'The political career of Thomas Radcliffe', pp. 132-149.
[160] Arnold, 'Notes to be considered of, by Cecill, for the government of Ireland, sent by the Lord Justice Arnold to the Earl of Leicester and Cecill', 1565, f. 59v [App. no. 20].
[161] Brady, *The Chief Governors*, p. 109.

Leinster and Ulster had become so highly militarised, and crown-Irish relations there so confrontational, over the preceding decade, that any immediate abandonment of a military policy was increasingly implausible.

This period, then, did not witness an increase in the scale of treatise writing, a fact probably attributable in large part to Sussex's stifling of political consultation. What it did see, though, was a broadening of the issues which were being discussed within the 'reform' tracts. The key question of how to extend the crown's influence in Leinster, which had emerged earlier, continued to tax commentators on policy, though their focus was increasingly on the midlands from 1546. Government intervention there led to intermittent attempts to establish a state-sponsored plantation which in turn produced a handful of tracts on colonisation. Within these writers such as Edward Walshe began to argue that such settlements had to be planned and could be developed in a number of different ways. It is important that Roman exemplars began to be discussed and that the notion of a scientifically planned colony emerged, as this would later be adopted for the plantations of Munster, Ulster and elsewhere well into the seventeenth century. Finally, the government's spreading influence into the remoter parts of the country was reflected in the appearance of treatises calling for greater administrative control over regions as wayward as Connaught and the far flung parts of Ulster, whether through the appointment of provincial presidents or founding of colonies located around the northeastern seaboard, both to keep the Scots out and subdue the more unruly elements amongst the Gaelic lords of Ulster such as Shane O'Neill. But of perhaps equal significance was the fact that the writers of 'reform' treatises during these years articulated the first clear signs of discontent with government policy. In particular they argued, and intensely so during Sussex's time as lord lieutenant, that the adoption of a programme of coercion to conquer the country, had led to increased militarisation and, consequently, had disrupted the social and economic equilibrium on which the crown's relations with the Old English community of the Pale and beyond rested. Both these trends, towards proposals for emphatic activity through colonisation, and other measures, and the arousal of discontent brought on by the attendant side-effects of such efforts, would be to the forefront of the treatises written during the tenures as lord deputy of Sussex's successor, Henry Sidney.

Chapter Four – 'Reform' and the Lord Deputyships of Henry Sidney, 1565-1578

Henry Sidney dominated the Irish viceregal office from 1565 to 1578, serving as lord deputy for eight of those thirteen years and significantly influencing the policies foisted upon William Fitzwilliam's caretaker government from 1571 to 1575. This period saw a marked expansion in the reach of crown government in Ireland. While efforts had been made from mid-century onwards to extend the Pale into parts of Leinster and along the northeast coastline, the 1560s and 1570s witnessed the arrival of crown officers in some of the remotest parts of Ireland, whether in the guise of provincial presidents, their subordinates or aspiring colonists. Of equal significance was the conceiving of the scheme of composition for cess, a development necessitated by the continuing dedication to militarist policies, and which it was envisaged would serve the added function of bringing the use of 'coign and livery' to an end. Simultaneously the first truly concerted efforts at protestantising the country were undertaken, in tandem with the arrival of the forces of the Counter-Reformation in Ireland.

Given the importance of these developments it is no surprise that Sidney's viceroyalties have aroused considerable debate, with the two major studies of his time in office expressing widely divergent viewpoints on the significance of his appointment in 1565. For Ciaran Brady, Sidney's rise to the head of the Irish administration did not lead to any substantial change in policy, but rather the new governor was content to adopt Sussex's programme for government, albeit on a contractual basis. Accordingly, Brady notes that Sidney applied to have the government of Ireland entrusted to him by the crown while adhering to strict, fixed budgetary requirements. In this evaluation it is noted that the new viceroy diverged little from the policies which Sussex had concluded by the early-1560s best suited Ireland and which the lord lieutenant had enunciated in a series of policy documents at that time.[1] Conversely, Nicholas Canny has argued that Sidney embarked on a new programme of conquest spearheaded by the twin means of colonisation and provincial presidencies. Following an analysis of Sidney's principal memoranda from the mid-1560s

[1] Brady, *The Chief Governors*, pp. 113-158. See, for instance, the lord lieutenant's most expansive policy document, Sussex, 'The opinion of the Earl of Sussex Lieutenat-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, Cal. Carew MSS. 1515-1574, 236.

Canny asserts that the lord deputy was the chief architect of these methods, practices which would have a profound impact on the development of Tudor Ireland.[2] A useful corrective, in some respects, has been Jon Crawford's work on the role of the Irish council in the formation of policy, however, his focus is limited to institutional developments in Dublin.[3]

Ultimately these interpretations suffer from their viceroy-centric approach focusing to a great extent on the writings of Sidney himself but giving little coverage to the policy initiatives propounded in the 'reform' treatises of others which were being composed in unprecedented numbers from the mid-1560s.[4] These came from individuals fulfilling clerical, martial and administrative roles, from regions as diverse as Dublin, Ulster and Waterford, and often contained proposals which were far more innovative than those put forth by Sidney. The existence of this body of material, and its analysis in what follows, particularly in the key areas of colonisation, provincial presidencies, religious reform and the development of an alternative to the cess, will make clear that policy was not the preserve of Sidney.

The increase in the volume of political advice received at Dublin Castle and Whitehall during these years is significant not simply in and of itself, but also in that it diverged so greatly from what had preceded it. Where Sussex's regime had stifled political consultation, Sidney's years in office witnessed an unprecedented increase in the number of those proffering counsel. The factors which precipitated this surge in commentary are easily identifiable and generally concerned the heightening security problem posed by Ireland. In particular the volatile situation in Scotland, souring relations with Philip II's Spain and the general insecurity felt in regard to the future of the protestant state, manifested most palpably in fears of an international catholic conspiracy following Elizabeth's excommunication in 1570, all contributed to a desire to create a more secure situation in Ireland.[5] As affairs there consequently gained in importance on the political agenda at Whitehall an increasing number of individuals began offering the government advice on the country, the number of which

[2] Canny, *The Elizabethan Conquest of Ireland*. For example, Henry Sidney, 'Sir Henry Sydney's articles for the publick affairs of Ireland', 1565, TNA: PRO, SP 63/13/46 [App. no. 21].
[3] Crawford, *Anglicizing the Government of Ireland*.
[4] Canny, *The Elizabethan Conquest of Ireland*, pp. 45-65. While Canny provides details of the treatises of others elsewhere in his study, this section, which lays out his argument for the 'New Departure', is based almost entirely on Sidney's correspondence with the queen, Cecil, Leicester and the privy council. There is greater appreciation of the varied discoursing in Elizabethan Ireland displayed in idem, *Making Ireland British*, pp. 1-120; Brady, *The Chief Governors*, pp. 116-119, 141-143; idem, 'The road to the *View*', acknowledges the much wider debate on policy matters which was underway in Tudor Ireland.
[5] Stephen Alford, *The Early Elizabethan polity: William Cecil and the British succession crisis, 1558-1569* (Cambridge, 1998); Wallace MacCaffrey, *The Shaping of the Elizabethan Regime* (Princeton, 1994); Palmer, *The Problem of Ireland in Tudor Foreign Policy*, pp. 55-108; Morgan, 'British Policies before the British State'; David Edwards, 'Ireland: Security and Conquest', in Susan Doran and Norman Jones (eds.), *The Elizabethan World* (Abingdon, 2011), pp. 182-200.

was steadily augmented by a gradual increase in the size of the growing New English community there. Compounding this was a clear awareness amongst the political classes in Ireland that the early-Elizabethan government desired innovative suggestions on how to govern Ireland. In particular ideas on how to reduce the cost of running the country, either by cutting expenditure or increasing revenues, as well as an alternative to the cess as a means to maintain the military establishment, and, thus, prevent the political alienation of the Pale community, were sought. Consequently, figures such as Rowland White, John Chaloner, John Ussher and Nicholas White, began producing tracts of a more detailed nature, particularly in the areas of finance and social engineering, than had previously been seen. But perhaps most salient in all this was the character of Sidney himself whose time in office appears to have witnessed a rise in political consultation for those reasons mentioned but also owing to his own position as lord deputy. Firstly, his patronage of policy initiatives by figures such as William Piers and Edmund Tremayne points towards a more permissive and accommodating character than his near predecessor in office, Sussex. But, secondly, and perhaps more importantly, his reduced title next to the aristocratic lord lieutenant and latterly growing suspicions surrounding his capabilities as lord deputy, and eventually of his conduct in office, doubtlessly created an environment where it was more difficult for him to prevent open discourse and stem the tide of treatises reaching Whitehall from Ireland.

Table 4.1: Number of extant treatises by decade, 1510-1579

Decade	*1510s*	*1520s*	*1530s*	*1540s*	*1550s*	*1560s*	*1570s*
No. of treatises	8	6	40	23	46	58	129

Source: App.

An indication of the extent of this increase in political consultation is provided in Table 4.1. Apart from the fleeting concern for the state of the country engendered by the end of the Kildare ascendancy in the 1530s and early-1540s, interest in affairs there was relatively limited prior to the 1560s, after which point an exponential growth in treatise composition occurred. This increase in the number of people willing to comment on the governance of Ireland from the mid-1560s onwards is important. For one thing it casts light on the increasing prominence of Ireland in Tudor political affairs; for another it occurred at a time when a range of factors; Sidney's permissiveness in some instances, his inability to stifle opposition and independent consultation in others and the general expansion of both the

political and military executives, all combined to aid in the emergence of a burgeoning public sphere in Elizabethan Ireland, a phenomenon to which we now turn.

I – The growth of the 'public sphere' in Elizabethan Ireland

Ever since the belated translation into English of Jurgen Habermas' seminal study, *The structural transformation of the public sphere* in 1989 there has been an increasing awareness amongst Anglophone historians of the centrality of the emergence of the public sphere to an understanding of early modern political discourse.[6] Habermas' central contention was that the early modern period witnessed the development of political consciousness amongst a significant proportion of the populace of western European states, and specifically amongst those without a direct stake or participatory role in politics. This process was fuelled by a growing exposure to information on public affairs mediated through the proliferation of news items such as newspapers, periodicals and pamphlets, while political clubs, masonic lodges and, above all, coffeehouses acted as venues for the absorption and discussion of these ideas. Consequently a sizeable proportion of what was largely bourgeois, mercantile society began engaging to a far greater degree with political life, culminating in significant political changes into the modern period.

In the classical Habermasian model the emergence of this public sphere is typically identified as occurring in Britain – which was both a relatively liberal polity and possessed of a strongly mercantile, bourgeois populace – in the closing years of the seventeenth century.[7] However, increasingly much of the recent work by scholars of political discourse and the circulation of news in early modern England have tended to find the first signs of political participation by large sections of society outside the domain of direct political participation at an earlier date. In particular, Peter Lake, Michael Questier, Ethan Shagan and Natalie Mears have argued that the roots of these developments, far from occurring at some alternative point in the seventeenth century, are traceable to the Tudor period.[8] In particular it has been shown

[6] Jurgen Habermass, *The structural transformation of the public sphere: an inquiry into a category of bourgeois society* (Cambridge, 1989). Also, see Craig Calhoun, 'Introduction: Habermas and the Public Sphere', in Craig Calhoun (ed.), *Habermas and the Public Sphere* (Massachusetts, 1992), pp. 1-48.

[7] Habermas, *The structural transformation of the public sphere*, pp. 57-67. Habermas argued for British exceptionalism by stressing that similar developments did not occur in countries such as France and Germany until late in the eighteenth and the early-nineteenth centuries. See pp. 67-73.

[8] Peter Lake and Michael Questier, 'Puritans, Papists and the "Public Sphere" in Early Modern England: The Edmund Campion Affair in Context', in *The Journal of Modern History*, Vol. 72, No. 3 (Sep., 2000), pp. 587-627; idem, *The Anti-Christ's Lewd Hat: Protestants, Papists and Players in post-Reformation England* (New Haven, 2002); Peter Lake and Steven Pincus, 'Rethinking the public sphere in early modern England', in Peter Lake and Steven Pincus (eds.), *The politics of the public sphere in early modern England* (Manchester, 2007),

that the principal elements of the Habermasian public sphere, the development of situated places of political discourse, increasing evidence of un-situated discourse and the first acceleration in the spread of news were all processes which were underway in the Tudor period. Furthermore, methods of news dissemination and political interaction, which would not conventionally be incorporated into a classic Habermasian study of the public sphere, such as the role of manuscript correspondence and oral communication, have been embraced within these studies, though primarily by Mears, as part of this early public sphere.[9]

This gradual pushing back of the start date of the public sphere in England by scholars of the period has not been mirrored by historians of Stuart and Tudor Ireland. As such one of the most recent studies on political clubs in Ireland has concluded that Ireland's fragmented political, social and economic environment in the sixteenth century did not facilitate the development of a public sphere along traditional lines, without attempting to speculate on how such a sphere might have emerged along irregular lines.[10] Indeed the most substantive work on the public sphere in Elizabethan Ireland to date has been by Mears as part of a wider study of such developments in the Tudor dominions.[11] What that study makes clear is that there is substantial evidence to posit that a public sphere, if one along unconventional lines, was in existence in late-Tudor Ireland.

Nowhere is the discontinuity between the classic Habermasian public sphere and that which pertained in Elizabethan Ireland more evident than in one of the central pillars of any public sphere, specifically the circulation of news. Print material was central to Habermas' thesis and subsequent work on the spread of news in late-Tudor and Stuart England by Alexandra Halasz, Joad Raymond, Richard Cust and Fritz Levy has tended to confirm this orthodoxy by concentrating on the role of newspapers, corrantos and pamphlets in the dissemination of information.[12] However, recent work by Mears, Adam Fox and Ian Archer has identified the equal, and most likely greater, role of oral communication and manuscript

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pp. 1-30; Natalie Mears, *Queenship and Political Discourse in the Elizabethan Realms* (Cambridge, 2005); Ethan H. Shagan, 'The Pilgrimage of Grace and the public sphere?', in Lake and Pincus (eds.), *The politics of the public sphere*, pp. 31-58.

[9] Mears, *Queenship and Political Discourse in the Elizabethan Realms*, pp. 145-216.

[10] James Kelly and Martyn J. Powell, 'Introduction', in James Kelly and Martyn J. Powell (eds.), *Clubs and Societies in Eighteenth-Century Ireland* (Dublin, 2010), pp. 17-35, esp. 17-24.

[11] Mears, *Queenship and Political Discourse*, pp. 162-165, 190-191, 205-208, 213-215, 246-247.

[12] Alexandra Halasz, *The Market Place of Print: Pamphlets and the Public Sphere in Early Modern England* (Cambridge, 1997); Joad Raymond, 'Introduction: Newspapers, forgeries and histories', in *Prose Studies*, Vol. 21, No. 2 (1998), pp. 1-11; idem, 'The newspaper, public opinion, and the public sphere in the seventeenth century', in *Prose Studies*, Vol. 21, No. 2 (1998), pp. 109-136; idem, *Pamphlets and Pamphleteering in Early Modern Britain* (Cambridge, 2003); Richard Cust, 'News and Politics in Early Seventeenth-Century England', in *Past and Present*, No. 112 (Aug., 1986), pp. 60-90; Fritz Levy, 'How Information Spread among the Gentry, 1550-1640', in *Journal of British Studies*, Vol. 21, No. 2 (Spring, 1982), pp. 11-34; idem, 'The Decorum of News', in *Prose Studies*, Vol. 21, No. 2 (1998), pp. 12-38.

correspondence in the circulation of news.[13] This latter point is doubtlessly of particular relevance for Ireland, where, despite the arrival of Humphrey Powell as the country's first printer in 1550, the volume of domestically printed items remained relatively small.[14] Indeed the very few items that went into print in sixteenth century Dublin were generally religious works or government proclamations.[15] Moreover, those works produced in London on Ireland were works designed principally for an English audience such as promotional material in relation to colonisation efforts across the Irish Sea or the news pamphlets of Thomas Churchyard.[16]

As such the Irish example, where oral communication and manuscript correspondence were the overriding means through which news was transmitted, tends to support Mears' thesis. One of the most unambiguous examples of this oral circulation of news on Irish political affairs is found in a report composed by Andrew Trollope shortly after his arrival in Ireland in 1581. Here he noted his finding of lodging in the house of a lawyer where, having been acquainted with the inhabitants, he found himself in conversation with another resident, also a lawyer. This man questioned Trollope, seeking to know his 'cause of travell and what newes in England'.[17] The inquisitive guest proceeded to feed his host's 'vmour…and thereby learned of hym the myserable estate of Ireland', that 'all iudges of the lawe, her matie's chauncellor, and barone of theschequer, and councell…were all Iryshemen and papysts as all Irysh men are'.[18] Trollope proceeded to make a lengthy report on Irish affairs including news

[13] Mears, *Queenship and Political Discourse*, pp. 162-179; Adam Fox, 'Rumour, News and Popular Political Opinion in Elizabethan and Early Stuart England', in *HJ*, Vol. 40, No. 3 (Sep., 1997), pp. 597-620; Ian W. Archer, 'Popular politics in the sixteenth and early seventeenth centuries', in Paul Griffiths and Mark S.R. Jenner (eds.), *Londinopolis: Essays in the Cultural and Social History of Early Modern London* (Manchester, 2000), pp. 26-46, argues for the largely oral dissemination of news around Tudor and early Stuart London. Though concentrating largely on news pamphlets, Ian Atherton, 'The itch grown a disease: Manuscript transmission of news in the seventeenth century', in *Prose Studies*, Vol. 21, No. 2 (1998), pp. 39-65, argues that such pamphlets were often manifestations in print of news which was already circulating orally.

[14] E.R. McClintock Dix, 'Humfrey Powell, the First Dublin Printer', in *PRIA*, Vol. 27C (1908/1909), pp. 213-216; idem, 'William Kearney, the Second Earliest Known Printer in Dublin', in *PRIA*, Vol. 28C (1910), pp. 157-161; D.B. Quinn, 'Information about Dublin Printers, 1556-1573, in English Financial Records', in *Irish Book Lover*, Vol. 28, No. 5/6 (May, 1942), pp. 112-115; M. Pollard, *Dublin's Trade in Books, 1550-1800* (Oxford, 1989), pp. 33-36; Colm Lennon, 'The Print Trade, 1550-1700', in Gillespie and Hadfield (eds.), *The Oxford History of the Irish Book, Volume III*, pp. 61-73, esp. pp. 63-64; Raymond Gillespie, *Reading Ireland: Print, Reading and Social Change in Early Modern Ireland* (Manchester, 2005), pp. 55-57.

[15] For details of these, including plates of title pages, etc., see E.R. McClintock Dix, *Printing in Dublin prior to 1601* (Dublin, 1932), esp. pp. 3-14; James Kelly, 'Political Publishing, 1550-1700', in Gillespie and Hadfield (eds.), *The Oxford History of the Irish Book, Volume III*, pp. 194-214, esp. pp. 194-196.

[16] See, for example, Thomas Churchyard, *A generall rehearsall of warres* (London, 1579); idem, *The moste true reporte of Iames Fitz Morrice deathe and others the like offeders: with a brief discourse of rebellion* (London, 1579); John Derricke, *The Image of Irelande* (London, 1581).

[17] Andrew Trollope, 'Andrew Trollope "Reipublicae Benevolus" to Walsyngham', 1581, TNA: PRO, SP 63/85/39, f. 96r.

[18] Ibid.

on various disturbances perpetrated by the O'Byrnes, O'Tooles and Turlough Luineach O'Neill, while also narrating the lord deputy, Arthur Grey's, response to these movements.

Trollope's letter, which he dispatched to Walsingham, is just one clear example of how news on Irish political affairs was transmitted orally, to be subsequently passed on in manuscript correspondence. There are earlier examples also. The process was particularly preponderant in the port towns, a fact attested to in the Annals of Ulster where under the heading for 1522 it was noted that war had again erupted between the Habsburgs and England on one side and the French and Scots on the other. This information we learn had been ascertained 'from the folk who spread news and frequent ports'.[19] These towns continued to fulfil this role, particularly in the 1570s when they became regular sites of rumour and 'bruits' concerning the alleged intentions of Philip II. These were sustained on the back of suspicions that Thomas Stukley would lead an invasion force to Ireland and were carried by merchants arriving in Ireland, having witnessed fleet preparations in Spain. Thus, John Crofton, the clerk of the provincial council in Connaught, made report in 1572 of a ship arrived in Galway, with those on board carrying news of a Spanish armada which would sail either against the Moors or Ireland.[20] Similarly, in 1574 news was rife that an armada was in preparation again with Stukley's involvement, however, on this occasion it was unclear as to whether the fleet would make for Ireland or the Low Countries. This followed the arrival in the town of a ship which had been at Cadiz where the armada was spotted. James Sherlock, Roger Winston and Henry Ackworth conveyed news of this to Fitzwilliam in letters over the following weeks and the lord deputy subsequently passed on this intelligence to the privy council at Whitehall.[21] Finally, even when print seems to have affected news dissemination in Ireland it was augmented by oral transmission and manuscript correspondence. Perhaps the clearest example of this occurred in 1572 when copies of the promotional literature prepared as part of Thomas Smith's efforts to colonise the Ards peninsula began circulating in the northeast. However, the print material itself appears to have played a marginal role in the dissemination of the news regarding the project with both William Piers and Brian MacPhelim O'Neill attesting to the fact that information on the content of the pamphlets was

[19] *AU*, s.a. 1522. This reference to the spread of information from the continent and its dissemination through the annals has been previously noted. See Bernadette Cunningham and Raymond Gillespie, 'Englishmen in Sixteenth-Century Irish Annals', in *Ir. Econ. Soc. Hist.*, Vol. 17 (1990), pp. 5-21.
[20] John Crofton, 'Report of John Crofton', 1572, TNA: PRO, SP 63/36/1.
[21] 'Mayor and others of Waterford to the Lord Deputy', 1574, TNA: PRO, SP 63/45/82(i); Roger Winston, 'Roger Winston to the Lord Deputy', 1574, TNA: PRO, SP 63/45/82(iii); Henry Ackworth, 'Henry Ackworth to the [Lord Deputy]', 1574, TNA: PRO, SP 63/47/22; William Fitzwilliam, 'Lord Deputy to the Privy Council', 1574, TNA: PRO, SP 63/45/82.

passing by word of mouth.[22] Thus, political news in Ireland was markedly transmitted orally and from there passed on through manuscript correspondence, with print playing a subsidiary role in informing individuals of public events.

While the dearth of print material doubtlessly led to a considerable difference between how news circulated in Ireland and in England, the locations in which situated discourse, those fixed locations wherein public affairs were regularly discussed, tended to occur was in some respects similar. In particular the London Inns of Court or the pseudo-Inn at Blackfriars in Dublin became some of the foremost *loci* of political debates in both realms.[23] Evidently in the London case the staging of *Gorboduc* there during the 1561-62 Inner Temple Christmas revels and the production of *A Discoverie of a Gaping Gulf* by a resident of Lincoln's Inn, John Stubbs, in 1579 demonstrate that the Inns were *fora* for discussion of matters of public policy.[24]

The evidence for discussion of political affairs in the Irish equivalent of the Inns is altogether less substantive, though some minimal conclusions can be reached. In 1541 a group of Pale lawyers and political figures collectively rented the dissolved Dominican house at Blackfriars in Dublin where the Four Courts stands today. The twenty-one year lease they obtained was just the first step in the eventual establishment of King's Inn, Ireland's first Inn of Court, a place which the principal historian of the institution has noted fulfilled, 'the most essential functions of the London inns by providing a meeting-place and a common dining-hall for those whose lives revolved around the work of the courts'.[25] The new Inn at Blackfriars, then, was effectively a point of contact for its members and one wherein the

[22] William Piers, 'Capt. Pers to [the Lord Deputy]', 1572, TNA: PRO, SP 63/35/2; Brian MacPhelim O'Neill, 'Sir Brian O'Neill M'Phelim Bacho, i.e., Sir Brian M'Felim, to the Privy Council', 1572, TNA: PRO, SP 63/35/45.

[23] Mears, *Queenship and Political Discourse*, pp. 186-188.

[24] The first staging of *Gorboduc* took place during the Christmas revels at the Inner Temple in 1561-62. A collaborative project by two members of the Temple, Thomas Norton and Thomas Sackville, its focus on Elizabeth's marriage –specifically the prefer ability of Robert Dudley as royal consort over Eric XIV of Sweden – and the succession marks it as part of a clear example of a situated public sphere located within the Inns. See, for example, Ernest William Talbert, 'The political import of the first two audiences of *Gorboduc*', in Thomas Harrison, Archibald Hill, Ernest Mossner and James Sledd (ed.), *Studies in Honor of DeWitt T. Staines* (Austin, 1967), pp. 89-115; Marie Axton, 'Robert Dudley and the Inner Temple Revels', in *HJ*, Vol. 13, No. 3 (Sep., 1970), pp. 365-378; idem, *The Queen's Two Bodies: Drama and the Elizabethan Succession* (London, 1977), pp. 38-47; Henry James and Greg Walker, 'The Politics of Gorboduc', in *EHR*, Vol. 110, No. 435 (Feb., 1995), pp. 109-121; Norman Jones and Paul Whitfield White, '*Gorboduc* and royal marriage politics: an Elizabethan playgoer's report of the premiere performance', in *English Literary Renaissance*, Vol. 26, No. 1 (Winter, 1996), pp. 3-16; Jessica Lynn Winston, 'Expanding the Political Nation: *Gorboduc* at the Inns of Court and Succession Revisited', in *Early Theatre*, Vol. 8, No. 1 (Jan., 2005), pp. 11-34; Mears, *Queenship and Political Discourse*, pp. 132-133, 186-187. Similarly Stubbs' text addressed another potential marriage, this to the duke of Anjou in 1579. Ibid., pp. 125-126, 187, 199-203.

[25] Colum Kenny, *King's Inn and the Kingdom of Ireland: The Irish 'Inn of Court', 1541-1800* (Dublin, 1992), p. 3.

discussion of Irish political affairs undoubtedly occurred. A look at the names which appeared on the two principal documents relating to the lease of the property in 1541 gives added strength to this supposition. Of these, John Alen, Robert and Walter Cowley, Thomas Finglas, William Brabazon and Thomas Luttrell all composed extant memoranda relating to Ireland while others signatories to the documents, notably Gerald Aylmer, were prominent amongst political lobbyists at this time.[26]

This Irish pseudo-Inn maintained links with the English Inns through the Statute of Jeofailles, passed in 1542, which obliged Irish lawyers who intended to practice in Ireland to reside for a period of years at the London establishments.[27] The measure was to prove a significant provision in the early-1560s as Irish students at the English Inns presented their criticisms of Sussex's government at court. Indeed it may well have been the connections between these London-based students and King's Inn in Dublin which led to a failure to renew the lease of Blackfriars upon its expiration in 1562. A second lease was obtained in 1567 which again involved a number of extremely prominent figures in Irish political circles. These included Thomas Cusack, Robert and Lucas Dillon, Nicholas White and Michael Fitzwilliams, who all composed treatises on the reform of Ireland.[28] However, equally significant was the association of a number of political dissenters with this new lease of Blackfriars. Of the twenty-five individuals whom the lease was granted to in 1567, at least four, Barnaby Scurlocke, William Bathe, Francis Delahide and John Talbot, were directly involved in opposition to either Sussex's or Sidney's governments in the 1560s and 1570s.[29]

The evidence for positing that Blackfriars acted as a place of situated discourse in Tudor Ireland and thus part of an emergent public sphere is admittedly scanty, a result of the records of the society's proceedings before 1607 not surviving, or not having been kept prior to that date.[30] Nevertheless, given the prominence of those involved in obtaining both the first and second leases in the composition of political tracts on Ireland it is fair to assume that Irish political affairs would have been discussed at length at Blackfriars. Moreover, the residence of a number of those who participated in the opposition movements of the 1560s and 1570s

[26] Ibid., pp. 28-40, App. 1. On the council's recommendation of a grant to the lawyers, see 'The Lord Deputy and Council of Ireland to the Council of England', 1542, *SP Henry VIII*, iii, 364.
[27] Kenny, *King's Inn and the Kingdom of Ireland*, pp. 40-46.
[28] Ibid., pp. 53-56. For examples of these writings from the years around the time of the second lease, see Thomas Cusack, 'Mr. Thomas Cusake to Cecill, relative to a reformation in the government of Ireland', 1562, TNA: PRO, SP 63/5/33 [App. no. 17]; Lucas Dillon, 'Memorial of Mr. Lucas Dillon for Ireland Causes', 1570, TNA: PRO, SP 63/30/40.
[29] Kenny, *King's Inn and the Kingdom of Ireland*, pp. 55-58. *Cf.* Crawford, *Anglicizing the Government of Ireland*, App. 2, pp. 432-438, to contrast the names on the lease with those appended to the end of the book of grievances presented by the students in 1562.
[30] Ibid., p. 53.

would seem to suggest that King's Inn was not just a situated public sphere in terms of political participation, but indeed of dissent, in a similar manner to the English Inns of Court under Elizabeth.

Another situated public sphere appears to have been in existence at Waterford in the 1560s and 1570s, though the evidence is again somewhat tenuous. Here we see Henry Ackworth, Patrick Sherlock and Anthony Power all concerned with similar issues of public policy, while other individuals such as Edmund Tremayne, though not directly linked to Waterford, were nevertheless involved in this dialogue. Evidence of the contact between these authors exists in two forms, the first being a marked similarity in the content of the treatises they each composed. This textual similarity could be dismissed as mere coincidence if it were not for the survival of the second type of evidence: correspondence which clearly highlights the connection between these individuals.

To deal first with the content of the treatises, the most uniform aspect to the texts is a concern over the continued taking of 'coign and livery' and the possible alternatives to the impositions. Tremayne claimed that the issue of greatest concern in Ireland was to do away with the Gaelic exactions.[31] Power was similarly perturbed by the Gaelic exactions in his 'noate', most likely composed or presented while at court in 1573:

"Quynny and liuerrye is cause that those LL. and captains of contries do kepe suche great routs of idlemen, who devoure in the daye time her matie poor subiects litle sustenance yt they have to sustaine them selves, ther poore wiues and children with all, and so for lacke therof ar ouercome with famine."[32]

Sherlock and Ackworth also raised comparable points in their memoranda.[33]

These four individuals shared more than just similar ideas on the reform of Ireland. Sherlock, Power and Ackworth were closely tied into the community of Waterford, Power as a scion of the prominent Anglo-Irish family, Ackworth as collector of the wine customs in the city and Sherlock as an agent of the earl of Ormond, while he also served as sheriff of the county in 1574, the same year that a kinsman, James Sherlock, acted as mayor of

[31] Edmund Tremayne, 'Whether the Q. Matie be to be councelled to governe Ireland after the Irish manner as it hathe bin accustomed or to reduce it as neere as may be to English government', 1573, BL, Cotton MSS. Titus B XII, f. 359v [App. no. 29].
[32] Anthony Power, 'Anthony Powar his noate for reformation of Ireland vnto Mr. Sec. Walsingham', c. 1573, BL, Cotton MSS. Titus B XII, f. 73r [App. no. 28].
[33] Patrick Sherlock, 'A note set forthe by your mats faithfull servant, Patrick Sherlock, for the reformacion of Irland, and howe to augment your mats reuenewes, and to cutt of a great part of ye charges that your maty is dayly at for ye same', c. 1568, BL, Add. MS. 48,015, ff. 279-284r [App. no. 22]; idem, 'Notes or recommendations by Patrick Sherlock for the reformation of Munster', 1569, TNA: PRO, SP 63/28/12 [App. no. 24]; Henry Ackworth, 'H. Acworte to Burghley', 1574, TNA: PRO, SP 63/46/26.

Waterford.[34] Ackworth attested to his acquaintance with Sherlock in the memorandum he addressed to Burghley in 1574, wherein he noted:

"I omitt the late murders, rauishments and spoiles comitted in the ciuill contre of Waterford, and in other seuerall corners of Irland, which that worthi gent, and painfull sheriff, Patricke Sherlock can and will vnfained testifie."[35]

Further evidence of the links between these individuals is presented in a letter Tremayne sent to Cecil the previous year requesting his support in furthering the suit of Power while at court.[36] The latter was evidently an acquaintance of Sherlock's as evidenced by a letter sent by the pair jointly to Walsingham in 1580.[37] Those involved could also be counted among Waterford's few protestants at the time, which was undoubtedly a further unifying factor in a comprehensively catholic city.[38] Thus, there is sufficient evidence to suggest that a number of connected individuals, who were not at the centre of the political process, were debating the formulation of public policy in Waterford in the late-1560s and early-1570s.

Another network of acquaintances which was in existence included a number of individuals operating in southern and eastern Ulster in the late-1560s. Involved here were Thomas Lancaster, Rowland White, John Denton, John Chaloner and Robert Lythe who shared connections with Cecil and Leicester. The links between these individuals are revealed in a letter Lancaster addressed to Leicester in 1566 wherein he notes that, 'I haue talked with Rowland Whyte, who is the owner of the Duffer, and dyvers others concerning woode for your myns of stele in Comerland'.[39] He goes on to mention his associations with John Chaloner who had experience of mining in Ireland owing to his family's mercantile interests. That White and Chaloner were familiar with each other, given their shared interests in this latter respect and the former's residence in Dublin after the loss of his familial lands in the north, also seems plausible, while another merchant, John Denton, attested to his personal acquaintance with and familiarity with White's compositions on the reform of Ireland in

[34] Patrick Sherlock, 'Patrick Sherlock, Sheriff, to Burghley', 1574, TNA: PRO, SP 63/44/1; *Lib. Muner.*, I, pt. 2, p. 150.
[35] Ackworth, 'H. Acworte to Burghley', f. 53r.
[36] Edmund Tremayne, 'E. Tremayne to Burghley', 1573, TNA: PRO, SP 63/41/10.
[37] 'Patrick Sherlock and Anthony Power to Walsyngham', 1580, TNA: PRO, SP 63/73/48.
[38] Ackworth testified to his religious persuasion in the opening to a letter he sent to Fitzwilliam in 1574. See Henry Ackworth, 'Henry Ackworth to [the Lord Deputy]', 1574, TNA: PRO, SP 63/47/22. Power similarly called for religious provisions to be made in his treatise, Power, 'Anthony Powar his noate for reformation of Ireland vnto Mr. Sec. Walsingham', f. 73v [App. no. 28]; *DIB*, s.v. Tremayne, Edmund; Sherlock, 'A note set forthe by your mats faithfull servant, Patrick Sherlock, for the reformacion of Irland, and howe to augment your mats reuenewes, and to cutt of a great part of ye charges that your maty is dayly at for ye same', c. 1568, BL, Add. MS. 48,015, f. 283v [App. no. 22], wherein he gives details of some measures he would take to ensure the spread of the reformed faith.
[39] Thomas Lancaster, 'Thomas Lancaster to the Earl of Leicester', 1566, TNA: PRO, SP 63/16/45, f. 118r.

1567.[40] Both men were also members of the Mercers Company.[41] Lythe's connection with these individuals is evinced through Chaloner's recommendation of him to Cecil, also in 1567.[42] Ireland's first secretary of state was previously responsible for the cartographer's first foray into Ireland, having hired him to map the Pale in 1556.[43] Lancaster's letter clearly indicates trading and manufacturing ties between a number of those involved with Leicester, while the role of White and Lythe in the development of Cecil's portfolio on Ireland in the late-1560s and early-1570s has been highlighted by Canny and J.H. Andrews, respectively.[44] As in Waterford, a common adherence to the reformed faith was shared by this circle of reformers.[45] The connections between these officials and merchants might well have contributed to their decision to comment on the Irish political and social situation and certainly warrants the supposing of a situated public sphere around southeast Ulster where they were active.

There are further examples of groups of individuals, who were active participants in Irish political discourse, discussing issues of public life in clearly situated arena. The most infamous was undoubtedly the gathering of individuals at Lodowick Bryskett's cottage 'neare vnto Dublin', most likely in 1580 or shortly thereafter, which became an 'occafion of…discourse' on civil life.[46] This meeting, the relation of which is reminiscent of that anonymously produced on the gathering at the Aylmer house in the 1550s, has become somewhat infamous owing to the presence of Spenser, however, other commentators on Irish policy such as Warham St Leger, Nicholas Dawtrey, John Long and Thomas Norris were also in attendance. This particular gathering was recounted by Bryskett in his, *A Discovrse of Civill Life*, the substance of which was largely a regurgitation of Giambattista Giraldi

[40] John Denton, 'John Denton "marchant taylor" to Cecill', 1567, TNA: PRO, SP 63/20/11. White was also a prominent figure in a memoir of his service which Denton composed around 1573, the merchant relating his role in the Dufferin native's trip to England in the early-1570s where White died, but not without quite possibly playing a significant role in encouraging the colonisation of northeast Ulster. idem, 'The severall services by sea and land in dyvers contries and especially in the realme of Ireland in the tyme of ye honorabe therle of Sussex, as in tyme of Sir Nicholas Arnold and Sir Thomas Wroth, lord iustices, as in the tyme of Sir Henrye Sydneye, knight, vntill the tyme of the [dyerye] ye space of 8 years', c. 1573, BL, Cotton MSS. Titus B XII, ff. 3-10.
[41] Nicholas Canny (ed.), 'Rowland White's "Discors Touching Ireland", c. 1569', in *IHS*, Vol. 20, No. 80 (Sep., 1977), pp. 439-463, p. 440.
[42] John Chaloner, 'Mr. John Chaloner to Cecill', 1567, TNA: PRO, SP 63/22/22.
[43] *DIB*, s.v. Lythe, Robert.
[44] Canny (ed.), 'Rowland White's "Discors Touching Ireland", c. 1569'; idem, 'Rowland White's "The Dysorders of the Irisshery", 1571', in *Stud. Hib.*, No. 19 (1979), pp. 147-160; J.H. Andrews (ed.), 'Robert Lythe's Petitions, 1571', in *Anal. Hib.*, No. 24 (1967), pp. 232-241; J.H. Andrews, 'The Irish Surveys of Robert Lythe', in *Imago Mundi*, Vol. 19 (1965), pp. 22-31.
[45] *DIB*, s.v. Chaloner, John; *DIB*, s.v. Lythe, Robert ; *DIB*, s.v. Lancaster, Thomas; *DIB*, s.v. White, Rowland.
[46] Lodowick Bryskett, *A Discovrse of Civill Life* (London, 1606), p. 5.

Cinthio's, *Tre dialoghi della vita civile*.[47] As such while Bryskett's tract is primarily a reflection on civil and moral virtue the meeting of these individuals, so many of whom had composed commentaries on the political state of Ireland, would certainly have been a venue for discussion of more immediate political issues.

The foregoing examples provide sufficient evidence to hypothesise the emergence of a public sphere in Elizabethan Ireland, albeit one in its infancy. Their limited nature, with Blackfriars perhaps proving the only venue wherein it could be stated with any plausibility that discourse was regular, however, requires an alternative classification. It is here that Mears reference to situated public spheres as 'clusters of debate' is useful, for while these examples are not comparable to a Restoration coffeehouse in terms of the discussion on public affairs which would have occurred therein, it would conversely be remiss to disavow their importance in the development of political discourse in late-Tudor Ireland.[48]

In tandem with the emergence of these situated public spheres at Blackfriars, Waterford, southeast Ulster and at Bryskett's cottage there was a gradual growth of un-situated discourse in Elizabethan Ireland. Indeed un-situated discourse, the regular discussion of a particular issue at no fixed location, is in evidence in Ireland from the outset of Henry VIII's reign in the shape of criticism of the practice of 'coign and livery' and cultural degeneracy more generally. While clearly those who addressed this issue cannot be tied to each other in the same manner in which those discussing Irish political life in Bryskett's work can be there is, nevertheless, a palpable sense that their concern over these developments was something which the political community of the Pale were conferring over from early in Henry's reign. This manifested itself in the uniform manner in which Old English political commentators from the 1510s onwards singled out the Gaelic exactions as the root of political instability in the Irish lordship.[49]

The Elizabethan period witnessed similar developments, with this particular discourse concentrating on the actions of the military executive and the problem of the cess. As seen, this was emergent in the closing years of Mary's reign and it is more than plausible that Dowdall and Desmond, though occupying widely different geographical spaces in Ireland, were in contact with each other at the time of their complaints. Both, for instance, criticised the decay of the country under Sussex and suggested that a commission of inquiry be set up

[47] Ibid., pp. 5-6. The text was also influenced by Alessandro Piccolomini's, *Della institutione morale* and Stefano Guazzo's, *La civil conversazione*. Canny, *Making Ireland British*, pp. 1-9, elaborates further on the ties between the discoursers. Also, see Andrew Carpenter, 'Literature in Print, 1500-1800', in Gillespie and Hadfield (eds.), *The Oxford History of the Irish Book, Volume III*, pp. 301-318, esp. pp. 303-304.
[48] Mears, *Queenship and Political Discourse*, pp. 215-216.
[49] See above p. 17.

to investigate the problems they identified.[50] Similarly, it is not possible to tie those who protested against Sussex's government in the early-1560s to any one location beyond noting their attachment to the Pale. The students could be associated either with the London Inns or with the four counties, Bermingham was a resident of Meath, while Parker, though also generally associated with the Pale, had ties and properties from Wexford, north to the Bann.[51] Despite this geographical disparity these agents were participating in a common discourse. Their criticisms of Sussex's government centred on broadly common issues and though it is difficult to determine the extent to which their actions displayed a concerted unity they openly acknowledged their cognisance of eachother's actions. Thus, Parker, in the opening passages of his book on the abuses of the Sussex administration noted his awareness 'that certen yong men of the birthe of that land, being studentes here in your maiesties laws, haue exhibited a boke of soundrie abuses within thenglishe pale there'.[52]

Criticism of Sussex's government is just one example of an unsituated discourse in Elizabethan Ireland. Similarly the cost of running the government became a serious topic of debate, one which saw numerous politically engaged commentators send proposals to Dublin Castle or Whitehall on how to augment revenue or cut costs. These discourses, unfixed to any one location, yet possessed of links between the individuals involved, have been referred to as 'arterial networks' of debate by Mears and also formed a core part of the emergent public sphere in Ireland.[53]

Acting as something of an ancillary to these changes in political discourse in Ireland was the development of a greater awareness of Irish affairs amongst senior government officials at Whitehall. Central to these developments was Cecil, though others, such as lord treasurer Winchester in the 1560s, also played a prominent, and previously under-appreciated, role in surveying Irish affairs.[54] Walsingham's knowledge of and influence in Ireland became as substantive as Burghley's from the late-1570s onwards, while even more marginal figures, such as Robert Beale, were actively seeking to possess a greater knowledge

[50] George Dowdall, 'George Dowdall, Archbishop of Armagh and Primate of all Ireland, to Nicholas Heath Archbishop of York and Lord Chancellor and the Privy Council', 1557, TNA: PRO, SP 62/1/61 [App. no. 12]; Desmond, 'James, Earl of Desmond, High Treasurer of Ireland, to Queen Mary', 1558, TNA: PRO, SP 62/2/11.
[51] *DIB*, s.v. Parker, John.
[52] John Parker, 'A slanderous book addressed to the Queen against the Lord Lieutenant Sussex and other governors of Ireland', 1562, TNA: PRO, SP 63/6/37, f. 76r.
[53] Mears, *Queenship and Political Discourse in the Elizabethan Realms*, pp. 215-216.
[54] Winchester's role in Irish affairs has not been the subject of recent scholarship. For examples of his writings thereon, see Winchester, 'Lord Treasurer Winchester to Cecill', 1566, TNA: PRO, SP 63/16/62; idem, 'Lord Treasurer Winchester to the Lord Deputy', 1567, TNA: PRO, SP 63/21/28; idem, 'Lord Winchester's opinion', 1567, TNA: PRO, SP 63/21/33(i).

of the Irish polity.[55] Cecil, in particular, appears to have been attempting to gather a portfolio of information on the sister kingdom in the 1560s, while by the 1570s his engagement with Irish affairs was such that in the first two months of 1575 alone he composed no less than five memoranda on matters there.[56]

Furthermore, an unofficial committee on Irish affairs seems to have come into existence in the early part of Elizabeth's reign. The most unmistakeable evidence of this was in the correspondence Burghley, Leicester and Sussex collectively carried out with Essex in the early-1570s to deliberate on his progress in colonising the northeast.[57] Moreover, the dispatch of influential commissioners to survey Irish affairs and make report thereon became a more regular occurrence in the late-1560s. Foremost here were Francis Knollys who visited Ireland in 1567 and Edmund Tremayne, who first came to Ireland in 1569.[58] These occurrences, when combined with the exponential growth in correspondence between the Irish and English governments, point to Ireland having become a major part of government

[55] On Walsingham's role in Irish affairs, see Mitchell Leimon, 'Sir France Walsingham and the Anjou marriage plans, 1574-1581', PhD (Cambridge University, 1989), pp. 77-105; Cooper, *The Queen's Agent*, pp. 139-157. Direct evidence of Beale's involvement in Irish affairs is almost non-existent, however, his papers contain a significant amount of information on Ireland, and are some of the richest for extant treatises. See BL, Add. MSS. 48,015, 48,017. Moreover, Beale commented on the necessity of knowledge on Irish affairs in his famous treatise on the role of a principal secretary. See Robert Beale, 'A Treatise of the office of a Councellor and Principall Secretarie to her Matie', 1592, BL, Add. MS. 48,149, ff. 3-9, printed in Conyers Read, *Mr Secretary Walsingham and the Policy of Queen Elizabeth*, 3 Vols. (Oxford, 1925), I, pp. 423-443, esp. pp. 428-429. Also, see Mark Taviner, 'Robert Beale and the Elizabethan Polity', PhD (St Andrews University, 2000), esp. pp. 20-45; Patricia Ann Brewerton, 'Paper Trails: Re-reading Robert Beale as Clerk of the Privy Council', PhD (University of London, 1998).

[56] Burghley, 'Memorandum by Burghley, of the Earl of Essex's plat and intentions for Ulster and planting Claneboy, the Route, &c.', 1575, TNA: PRO, SP 63/49/51; idem, 'A consultation for Ulster written by Burghley', 1575, TNA: PRO, SP 63/49/66; idem, 'Memoranda by Burghley to be considered for Ireland', 1575, TNA: PRO, SP 63/49/68; idem, 'Memorial for Ireland by Burghley', 1575, TNA: PRO, SP 63/49/73; idem, 'Consultations for the government of Ireland', 1575, TNA: PRO, SP 63/49/78.

[57] 'Lord Burghley and the Earls of Sussex and Leicester to the Earl of Essex', Cal. Carew MSS. 1515-1574, 316; 'Burghley and others to the Earl of Essex', 1574, TNA: PRO, SP 63/46/36; 'Burghley, Sussex, and Leycester to the Lord Deputy and Earl of Essex', 1575, TNA: PRO, SP 63/50/53. Much of Essex's correspondence was also addressed to these three, however, in a number of these letters Walsingham was included as an addressee, though his name is not appended to any of the letters sent in response to Essex. See, for example, Essex, 'Earl of Essex to the Lord Treasurer, the Lord Chamberlain and the Earl of Leycester', 1574, TNA: PRO, SP 63/45/7; idem, 'Earl of Essex to the Lords Treasurer, Chamberlain, Leicester, and Secretary Walsyngham', 1574, TNA: PRO, SP 63/46/61; idem, 'Earl of Essex to Lords Burghley, Sussex, Leicester, and Secretary Walsyngham', 1574, TNA: PRO, SP 63/46/68. The earl does not appear to have been the only Irish official in contact with the trio, although he appears to have been the sole recipient of return correspondence from them. See, for example, William Fitzwilliam, 'Lord Deputy to Lords Treasurer, Chamberlain, and Leycester', 1575, TNA: PRO, SP 63/52/24. A letter was also collectively sent from Fitzwilliam, Loftus and Fitton to the trio. See 'Lord Deputy and others to Burghley, Sussex, and Leycester', 1575, TNA: PRO, SP 63/51/27.

[58] Canny, *The Elizabethan Conquest of Ireland*, p. 58; Brady, *The Chief Governors*, p. 120. See, also, Knollys' brief memorandum on Ireland, Francis Knollys, 'Mr. Vice Chamberlain Knollys's opinion not to allow the name of O'Neill to Turlough Lynagh, but rather to offer his freehold to Alexander Óge and his new Scots, on condition that they expel him and take it themselves', 1567, TNA: PRO, SP 63/21/56; *DIB*, s.v. Tremayne, Edmund.

business within the Tudor dominions, rather than the somewhat peripheral, and often ignored, concern which it had previously been.

The Elizabethan period, then, saw widespread discussion of political events in Ireland and theorising on means to 'reform' that polity. While this was not on a commensurate level with the scale of debate and discourse on public affairs which occurred in England through the late-sixteenth and seventeenth centuries it was, nevertheless, substantial enough to warrant discussion of an emergent public sphere in late-Tudor Ireland. Clearly this was not a classic Habermasian public sphere but one which, to borrow the terms used by Mears for the wider Tudor dominions, consisted of 'clusters of debate' overlain by 'arterial networks' of discussion. Furthermore, these burgeoning situated public spheres and un-situated discourses were reliant on methods of news transmission which would not typically be associated with the Habermasian public sphere, specifically oral communication and manuscript correspondence. As such these developments are significantly different to what occurred in the proceeding centuries but the foregoing should serve to emphasise that the very notion of a public sphere in Tudor Ireland, and indeed the essential mechanisms of how political discourse was carried out there, needs to be engaged with to a far greater extent than previously attempted by historians of Tudor Ireland. By doing so a far greater awareness of how policies were developed prior to implementation in Ireland can be acquired, one which looks beyond the insular political world of the chief governors and a small clique of senior Irish officials. In particular it may become apparent that figures such as Sidney were not as exclusively pivotal in the formation of a programme of conquest as previously thought. This is especially true in respect of the inaugural appointment of provincial presidencies and the proliferation of colonies which transpired in the late-1560s and early-1570s.

II – Presidencies and Colonies?

In 1976, in his seminal study of the lord deputyships of Henry Sidney, Nicholas Canny posited that the viceroy was the chief institutor of a new programme of conquest in Ireland based on the twin methods of colonisation and the establishment of provincial presidencies. As such Sidney was presented as the pivotal figure in the administration of early-Elizabethan Ireland without whose imprint these measures might not have been adopted or followed with such energy. Canny, then, while not completely overlooking the fact that colonisation and provincial presidencies had been either resorted to or discussed as viable means to extend English rule in Ireland in the decades prior to the 1560s, nevertheless argued strongly for

Sidney's exceptionalism. Yet, this thesis was fundamentally flawed, primarily as it failed to take sufficient stock of the abundance of treatises composed on these two policy options as early as the 1530s.[59] What follows will argue that Sidney, far from being a paramount character in the development of a programme of conquest through provincial presidencies and colonisation, was to a large extent simply the man who happened to occupy the office of lord deputy when the time became propitious to adopt these policies. In tandem the development of these initiatives within the 'reform' treatises will be traced.

Canny's tendency to give limit coverage to the precursors to Sidney's advocacy of these measures was particularly acute in the case of the provincial presidencies. Specifically, his overview of the proposals made in this regard prior to Sidney's appointment focused almost exclusively on the writings of Thomas Cusack and Sussex.[60] These omissions have been replicated in almost all similar studies.[61] The exceptions to this pattern are the unpublished work of Dennis Kennedy on the Munster office and Anthony McCormack's study of the Desmond lordship. Kennedy's is doubtlessly the most comprehensive overview to date with identification of a number of tracts recommending provincial councils, including the earliest such pronouncement in 1533 by John Alen.[62] McCormack drew on Kennedy's work, whilst also providing details on how the fourteenth earl of Desmond, James FitzJohn, favoured the foundation of a presidential bureaucracy.[63]

As illustrated in the previous two chapters such a scheme had been in the firmament for several decades prior to Sidney's appointment as lord deputy. In that time it had gained adherents amongst high ranking officials such as William Brabazon, Walter Cowley and

[59] Canny, *The Elizabethan Conquest of Ireland*. For an interesting adjunct to Canny's thesis, one which highlights the manner in which Sidney presented himself, and had others depict him, as a man of conquest and new beginnings, see Thomas Herron and Willy Maley, 'Introduction: Monumental Sidney', in *The Sidney Journal*, Vol. 29, Nos. 1-2, Special Issue: Sir Henry Sidney in Ireland and Wales (2011), pp. 1-25.

[60] Ibid., pp. 96-97. A tract composed by William Bermingham and an initiative to have the archbishop of Cashel appointed president of Munster in the 1540s, the evidence for which is a second hand testimony by George Wise from 1569, are cited, however, these are just the briefest of allusions. Canny dates the latter scheme to 1548 on the basis of Wise's letter, however, the document, which was written in 1569, clearly points to the scheme having been proposed in 1543 as Wise writes of the plan having been put forward twenty six years prior to his writing. See George Wise, 'George Wyse to Cecill', 1569, TNA: PRO, SP 63/29/77, f. 165r. However, ancillary evidence points towards 1546 as the year in which this initiative was put forward. See 'Minutes of Council, with the King's Commands', 1546, *SP Henry VIII*, iii, 448, p. 583, which recommends that a council be established at Limerick presided over by the archbishop of Cashel.

[61] Crawford, following Canny, looked at no influence other than Cusack and Sussex. See Crawford, *Anglicizing the Government of Ireland*, pp. 307-308. Similarly, Brady, though arguing that Sidney was substantially indebted to Sussex in the formation of his ideas, did not include any theorists other than the two viceroys in his study. Brady, *The Chief Governors*, pp. 73-74, 117-118. There is also a brief mention of the earl of Desmond's support for such a scheme. Ibid., pp. 90-91.

[62] Dennis Kennedy, 'The Presidency of Munster under Elizabeth and James I', MA (UCC, 1973), esp. pp. 13-23.

[63] McCormack, *The Earldom of Desmond*, pp. 83-87, 126-131, 136-143.

Thomas Cusack, as well as more shadowy figures like Thomas Walsh, but most importantly it had been championed by Sussex in his extensive policy documents of the early-1560s. Moreover, the fact that even critics of the lord lieutenant, notably William Bermingham, were in agreement that provincial presidents ought to be appointed demonstrates that a consensus had formed on this issue by the time of Sidney's entering office.[64] Finally, in the years following Sidney's appointment, but prior to the appointment of the first president, Edward Fitton, in Connaught, a handful of writers such as Patrick Sherlock continued to campaign for the creation of such offices.[65] Evidently there was far more support and promotion of the presidential scheme amongst political commentators in Ireland than most previous studies have allowed for.

But what of Sidney's role? The document on which Canny grounded much of his analysis of the viceroy's programme for government, the 'Articles' of 1565, contains a very brief note on the benefits which would accrue from establishing a president in Munster:

"This only way of reformacion if your heighnes like then I thinke that a president with 2 or 3 suffycient counsellors, having at ther commandment 2 hundreth fotemen and 1 hundreth horsemen, may do eny thinge in that contrey that they liste and tending to the quyet of the people, and ther obeadiens to your matie."[66]

This is a far less detailed or emphatic endorsement of the initiative than others gave, while, furthermore, no mention of appointing a similar figure in Connaught or Ulster is made. Elsewhere in his correspondence Sidney seemed more supportive. In a long report to the queen in 1567 he claimed in relation to Munster and Connaught there was 'no Waye for Reformacion of thies two provinces, but by planting Juftice by Prisident and Counseills'.[67] Yet this mirrored the language which had been used by the majority of those other supporters of presidents previously seen. Moreover, the majority of his memoranda and position papers from the late-1560s are silent on the topic, while this supposed pillar of his entire governmental programme is barely alluded to in his 'Memoir' of service, written in the early-1580s.[68] Taken as a whole it is difficult to accept that it was Sidney's belief that 'the vigorous

[64] On the growth in support for provincial bureaucracies, see above pp. 88-89, 112-115.
[65] Patrick Sherlock, 'A note set forthe by your mats faithfull servant, Patrick Sherlock, for the reformacion of Irland, and howe to augment your mats reuenewes, and to cutt of a great part of ye charges that your maty is dayly at for ye same', c. 1568, BL, Add. MS. 48,015, ff. 279-284r [App. no. 22]; idem, 'Notes or recommendations by Patrick Sherlock for the reformation of Munster', 1569, TNA: PRO, SP 63/28/12 [App. no. 24].
[66] Henry Sidney, 'Sir Henry Sydney's articles for the publick affairs of Ireland', 1565, TNA: PRO, SP 63/13/46, f. 109v [App. no. 21].
[67] idem, 'Henry Sidney to Queen Elizabeth', 1567, TNA: PRO, SP 63/20/66, printed in Collins (ed.), *Letters and Memorials of State*, I, pp. 18-31, p. 29.
[68] See, for example, idem, 'Lord Deputy Sydney to the Earl of Leicester', 1566, TNA: PRO, SP 63/16/35; idem, 'Memorial of things not expressed in the letters brought by Ralph Knight, but committed to be declared by

execution of justice by provincial presidents' was 'the best means' of 'extending English influence throughout the entire country', except in the Gaelic lordships, while it is also difficult to find unequivocal evidence of his 'enthusiasm' for presidencies as the best means 'to bring local independence and palatinate jurisdictions to an end'.[69] As such this aspect of Canny's thesis of how Sidney affected the course of English government in Elizabethan Ireland needs significant reappraisal.

Of somewhat equal significance to the origins of the presidential scheme is the theoretical conception of the office itself and specifically whether those appointed would fulfil a primarily judicial or martial role. Canny was in little doubt that as an instrument of an aggressive policy of conquest the presidents would perform a martial function first and foremost.[70] Conversely, Brady has consistently argued that these provincial bureaucrats were originally intended to oversee the establishment of English legal institutions with any military activity engaged in geared directly towards that end.[71] Kennedy suggested a similar benevolence in the original conception of the office, though unlike Brady he saw the origins of the drift towards a martial presidency in Sussex's writings, and both writers have concluded that the presidential offices quickly degenerated into military governance in the early-1570s.[72] A third reading of the purpose of the presidential office steers a via-media between these latter two interpretations, acknowledging the overtly military role of the presidents, but also laying emphasis upon the continuing civil competences of those appointed. Jon Crawford, Mary O'Dowd and Bernadette Cunningham have generally favoured this construal, though Crawford in his more recent work has argued that the degree to which any degeneration of the presidential offices into military governance occurred in the 1570s and 1580s has been overstated, indicating a drift towards a view of the presidents as primarily civil officials.[73]

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speech', 1567, TNA: PRO, SP 63/21/20. Brady (ed.), *A Viceroy's Vindication?*, pp. 18-19, where Brady also notes the somewhat incongruous absence of the presidential scheme from Sidney's account of his Irish career.

[69] Canny, *The Elizabethan Conquest of Ireland*, pp. 97-98. These statements, it should be noted, are not supported by reference to any of Sidney's writings from the 1560s. Rather they are justified on the basis of a positive appraisal of the Welsh acceptance of the common law in his 'Memoir' and a further remark made by Sidney on the necessity of removing palatine liberties from Munster, made in a letter to the Privy Council in 1576.

[70] Ibid., pp. 47-48.

[71] Ciaran Brady, 'Faction and the Origins of the Desmond Rebellion', in *IHS*, Vol. 22, No. 88 (Sep., 1981), pp. 289-312, esp. p. 295; idem, *The Chief Governors*, pp. 73-74, 137-140, 169-178.

[72] Kennedy, 'The Presidency of Munster under Elizabeth and James I', pp. 17-22, 28-45.

[73] Bernadette Cunningham, 'From Warlords to Landlords: Political and Social Change in Galway, 1540-1640', in Gerald Moran (ed.), *Galway: History and Society* (Dublin, 1996), pp. 97-129; Mary O'Dowd, *Power, Politics and Land: Early Modern Sligo, 1568-1688* (Belfast, 1991), pp. 28-29, 45-46, 54; Crawford, *Anglicizing the Government of Ireland*, pp. 319-323; idem, *A Star Chamber Court in Ireland*, pp. 41-58, presents this new interpretation.

It would appear that the view of the presidents as both military figures and instruments of legal 'reform' most accurately captures how it was believed the president would function in the years leading up to the inauguration of the scheme in the late-1560s. In most instances the details which those who advocated the creation of such positions provided was so scant that it is impossible to determine what role they saw provincial presidents fulfilling. But when the writings of those who provided specifics on how the office would operate, notably Thomas Walsh and St Leger, are looked at it becomes clear that both a martial and judicial capacity was foreseen.[74] Sussex, again, believed that the presidents would be instruments for the introduction of the common law but would also act as regional military commanders, particularly in Ulster. Brady, has noted this discrepancy in relation to the northern province, but has overstated the degree to which the presidents in Munster and Connaught would exercise powers approximate to their counterparts in Wales and the north of England.[75] Though cognisance needs to be taken of the previously noted contradictions in Sussex's writings on this topic it is impossible to overlook the lord lieutenant's explicit recommendation in his 'Relation' of a martial figure, who would be provided with a military retinue, for each of the three presidents he wished established in Ulster, Connaught and Munster.[76] Sidney, likewise, did not baulk at discussing the military function of the presidents. The fleeting, and previously quoted, reference to the establishment of a Munster presidency in his 1565 'Articles' gave only two specific details; that the president should be counselled by two to three individuals and that he ought to have a military force of 200 foot and 100 horse at his disposal.[77] Finally, the instructions consecutively drawn up for St Leger, Pollard and Perrot in Munster are extensive and markedly similar tracts. They deal with a host of minutiae concerning the office of president, from the handling of letters to the restoration of the church, most of which points towards the government's desire for a civil officer who would implement legal and administrative 'reform'. However, all three documents make explicit reference to the need to prosecute any wrongdoers with 'fire and sword' and the use of martial law was authorised in each instance.[78]

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[74] Walsh, 'Report by Thomas Walsh on the state of Ireland', 1552 [App. no. 8]; St Leger, 'Propositions for services in Ireland', 1555 [App. no. 10].
[75] Brady, *The Chief Governors*, pp. 73-74.
[76] Sussex, 'A relation of the Earl of Sussex, in what sort he found the Kingdom of Ireland, when he came thither, and in what estate the same was *in anno* 1562, and his opinion of the reform thereof', 1562, pp. 347-348.
[77] See above p. 155.
[78] 'Draft of Instructions for the government of Munster; devised for Sir Warhame Sentleger', 1566, TNA: PRO, SP 63/16/22, printed almost wholly in *CSPI*, 1606-1608, pp. xxiii-xxix. 'Draft of instructions for the establishment of a President and Council in Munster', 1568, TNA: PRO, SP 63/26/9; Collins (ed.), *Letters and Memorials of State*, I, pp. 48-59.

Inevitably reliance on instructions or any other statement of intent is limited and must be supplemented with an appraisal of how the office actually functioned in the two provinces where presidents were eventually appointed. In Munster the position's inception was dogged by a faltering start when the first two candidates, Warham St Leger and John Pollard, failed to take office, St Leger owing to the objections of the earl of Ormond, Pollard following protracted negotiations on his stipend and then his death.[79] This was followed by Humphrey Gilbert's infamous spell as military governor at the time of the rebellion of James Fitzmaurice, after which Perrot finally became the first president, charged with mopping up the remnants of the conflict. For an office allegedly designed to introduce the norms of English governance into the province this was a less than auspicious beginning.[80] In Connaught Andrew Corbett was first proposed for the position prior to Edward Fitton's appointment in 1569.[81] Within months, though, of their arrival he and his chief justice, Ralph Rokeby, were dispatching pessimistic reports to Whitehall.[82] Fitton, in particular, appears to have realized quite early on that a strong military presence would be a requisite if the provincial bureaucracies were to operate effectively.[83] Thus, within the first few years of the appointment of the presidents the military role which it was always envisaged they would play had become much more central to their operation.

It would be remiss, however, to posit that the offices degenerated entirely into military governance. While excessive recourse to martial law, clientelism and heightened military engagement were all certainly characteristic of Perrot, Fitton, Drury and Malby's government, and so too of Norris and Bingham's later, there were still tangible attempts by successive presidents to establish judicial institutions, most palpably through the holding of assize sessions.[84] Consequently, it would be a flawed analysis which contends that legal and

[79] *ODNB*, s.v. St Leger, Warham.
[80] Kennedy, 'The Presidency of Munster under Elizabeth and James I', pp. 24-27; Brady, *The Chief Governors*, pp. 137-140; Canny, *The Elizabethan Conquest of Ireland*, pp. 98-116; Crawford, *Anglicizing the Government of Ireland*, pp. 308-314.
[81] *ODNB*, s.v. Fitton, Sir Edward.
[82] Edward Fitton, 'Sir Edward Fyton to Cecill', 1571, TNA: PRO, SP 63/30/43; Ralph Rokeby, 'Ralph Rokeby to Cecill', 1571, TNA: PRO, SP 63/30/44; Crawford, *Anglicizing the Government of Ireland*, pp. 314-319; Canny, *The Elizabethan Conquest of Ireland*, pp. 98-116; Brady, *The Chief Governors*, pp. 137-140; Cunningham, 'From Warlords to Landlords', pp. 102-112.
[83] Edward Fitton, 'Sir Edward Fyton to Cecill', 1571, TNA: PRO, SP 63/31/6.
[84] Crawford, *Anglicizing the Government of* Ireland, pp. 307-323; idem, *A Star Chamber Court in Ireland*, pp. 41-58; Kennedy, 'The Presidency of Munster under Elizabeth and James I', pp. 86-87, characterises Drury as becoming increasingly obsessed with the apprehension of rebels and malefactors, while his rule generally inspired the antipathy of the provincial lords. Rapple, *Martial Power and Elizabethan Political Culture*, pp. 162-300, overviews a host of military figures in Elizabethan Ireland. See, in particular, pp. 250-300, for an in depth study of Bingham's presidency. Also, see Brady, *The Chief Governors*, pp. 281-286, for a study of Malby's time in Connaught.

judicial institutions were not fostered piecemeal in Munster and Connaught following the establishment of the presidencies, but equally it is necessary to give weight to the degree in which presidential governance was more often than not overtly confrontational and militaristic.

Overall, then, this aspect of Canny's thesis does not stand up to scrutiny. The lord deputy may have been a supporter of the presidential scheme, but such was the level of advocacy amongst government officials as far back as the 1530s that it is hard to believe in the exceptional role of Sidney in fostering the initiative. Ultimately, though, if this aspect of Canny's thesis cannot be said to stand on firm ground it is altogether more difficult to dismiss the second supposition on which his study is based, namely that Sidney was the great champion of colonisation in Ireland. The late-1560s and early-1570s did indeed witness a dramatic increase in the number of colonial projects being proposed and actually coming to fruition.

From the time treatises on Ireland began appearing in the early years of Henry VIII's reign colonisation had been proposed as a central means to conquer and settle large parts of the country by writers such as John Kite, Patrick Finglas and the Cowleys.[85] However, the focus of these early proposals was largely on planting south Leinster, while in the following decades the geographical focus of the discourse on colonisation moved to the midlands. But by the time of Sidney's appointment it was increasingly northeast Ulster, where it was envisaged new settlements would serve to curb the encroachments of the Scots, that was becoming the focus of those promoting colonisation in their treatises. Although the 1515 'State' had briefly suggested this, it was two documents which have already been looked at which were pivotal in this respect; Sussex's 1557 proposal for the plantation of Ulster and the 1565 scheme by a company of individuals amongst whom William Piers is the only readily identifiable figure.[86] The motives for colonisation, the places to fortify, and settle, and the specific details of how to promote plantation within these two documents were picked up and

[85] See, for example, John Kite?, 'The State of Ireland and Plan for its Reformation', 1515, *SP Henry VIII*, ii, 1; Walter Cowley, 'W. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 131; Robert Cowley, 'The Devises of Robert Cowley, for the furtheraunce of the Kinges Majesties affayres in His Graces land of Irland', 1536, *SP Henry VIII*, ii, 147; idem, 'R. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 129; 'Walter Brown, of Mulrancan, John Deverus and Alexander Ketyng, of County Wexford, to Crumwell', 1537, TNA: PRO, SP 60/4/27; Finglas, 'A Breviat of the getting of Ireland, and of the decaie of the same', c. 1515, printed in Harris (ed.), *Hibernica***,** I, pp.79-103.

[86] Kite?, 'The State of Ireland and Plan for its Reformation', 1515, p. 24; Sussex, 'Opinions of Lord Fytzwauter on the above articles', 1557, TNA: PRO, SP 62/1/22(ii); William Piers, 'A paper [apparently by Capt. W. Pers of Knockfergus, intended to be presented to Cecill or Sussex] relating the policy of Scotland, to promote James McDonnell to be Lord of all the Isles of Scotland, with the reasons of its failure', 1565, TNA: PRO, SP 63/9/83 [App. no. 19].

borrowed by a host of writers favouring settlement of Ulster in the late-1560s and early-1570s.

It seems almost certain that Canny went too far in suggesting that Sidney was a significant conceptualizer of colonising ideas. For instance, his contention that the president of Wales was perhaps the author of the 1565 scheme associated with Piers is extremely circumspect.[87] At the likely time of composition Sidney was serving as lord president of Wales and the Marches, was a former Irish lord justice and had been viewed for many years as someone likely to attain the Irish viceroyalty. Given his resultant clout it seems highly incongruous that had he been behind the proposal that the text would not be directly attributable to him. Furthermore, Sidney's major treatise on the colonisation of Ulster, a document dispatched to Cecil in November 1568, is a markedly unoriginal pronouncement. He begins by noting that the problems wrought by the Scots continuing incursions into Ulster is one of the major problems confronting English rule in Ireland.[88] He then recommends the occupation of Rathlin Island, prior to suggesting that the nobility of England might be persuaded to participate in the colonisation of the northeast.[89] A colony of two thousand men should be established centred on eight settlements; Carrickfergus, Olderfleet, Glenarm, Red Bay, Markettown, the Bann, Skerries and Portrush. Additionally, a town was to be constructed at Armagh and a bridge and castle erected at some point on the Blackwater.[90] The viceroy, doubtlessly hoping to emphasise the necessity of implementing his proposals, concluded by saying that if it was not approved the province should be left to the Scots and Irish.

There was little new in this. The locations chosen for fortifying were substantially the same as in Sussex's 1557 proposals. Both wanted Carrickfergus, Olderfleet and the Bann settled, for example, while the earl's earlier recommendation of Lough Foyle and Carlingford approximated geographically with Sidney's earmarking of Portrush and Skerries. The stricture that Armagh become a provincial centre with re-edification of the town was a staple of Sussex's writings.[91] In 1562 he called for the occupation of the havens facing towards Scotland and the construction of bridges on the rivers.[92] Similarly, the focus of the scheme associated with Piers was on Antrim and Down, the area with which Sidney was primarily

[87] Canny, *The Elizabethan Conquest of Ireland*, p. 71.
[88] Henry Sidney, 'Lord Deputy to Cecill', 1568, TNA: PRO, SP 63/26/18, f. 71r.
[89] Ibid., f. 72r.
[90] Ibid., ff. 72r-73r.
[91] Sussex, 'The opinion of the Earl of Sussex Lieutenant-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, p. 332.
[92] Ibid., p. 333-334.

concerned. Moreover, almost a year before Sidney's writing Cecil had drawn up a memorial on the extension of the Pale into Ulster. Here he identified as sites for fortifying and placing of wards Carrickfergus, the Bann, Portrush and a number of other havens near to those earmarked by Sidney. He too believed Armagh ought to be established as a major provincial town, that a bridge needed to be constructed across the Blackwater and concluded by prophesying the continued growth in power of the Irish and inroads of the Scots if these steps were not taken.[93]

A perusal of Sidney's other memorandum from the late-1560s does not reveal much more by way of innovatory colonial thought. His 1565 'Articles' made a brief point on the desirability of planting the northeast to keep the Scots from occupying that region:

"If your matie fynde not apte tyme presently to expuls them your heighnes may winke at them for the tyme. If your heighnes will expuls them ther ar divers wayes, but the suerrest and sonest is to inhabit betwene them and the sea, wherby with some shipping all hope of succor shalbe cut from them."[94]

In the margin here Sidney drew attention to Piers' scheme. A series of letters from 1566 gave ambiguous testament to his support for colonisation. In these he supported the suit of Valentine Browne and some Bristol merchants to plant the Bann, noted the desirability of inhabiting the northeast, but also remarked somewhat pessimistically on the slow and expensive example provided by the midlands plantation.[95] In 1567 he was in favour of fortifying Derry, Armagh and Carrickfergus, but his proposal on how to keep the Scots out at this time was to adopt a method which had repeatedly and conclusively failed for several decades, namely the dispatch of a handful of barks and frigates to patrol the seas between Antrim and the Isles.[96] On this occasion he did make one recommendation which would appear to have not been put forth previously. This was a call for protestant exiles from the Low Countries, then resident in England, 'to be planted in Irelande', an initiative which Sidney returned to in 1576 when he arranged for a community of these refugees to settle in Ireland.[97]

This latter point aside, it seems excessive to suggest that Sidney was the linchpin of colonial enterprise in Ireland. Clearly he was very open to colonisation and aware of the

[93] William Cecil, 'A memorial by Cecill', 1567, TNA: PRO, SP 63/22/49.
[94] Sidney, 'Sir Henry Sydney's articles for the publick affairs of Ireland', 1565, f. 110r [App. no. 21].
[95] idem, 'Henry Sydney to Cecill', 1566, TNA: PRO, SP 63/17/14; idem, 'Lord Deputy Sydney to Cecill', 1566, TNA: PRO, SP 63/19/51; idem, 'Lord Deputy to the Privy Council', 1566, TNA: PRO, SP 63/19/71.
[96] idem, 'A note of the chiefest matters contained in the Lord Deputy's letters which are to be considered and answered', 1567, TNA: PRO, SP 63/21/48, f. 197.
[97] Ibid., f. 197v; Collins (ed.), *Letters and Memorials of State*, I, pp. 161-162, contains a letter from Sidney to Walsingham in 1576 outlining his provisions for the community. Brady (ed.), *A Viceroy's Vindication?*, pp. 78-79.

benefits which might accrue from such but he cannot be viewed as the architect of the flood of colonisation which took place at this time. His ideas were largely a recapitulation of those favoured by Sussex and many other commentators. In particular Sidney seems to have adapted his thinking to reflect what was popular amongst senior politicians at Whitehall such as Knollys and Winchester, but above all Cecil. It is surely more than happenstance that Sidney addressed his major position paper on the planting of Ulster, the contents of which were significantly the same as the secretary of state's memorandum written a year earlier, to Cecil himself. All this considered it is fair to conclude that Sidney was not markedly radical in his thinking on colonisation in Ireland, that his proposals were a combination of ideas gleaned from previous commentators and those which were currently in favour at Whitehall, but that he was sufficiently amenable to colonising efforts to provide an environment wherein they could proliferate.

The colonisation which was attempted during these years occurred over a substantial portion of the country, embracing three provinces, and failing only to impact upon Connaught. In Munster a cohort of individuals whose ties to the province would prove longstanding, including Warham St Leger, Humphrey Gilbert, Richard Grenville and Jerome Brett, were involved in a scheme to have much of Cork and Kerry granted to them in the late-1560s.[98] This will be looked at more closely later as a precursor to the official Munster Plantation, which was initiated in the aftermath of the second Desmond rebellion. Beyond this collective venture a number of these figures attempted independent initiatives. Gilbert, for example, continued to highlight the need to secure the southern havens around Baltimore and Bearehaven, while also pointing to the desirability of establishing garrisons throughout

[98] 'The petitions addressed to the Privy Council by gentlemen who offer to suppress the rebels in Munster, and to plant that province with natural Englishmen; with notes by Cecill', 1569, TNA: PRO, SP 63/28/2, is the central text in this regard. See, also, 'Offers of English subjects for planting Munster, addressed to Cecill', 1568, TNA: PRO, SP 63/26/52; 'Note of the demands of Sir Warhame Sentleger, Mr. H. Gylberte, Mr. Jaques Wingfeld, Mr. Gilbert Talbot, and others, who mind to be suitors to the Queen for the fishing of the south and south-west seas of Ireland, and enjoying of certain havens, islands, and castles, and the incorporation of the town of Baltimore', 1568, TNA: PRO, SP 63/26/81; 'Offers of English subjects for planting Munster, addressed to Sir H. Sydney', 1569, TNA: PRO, SP 63/27/22; D.B. Quinn (ed.), *The Voyages and Colonising Enterprises of Sir Humphrey Gilbert*, 2 Vols. (London, 1940), II, App. 1, contains transcriptions of some of the relevant documents. Peter Piveronus has contended that St Leger was the driving force behind the colonisation of Munster in the late-1560s. See Peter Piveronus, 'Sir Warham St. Leger and the First Munster Plantation, 1568-69', in *Éire-Ireland*, Vol. 14, No. 2 (Summer, 1979), pp. 15-36; idem, 'Sir Warham St Leger: 'Organizer-in-Chief of the Munster Plantation Scheme of 1569-69. Evidence from the Hand-Writing Analysis of Selected Documents in the PRO, London', in *The Canadian Journal of Irish Studies*, Vol. 6, No. 1 (Jun., 1980), pp. 79-89.

the province.[99] Moreover, St Leger and Grenville actually succeeded in establishing a small settlement at Kerrycurrihy in the late-1560s.[100]

Efforts in Leinster were more sporadic. The plantation in the midlands continued fitfully and acquired a near neighbour in 1568 when Peter Carew successfully established himself at Idrone in Carlow.[101] Carew is a somewhat anomalous character whose methods involved a form of legal imperialism, administered through his agent, John Hooker. His attempts at establishing legal title, on the basis of grants made to Carews in preceding centuries, to lands in Carlow, Cork, Waterford and, above all, Meath brought him into serious conflict with landowners such as Christopher Cheevers. Despite the incendiary manner in which his actions upset local interests he enjoyed both Sidney's and Elizabeth's support throughout his time in Ireland, though whatever Carew's ambitions towards establishing a colony may have been his presence in the region remained largely nominal.[102] Elsewhere in the province Jerome Brett favoured granting colonisation rights in Wexford as an adjunct to the plantation being proposed by him and others in Munster.[103]

However, it was Ulster and in particular the northeastern corridor, largely encompassing Antrim and Down, where colonisation was most cogently pursued in these years. The spur to such activity provided by the continuing, and indeed growing, inter-relationship between various political elements in Ulster and western Scotland has been looked at in detail elsewhere.[104] In brief the unrest caused by the continuing encroachments of the MacDonnells was compounded by renewed interference by the earl of Argyll in Ulster and the marriage of Turlough Luineach to Agnes Campbell, the widow of James MacDonnell, and of Hugh O'Donnell to Agnes' daughter, Finola, during the course of 1568 and 1569. It was these regional developments, combined with the continuing volatility of the political situation in Scotland generally, which impressed upon Elizabeth and her ministers

[99] See, for example, Humphrey Gilbert, 'The Discourse of Ireland', 1572, printed in Quinn (ed.), *The Voyages and Colonizing Enterprises of Sir Humphrey Gilbert*, I, pp. 124-128.
[100] Canny, *The Elizabethan Conquest of Ireland*, pp. 77-78.
[101] John P. Prendergast, 'The Plantation of the Barony of Idrone, in the County of Carlow', in *The Journal of the Kilkenny and South-East of Ireland Archaeological Society*, New Series, Vol. 2, No. 2 (1859), pp. 400-428; idem, 'The Plantation of the Barony of Idrone, in the County of Carlow (Continued)', in *The Journal of the Kilkenny and South-East of Ireland Archaeological Society*, New Series, Vol. 3, No. 1 (1860), pp. 20-44, 69-80, 144-164, 171-188; idem, 'Appendix to the Plantation of Idrone', in *The Journal of the Kilkenny and South-East of Ireland Archaeological Society*, New Series, Vol. 3, No. 1 (1860), pp. 196-208.
[102] Canny, *The Elizabethan Conquest of Ireland*, p. 68; *ODNB*, s.v. Carew, Sir Peter; Brady, *The Chief Governors*, pp. 278-279.
[103] Jerome Brett, 'Offers of Hierom Brett and sundry good subjects to the Queen, for planting Munster and Wexford', 1568, TNA: PRO, SP 63/26/53 [App. no. 23].
[104] Hayes-McCoy, *Scots Mercenary Forces*, pp. 77-121; Hill, *Fire and Sword*, pp. 100-167.

the necessity of stabilising the region, if necessary through the erection of settlements to create a buffer between the Irish of Ulster and the Scots of the Isles.

Yet the issue of how to finance such an undertaking was always of paramount concern. Certainly the necessity of avoiding excessive expenditure seems to have been manifest in Francis Knollys' somewhat unusual suggestion that the MacDonnells should be settled in Tyrone if they would expel Turlough Luineach. Even Knollys, however, saw the benefits of colonisation, stating that haven towns should be erected at Strangford, the Bann and Lough Foyle.[105] Another tract from roughly the same time addressed the problem of finance by recommending that every two parishes in England should select and pay for the upkeep of one person to be settled in Ireland.[106] More plausible was John Smyth's advice in 1569, which imagined a three-pronged approach of stationing ships off the coast of Ulster, garrisoning strategic locations including Rathlin, Beleek and Ballyshannon, and negotiating with the more pliable elements among the northern lords.[107] Despite its sound reasoning Smyth's approach was clearly out of sync with what was increasingly favoured at Whitehall.

The method which was eventually selected as indulging both the desire for the establishment of settlements, but at limited cost to the exchequer, was to assign certain lands in Ulster to private individuals who would subsequently endeavour to plant there. This approach, seemingly beneficial in all ways, had gained adherents as early as the 1530s, but became increasingly favoured from 1568 onwards as a swell of petitions were sent to London seeking lands in the northeast. Thus, in July of 1568 George Thornton sought a grant of Island Magee which he, along with his lieutenant, John Potter, had already fortified and on which they would 'have a fisher towne inhabited with Englyshmen'.[108] More extensive was the suit of Thomas Gerrard, who requested a grant of the Glens and much of Clandeboy in 1570. Being provided with a force of 100 horse and 400 foot for three years, with a commission of martial law, he believed would allow him to construct a colony centred on two towns, one at Olderfleet, the other location to be decided, which after the three years would

[105] Francis Knollys, 'Mr. Vice-Chamberlain Knolly's opinion not to allow the name of O'Neill to Turlough Lynagh, but rather to offer his freehold to Alexander Óge and his new Scots, on condition that they expel him and take it themselves', 1567, TNA: PRO, SP 63/21/56.
[106] 'Device for plantation of Ireland with Englishmen', 1568, TNA: PRO, SP 63/23/26.
[107] John Smyth, 'John Smyth's Advice for the Realm of Ireland', 1569, printed in Hayes-McCoy, *Scots Mercenary Forces,* App. 1, pp. 345-347.
[108] George Thornton, 'Captain George Thornton to Cecill', 1568, TNA: PRO, SP 63/25/19, f. 35v. Thornton has received remarkably little attention from historians despite serving there over the course of four decades and as provost marshall of Munster for much of the 1580s and 1590s, and also briefly as nominal vice-president there. For a brief biographical sketch, see Alexander Judson, 'Spenser and the Munster Officials', in *Studies in Philology*, Vol. 44, No. 2 (Apr., 1947), pp. 157-173, esp. pp. 168-171

furnish some 250 men to the queen's army.[109] Thornton and Gerrard were unsuccessful in their efforts to acquire lands unlike two other suitors, Nicholas Malby and Thomas Chatterton, who covenanted to have the lands of MacCartan in Down and the O'Hanlons in Armagh, with the Fews, respectively. The details of these are limited, though Chatterton appears to have contracted to create a civil colony by 1579.[110] In any event both received the disapprobation of Fitzwilliam upon the receipt of lands in 1572, both failed spectacularly in their briefs and both grants had been revoked by 1576.[111] Finally, at the same time that these two military figures were endeavouring to acquire lands, a joint proposal was drawn up by captains Thomas Browne and Thomas Barrow. They sought a grant of the Ards Peninsula and a force of 100 foot and 50 horse to be provided for by the queen for four years. After this period they would have established a civil colony which would benefit the crown to the tune of £200 rent per year, while they would also be in a position to furnish a force of 100 foot and 50 horse for fifteen days each year at that point.[112]

The pair were unsuccessful in their application for lands, not owing to any disinterest on the part of Elizabeth, but rather the result of a competing suit put forth by Thomas Smith in 1571. Smith, a privy councillor and, from 1572, secretary of state, initially requested lands in Clandeboy and parts of Tyrone, however, his ambitions were soon restricted to the more modest suit for the Ards.[113] Given his prominence in government it is not surprising that Smith's suit triumphed over Browne and Barrow's and in November 1571 he was granted the Ards along with rights to any lands which he succeeded in prising from the Irish of Clandeboy, Tyrone or other adjacent lands. The subsequent history of the colony need only be sketched in the briefest of detail as it has attracted considerable attention for a number of reasons. These include the application of the joint-stock principle to the financing of the project, the influence of classical theory on the conceptualisation of the colony, the use of promotional literature to garner support and contributions towards the enterprise and the

[109] Thomas Gerrard, 'Second book and offer of Sir Thomas Gerrarde and companions for planting the Glynns and part of Claneboy', 1570, TNA: PRO, SP 63/30/32, f. 62 [App. no. 26].
[110] For details of Chatterton's grant, see Bod. Lib., Carte MS. 61, f. 87, printed in *CSPI*, 1608-1610, pp. 552-555; Dunlop, 'Sixteenth Century Schemes for the Plantation of Ulster', pp. 117-119.
[111] Nicholas Malby, ''Nicholas Malbie to Burghley', 1571, TNA: PRO, SP 63/34/25; William Fitzwilliam, 'Lord Deputy to Burghley', 1572, TNA: PRO, SP 63/38/24; Canny, *The Elizabethan Conquest of Ireland*, pp.76-77; Dunlop, 'Sixteenth Century Schemes for the Plantation of Ulster', pp. 117-119.
[112] 'Enterprise to inhabit and fortify Claneboy to the use of the Crown to the Queen', 1571, TNA: PRO, SP 63/34/42 [App. no. 27].
[113] Thomas Smith, 'A breife of the demaunde and humble peticion of Thomas Smythe and his associats to Queenes moste excellente Matie', 1571, HMC, De L'isle and Dudley MSS. ii., pp. 12-13; idem, 'A breife of the said suppliantes devise or deseigne for the first enterprisinge, inhabitinge, devidinge, and defence or polliceing of the saide countrie as plowlandes', 1571, HMC, De L'isle and Dudley MSS. ii., pp. 13-15.

possible influence of Rowland White in the formation of the scheme.[114] Despite these innovations the venture became an unmitigated disaster. Although as much as 800 men had at one point gathered at Liverpool to take part in the expedition led by Smith's son and namesake, delays in departing meant that by the time the company arrived in Ireland in August 1572 it comprised little more than 100. Smith Jr. was dead in little over a year and subsequent attempts to rekindle the colony through Jerome Brett and George Smith, Smith Snr.'s brother, met with a similarly ignominious end.[115]

Malby, Chatterton and Smith had all provided evidence of the difficulties attendant upon planting in northeast Ulster, yet far from abandoning the effort to do so the queen and her ministers decided in 1573 that colonisation there might still prove successful if the scale of it were increased. In this year a proposal was presented to the queen by Walter Devereux, first earl of Essex, which far exceeded any previously proposed schema for settling Ulster.[116] Here the earl petitioned to have all of Clandeboy, incorporating most of Antrim and northern Down. He covenanted to establish a plantation within seven years and mortgaged much of his lands in the Welsh marches and Essex in return for Elizabeth's assistance in his efforts. Beyond the scale of the envisioned plantation being greater than that imagined by other suitors Essex also sought heightened powers. Thus, for instance, he was to have authority to establish settlements wherever he saw fit, make war and peace with rebels and outlaws and was also to have the right to make laws and ordinances provided he had the assent of twelve Englishmen selected by him as counsellors. Yet, there was also a clear sense of an amplified desire for coercion compared to many of the other contemporaneous proposals. Where Smith had been aware of the desirability of accommodating the Irish, and might well have done so owing to a belief in the efficacy of social engineering as well as economic necessity, Essex's vision for Ulster was excessively confrontational, a paragon of 'reform' through conquest rather than subjugation of the country through extension of the common law. The earl wanted a commission of martial law, explicitly required the right to make war on any truculent elements among the Irish and Scots, sought permission to burn or raise the habitations of any

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[114] idem, *A letter sent by I. B. Gentleman vnto his very frende Maystet [sic] R. C. Esquire vvherein is conteined a large discourse of the peopling and inhabiting the cuntrie called the Ardes, and other adiacent in the North of Ireland, and taken in hand by Sir Thomas Smith one of the Queenes Maiesties priuie Counsel, and Thomas Smith Esquire, his Sonne* (London, 1572); idem, *The offer and order giuen by Sir Thomas Smyth Kinghte, and Smyth his sonne, vnto suche as he willing to accompanie the sayd Thomas Smyth the sonne, in his voyage for the inhabiting some partes of the Northe of Irelande* (London, 1572); Morgan, 'The Colonial Venture of Sir Thomas Smith in Ulster, 1571-1575'; H.F. Hore, 'Colonel Thomas Smyth's Settlement in the Ardes. 1572', in *UJA*, First Series, Vol. 9 (1861/1862), pp. 177-182; Quinn, 'Sir Thomas Smith and the Beginnings of English Colonial Theory'.

[115] Morgan, 'The Colonial Venture of Sir Thomas Smith in Ulster, 1571-1575', p. 264.

[116] *ODNB*, s.v. Devereux, Walter.

rebels or outlaws, and even requested authority to enslave any Irish or Scots condemned of treason or felony to serve as rowers in the ships which would presumably be serving off the coast.[117]

Essex was successful in acquiring the grant of Clandeboy, yet he appears to have been less fortunate in securing the heightened powers he sought, the articles he agreed with Elizabeth making little mention of these.[118] The subsequent history of the colony, somewhat curiously given the scale of the enterprise and the manner in which Essex came to dominate Irish affairs, has not been the subject of a thorough study.[119] This is particularly so in terms of the numerous political tracts composed by Devereux throughout the two years he spent in Ireland.

The expedition itself began ominously. The expedition carrying 1,200 men was scattered crossing the Irish Sea, while Essex upon his arrival abandoned attempts to establish a colony in favour of conducting a military campaign against a cross-section of the Irish and Scots of Ulster. The death of Thomas Smith Jr. late in 1573 compounded the earl's difficulties and during the winter months Essex was forced to request reinforcements from Elizabeth, an appeal which was indulged, while the earl was also elevated to the position of governor of Ulster. However, matters continued to deteriorate throughout 1574 and such was Essex's desperation by the close of 1574 that he became increasingly reliant on massacre and acts of indiscriminate violence to govern Ulster, most infamously at Belfast in 1574 and on Rathlin Island the following year. By that time, his plans in ruins, Essex was negotiating for a grant of the barony of Farney in Monaghan. Here he most likely intended to establish a small colony, though his death in 1576 prevented him from realizing this effort.

Essex's original plan for the colony, as outlined in a brief memorandum most likely written in late-1573 or early the next spring, appears to have been based around a loose division of power between his principal followers. Thus, for instance, Lord Rich was to have Red Bay, Arthur Champernoun would settle at Dunseverick, while others scions of prominent

[117] Walter Devereux, 'The offer of Walter Devereux, Earl of Essex, touching the inhabiting in the north of Ireland', 1573, Cal. Carew MSS. 1515-1574, 302.
[118] idem, 'A breviate of the articles contained in a draught of the patent to be granted by the Queen's Majesty to the Earl of Essex and his heirs for ever', 1573, Cal. Carew MSS. 1515-1574, 303; 'Articles between the Earl of Essex and the Adventurers for settling Claneboy, the Route, and the Glynns, and the expulsion of the rebels', 1574, TNA: PRO, SP 63/44/23.
[119] R.C. Morton, 'The enterprise of Ulster', in *HT*, Vol. 17, No. 2 (Feb., 1967), pp. 114-121, provides a narrative account of both Smith's and Essex's endeavours. Dunlop, 'Sixteenth Century Schemes for the Plantation of Ulster', pp. 124-126, 199-212, gives one of the most extensive overviews. Canny, *The Elizabethan Conquest of Ireland*, pp. 88-90, traverses the expedition rather briefly. An indication of the dearth of extensive analysis of the enterprise is that the textbooks for the period offer some of the most comprehensive overviews. See Ellis, *Tudor Ireland*, pp. 267-268; Lennon, *Sixteenth-Century Ireland*, pp. 278-279.

political families, such as Henry Knollys and Thomas Cecil, would command in Burney Dall and Portrush, respectively.[120] Yet this was a rather general and unspecific articulation of his plans and the fact that no details were forthcoming on such issues as where, or what type of, settlements might be established at this time is representative of the manner in which the earl became pre-occupied with military campaigning at the expense of actually founding a civil colony.

By late-1574, though, doubtlessly spurred on by an increasing requirement to persuade Elizabeth and the privy council of the practicality of his enterprise, he was more expansive. He concluded, for example, in his 'Plotte', that the Scots should be allowed to inhabit the Glens if they would live as dutiful subjects.[121] This was but the clearest manifestation of Essex's growing conviction that the Irish, and not the Scots, were the crown's foremost enemy in Ulster. His fullest exposition of his vision for the north, however, was given in his 'opinion for the government and reformacion of Vlster' in October 1574.[122] The earl was candid in his admission that he had failed to establish a civil colony:

"Peraduenture your LLs. will thinke yt by cause ther hath bin in deede no great woorke don towards this enterpryse of planting hetherto ther may therfore be impossibillytie in ye matter or ells fawlte in my direction or execucion. In dede I will confesse I sawe not so deepe into the matter at the first as nowe I do, for if I hid all that I haue bestowed any way in Clandiboy shold haue bin bestowed in building, which if I had don and the places well chosen I had bin at this day in as full possess of Clandeboy withoute doubte of revolte as I am of Charteley."[123]

His solution was two pronged. Tyrone needed to be encircled to 'expulce' and 'vtterlie to roote' out Turlough Luineach.[124] This, the earl posited, could be achieved by the erection of three walled towns, one at the Blackwater (Benburb), another on the Bann (Coleraine) and at Lough Foyle. Each would need to be provided with a garrison of 100 foot and 100 horse,

[120] Walter Devereux, 'Note of Claneboy, the Route and the Glynns, with the principal seats reserved for Her Majesty and the Earl', 1574, TNA: PRO, SP 63/48/81. The individuals and locations were as follows; William Morgan (Glenarm), Lord Rich (Red Bay), Henry Knollys (Burney Dall), William and John Norris (Markettown), Michael and John Carey (Carey), Mr. [Arthur?] Champernoun (Dunseverick), Mr Fr. [Francis?] Kelloway (Dunluce), the Cecils (Portush), Ralph Bourchier (Ballybony), George Carleton (Castle Toome), Mr. Berkeley and Mr. Brunckard (The Cave?). Coleraine, Masserene, Belfast, Carrickfergus, Island Magee and Olderfleet were all to be retained to the crown. The Bann is listed as reserved for footmen to keep the ford there.
[121] idem, 'A plotte for the better inhabiting of Clandeboy, the Rowte and the Glynes, vvpon an offer made by certain inhabitannts of the same contryes', 1574, BL, Cotton MSS. Titus B XII, f. 438. Another copy is BL, Cotton MSS. Titus B XII, f. 56. BL, Cotton MSS. Titus B XII, ff. 438-458, contains a series of important documents in relation to Essex's Ulster project, most of which are not available in the State Paper series. Duplicates of many of these are also to be found in BL, Add. MS. 48,015.
[122] idem, 'The erle of Essex's opinion for the government and reformacion of Vlster', 1574, BL, Cotton MSS. Titus B XII, ff. 451v-455r. Another copy is BL, Add. MS. 48,015, ff. 314-318.
[123] Ibid., f. 454r.
[124] Ibid., f. 452r.

except for the Blackwater where provision was made for twice as much infantry.[125] The second aspect of Devereux's project was to plant Clandeboy through the founding of a pair of towns in the Glens and at Belfast and the construction of a fort at Masserene:

"That is to say in the Glynnes or neere to yt in the eadge of the Rowte vppon the best bay or crecke neere the Raughlins I would haue a walled towne with a garrison of 50 horsse and 100 footemen for yt and the Raughlins. At Belfast a walled towne and a storehowse…At Masseryne I wishe a forte and a storehows to assiste with victuall yf neede be, the towne vppon ye Blackewater."[126]

In addition ten adventurers were to be selected each of whom would have 6,000 acres, but would be obliged to build a small castle. It was envisaged that this would eventually lead to a rent of £5,000 per year accruing to the exchequer.[127] Finally, Essex claimed that a force of 2,000 men was needed in Ireland and that 1,300 of those would have to be under his command.[128]

Given his subsequent efforts in Ulster it is tempting to detect some duplicity in this document. The earl would not have been overburdened to provide some details on places to fortify and inhabit, but what was more significant was his request for further reinforcements. He received the latter and did not live up to the former commitments. By 1575, when he switched his attention to obtaining the viceregal office his Ulster project was in ruins.

Essex's initiative was but the most elaborate and expensive in a series of colonial projects which had successively failed in Ireland in the decade after 1565. The combined effect of all this was to convince Elizabeth and a majority of her senior ministers that colonisation, even when supposedly farmed out to private contractors, was not just prohibitively expensive, but typically ineffective also. Thus, Essex's venture was to be the last major colonial scheme affected in Ireland until the inauguration of the Munster Plantation. When that effort was got under way it appeared that lessons had been learnt from the previous decade, for it was the state from the beginning that organised and directed the establishment of the plantation and the entreaties of treatise writers who sought a continuation of private plantation at that time were to fall on deaf ears.

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[125] Ibid., ff. 452r-453r.
[126] Ibid., f. 453r.
[127] Ibid., f. 453v. Essex provided specifics of how this revenue would accrue in a further document. See idem, 'The meanes howe my Lo. of Essex may raise to her matie in Vlster a yeerly revenewe of 5,000*li* after that he hath builte the 3 townes ther according to the plotte in Clandeboy as in ye plott is deuised, and howe the said revenewe may rise cleere to her matie in Vlster her garrisons then to remayne after 2 yeeres defraied', 1574, BL, Cotton MSS. Titus B XII, f. 451.
[128] idem, 'The erle of Essex's opinion for the government and reformacion of Vlster', 1574, ff. 453v-454r. Also, see idem, 'The garrison necessarie to be maintayned for two yeres for the reformacion of Vlster', 1574, BL, Cotton MSS. Titus B XII, ff. 443v-445r, wherein Essex provided a break down on the cost of maintaining forces in Ulster. Other copies are TNA: PRO, SP 63/48/5 and BL, Add. MS. 48,015, ff. 335-336.

Overall there is no doubt that the years of Sidney's viceroyalties witnessed the first formal appointment of provincial presidents and councils, along with a marked increase in the proliferation of schemes for colonising parts of Ireland, above all in Ulster. Nonetheless it is inaccurate to suggest that the lord deputy was the supreme architect of these efforts. As the preceding makes clear Sidney was not an original theoriser in either of these areas. Indeed in some instances he was far less vociferous in his support than many of his contemporaries. In actuality it appears that he was a supporter of both presidencies and colonisation, but not to any greater degree than a multitude of other theorisers, while the institutionalisation of provincial bureaucracies and proliferation of colonial projects during his tenure appears to have been more the product of propitious timing rather than design. The same, however, cannot be said in relation to the scheme of composition, in the formation of which Sidney was a major protagonist, and to which we now turn.

III – From 'Coign and Livery' to Composition

The importance of the scheme of composition for cess and the role of Edmund Tremayne and Henry Sidney in the formulation and implementation respectively thereof has been identified by Ciaran Brady.[129] Subsequent studies of composition by Crawford, Cunningham and Treadwell have elaborated on the scheme by analysing the council's role in its implementation, providing details on the minutiae of the agreements reached in Connaught and by investigating attempts by John Perrot to resurrect the initiative through the 1585-1586 parliament.[130] However, while Brady's recognition of the scheme as of pivotal importance for the history of late-Tudor Ireland is doubtlessly correct, his analysis of the origins and formulation of the scheme did not provide a thorough study of the influences acting upon Tremayne and Sidney in the 1570s. In particular, the novelty of Tremayne's ideas may have been overstated, not only because similar opinions had been expressed in Ireland for some time prior to his writing, but also owing to the fact that compounding for purveyance was a practice already in use in England since the days of Edward VI. Moreover, the following will

[129] Brady, *The Chief Governors*, pp. 140-158; Crawford, *Anglicizing the Government of Ireland*, pp. 391-392, has followed Brady's argument in attributing the genesis of the scheme to Tremayne.
[130] Ibid., pp. 308-407; Victor Treadwell, 'Sir John Perrot and the Irish Parliament of 1585-6', in *PRIA*, Vol. 85C (1985), pp. 259-308; Bernadette Cunningham, 'The Composition of Connacht in the Lordships of Clanricard and Thomond, 1577-1641', in *IHS*, Vol. 24, No. 93 (May, 1984), pp. 1-14; idem, 'Natives and Newcomers in Mayo, 1569-1603', in Raymond Gillespie and Gerard Moran (eds.), *A Various Country: Essays in Mayo History, 1500-1900* (Westport, 1987), pp. 24-43, deals with the effects following from the introduction of a range of Tudor reform policies into Mayo, including the scheme for composition. Also, see O'Dowd, *Power, Politics and Land*, pp. 32-34.

show that Tremayne conceived his scheme at a time when a debate was underway as to the best means to restructure the finances of Ireland and numerous proposals surfaced in the 1560s and 1570s on ways and means to restructure the supply and financing of the military establishment.

Composition was undertaken as a means to banish the spectre of 'coign and livery' from Ireland, whilst also curbing the worst excesses of the cess. A desire to attain these ends was longstanding and Sidney was more than aware of the necessity to do so upon his appointment in 1565. Thus, he attempted numerous measures to alleviate the burden of the cess. These included manipulation of the exchange rate between England and Ireland and the farming out of the victualing to the private contractors, Thomas Might and Thomas Sackford, while Fitzwilliam attempted government victualing, whereby the garrison was placed in forts on the periphery of the Pale, where it was supplied by government agents. Each of these initiatives met with failure.[131]

Sidney was also desirous to end recourse to the Gaelic exactions. Consequently the legislative programme for the 1569 parliament included a bill calling for 'coign and livery' and other distraints to be made felonies. However, owing to the complications which arose during the parliament, and Ormond's reservations, the bill did not pass through untrammelled and the lord deputy was forced to fall back to some extent on earlier prohibitions.[132] These difficulties were mirrored in the actual attempts at reform on the ground and it has been noted that efforts at removing the traditional military dues even in regions as anglicised as the Ormond lordship met with stiff resistance.[133]

The lord deputy's response to these setbacks was to adopt as the basis of his programme for government in 1575 a proposal which had been articulated in the early-1570s by Edmund Tremayne. This future clerk of the privy council had spent a spell in Ireland from 1569 to 1571 and again in 1573 during which time he had developed a concentric plan for how to do away with the Gaelic system of exactions, whilst also reducing wholesale the

[131] Brady, *The Chief Governors*, pp. 231-233; Crawford, *Angliczing the Government of Ireland*, pp. 388-390.
[132] Victor Treadwell, 'The Irish Parliament of 1569-71', in *PRIA*, Vol. 65C (1966/67), pp. 55-89, esp. pp. 79-81. A number of documents were drawn up, which concentrated specifically on the details of prohibiting the practice in the lands of the earl of Ormond, preparatory to the parliament. See 'Note to prove that there will be more strength supplied from Kilkenny and Tipperary, if rated, as in the English Pale, than by continuance of coin and livery', 1568, TNA: PRO, SP 63/26/72; 'Notes as to coin and livery in Kilkenny and Tipperary', 1568, TNA: PRO, SP 63/26/73; 'Matters of the proviso added to the Act of Coin and Livery', 1568, TNA: PRO, SP 63/26/74; 'Proviso for the Act of "Coyno and Lyveree"', 1568, TNA: PRO, SP 63/26/75. For the list of bills prepared for the parliament, including that to make 'coign and livery' and other distraints a felony, see 'A brief abstract of all such bills as the Lord Deputy and Council have certified the Queen as matters thought meet to be enacted by Parliament', 1568, TNA: PRO, SP 63/27/12.
[133] David Edwards, 'The Butler Revolt of 1569', in *IHS*, Vol. 28, No. 111 (May, 1993), pp. 228-255.

recourse to the cess.[134] Tremayne's actual role in the conceiving of his ideas has aroused some debate between Brady and Canny, with the latter asserting contra Brady that Tremayne was simply Sidney's mouthpiece, the articulator of the composition scheme devised by the lord deputy.[135] This claim is based on a statement in one of Tremayne's writings, addressed to Sidney, that he had 'not by this much mor then I haue larned and obsherued of your owne speaches'.[136] However, this remark, which could be dismissed on the grounds of an overt deference on Tremayne's part, is hardly substantive evidence. Such a high percentage of the content in the overwhelming majority of the reform tracts is so general that Tremayne might have 'larned and obsherued' the same by hearing the 'speaches' of any informed Irish official while the 'much mor' referred to quite possibly encapsulated the core of his suggestions for composition. Rather more significant in determining the relative role of Sidney and Tremayne is the actual volume of conceptual writings, for while the lord deputy left virtually none prior to his attempts to put the scheme into effect Tremayne left a large body of writing.[137] Moreover, it is important to note that in a letter Tremayne addressed to Burghley in 1570 he acknowledged that the secretary wished for Tremayne to be in Ireland, and this point, when considered along with Mears recent identification of Tremayne as an informal counsellor, is suggestive of the fact that the future clerk's decision to compose numerous political tracts on the state of Ireland was not the product of mere happenstance.[138]

The scheme outlined in those tracts was relatively simple. Ireland was lawless owing to the power of the lords founded on 'coign and livery', which now, in addition to preventing the spread of the common law, also frustrated the propagation of the reformed faith.[139] Since the law and religion could not 'reform' Ireland alone the 'third minister', the army, would be

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[134] *DIB*, s.v. Tremayne, Edmund.
[135] Nicholas Canny, 'Review: Revising the Revisionist', in *IHS*, Vol. 30, No. 118 (Nov., 1996), pp. 242-254, esp. pp. 247-249.
[136] Edmund Tremayne, 'Notes and propositions for the reformation of Ireland by Ed. Tremayne, addressed to [the Lord Deputy Sydney] as the substance of his Lordship's own speeches brought together, and written down', 1571, TNA: PRO, SP 63/32/66, f. 191v.
[137] idem, 'Advice touching the state of Ireland', 1571, TNA: PRO, SP 63/32/64; idem, 'The causes why Ireland is not reformed', 1571, TNA: PRO, SP 63/32/65; idem, 'Notes and propositions for the reformation of Ireland by Ed. Tremayne, addressed to [the Lord Deputy Sydney] as the substance of his Lordship's own speeches brought together, and written down', 1571; idem, 'Edmund Tremayne to the Lord Deputy', 1576, TNA: PRO, SP 63/55/6. Probably the most significant of Tremayne's writings, based on the survival of multiple copies was, idem, 'Whether the Q. Matie be to be councelled to governe Ireland after the Irish manner as it hathe bin accustomed or to reduce it as neere as may be to English government', 1573, BL, Cotton MSS. Titus B XII, ff. 357-360 [App. no. 29]. Other copies include Hunt. Lib., EL. MS. 1701; BL, Add. MS. 48,015, ff. 274-277; Cambridge, Trinity College MS. 710.
[138] idem, 'Edm. Tremayne to Cecill', 1570, TNA: PRO, SP 63/30/71; Mears, *Queenship and Political Discourse*, pp. 61-62.
[139] Tremayne, 'Notes and propositions for the reformation of Ireland by Ed. Tremayne, addressed to [the Lord Deputy Sydney] as the substance of his Lordship's own speeches brought together, and written down', 1571, f. 187r-189v.

required to do so.[140] However, the problems posed by the question of 'Howe to kepe tharmy without ouerburdening' needed to be resolved.[141] In answer Tremayne recommended that a 'great' army – figures were not provided – be maintained which would prove strong enough to at once force the lords to give up their military retinues and compel the whole country to contribute towards the upkeep of the queen's army. The country should partly supply money and partly provisions, while the Pale community would have to be 'compounded' with to determine what it should contribute.[142] Thus, with the Gaelic exactions removed a formal system of taxation would be created, whereby the lords;

"might be brought to declare the lymitts of their terrytories and who be their tenants, sire or otherwise, and that knowne ther might be souche a composicion by the consent and good allowance of the same lordes as it should certainlye be knowne what the Lo. should receue and what the tenannt shold pay, and though not at the first by penny rent, yett with some certaintie of souche provision or seruice to be taken and don as shalbe agreed vppon betwene the Lo. and the tenannte, so as ther may be a certaintie what thone shall geue and thother take."[143]

This done the now all powerful state, supported by its enlarged army, provided for by the country, would be able to begin the reform of the country afresh.

This was a tidy argument, the appeal of which to Sidney must have been considerable. But Tremayne was not the only figure who had concluded that installing a sizeable army in Ireland and finding some mechanism to pay for the same without resort to the queen's purse or the extraction of exorbitant cesses was the only way to force the lords to abandon their wonted exactions and open the way to the assimilation of the country. Two others were noted by Brady in his study.[144] The first of these, Edward Fitton, had seen firsthand as president of Connaught how impotent government officials could be if they lacked the military capabilities to enforce their word. Doubtlessly such a force, though, would prove ineffective if it could not be financed and Fitton had already been forced to take provision of the country without pay for lack of victuals and wages. His solution to this problem was to appoint at

[140] Ibid., f. 190r.
[141] Ibid., f. 190v. This brief section of Tremayne's text is the most significant and clearly lays out his proposal for composition.
[142] Ibid.
[143] idem, 'Whether the Q. Matie be to be councelled to governe Ireland after the Irish manner as it hathe bin accustomed or to reduce it as neere as may be to English government', 1573, f. 359v [App. no. 29]. The substance of this tract is largely similar to the 1571 document, however, the 1573 treatise is written in a highly rhetorical fashion, arguing persuasively that Ireland was steeped in anarchy and could be brought to civility by the adoption of the scheme for composition. Given the style and the distribution it would appear to have gained, based on the survival of multiple copies, it is likely that the 1573 treatise was employed to convince Elizabeth and her ministers of the merits of Sidney adopting Tremayne's scheme as the central pillar of his proposed programme for government. The rhetorical nature of the tract has previously been pointed to by Crawford, *Anglicizing the Government of Ireland*, p. 391.
[144] Brady, *The Chief Governors*, pp. 137-140.

least one house – generally a dissolved religious property – in each county to house the soldiery, while the demesne lands thereof would be used to pay for their upkeep.[145]

This was a rather benign solution compared with Humphrey Gilbert's vision for Munster. In a tract of 1574 he effectively claimed that 'coign and livery' could be ended in the province and the region brought under effective control by stationing an army of 1,600 foot and 400 horse there.[146] His argument was starkly utilitarian. The people of Munster were currently charged with maintaining the lords' retinues through the Gaelic exactions, the size of which he detailed, amounting to nearly 6,000 troops.[147] Consequently the country should prove relatively receptive to supplying the royal force of 2,000 through the cess if that army could in turn put down the lords forces and ensure an end to 'coign and livery'. It was recommended that this cost rationalisation exercise would serve to find the victuals of the army, while the pay of the 2,000 would be acquired through a combination of coinage manipulation and the increased income generated by the ensuing ability to effectively collect all monies owed to the state from customs and other dues.[148] Gilbert concluded his argument with an acknowledgment that some would question whether the Irish would yield such a cess and answered such reservations by noting that he had put down the FitzMaurice rebellion with just 500 men, so 2,000 should prove more than sufficient.[149]

While Brady was correct in attributing significance to these two proposals, what was not noted in his study, and what has not received previous attention, is that a wide-ranging debate on what alternative means could be found to supply and pay the military establishment and establish a system of taxation appears to have been in progress during these years. In truth the desirability of establishing standardised rents was expressed regularly as early as the 1520s, while a host of commentators such as Robert Cowley and John Walsh continued to push for this in the intervening period.[150] Indeed the substitution of the Gaelic methods of exactions for a standardised taxation system was one of the central tenets of 'surrender and

[145] Edward Fitton, 'Sir Edward Fyton to Cecill', 1571, TNA: PRO, SP 63/31/6, ff. 14v-15r.
[146] Humphrey Gilbert, 'The book for the reformasion of Irland', 1574, Bod. Lib., Carte MS. 56, ff. 254-263, f. 257r [App. no. 30].
[147] Ibid., ff. 257r-258r.
[148] Ibid., f. 258v.
[149] Ibid., f. 259r.
[150] Robert Cowley?, 'A discourse of the evil state of Ireland', c.1528, BL, Lansdowne MS. 159, ff. 2-14; 'Devices for the ordering of the Cavenaghes, the Byrnes, Tooles and OMayles for such lands as they shall have within the county of Carlow, and the marches of the same county, and also of the marches of the county of Dublin', 1537, Cal. Carew MSS. 1515-1574, 113 [App. no. 3]; John Walsh, 'Informacion geven [to the Privy Council] by your oratour John Walshe of Youghell in Irlande for the reformacion of thenormities of the saide realme', 1559, BL, Add. MS. 4,767, f. 123 [App. no. 14].

regrant' as articulated by Cusack and others.[151] But it was the furore over the cess in the 1560s which provided the starting point for a renewed debate on a taxation system in Ireland to maintain the military establishment. As such William Bermingham, writing in 1563, recommended that a force of 2,000 men be employed which would enforce a prohibition of 'coign and livery'. The Meath landowner's method of maintaining this force was simple and highly anachronistic; have the army raised from amongst the populace of the Pale.[152] Another scheme was put forward by Patrick Sherlock some few years later, this designed exclusively for Munster. Here it was recommended that letters should be sent to the mayors and suffrains of the major towns in the province instructing them to keep a certain number of 'men in a redynes at all tymes as the lord treasorer shall will them to attend vpon him in doing your mats sheruic with their fvrntiure of weapons and victualls'.[153] An anonymous document from the early-1570s proffered an unlikely solution, suggesting that an army of 2,500 be situated in Ireland under the colonelship of Thomas Cecil. The means to reduce the cost of this force was not to be through taxation or similar means but by appointing men of sufficient resources to entertain their bands as captains, replacing those now in those positions whose livings were not substantial enough to do so.[154]

There was a particular surge in ideas in 1574, an occurrence perhaps attributable to the fact that lobbying began around this time to determine who would replace Fitzwilliam in the viceregal office. For instance, a tract on Munster, which was most likely composed by Francis Agard following his stint on commission there, stated that a separate commission ought to be established to oversee the abandonment of 'coign and livery' in the province and its replacement with a system of freeholders paying rents to the provincial lords. Any who persisted in taking exactions were to have their lands attainted.[155] John Perrot, put forward a proposal that year claiming it was necessary that the exactions be forbidden countrywide and that the 'LL. and captaines of country be compelled to agree with their freeholders for a

[151] Thomas Cusack, 'Cusakes Devise to your most Noble and Honorable Wisdomes, concernyng soche yeftes, as the Kingis Majestie shall make to Irishmen of the landes and cuntreis which nowe they have, and to give them names of honor, and upon what conditions they shuld have the same, and ther requestes to have ther landes by yeft, as is aforsaide', 1541, *SP Henry VIII*, iii, 347.
[152] William Bermingham, 'Bermyngham's memorial of advices for the government of Ireland', 1563, TNA: PRO, SP 63/9/27, f. 55v [App. no. 18].
[153] Patrick Sherlock, 'Notes or recommendations by Patrick Sherlock for the reformation of Munster', 1569, TNA: PRO, SP 63/28/12, f. 41v [App. no. 24].
[154] 'Device for placing a garrison of 2,500 in Ireland', 1573, TNA: PRO, SP 63/40/56.
[155] Francis Agard?, 'Necessarie thinges to be considered of concerninge the quiett mantennance of the state of Munster', c. 1574, BL, Cotton MSS. Titus B XII, ff. 160v-164r, f. 161v [App. no. 31].

yearlie rente'.[156] To enforce this he imagined that a force of 400 horse and 1,400 foot dispersed throughout the country would suffice. Thus, there was a significant discourse in progress in the years leading up to Sidney's reappointment in 1575 and while Tremayne was doubtlessly the foremost influence on the new programme for government as Brady contends he was not the only figure promoting rational schema for the establishment of a taxation system to support the army who might then curb recourse to 'coign and livery'.

Nor should the novelty of Tremayne's composition scheme be overstated, for England provided examples of similar arrangements in the decades prior to the first articulation of his initiative in 1571. Specifically, composition agreements had been arrived at between the crown and the shires as early as Edward VI's days, whereby the latter compounded to provide a fixed sum in cash and kind to the crown in discharge of the obligation to provide purveyance for the royal household.[157] The motives to compound in England paralleled Ireland to some extent, the extortion and abuses of the purveyors being paramount. The number of such composition agreements increased considerably from the outset of Elizabeth's reign with Cecil particularly eager to promote compounding.[158] Thus, the concept of composition was not wholly novel, while the scale on which it was envisaged for Ireland also had an exemplar in England, Somerset having attempted in 1548 to totally replace purveyance with a system of national taxation charged per head of livestock.[159]

Tremayne's ideas may have won Sidney's acceptance but convincing Elizabeth and her ministers that they were feasible proved far more difficult, a result of a competing tender for the office of viceroy by Essex in 1575. This quickly degenerated into a bidding war of sorts in the process of which Sidney's request for 2,600 men to implement his programme was revised downwards.[160] The details of these negotiations are largely gleaned second-hand from a memorandum of Burghley's, but the final particulars are found in two 'Plotts' Sidney composed in the second half of 1575. In these he outlined how he would govern Ireland with just 1,200 men across the four provinces, providing a breakdown of the projected costing of

[156] John Perrot, 'Note of the Lord President of Munster's opinion for reforming of Ireland', 1574, TNA: PRO, SP 63/54/19, f. 120r.
[157] Allegra Woodworth, 'Purveyance for the Royal Household in the Reign of Queen Elizabeth', in *TAPS*, New Series, Vol. 35, No. 1 (Dec., 1945), pp. 1-89, p. 39.
[158] Ibid., p. 40.
[159] Ibid., pp. 19-21.
[160] Burghley, 'Memoranda by Burghley for the plat of Ulster', 1574, TNA: PRO, SP 63/48/75, f. 238r. Burghley did not explicitly state that the forces involved, which numbered 2,060 men and a further 600 kern, were the figures requested by Sidney, however, these figures are presented after Essex's proposed forces and, given that the document is a comparison of the two men's respective proposals for government, it can thus be inferred that these figures relate to the numbers desired by Sidney. Also, see idem, 'Note of charge for one year for Ulster, and comparison of proposals by Essex and Sydney', 1574, TNA: PRO, SP 63/48/77.

his entire administration.[161] Thus, by the time he was appointed the viceroy had already been forced to compromise and the military force allocated to him cannot have measured up to the great army Tremayne had envisaged in his tracts.

Sidney's efforts to apply the scheme have been well detailed. In brief, upon his arrival in Ireland to begin his third term as viceroy he attempted to pressurise the Pale community into compounding by demanding an excessively high cess. This bluff failed, arousing animosity and ensuring that purveyance continued to be relied upon through to 1577 when tensions boiled over. Meanwhile he devolved responsibility for negotiating the agreements in Connaught and Munster to the new presidents there, Malby and Drury.[162] He also exacerbated discontent over the imposition of the scheme by demanding contributions almost immediately, leading in part to the disturbances of the sons of the earl of Clanrickard in 1576. The situation further deteriorated when the Pale's agents, Richard Netterville, Henry Burnell and Barnaby Scurlocke, travelled to court to argue that Sidney's continuing resort to the cess on the basis of the royal prerogative was unconstitutional.[163] Their favourable reception spurred Sidney to mount a campaign in his defence, notably leading to the composition of a vindicatory 'Discourse' by his son, Philip. The tract, which is only partially extant, attempted to draw attention away from the issues inherent in the Pale community's complaints, instead concentrating on the generally disordered state of Ireland, while rubbishing notions that his father had attempted to take the country to farm.[164] Meanwhile a change in opinion at court had seen the three agents committed to the Fleet and a stalemate of sorts ensued.

Consequently, at this time a number of schemes proposing alternative ways of financing and victualing the military establishment were proffered. A detailed proposal to provide for the victualing of 1,000 men appears to have been put forward by the lords of the Pale in the summer of 1577, however, this was soon superseded as the basis for negotiations with the Pale community by an offer presented by Burnell in England.[165] This offered to pay one penny per day towards the upkeep of 1,000 soldiers amounting to £1,500 sterling in the

[161] Henry Sidney, 'Sir Henry Sydney's plot for the government of Ireland', 1575, TNA: PRO, SP 63/52/83; idem, 'Plot by Sir Henry Sydney to govern Ireland', 1575, TNA: PRO, SP 63/53/67. The geographical distribution of the final army was like so; Ulster (350), Munster (300), Connaught (300), Leinster (250).
[162] McCormack, *The Earldom of Desmond*, pp. 139-143.
[163] Brady, *The Chief Governors*, pp. 146-154, 235-244.
[164] Philip Sidney, 'A Discourse of Irish affairs', in Katherine Duncan-Jones and Jan Van Dorsten (eds.), *Miscellaneous Prose of Sir Philip Sidney* (Oxford, 1973), pp. 3-12; Willy Maley, 'Sir Philip Sidney and Ireland', in *Spenser Studies*, Vol. 12 (1998), pp. 223-227.
[165] 'Ways of victualling an army of 1,000 men, whereby the English Pale may be somewhat eased', 1577, TNA: PRO, SP 63/58/70. The attribution of the document to the lords of the Pale is based on the content, and also on an endorsement on the flyleaf which reads, 'Sent to the Dep. from my LLs.'.

year in return for a commutation of the cess.[166] A further 'Device', most likely written by Burnell and Netterville, attempted an analysis of the historical development of the cess and reinforced the Pale community's offer by arguing that the true problem of finance and supply was not the Pale's unwillingness to contribute, but the manner in which the charges had been inflated through the extortions of the cessors and overpaying of the soldiers.[167]

The agent's scheme would become the basis for negotiations between the government and the country when they got underway in 1578. Numerous other proposals also surfaced at this time purporting to offer alternative ways to finance the government of Ireland and provide for the military establishment there. John Chaloner incorporated Burnell's offer into his own detailed memorandum of 1578. In his view the Pale community's offer was duplicitous and the country ought to provide closer to £5,000 per year.[168] He went further than this, though, and suggested that implementation of other measures such as coinage manipulation, resumption of the impost on wine and other wares, and compounding with the lords, particularly for bonnaught, soren and cess, would make the government of Ireland self-financing by generating some £30,000 per year.[169]

A further proposal was submitted to Burghley in April 1578 by William Greene and Steven Ackworth, two figures with experience of victualing and financing in Ireland, who offered to oversee the supply of 1,000 soldiers calculated on the basis that each soldier would require 4*d* per day.[170] Finally, Nicholas White composed a 'Plote' in 1578 which gave extensive details on how to reduce expenditure, augment the revenue, ease the cess and victual the soldiers.[171] White's proposals leaned towards a fundamental overhaul of crown government rather than a temporary expedient to end the agitation current in the Pale. For

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[166] Henry Burnell, 'Henry Burnell his device to ease the cesse upon the country for the victualling of the garrisons in Ireland', 1577, Cal. Carew MSS. 1575-1588, 79 (LPL, MS. 628, f. 147).
[167] 'Device how the soldier may be found without cess, and Her Majesty at no greater charge', 1577, TNA: PRO, SP 63/57/18(iii) [App. no. 32]. A note on the flyleaf notes that the document was delivered by two gentlemen of the country, presumably Netterville and Burnell.
[168] John Chaloner, 'Memoranda for the consideration of the Privy Council in their consideration for Ireland', 1578, TNA: PRO, SP 63/62/5, f. 19r.
[169] Ibid., f. 19v. Chaloner quite possibly took the idea of coinage manipulation from Gilbert who had suggested likewise in 1574. See Gilbert, 'The book for the reformasion of Irland', 1574, f. 258v.
[170] 'Offer by William Grene and Steven Acworth to Burghley, for victualling 1,000 soldiers in Ireland, &c.', 1578, TNA: PRO, SP 63/60/34, f. 79r. Greene attested to his having operated as a victualler during Fitzwilliam's time as viceroy, while Ackworth had served a similar function under Essex in Ulster.
[171] Nicholas White, 'A plat for governing Ireland without charge to England, after the first year or so', 1578, TNA: PRO, SP 63/63/25. Other copies of the tracts are Cal. Carew MSS. 1575-1589, 571 (LPL, MS. 614, ff. 165-167) and BL, Cotton MSS. Titus B XII, ff. 62-65r. Both of these are copies and are missing a number of figures on the waging, etc. of officers, while the state paper version appears to be the original. The Carew MSS. copy has been placed at 1574 in the calendar thereof, however, this is based on an annotation by Carew, while a note on the flyleaf of the state paper version gives the date as 12th November 1578. The attribution of the text to Nicholas White is by Carew, all copies being unsigned. *DIB*, s.v. White, Sir Nicholas.

instance, his advice on how to increase the revenue did not focus on how to acquire more taxes and other measures of that nature, but instead counselled an expansion of the court system, which would increase the inflow to the exchequer, and reform of the offices of the surveyor and auditor to curb embezzlement of monies which ought to be accruing to the crown.[172]

One final set of documents merits attention in terms of the debates which were underway in 1578 and also as it was one of the few occasions in which a group of individuals were composing treatises directly in response to other writers. This arose following the writing of a controversial statement by Sussex, the senior former chief governor on the privy council, on 'coign and livery' in 1578.[173] Here, in something of a *volte face* from the position he had taken on this issue in his major policy papers of 1562, he posited that it was inadvisable to enforce an immediate blanket prohibition on the system of Gaelic exactions.[174] Pointing towards the fact that it would be feasible to do so with the lords of English descent, but much less achievable in the Gaelic parts of Ireland, he concluded that such a measure was inherently dangerous:

"To take from the Englyshe that be obedyent and be the suerty of that state this kynde of force wherby they shoulde be weakened, and to leave that force to the wylde Iryshe that be rebellyous and the perell of that state, wherby they should contynewe their forces, or rather increase by the weakenes of the others, semeth perillous."[175]

As such while 'Quonye and livery…be of them selves directly evell and not to be permitted in a reformed governement' he urged that any abolition be postponed until such time as 'her matie haue a better brydell apon' any intractable elements in Ulster and elsewhere.[176] The response was a litany of objections, with political figures such as White, Malby and Chaloner all attempting direct refutations of Sussex's thesis and claiming that 'coign and livery' had to

[172] White, 'A plat for governing Ireland without charge to England, after the first year or so', 1578, f. 44v.
[173] Sussex, 'Discourse showing it were inexpedient to abolish coin and livery, and thereby to weaken the Englishry and faithful lords, until her Majesty have a better bridle upon the untrue and deceitful rebels of the North', 1578, TNA: PRO, SP 63/26/68. This document has been persistently misdated in both the old and new calendars of the state papers to 1568. The dating of the document to 1578 and the attribution of it to Sussex are to be found on another copy of the text, BL, Add. MS. 48,015, ff. 291v-294r. An additional copy is BL, Cotton MSS. Titus B XII, ff. 174-175.
[174] For his earlier, and much more stringent, opposition to 'coign and livery', see idem, 'The opinion of the Earl of Sussex Lieutenat-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, Cal. Carew MSS. 1515-1574, 236, p. 331; idem, A relation of the Earl of Sussex, in what sort he found the Kingdom of Ireland, when he came thither, and in what estate the same was (*in anno*) 1562, and his opinion of the reform thereof', 1562, Cal. Carew MSS. 1515-1574, 237, pp. 348-349.
[175] Sussex, 'Discourse showing it were inexpedient to abolish coin and livery, and thereby to weaken the Englishry and faithful lords, until her Majesty have a better bridle upon the untrue and deceitful rebels of the North', 1578, f. 141r.
[176] Ibid., ff. 141r-142r.

be done away with at once.[177] What is significant about the former viceroy's composition is the extent to which the fragmented political environment in the late-1570s was allowing for the discussion of alternative approaches to the governance of Ireland in part brought on by the controversy over the cess.

This multi-faceted discoursing was playing out throughout 1577 and 1578 but the controversy over the cess had not paused in any fashion. William Gerrard travelled to court in 1577, ostensibly to defend Sidney at Whitehall, though the lord chancellor would, contrary-wise, appear to have succeeded in convincing Elizabeth and her government of the need to negotiate with the country instead. Consequently, in early-1578 Sidney was recalled clearing the way for negotiations centred on the Pale community's offer as transmitted by Burnell the previous year. Protracted wrangling over this resulted in a temporary cess in November which expired in the spring of 1579 at which time an agreement was reached. The Pale would provide £2,000 per year rather than the £1,500 initially offered by Burnell based on 1*d* per day for 1,000 soldiers, with the increment used to provide an additional 9,000 pecks of oats for the victualing. Thus, the cess controversy temporarily abated.[178]

Paramount in these proceedings was Gerrard. In a major submission at court in 1577 and in a series of other tracts composed in the late-1570s he articulated what amounted to a complete refutation of the methods along which Ireland was being governed.[179] Central to this was a conviction that the country was being controlled by a cadre of military officials reliant on martial law, whose corrupt activities ran contrary to the interests of the crown. Through them Ireland was not being successfully incorporated into the Tudor dominions, but they were engendering the hostility of the Irish, while the burden of the army was alienating

[177] Nicholas White, 'An annswer to the discourse made in the defeance or tolleratinge of quoinie and liverye', 1578, BL, Cotton MSS. Titus B XII, ff. 176-177; Nicholas Malby, 'Against Coyne and Lyverye', 1578, BL, Cotton MSS. Titus B XII, ff. 172-173r; idem, 'The Replie to the Memoriall', 1578, BL, Cotton MSS. Titus B XII, ff. 179v-181; John Chaloner, 'Againste Quony and Livery', 1578, BL, Cotton MSS. Titus B XII, ff. 178-179. See, also, 'Notes against Conie and Liuerie', 1578, BL, Cotton MSS. Titus B XII, ff. 183-185. Additional copies of these tracts are to be found in BL, Add. MS. 48,015, ff. 294v-306. For a further copy of Chaloner's text misattributed to Sidney, see Cal. Carew MSS. 1575-1588, 123 (LPL, MS. 607, f. 136). Also, see an anonymous tract, 'Notes against Conie and Liuerie', 1578, BL, Cotton MSS. Titus B XII, ff. 182-184r.

[178] Crawford, *Anglicizing the Government of Ireland*, pp. 309-407, provides the most extensive analysis of the negotiations between the Pale community and the government. Also, see 'Summary of the whole proceedings in the cess matters up to the expiration of the four months compounded for in 1578/9, Jan. 31, upon which the country desires license to send agents into England', 1579, TNA: PRO, SP 63/65/53; Carey, *Surviving the Tudors*, pp. 181-189, looks at the role of the magnates in the controversy.

[179] William Gerrard, 'Mr. William Gerrard, Lord Chancellor of Ireland, to Mr. Secretary Walsingham', 1576, Cal. Carew MSS. 1575-1589, 41; idem, 'William Gerrard, Lord Chancellor, to [the Privy Council?]', 1577, Cal. Carew MSS. 1575-1589, 46; MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland'; William Gerrard, 'Nots ffrom the L. chancellor of Ireland, to be considrd of vpon his dyspach', c. 1580, BL, Cotton MSS. Titus B XII, ff. 257-258; idem, 'Notes by Chancellor Gerrarde of evils which annoy the English Pale', 1580, TNA: PRO, SP 63/71/31 [App. no. 35]. *DIB*, s.v. Gerrard, Sir William.

the more pliable elements in the Pale. What was needed was a revitalised effort to increase government control by extension of the common law, in essence 'reform' through conciliation rather than 'reform' by militarisation and conquest. Gerrard's views harked back to those put forward by Sussex's critics in the 1560s but where they differed was in the individual airing them, as nobody with the exception of Nicholas Arnold had possessed the clout of the lord chancellor. The timing of his reports, though, was unpropitious, as the possibility of undertaking such a fundamental re-evaluation of crown policy in Ireland was scuppered by the development of unrest in Munster and the Pale in the following years. However, as will be seen in the following chapter, contrary to current historical orthodoxy there was an increasing chorus of calls for 'reform' along the lines suggested by Gerrard in the 1580s and early-1590s.

Gerrard's re-evaluation of the government of Ireland helped bring about the recall of Sidney, but it was primarily the composition for cess, the method which the viceroy had adopted as a means of stabilising the country by putting affairs there on a firm financial footing, which in the end wrought the destruction of his administration and indeed his political career more generally. Of course the initiative itself was to have a longer life, and it was resurrected in the mid-1580s during the government of Perrot and Fitzwilliam when it was again the focus of lively debate and the subject of numerous treatises by writers such as William Saxey and Edward Waterhouse.[180] However, this later debate was pushed aside by the military crisis of the 1590s and as such was unable to equal the acrimony seen between 1575 and 1578. Other concerns dominated at that later time but in the late-1570s the treatise had been central to effective opposition and to political change. It remained to be seen if it would do so again.

IV – Religious Reform

However, before turning to later developments we must consider one of the major developments of the Sidney era and one with lasting consequences, the first acute polarisation of the religious camps in Ireland. This largely occurred as the Counter-Reformation arrived in the guise of a flood of Jesuits and continentally trained clerics from the 1560s onwards,

[180] Cunningham, 'The Composition of Connacht in the Lordships of Clanricard and Thomond'; Treadwell, 'Sir John Perrot and the Irish Parliament of 1585-6'; Brady, *The Chief Governors*, p. 293. For examples of later treatises on the topic of composition, see William Saxey, 'Imperfections in the state of Munster, with the remedies for the same', 1598, TNA: PRO, SP 63/202(iv)/9(i). See, also, criticisms by Nicholas Walsh, 'Justice Nicholas Walshe to Walsyngham', 1581, TNA: PRO, SP 63/81/31; Edward Waterhouse, 'Ed. Waterhous to Walsyngham', 1581, TNA: PRO, SP 63/81/50.

notably Richard Creagh, David Wolfe and William Good.[181] This development, combined with a concurrent intensification of anti-catholic sentiments among England's protestant community following the Northern Rising of 1569 and Pope Pius V's subsequent excommunication of Elizabeth, resulted in Ireland in a more resolved campaign to protestantise the country. In the process the confessional divide in Ireland hardened and filtered into political affairs from the late-1560s when rebels such as James FitzMaurice began identifying their essentially political struggles as tinged with religious fervour. These developments would have an immense resonance in the following century.

Yet, it had not always been so and the political classes in Ireland had proved somewhat receptive to the changes wrought by the early Tudor Reformations.[182] Additionally, it was not any overt aversion to the reformed faith which was identified as the major impediment to its spread, but rather a series of practical issues, many of which had their origins in the pre-Reformation church. These included the decayed state of the physical church, the poor quality of the clergy and the bi-lingualism of Ireland, difficulties which had been intimated at long before Henry came into conflict with Rome.[183] The 1515 'State' noted that the clergy did not preach regularly enough.[184] A few years later Hugh Inge, archbishop of Dublin, writing in association with Patrick Bermingham, also complained of, 'the sorroufull decay of this londe, aswell in good Christianitie…whiche hathe growen for lakke of goode prelates and curates in the Chirche'.[185] It was these same issues which plagued those charged with implementing the Reformation from its inception in Ireland. Consequently, James Croft sought some learned ministers to be sent to Ireland in 1552, a request which led to the arrival

[181] Colm Lennon, 'Primate Richard Creagh and the Beginnings of the Irish Counter-Reformation', in *Archiv. Hib.*, Vol. 51 (1997), pp. 74-86; Thomas M. McCoog, *The Society of Jesus in Ireland, Scotland, and England, 1541-1588: 'Our Way of Proceeding?'* (New York, 1996). For an innovative periodisation of the century following the Henrician Reformation, see Ute Lotz-Heumann, 'Confessionalisaton in Ireland: periodisation and character, 1534-1649', in Alan Ford and John McCafferty (eds.), *The Origins of Sectarianism in Early Modern Ireland* (Cambridge, 2005), pp. 24-53, which defines the period to 1558 as one of uncertainty and from Elizabeth's accession to 1580 as preparatory to the great confessional divides of the seventeenth century. Also, see Helga Robinson-Hammerstein, 'The Confessionalisation of Ireland?: Assessment of a Paradigm', in *IHS*, Vol. 32, No. 128 (Nov., 2001), pp. 567-578.

[182] Brendan Bradshaw, 'The Opposition to the Ecclesiastical Legislation in the Irish Reformation Parliament', in *IHS*, Vol. 16, No. 63 (Mar., 1969), pp. 285-303; idem, 'The Beginnings of Modern Ireland', in Brian Farrell (ed.), *The Irish Parliamentary Tradition* (Dublin, 1973), pp. 68-87; idem, 'The Edwardian Reformation in Ireland, 1547-53', in *Archiv. Hib.*, Vol. 34 (1977), pp. 83-99; Henry A. Jefferies, 'The Irish Parliament of 1560: The Anglican Reforms Authorised', in *IHS*, Vol. 26, No. 102 (Nov., 1988), pp. 128-141.

[183] Steven Ellis, 'Economic Problems of the Church: Why the Reformation Failed in Ireland', in *Jn. Eccl. Hist.*, Vol. 41, No. 2 (Apr., 1990), pp. 239-265.

[184] Kite?, 'The State of Ireland and Plan for its Reformation', 1515, pp. 15-16.

[185] 'Archbishop Inge and Lord Chief Justice Bermyngham to Wolsey', 1528, *SP Henry VIII*, ii, 44, p. 126.

of Hugh Goodacre and John Bale.[186] The latter's sojourn is well known owing to his highly stylised 'Vocacyon', a memoir of his time as bishop of Ossory, in which he compared his plight to that of St. Paul.[187] Problems of this nature would continue to confront successive administrations in Ireland.[188]

The onset of Elizabeth's reign did not lead to any substantive change in this pattern. A brief memorandum, by Sussex, who wrote sparingly on religious matters in Ireland, most likely written prior to the parliament of 1560, advised the reappointment of bishops who were deprived during the Marian period but also admitted the need for ministers from England to fill the highest positions in the Church of Ireland.[189] During the 1560s numerous bishoprics throughout the country were occupied by men who were either known recusants or at best individuals of questionable religious viewpoints who were willing to conform to any settlement arrived at in England.[190] Such were the bishop of Ferns, Alexander Devereux, the bishop of Clonfert, Roland Burke, and the archbishop of Tuam, Christopher Bodkin, who each maintained their positions through successive changes of religion from Henry to Elizabeth's reign, often being acknowledged simultaneously by London and Rome, while James Murray has recently argued that Hugh Curwen, the Elizabethan archbishop of Dublin, was a confirmed Catholic up to his preferment to Oxford in 1567.[191] Furthermore, the most

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[186] James Croft, 'Lord Deputy Croft to Secretary Cecill', 1552, TNA: PRO, SP 61/4/28, printed in Shirley (ed.), *Original Letters and Papers*, pp. 63-64.

[187] John Bale, *The Vocacyon of Johan Bale to the bishoprick of Ossorie*, eds. Peter Happé and John N. King (Binghamton, 1990); Steven Ellis, 'John Bale, Bishop of Ossory, 1552-3', in *JBS*, Vol. 2, No. 3 (1984), pp. 283-293; Henry A. Jefferies, *The Irish Church and the Tudor Reformations* (Dublin, 2010), p. 101, has recently argued that Bale met with some considerable success in Kilkenny town, however, this argument does not take sufficient stock of Bale's identification of himself with St Paul and the inaccuracies which may have crept into the text as a result.

[188] These problems do not mark sixteenth century Ireland as a particularly exceptional case in the European theatre. Recent studies in the Reformation have pointed to a lack of adequate ministers and lingual barriers as major impediments to the success of religious reform throughout the continent. See, for instance, Gerald Strauss, 'Success and Failure in the German Reformation', in *Past and Present*, No. 67 (May, 1975), pp. 30-63; Geoffrey Parker, 'Success and Failure during the First Century of the Reformation', in *Past and Present*, No.136 (Aug., 1992), pp. 43-82; Christopher Haigh, 'Success and Failure in the English Reformation', in *Past and Present*, No. 173 (Nov., 2001), pp. 28-49.

[189] Sussex, 'For the settling of religion', 1559, HMC, Salisbury MSS. iii, pp. 459-460. The document is erroneously dated to 1589 in the calendar for that collection, however, internal evidence points to a date of composition prior to the 1560 parliament, most likely in 1559.

[190] This pattern seems to have intensified the further down the clerical pecking order an individual was situated. For a case study in this regard, see Brendan Scott, 'A Typical Clergman? Richard Plunkett and the Reformation in Tudor Meath', in *History Ireland*, Vol. 13, No. 6 (Nov.-Dec., 2005), pp. 17-20.

[191] Devereux incurred Sidney's chagrin. See Henry Sidney, 'Lord Deputy Sidney to Cecill', 1566, TNA: PRO, SP 63/18/93; Helen Coburne Walsh, 'Enforcing the Elizabethan Settlement: The Vicissitudes of Hugh Brady, Bishop of Meath, 1563-84', in *IHS*, Vol. 26, No. 104 (Nov., 1989), pp. 352-376, p. 353-354; Thomas G. Connors, 'Surviving the Reformation in Ireland (1534-80): Christopher Bodkin, Archbishop of Tuam and Roland Burke, Bishop of Clonfert', in *The Sixteenth Century Journal*, Vol. 32, No. 2 (Summer, 2001), pp. 335-355; James Murray, *Enforcing the English Reformation in Ireland: Clerical Resistance and Political Conflict in the Diocese of Dublin, 1534-1590* (Cambridge, 2009), pp. 242-260.

recent study of the Irish Church under the Tudors has concluded that the reformation failed in Ireland owing to the fundamental weaknesses of the ministry, which, it is suggested, included just two confirmed protestant bishops by the 1560s, Adam Loftus and Hugh Brady; a reformation without reformers as the study's author, Henry Jefferies, has asserted.[192] This contention is supported by contemporary observers.[193] The testimony of Nicholas Arnold and Thomas Wrothe, in particular, is worth noting:

"Concerning religion and the favorers of it, we ar sorie to saye what we fynde, blinde ignorance, the leadre to supstition…here are two good Bisshops of Armaughe and Meath, ther lives be unblaimed and ther diligence in preaching worthy to be commended, especiallie Meath. The Chaunceller is civile and conformable, and will do as he semith, what aucthoritie will commaunde. The rest of the Bisshops as we here be all Irishe, we nede say no more".[194]

The trend continued into the 1570s. In 1573 Fitzwilliam found himself writing to the queen to request the reinstatement of Christopher Brown as bishop of Down, despite his earlier revocation.[195] Brown's ability to speak Irish qualified him for re-appointment. Often when suitable ministers were preferred to Irish bishoprics, absenteeism was rife, as in the case of the bishop of Killaloe, Morgan O'Brien, who recorded in 1573 that he had spent three years at Oxford and Cambridge whilst occupying the post in Ireland.[196] Additionally, a number of high ranking ecclesiastics such as Patrick Walsh, the bishop of Waterford and Lismore until 1578, and Hugh Lacey, the on-off bishop of Limerick as late as the mid-1570s, seem to have oscillated from conformity to outright adherence to catholicism.[197] However, the most infamous example of a wholly unsuitable character who could nevertheless flourish within the Church of Ireland is that of the notorious careerist Miler Magrath who occupied various bishoprics before being preferred as archbishop of Cashel and yet was negotiating a reconciliation with Rome as late as 1612.[198]

Clearly a more permanent solution than the dispatch of preachers from England to replace these errant clerics was required. Just what contemporaries believed the best remedy

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[192] Jefferies, *The Irish Church and the Tudor Reformations*, pp. 131, 136.
[193] See, for example, Robert Weston, 'Lord Justice Weston to Sir W. Cecill', 1568, TNA: PRO, SP 63/24/2, wherein he claims the idolatry of the Irish combined with the inadequacy of the ministers means that the blind are led by the blind.
[194] 'Commissioners Wrothe and Arnold to the Privy Council', 1564, TNA: PRO, SP 63/10/34, printed in Shirley (ed.), *Original Letters and Papers*, pp. 139-140.
[195] William Fitzwilliam, 'Lord Deputy to the Queen', 1573, TNA: PRO, SP 63/39/30.
[196] Morgan O'Brien, 'Petition of Morgan or Murrough O'Brien Ara to Burghley', 1573, TNA: PRO, SP 63/39/18.
[197] Jefferies, *The Irish Church and the Tudor Reformations*, pp. 195-198; Niall Byrne, 'Reformation in Tudor Waterford: 1547-1603', MA (UCC, 1998), pp. 11-51; idem, 'Reformation in Elizabethan Waterford', in *Decies*, No. 57 (2001), pp. 43-71.
[198] *DIB*, s.v. Magrath, Miler; Robert Wyse Jackson, *Archbishop Magrath: The scoundrel of Cashel* (Dublin, 1974).

might be, though, is somewhat difficult to decipher, for there were markedly less treatises composed strictly on the issue of religious reform in Ireland throughout the Tudor century than on other subjects such as colonisation. Consequently recourse to the correspondence of figures such as Adam Loftus and Robert Weston is often necessary to determine just what the prevailing ideas on proselytising were. Despite this impediment it is possible to determine that by the early-Elizabethan period a multi-faceted religious programme had developed. In order to break down the barriers created by the Irish language attempts were made to produce printed religious works in Irish from mid-century onward. Furthermore, a concerted effort was made to establish educational institutions, and in particular a university, which would serve to train clergy who would in turn propagate the new faith. The re-edification of churches throughout the country was also prioritised, while absenteeism was to be stamped out. Finally, an ecclesiastical commission was established to act as the coercive arm of the Church of Ireland in ensuring conformity to the official religion.

These measures were to find articulation in Sidney's programme for religious reform upon taking office in the 1560s, the concerted and energetic nature of which two recent studies, one jointly produced by Ciaran Brady and James Murray, the other by Mark Hutchinson, have uncovered.[199] One of the centre-pieces of this approach was to develop an Irish catechism. From the 1540s service books had been available in Dublin through the bookseller, James Dartas.[200] 1551 had seen the printing of the first book in Ireland, when Humphrey Powell, imprinted the Book of Common Prayer.[201] However, these service books and Powell's text were in English and as such did not transcend the prevailing problem of impacting on a largely Gaelic-speaking people. Addressing this quandary Sidney resolved to have an Irish language catechism produced. Consequently Brady and Loftus were overseeing the development of an Irish type as early as 1567, perhaps with the ultimate aim of producing the New Testament in Irish.[202] It would be several decades before such a work was produced, but a catechism was prepared for publication by John Kearney in 1571. The *Aibidil Gaelige agus Caiticiosma* contained translations of extracts from the Book of Common Prayer and

[199] Ciaran Brady and James Murray, 'Sir Henry Sidney and the Reformation in Ireland', in Elizabethanne Boran and Crawford Gribben (eds.), *Enforcing Reformation in Ireland and Scotland, 1550-1700* (Aldershot, 2006), pp. 14-39; Mark A. Hutchinson, 'Reformed Protestantism and the Government of Ireland, c. 1565-1582: The Lord Deputyships of Henry Sidney and Arthur Grey', in *The Sidney Journal*, Vol. 29, Nos. 1-2, Special Issue: Sir Henry Sidney in Ireland and Wales (2011), pp. 71-104.
[200] Pollard, *Dublin's Trade in Books, 1550-1800*, pp. 33-36.
[201] McClintock Dix, *Printing in Dublin prior to 1601*, provides brief details on the works produced in sixteenth century Dublin and plates showing title pages, etc., of these texts.
[202] Quinn, 'Information about Dublin Printers, 1556-1573, in English Financial Records', pp. 112-115; Dermot McGuinne, *Irish Type Design: A History of Printing Types in the Irish Character* (Dublin, 1992), pp. 4-22, charts the development of an Irish type during Elizabeth's reign.

prayers selected from John Carswell's prayer book, along with a full translation of the Twelve Articles which had been promulgated as the foundation of the Church of Ireland.[203]

This was not the sole aspect of the attempt at proselytising through persuasion. In this respect the establishment of educational facilities, and in particular a university, to serve the dual function of providing an education in line with the strictures of the Church of Ireland and also to train clergymen for appointment throughout the country, was held to be of far greater import. Plans to endow a university had been in the ferment for quite some time, indeed even as early as the fourteenth century.[204]

This fleeting desire for the endowment of a university became more acute with the advent of the Reformation. In 1547, George Browne, the archbishop of Dublin, outlined a scheme for the conversion of St Patrick's into a university wherein would be 'placed a certaine nombr of felowes to be contynwall students (in all discipline necessarie) and so in tyme and by degrees convenient to growe to be preechers'.[205] In 1558, the primate of Ireland, George Dowdall, proclaimed, 'it shalbe verye expedient ffor that whole Realme, to erect an Univeristye…wherby learninge shall encrease, and…dutye, to God', while a contemporaneous tract, possibly by Thomas Alen, also pointed towards the dissolution of St Patrick's, with part of the property to be used for endowment of a university.[206] The opposition of subsequent archbishops, Hugh Curwen and Adam Loftus, to the conversion of St Patrick's in order to facilitate the university scheme became an impediment in subsequent years. Nonetheless, prominent ecclesiastics and administrators, notably Hugh Brady and Robert Weston, continued to advocate the endowment of an institution.[207] Efforts to do so

[203] Brian Ó'Cuív (ed.), *Aibidil Gaoidheilge & Caiticiosma: Seaán Ó Cearnaigh's Irish primer of religion published in 1571* (Dublin, 1994); Brady and Murray, 'Sir Henry Sidney and the Reformation in Ireland', p. 19; Hutchinson, 'Reformed Protestantism and the Government of Ireland, c. 1565-1582', pp. 74-80; Thomas O'Connor, 'Religious Change, 1550-1800', in Gillespie and Hadfield (eds.), *The Oxford History of the Irish Book, Volume III*, pp. 169-193, esp. pp. 173-174.

[204] In 1321 the archbishop of Dublin, Alexander Bicknor, issued an ordinance for the foundation of a university in the city. Another attempt was made to foster an Irish centre of learning in 1358, while the 1460s saw the development of two separate schemes to endow colleges in Youghal and Drogheda. See Edmund Curtis, *A History of Medieval Ireland* (London, 1968), pp. 220, 226, 329; John Watt, *The Church in Medieval Ireland* (Dublin, 1998), pp. 127-129.

[205] George Browne, 'Device of George Browne, Archbishop of Dublin, for converting the lately suppressed Cathedral Church of St. Patrick's beside Dublin into a University, the church now called St. Patrick's to be named the Church of the Holy Trinity, and the college to be Christ's College of the foundation of King Edward VI', 1547, TNA: PRO, SP 61/1/10, printed in Shirley (ed.), *Original Letter and Papers*, pp. 5-14, p. 6; James Murray, 'St Patrick's Cathedral and the University Question in Ireland, c. 1547-1585', in Helga Robinson-Hammerstein (ed.), *European Universities in the Age of Reformation and Counter-Reformation* (Dublin, 1998), pp. 1-21, deals with this issue in detail.

[206] Dowdall, 'The Archbishop of Armachane's Opinion touchinge Ireland', p. 164; Thomas Alen?, 'Vpon alteracion of S now Patrickes, an opinion in that behalf', c. 1558, BL, Lansdowne MS. 159, ff. 104-108r.

[207] Hugh Brady, 'Hugh Bradie, Bishop of Meath to Cecill', 1565, TNA: PRO, SP 63/13/5, printed in Shirley (ed.), *Original Letters and Papers*, pp. 160-163; Robert Weston, 'Lord Chancellor Weston to Cecill', 1570,

culminated in the producing of a bill to that effect for passing through the 1569-71 parliament, a development which may have occasioned the arrival of Edmund Campion in Dublin, Sidney potentially envisaging his appointment as first provost of any future university.[208] Despite this, and the production of an alternative scheme by John Ussher to facilitate an endowment, no such institution was to be established.[209] The consequent response amongst religious reformers such as Thomas Lancaster and his successor in Armagh, John Long, was to facilitate the establishment of schools at Drogheda and Waterford, respectively.[210] The 1580s saw Perrot and Ussher continue to push for the establishment of a university, while more recently it has been argued by Brady that William Herbert's, *Croftus Sive de Hibernia Liber* was conceived as a grand project for the endowment of two universities simultaneously in Ireland, one in Dublin and one in Limerick.[211] A university, however, would not be finally established until 1591 when Trinity College was formally endowed.[212]

Proposals to overhaul the physical church continued throughout the Elizabethan period. One of the clearest expressions of the need to do so is found in Sidney's report to the queen of 1576, which is an oddity as a political tract by a viceroy which dealt explicitly, and extensively, with the issue of religious reform. Here he identified three major problems in Ireland, the 'ruyne of the verye Temples', the 'Want of good Mynisters to serve in theim' and

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TNA: PRO, SP 63/30/29 [App. no. 25]. On Brady's support for the scheme and Loftus' opposition, see Coburn Walshe, 'Enforcing the Elizabethan Settlement', pp. 364-365; Helga Robinson-Hammerstein, 'Archbishop Adam Loftus: The first provost of Trinity College, Dublin', in Robinson-Hammerstein (ed.), *European Universities in the Age of Reformation and Counter-Reformation*, pp. 34-52, has conversely argued that Loftus was not opposed to the endowment of a university, but was eager to wait until the time for establishment was most favourable. Loftus' claim, on numerous occasions, that a university was necessary, is cited as evidence to this effect, yet these statements by the archbishop may well have been to allay suspicions of his own self-interest in regard to St Patrick's, and Loftus did not offer any pro-active advice on the establishment of a university.

[208] Treadwell, 'The Irish Parliament of 1569-71', p. 84.

[209] John Ussher, 'John Ussher to same, with a rejoinder made to a reply of the Mayor and Staplers of Dublin relative to Ussher's Book for reformation of the staple', 1571, TNA: PRO, SP 63/33/8, printed in J.T. Gilbert, *A History of the City of Dublin*, 3 Vols. (Dublin, 1861), I, pp. 383-384.

[210] Thomas Lancaster, 'Thomas Lancaster, Archbishop of Armagh, to Walsyngham, to further his suit for the erection of a free Grammar School at Drogheda, which he will endow', 1580, TNA: PRO, SP 63/77/29; John Shearman, 'John Shearman, M.A.,to the Primate of Armagh', 1585, TNA: PRO, SP 63/118/29(i), calendared in Brady (ed.), *State Papers Concerning the Church of Ireland*, LXX, wherein he relates to Long the failure of the educating mission the primate had dispatched him on to Waterford. Bradshaw, 'Sword, Word and Strategy in the Reformation in Ireland', esp. p. 486.

[211] John Perrot, 'Lord Deputy Perrot to Walsyngham', 1584, TNA: PRO, SP 63/111/71; John Ussher, 'John Ussher to Walsyngham', 1582, TNA: PRO, SP 63/90/14 [App. no. 40]; Ciaran Brady, 'New English Ideology in Ireland and the two Sir William Herberts', in A.J. Piesse (ed.), *Sixteenth-century identities* (Manchester, 2000), pp. 75-111.

[212] On the establishment of the College, see J.V. Luce, *Trinity College Dublin: The First 400 Years* (Dublin, 1992), pp. 1-10;

the need to provide a good living to stamp out absenteeism.[213] To remedy the first he advised that funds should be diverted for the repair of churches. In a novel proposal he recommended that preachers should be sought in Scotland, who could overcome the lingual barrier, while absenteeism could be curbed by apportioning some of the crown's rents to provide for the living of ministers. Sidney was not alone in his thinking and his analysis and proposals were continuously mirrored in a number of tracts by commentators, such as Michael Fitzwilliams, Anthony Power and many others besides.[214] Tremayne, for instance, wanted bishoprics united and livings improved to entice a better standard of minister to take up positions within the Church of Ireland, while Francis Agard and Robert Weston favoured the repair of decayed churches and the establishment of schools as the best means to promote the new faith.[215]

The foregoing initiatives, to re-edify the physical state of the church, provide suitable ministers, preferably fluent in Irish, establish educational institutions and sponsor the printing of religious material in Irish, all formed part of a strategy which aimed to protestantise Ireland through persuasion. In this it was essentially believed that the people of Ireland could be converted to the reformed faith through a conciliatory policy of preaching and education. However, there was another strand of thought on how to spread the reformed faith which was employed at this time and equally so was recommended in the treatises which dealt with religious affairs; coercion.[216] This was championed as early as the 1530s by figures such as George Browne, but truly began to be employed from the mid-1560s when a high commission for ecclesiastical affairs was established with the objective of enforcing conformity through the imposition of fines on recusants.[217] Yet, it should be noted that such bodies operated in tandem with concerted efforts at reform through persuasion and the two strategies were not mutually exclusive.

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[213] Henry Sidney, 'Sir Henry Sydney to Queen Elifabeth', 1576, printed in Collins (ed.), *Letters and Memorials of State* I, pp. 112-114, p. 113. Also, see a further letter addressed by Sidney to the Privy Council the same day he wrote to Elizabeth which, though dealing primarily with political issues in Connaught, stated that religious reform would have to be furthered in tandem with political reform. idem, 'Sir Henry Sydney to the Lords of the Councell', 1576, printed in Collins (ed.), *Letters and Memorials of State*, I, pp. 102-110, esp. p. 109.

[214] Fitzwilliams, 'Michael Fytzwylliams to their Honours', 1571; Anthony Power, 'Anthony Power his noate for reformation of Ireland', BL, Cotton MSS. Titus B XII, ff. 71-74 [App. no. 28]; 'Device for a college to be erected in Dublin', 1563, TNA: PRO, SP 63/9/49, printed in Shirley (ed.), *Original Letter and Papers*, pp. 126-128; 'Propositions by an Irishman, addressed to Cecill, for the reformation of the north of Ireland', 1568, TNA: PRO, SP 63/23/29.

[215] Tremayne, 'Notes and propositions for the reformation of Ireland by Ed. Tremayne', 1571, ff. 188v-189r; Weston, 'Lord Chancellor Weston to Cecill', 1570, f. 57r [App. no. 25]; Agard?, Necessarie thinges to be considered of concerninge the quiett mantennance of the state of Munster', c. 1574, ff. 160v-161r [App. no. 31].

[216] On the two strategies, see Bradshaw, 'Sword, Word and Strategy in the Reformation in Ireland'.

[217] idem, 'George Browne, first Reformation archbishop of Dublin, 1536-1554', in *Jn. Eccl. Hist.*, Vol. 21, No. 4 (Oct., 1970), pp. 301-326; Jefferies, *The Irish Church and the Tudor Reformations*, pp. 138-142.

In contrast to the strategy of persuasion even fewer tracts on how to develop a coercive religious policy appear to have been written. Consequently some of the most useful 'reform' literature in this area is actually the correspondence of the man at the centre of enforcing the Elizabethan Reformation in Ireland, the archbishop of Dublin, Adam Loftus. His personal approach to promoting the state religion in Ireland has been the subject of some disagreement. James Murray has posited that Loftus favoured persuasion during his first decade or so in office but gradually became more inclined towards coercion from the late-1570s onwards.[218] Conversely, Helga Robinson-Hammerstein and Henry Jefferies have tended to view Loftus as more of a coercionist during the early period, but one whose inclinations in this regard were tempered by the more lenient Brady and Weston who served as president of the commission up to his death in 1573.[219] Certainly the archbishop's correspondence, which has to be relied upon in the absence of formal treatises written by him, does point to a strong coercionist streak revealed most saliently in a report to Elizabeth in 1565 which urged that reprisals should be levelled against the lords and gentry of the Pale for non-attendance at state services to act as a warning to the wider laity.[220] Similar prescriptions are to be found in Loftus' writings through to the 1590s.[221] Conversely his attempt to launch a concerted campaign of preaching in the 1560s, an initiative which possibly involved him in efforts to bring John Knox to Ireland, point towards an individual aware of the efficacy of dedicated preaching and persuasive action.[222]

Sidney's reappointment in 1575, though, saw a drift towards a more coercive programme of religious reform centred on the newly established Court of Faculties.[223] From this date onwards a general shift towards coercive enforcement as the preferred *modus operandi* of religious reform is perceptible. Yet, despite this the progress of the Reformation in Ireland was extremely poor. There are some isolated examples of success, most notably in Galway, which by the 1570s had a growing protestant community, but in most areas what

[218] Murray, *Enforcing the English Reformation in Ireland*, pp. 261-316. For a succinct account of this thesis, see Murray's entry in the *DIB*, s.v. Loftus, Adam; idem, 'The diocese of Dublin in the sixteenth century: clerical opposition and the failure of the Reformation', in James Kelly and Dáire Keogh (eds.), *History of the Catholic Diocese of Dublin* (Dublin, 2000), pp. 92-111.
[219] Jefferies, *The Irish Church and the Tudor Reformations*, pp. 159-161; Helga Robinson-Hammerstein, 'Adam Loftus and the Elizabethan Reformation in Ireland: Uniformity and Dissent', in *Search*, Vol. 28, No. 1 (Spring, 2005), pp. 53-67. Also, see her analysis in *ODNB*, s.v. Loftus, Adam.
[220] Adam Loftus, 'Adam Loftus, Archbishop of Armagh, to the Queen', 1565, TNA: PRO, SP 63/13/42, printed in Shirley (ed.), *Original Letters and Papers*, pp. 194-197.
[221] idem, 'The Chancellor Archbishop to Burghley', 1590, TNA: PRO, SP 63/154/37, calendared in Brady (ed.), *State Papers Concerning the Irish Church*, XCII.
[222] Robinson-Hammerstein, 'Adam Loftus and the Elizabethan Reformation in Ireland: Uniformity and Dissent'.
[223] Brady and Murray, 'Sir Henry Sidney and the Reformation in Ireland', pp. 33-39.

adherence was attained was resoundingly nominal.[224] Despite this perceptible failure increased coercion was continued, a trend which was augmented following the heightened fusing of religion and politics in the ideology of disaffected elements throughout Ireland during the turbulent years of the second Desmond rebellion and the Baltinglass revolt.[225] Compounding matters was the arrival of reports at Whitehall, such as that composed by Marmaduke Midleton on Waterford in 1579, which related the dismal failure of the Reformation in the regions.[226] Finally, the increasingly precarious international situation faced by the English state exacerbated the religious tensions inherent in Ireland.

Consequently the number of senior government officials in favour of the coercive option slowly increased, Arthur Grey, Edward Waterhouse, William Gerrard and Loftus, for instance, being largely in favour, while fringe figures such as Andrew Trollope also persistently called for a hardline in enforcement.[227] However, these developments should not detract from the continued awareness of the necessity for more persuasive tactics to be utilised in association with enforcement, as found in a number of treatises which were written by figures such as Perrot and William Herbert.[228] Thus, by the closing decades of the century persuasion and coercion, the twin methods by which advancement of the Reformation was sought had both been regularly recommended by treatise writers and employed as part of religious policy. Indeed a perusal of tracts by writers such as William Lyon reveals that it was widely believed the two should be employed in tandem with eachother, these reformers suggesting strict enforcement of the anti-recusancy laws along with stressing the importance

[224] Nicholas Canny, 'Galway: From the Reformation to the Penal Laws', in Diarmuid Ó'Cearbhaill (ed.), *Galway: Town and Gown, 1484-1984* (Dublin, 1984), pp. 10-28; Brendan Bradshaw, 'The Reformation in the Cities: Cork, Limerick and Galway, 1534-1603', in John Bradley (ed.), *Settlement and Society in Medieval Ireland: Studies presented to F. X. Martin, o.s.a* (Kilkenny, 1988), pp. 245-276; Jefferies, *The Irish Church and the Tudor Reformations*, pp. 186-202, provides a detailed overview of the religious landscape of Ireland in the 1570s.

[225] Hiram Morgan, 'Faith & Fatherland in Sixteenth-Century Ireland', in *History Ireland*, Vol. 3, No. 2 (Summer, 1995), pp. 13-20.

[226] Marmaduke Midleton, 'Bishop of Waterford and Lismore to Walsyngham', 1580, TNA: PRO, SP 63/73/70, calendared in Brady (ed.), *State Papers Concerning the Irish Church*, XXV.

[227] Arthur Grey, 'Lord Deputy Grey to the Queen', 1580, TNA: PRO, SP 63/79/25, calendared in Brady (ed.), *State Papers Concerning the Irish Church*, XXIX; Edward Waterhouse, 'Edward Waterhous to Walsyngham', 1579, TNA: PRO, SP 63/66/66; Loftus, 'The Chancellor Archbishop to Burghley', 1590; Andrew Trollope, 'Andrew Trollopp to Burghley', 1587, TNA: PRO, SP 63/131/64. Gerrard had special seats prepared at St Patrick's for the nobility and those of the legal profession, by which means non-attendants would be easily exposed and those enforced to attend would act as a model for others. See Waterhouse, 'Edward Waterhous to Walsyngham', 1579, f. 204v.

[228] See, for instance, Perrot's support for the university scheme as outlined in his 'Discourse' of 1581, printed in E.C.S., *The Government of Ireland under the Honorable, Ivst and Wife Gouernour Sir Iohn Perrot Knight* (London, 1626); William Herbert, 'Sir William Herbert to Lord Burghley', 1587, TNA: PRO, SP 63/129/42; idem, 'Considerations touching the state of Munster', 1587, TNA: PRO, SP 63/132/70.

of education to inculcate the populace in the reformed faith.[229] However, the degree to which one should be favoured above the other was still undecided and it was an issue which would acquire a prominent position in the political discourse of the post-Nine Years War period.

There is little doubting the enormous impact of Henry Sidney on the history of Tudor Ireland and the immense changes in political discourse there which occurred during the period of his viceroyalties. Clearly the most conspicuous shift in terms of treatise writing at this time was in the frequency with which such documents were composed. Whether this, along with other factors just discussed, constitutes evidence for the emergence of a public sphere at this time is an issue which will require much greater attention into the future. But, for the present, it seems clear that a combination of an increase in political consultation from within officialdom, amongst the military executive and by the political community of Ireland in general, in tandem with the more permissive atmosphere of the Sidney years, which allowed figures such as Tremayne and Piers to have their ideas, as enunciated in their treatises, patronised by the chief governor saw a major growth in political discourse on a general level. Much of this concentrated on initiatives which were not novel by the mid-1560s such as the appointment of provincial presidencies and colonisation, though the fact that the former were actually appointed during this period and that the number of proposals for the foundation of semi-private colonies, primarily in south Munster and northeast Ulster, mushroomed at this time is certainly noteworthy. Religious reform, an issue which had appeared intermittently in the 'reform' treatises of the first half of the century, became a subject of somewhat more concern for those writing policy papers in the 1560s and 1570s, but by comparison with other themes in this body of literature the task of protestantising Ireland was not at the summit of priorities. By comparison a topic which had been alluded to, but without too much engagement, in tracts since 1515, the issue of financing a government which was a constant drain on Whitehall's coffers, came centre stage in the political discourse of early-Elizabethan Ireland. It threw up numerous solutions to the problem of financing an administration which was determined to utilise a bloated garrison to extend Dublin Castle's control throughout the country, one of which, Tremayne's scheme of composition for cess, was to prove of pivotal importance in bringing an end to Sidney's Irish career. However, this writing of treatises on fiscal reform and on financial administration more generally is significant beyond its leading

[229] Bernadette Cunningham (ed.), 'A View of Religious Affiliation and Practice in Thomond, 1591', in *Archiv. Hib.*, Vol. 48 (1994), pp. 13-24; William Lyon, 'William Lyon, Bishop of Cork and Ross, to Lord Hunsdon', 1596, TNA: PRO, SP 63/191/8; idem, 'A view of certain enormities and abuses meet to be considered of, praying your Honour to vouchsafe the perusing thereof at your best leisure', 1596, TNA: PRO, SP 63/191/8(i).

to the scheme of composition, for it began to bring to light issues which had been prevalent under other governors such as Sussex. Specifically, it began to be revealed that excessive corruption and maladministration were problems which were rife in Ireland and that, furthermore, the root of those problems was quite possibly the policy of conquering Ireland through military coercion, and the possibilities for misadventure such a programme allowed, which had taken hold in the mid-Tudor period. The major shift in the writing of 'reform' treatises and political discourse in the aftermath of Sidney's reign was in the renewal of calls from amongst certain sections of the Irish political establishment for the adoption of a more conciliatory approach to subjugating the country and bringing an end to such latent corruption.

Chapter Five – 'Reform' in the aftermath of the Second Desmond Rebellion, 1579-1594

Studies of Tudor Ireland have tended to identify the years around the second Desmond rebellion as a point of demarcation, prior to which the 'reform' of Ireland through a conciliatory programme of legal amelioration was possible, but after which a policy of 'reform' through conquest was favoured by an increasingly jingoistic administration.[1] There are some credible reasons for such a supposition. These years did, for example, witness a growing animosity between the generally catholic Old English and the predominantly protestant *arrivistes* owing to the antipathy aroused by the religious overtones of the unrest which occurred both in Munster and the Pale between 1579 and 1583.[2] Additionally, a distinct acceleration in the pace at which the state was advancing into the provinces, with the Munster Plantation in the south, increasing settlement and administrative reorganisation in Connaught and the first concerted interventions in much of Ulster, could be said to have ushered in a period of amplified government aggression.[3] Lastly, a rapid turnover in personnel throughout Irish officialdom occurred which saw the arrival of a number of figures who would significantly impact upon the government of Ireland up to, and during, the Nine Years War, a development which could be said to have augured the arrival of a more hostile administration. These included Henry Wallop, under-treasurer and sometime lord justice, Geoffrey Fenton, secretary of state, John and Thomas Norris, respectively president and vice-

[1] Brady, 'The road to the *View*'; idem, *The Chief Governors*; idem, 'Sixteenth century Ulster and the failure of Tudor Reform'; Ellis, *Tudor Ireland*, pp. 278-312; Lennon, *Sixteenth-Century Ireland*; Crawford, *Anglicizing the Government of Ireland*, pp. 419-423; idem, *A Star Chamber Court in Ireland*, pp. 228-229; Nicholas Canny, *The Formation of the Old English Elite in Ireland*, National University of Ireland, O'Donnell Lecture (Dublin, 1975); idem, 'Edmund Spenser and the Development of an Anglo-Irish identity', in *The Yearbook of English Studies*, Vol. 13, Colonial and Imperial Themes Special Number (1983), pp. 1-19; idem, *From Reformation to Restoration*, esp. pp. 105-107; idem, 'Identity Formation in Ireland: The Emergence of the Anglo-Irish', in Nicholas Canny and Anthony Pagden (eds.), *Colonial Identity in the Atlantic World, 1500-1800* (Princeton, 1989), pp. 159-212, esp. p. 164. This is also the argument of Hutchinson, 'Reformed Protestantism and the Government of Ireland, c. 1565-1582', though here the emphasis is upon the fact that religious reform had stalled by the onset of the 1580s.

[2] Jefferies, *The Irish Church and the Tudor Reformations*, pp. 205-240.

[3] On the increasing intervention in Ulster, see Morgan, *Tyrone's Rebellion*, pp. 29-81. For Connaught, see Rapple, *Martial Power and Elizabethan Political Culture*, pp. 200-300, in which Bingham's actions, and those of others in Connaught are central. Also, see O'Dowd, *Power, politics and land*, esp. pp. 25-44, 89-104. For an outdated, though interesting, account, see Hubert Thomas Knox, *The history of the county of Mayo to the close of the sixteenth century* (Dublin, 1908), pp. 175-262.

president of Munster and major military commanders in the 1590s, and Richard Bingham, president of Connaught and marshal of Ireland in the 1590s, along with a multitude of less influential figures.[4] Equally, where Burghley seems to have exerted a disproportionate influence over Irish affairs up to the 1570s, from his appointment as secretary of state in 1573 Walsingham began to play an equally pivotal role there which on some level may have altered the face of policy direction in Ireland.[5]

However, while hardening religious divisions, expansion of government activity and a swift changeover of personnel might all appear as ostensible evidence of a rapidly altering environment there is substantive evidence to support a contrary interpretation. In particular it is hard to accept the division of Tudor Ireland into two distinct periods, during the first of which conciliatory 'reform' was possible, with this abandoned in the second phase in preference for the wholehearted adoption of a strategy of conquest. Plainly put both aggressive and conciliatory policies were simultaneously favoured during both time periods.[6] Transplantation, conquest, scorched earth warfare and plantation had all been written about or even attempted during the supposed heyday of conciliation under Henry VIII just as more sanguine methods also had their supporters in the closing decades of the century.[7] Various approaches had their proponents throughout the century and the 1580s and 1590s can hardly be viewed as a time when conciliation was multilaterally abandoned.

Moreover, were there a seismic shift in government policy at this time it would surely have manifested itself in a heightened production of treatises recommending a dramatic change in policy. Crucially alterations in high policy require articulation by individuals before they can be adopted and implemented. But this is decidedly not the case. While

[4] Canny, *Making Ireland British*, pp. 75-103, overviews the New English presence in late-Elizabethan Ireland. Barry**,** 'Sir Geoffrey Fenton and the Office of Secretary of State for Ireland, 1580-1608'; Rapple, *Martial Power and Elizabethan Political Culture*, pp. 251-300; Kennedy, 'The Presidency of Munster under Elizabeth and James I', pp. 111-173.

[5] Mitchell Leimon, 'Sir France Walsingham and the Anjou marriage plans, 1574-1581', PhD (Cambridge University, 1989), pp. 77-105; Rapple, *Martial Power and Elizabethan Political Culture*, pp. 150-161; Cooper, *The Queen's Agent*, pp. 239-257.

[6] The studies which have argued most forcefully for the centrality of conciliation to the earlier period and its abandonment later are Brady, *The Chief Governors*; Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*.

[7] Robert Cowley, 'R. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 129, explicitly recommends the use of scorched earth against the Irish. 'Proposals submitted to Secretary Crumwell for the pacification of Ireland and suppression of rebellion', 1536, TNA: PRO, SP 60/3/3, recommends the transplanting of certain of the Geraldines into England as part of a general plan for settling Ireland in the aftermath of the Kildare rebellion. 'A Memoriall, or a note for the wynnyng of Leynster, too be presented too the Kynges Majestie and his Graces most honorable Counsayle', 1537, *SP Henry VIII*, ii, 162, recommends appointing William St Loe as earl of Carlow, one of the most extreme examples of how government officials might replace the regional lords. John Alen, 'Lord Chancellor Alen to Mr Comptroller William Paget', 1548, TNA: PRO, SP 61/1/129 [App. no. 4], recommends transplantation of the midland septs, which the council had suggested in the 1530s. See 'The Council of Ireland to Crumwell', 1537, *SP Henry VIII*, ii, 152, p. 444.

allowing for a temporary, and not very substantial, spike in such activity at the height of the crisis in Munster and the Pale, the pattern from the mid-1570s through to the end of the 1580s, the period encompassing this alleged *volte face* in New English attitudes, was static with on average a dozen treatises produced yearly. In addition many of these were not advocating a harder line in relation to the Irish and Old English but were often suggesting that by developing a more conciliatory approach to government policy the country could more easily be assimilated into the Tudor state.

Table 5.1: Number of extant treatises for select years, 1576-1587

Year	*1576*	*1577*	*1578*	*1579*	*1580*	*1581*	*1582*	*1583*	*1584*	*1585*	*1586*	*1587*
No. of treatises	9	10	15	15	22	18	11	14	18	9	16	10

Source: App.

Indeed the central contention of much of the following is that conciliatory 'reform' was actually reinvigorated in the post-Desmond rebellion years as a wide array of writers began criticising an over-reliance on the military to govern Ireland along with a range of abuses which had become widespread there such as extortion, venality, judicial corruption, excessive recourse to martial law and the unwarranted granting of pardons. Many of those participating in this literature of complaint believed that the continuing subjugation of Ireland within the Tudor state should be attained through extension of the common law rather than by attempting to 'reform' recalcitrant elements through militarisation and confrontation. The growth of this literature of complaint will be outlined below. But first it is necessary to look at two other occurrences which saw the creation of numerous policy papers in Tudor times and which have elicited considerable speculation from historians in recent time, specifically the Munster plantation and the programme for government of John Perrot.

I – The Munster Plantation

It appears that no sooner had Desmond taken the decisive step into rebellion in 1579 than government servants in Ireland and elements within the military set-up there began contemplating the aftermath of the conflict and the land rush it was expected would ensue upon Desmond's attainder.[8] Indeed, as early as 1569 there had been speculation surrounding

[8] Quinn, 'The Munster Plantations: problems and opportunities'; Robert Dunlop, 'The plantation of Munster, 1584-1589', in *EHR*, Vol. 3, No. 10 (Apr., 1888), pp. 250-269; Canny, *Making Ireland British*, pp. 121-164; MacCarthy-Morrogh, *The Munster Plantation*.

the redistribution of Desmond's lands, given continued uncertainty surrounding his loyalty, a fact attested to by Patrick Sherlock:

"Itm if the saide earle be condempned by his peres your matie may extend your clemencye vpon his body and enter immediatly vpon all his lands and the same to bestowe to your mats pleasure vpon such gent as shall stand bound to defend it at thir owne charge and to paye your matie for the same as it shalbe surveid." [9]

Moreover, as previously seen, the late-1560s was witness to the first scheme for the plantation of Munster, proffered by that group of perennial suitors for grants in the southern province which included Warham St Leger and Humphrey Gilbert, most prominently, but also the likes of Edward St Loe and Jacques Wingfield.[10] Their petition of 1569 earmarked the lands of the earl of Clancar, the MacDonaghs, the O'Callaghans, the O'Sullivans, the O'Driscolls, the Mahons, the MacSweeneys and their followers, along with the area between Ross and the sound of Blasket for settlement. In return for this sizeable grant the petitioners offered to suppress the rebellion in the province and also gave extensive details on various services they would provide to the crown as the holders of the province.[11] In form the scheme closely paralleled that which was put forward for Ulster earlier in the 1560s which William Piers was involved in and while neither project came to fruition both were to influence the various plantations affected by others in Ulster and Munster in the 1570s and 1580s.[12]

In 1580, the three options open to the crown for dispensing of the soon to be attainted lands of Desmond and his followers were plainly presented by Edward Waterhouse writing to his patron, Walsingham:

"whether it should be totally inhabited with natural men, or with a mixture of mere English and those of the English race born in the Pale, or whether part of the natural inhabitants, now

[9] Patrick Sherlock, 'Notes or recommendations by Patrick Sherlock for the reformation of Munster', 1569, TNA: PRO, SP 63/28/12, f. 40r [App. no. 24].
[10] Piveronus, 'Sir Warham St. Leger and the First Munster Plantation, 1568-69': idem, 'Sir Warham St Leger: 'Organizer-in-Chief of the Munster Plantation Scheme of 1569-69. Evidence from the Hand-Writing Analysis of Selected Documents in the PRO, London'.
[11] 'The petitions addressed to the Privy Council by gentlemen who offer to suppress the rebels in Munster, and to plant that province with natural Englishmen; with notes by Cecill', 1569, TNA: PRO, SP 63/28/2, is the central text in this regard. See, also, 'Offers of English subjects for planting Munster, addressed to Cecill', 1568, TNA: PRO, SP 63/26/52; 'Note of the demands of Sir Warhame Sentleger, Mr. H. Gylberte, Mr. Jaques Wingfeld, Mr. Gilbert Talbot, and others, who mind to be suitors to the Queen for the fishing of the south and south-west seas of Ireland, and enjoying of certain havens, islands, and castles, and the incorporation of the town of Baltimore', 1568, TNA: PRO, SP 63/26/81; 'Offers of English subjects for planting Munster, addressed to Sir H. Sydney', 1569, TNA: PRO, SP 63/27/22; Quinn (ed.), *The Voyages and Colonising Enterprises of Sir Humphrey Gilbert*, II, App. 1, contains transcriptions of some of the relevant documents.
[12] William Piers, 'A paper [apparently by Capt W. Pers of Knockfergus, intended to be presented to Cecill or Sussex] relating the policy of Scotland, to promote James McDonnell to be Lord of all the Isles of Scotland, with the reasons of it failure', 1565, TNA: PRO, SP 63/9/83 [App. no. 19].

rebels, might not either upon fines or rents reserved or both, be [allowed to] repossess their own."[13]

Needless to say, most within the administration favoured and expected wholesale confiscations, but uncertainty remained as to who the major beneficiaries of such measures would be. Inevitably there was wide disparity of opinion on how to dispense with the attainted lands, with various interest groups advocating a mixture of corporate, commercial, philanthropic and settlement proposals, as Michael MacCarthy-Morrogh has established.[14] Initially the possibility of selling the confiscated lands even seems to have been countenanced, an option which was eventually settled on for the Baltinglas lands in the early-1580s, despite a campaign by a number of martial figures, notably Henry Harrington and Thomas Lee, to have those lands distributed amongst those within the military executive who were most active in the Pale.[15] This latter option was not favoured for Munster, though, perhaps owing to the sheer quantity of land to be dispensed with and the relative distance from the effective area of government control on the east coast.

One corporate scheme was put forward under the direction of a shadowy, and previously under-appreciated character in Irish plantation history, one Richard Spert, who acted in 1583 as the go-between for a group of similarly obscure figures. These requested a grant of 160 ploughlands of attainted Desmond land in order to establish a number of trades, including hemp, woad, madder, fisheries, textiles and ironworks.[16] Their ambition was considerable with Spert holding out hope that bullion mines might be discovered there and also that:

"by meanes of our trade within one seuen yeares we shalbe able apon that parte of Ireland to mayneteine 10 or 12 saile of shipps and in tyme likelie to encrease them to a further nomber so that our strenghte by sea wilbe such as wilbe able the, fittnes and aptnes of the coast consydered, either for dyscouery or otherwise to do her mate great shervice".[17]

The success or otherwise of Spert and those he represented in this instance is elusive, although Spert resurfaced during the reign of James I, when he recommended the confiscation of all waste grounds in Ulster to the crown and the development of an almost

[13] Edward Waterhouse, 'Ed. Waterhous to Walsyngham', 1580, TNA: PRO, SP 63/72/55, as quoted in Canny, *Making Ireland British*, pp. 124-125.
[14] MacCarthy-Morrogh, *The Munster Plantation*, pp. 19-30.
[15] Adam Loftus?, 'Device for the inhabiting of Baltinglas and quieting of Low Leinster', 1583, TNA: PRO, SP 63/99/60(i); Thomas Lee, 'Suit and offer of Thomas Lee', 1583, TNA: PRO, SP 63/102/57; Henry Harrington, 'Sir Henry Haringeton to Burghley', 1583, TNA: PRO, SP 63/105/65.
[16] Richard Spert, 'The requests of Richard Speart and others for a grant of Desmond's lands, with a plot for establishing certain trades there', 1583, TNA: PRO, SP 63/106/24 [App. no. 43]. There are two copies of this request, the other being TNA: PRO, SP 63/106/15.
[17] Ibid., f. 48v.

identical set of products and manufactures as those he had earlier suggested for Munster.[18] His belief in Ireland as the beginnings of England's New World, which would serve the twin purposes of a launching pad for discovery and the source of precious metals, resonates throughout his writings.

The development of the province to become a centre of manufacturing and resource exploitation was also favoured in 1584 by Morgan Colman, who had previously served as Pelham's secretary:

"The inhabitants possesinge the wodd countreies to be tyed to drawe vnder their [mannurancs] artificers owt of England, skylfull to make coale, tyle, brick, earthen pottes and such other deuises to be putt in sole for the comon vytlitie of the countrey, yea and other artificers of tymber worke in regarde of the great plentye of woddes which in former tymes haue serued to euill tornes to reskue and succor rebelles."[19]

His memorandum on the settling of Munster is also notable as a forerunner of the scheme worked out for Connaught over half a century later, Colman suggesting that English servitors should be given lands along the sea coast of the province, leaving the uplands in the interior to the Irish, 'wherby that manner of setlinge in parte an envyreninge of the others planted in the vpland and hem theim in the better from reuoltinge in tyme to come'.[20]

A similar optimism concerning the size of the hoped-for grants was displayed by Ralph Lane who, acting in conjunction with Thomas Miagh and James Moore in 1584, requested the colonelship of Kerry, a position which he believed should include:

"in breadthe from Bearehaune, which lyeth to the southwest of Desmonde to the Shennon, which is to the northeast of Kerrye, fyftye myles and in leanght from the Smerickes to Newcastell, which is thinnermost connture of Connologh 40tie and 5 myles within the which is comprysed the Greane Woode and the mountaynes Sleylougher."[21]

Lane was eager to point out the role his new office would play in the defence of Munster from foreign invasion, essentially positing a privatisation of security in the province.

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[18] idem, 'Address to James I by Richard Spert, containing a scheme for increasing the revenues and customs of Ireland by letting to tenants, and forming into parishes, all lands there which may be found on a survey to accrue to the Crown by "attainder, concealement, forfeyture or agreement", and by developing the natural products and manufactures of that country', c. 1608, BL, Royal MSS. 18 A LXV. The document has been printed with a further biographical sketch in, Raymond Gillespie (ed.), 'Plantation and Profit: Richard Spert's Tract on Ireland, 1608', in *Ir. Econ. Soc. Hist.*, Vol. 20 (1993), pp. 62-71.

[19] Morgan Colman, 'Short notes to be considered upon for the reducing and settling of Munster', 1584, Cal. Carew MSS. 1575-1588, 569 (LPL, MS. 607, f. 111r) [App. no. 44].

[20] Ibid., f. 110v.

[21] Ralph Lane, 'Demands of Mr. Rafe Lane to the Privy Council, touching the colonelship to be committed to him in Kerry, Clanmorris, and Desmond', 1584, TNA: PRO, SP 63/107/100, f. 262r; idem, 'Rafe Lane to the Queen', 1584, TNA: PRO, SP 63/107/61; idem, 'Offers of service touching the delivery of the English Pale from the annoyance of the Mores, to be performed by James Moore, who undertakes to draw the whole sept into any part of Munster now uninhabited and fallen to Her Majesty', 1584, TNA: PRO, SP 63/107/61(i) [App. no. 45]; *ODNB*, s.v. Lane, Sir Ralph.

However, he did not rely exclusively on this feature of the proposal to sell his initiative to the crown, but rather expostulated that his appointment in Kerry would benefit the sister kingdom by facilitating the removal of the perennially problematic O'Mores from Laois to the southwestern extremity of the island. Thus, transplantation of the midlands septs, which had been mooted by Grey in the 1530s and John Alen during Edward's reign, was put forward again as a beneficial way to dispense of the attainted lands in the aftermath of the rebellion, though Lane was seemingly the sole advocate of this option at the time.[22]

Nor was transplantation the only initiative of long standing in Tudor Ireland which individuals sought to further through the distribution of the attainted lands in Munster. John Ussher, writing early in 1582, at a time when a great deal of uncertainty surrounded the future of Demond's, and his associates, lands, favoured exploiting the imminent territorial windfall to fund the erection of a university at Kilmainham in Dublin and the advancement of Protestantism, a proposal Ussher had been pushing for a decade and which in one form or another had been circulating in reform circles in Dublin since the 1540s.[23] Utilisation of the attainted lands to pay for services elsewhere was not an uncommon suggestion. Nicholas Malby as early as 1580 requested his patron, Walsingham, to 'procure a warrant that such lands as now are fallen to her matie may be let to her mats comodytie', which, 'notwithstanding all this styrre in Conaught...will presently get her matie great profit that I sense a great parte of her highness charges for this province shalbe borne therby'.[24] Four years later John Norris mirrored Malby's sentiments when he noted that the time was opportune to draw the 'contrey to contribute towards the charge of her maties garrison, whych wylbe easyer wrought nowe that they are weake and poor'.[25]

These propositions were, however, of secondary importance throughout the period of the rebellion and it was assumed from quite an early date that much of the province would be planted along traditional lines in its aftermath.[26] One of the more extensive schemes was conceived by William Pelham, who served briefly as lord justice at the outset of the rebellion,

[22] 'The Council of Ireland to Crumwell', 1537, *SP Henry VIII*, ii, 152, p. 444; Alen, 'Lord Chancellor Alen to Mr Comptroller William Paget', 1548 [App. no. 4].
[23] John Ussher, 'John Ussher to Walsyngham', 1582, TNA: PRO, SP 63/90/14, f. 29r [App. no. 40]. See idem, 'John Ussher to Burghley, with a rejoinder made to a reply of the Mayor and Staplers of Dublin relative to Ussher's Book for reformation of the staple', 1571, TNA: PRO, SP 63/33/8, printed in Gilbert, *A History of the City of Dublin*, I, pp. 383-384, for his earlier advocacy of the university scheme.
[24] Nicholas Malby, 'Sir N. Malbie to Walsyngham', 1580, TNA: PRO, SP 63/78/47, f. 106r.
[25] John Norris, 'President Norreys to Burghley', 1584, TNA: PRO, SP 63/112/85, f. 207v; *ODNB*, s.v. Norris, Sir John; John S. Nolan, *Sir John Norreys and the Elizabethan Military World* (Exeter, 1997), esp. pp. 18-32, 67-83, 218-233.
[26] For an analysis of the assumptions on which thinking in relation to the projected plantation was based, see Ciaran Brady, 'Spenser, Plantation, and Government Policy', in Richard A. McCabe, *The Oxford Handbook of Edmund Spenser* (Oxford, 2010), pp. 86-105.

and whose depiction as a strictly military governor by most historians ignores the fact of his attempts to articulate a coherent programme for the post-rebellion reconstruction of Munster.[27] In both his correspondence of the time and in a detailed 'Discourse' he wrote in 1580 he laid out such a programme.[28] Here he called for Desmond's lands to be escheated along with those of other rebels, primarily to finance the fortifying and garrisoning of Munster, specifically at Mallow and Cassan, while fortifications were also to be established along the course of the Shannon at points such as Athlone and Clonmacnoise.

Elaborating further, Pelham provided details on the establishment of a civil colony, for instance by highlighting a number of regulations on trade he wished imposed. Freeholds were to be created throughout the province, while the cess could be dispensed with once rents began accruing from the planted lands. Other provisions included restraining the power of the lords, particularly Ormond, by rescinding the earl's palatine liberty in Tipperary and prohibiting the retention of idle men throughout the province. Curiously one extant copy of Pelham's tract bears Valentine Browne's name on it, suggesting Browne utilised the document when surveying the province after the rebellion and in preparation for the plantation, and it is interesting to speculate that this supposed military figure may have influenced those charged with working out the plantation scheme.[29]

Pelham's proposal concerning the erection of settlements along the Shannon was echoed by Waterhouse, Henry Wallop, and Geoffrey Fenton, with whom he may have been conversant on the scheme, and all of whom were closely connected to Walsingham, while also sharing amicable relations with the Dudley circle.[30] To lend legitimacy to the initiative it was envisaged that Munster would be distributed amongst the principal members of the

[27] See, for example, Crawford, *A Star Chamber Court in Ireland*, p. 227, who refers to Pelham as an 'interim' military governor. More usually studies have simply overlooked Pelham beyond a brief mention of his role as viceroy prior to Grey's appointment. For example, Lennon, *Sixteenth-Century Ireland*, pp. 224-227; Ellis, *Tudor Ireland*, pp. 280-281. Brady, *The Chief Governors*, completely overlooks the lord justice despite his occupying the viceregal office. *ODNB*, s.v. Pelham, Sir William.

[28] William Pelham, 'Lord Justice Pelham to Walsyngham', 1580, TNA: PRO, SP 63/72/33; idem, 'A probable Discourse, how, upon, the extinguishing of the rebellion, the province of Munster may be kept from any revolt hereafter, how it may bear the charges of 1,200 men, yield revenue to her Majesty and in short time repay the charge of the war', 1580, Cal. Carew MSS. 1575-1588, 440. The document evidently gained a widespread distribution as a number of copies are extant. See Cal. Carew MSS. 1575-1588, 570; BL, Cotton MSS. Titus B XII, ff. 460-474.

[29] See Cal. Carew MSS. 1575-1588, 570, which is dated to 1584 in the calendar. This copy has Browne's name on a flyleaf. It is plausible that Carew came into possession of a version which Browne had used during his survey of the province.

[30] Edward Waterhouse, 'Ed. Waterhous to Walsyngham', 1580, TNA: PRO, SP 63/72/55; Henry Wallop, 'Treasurer Wallop to Scretary Walsyngham', 1580, TNA: PRO, SP 63/72/59; idem, 'Treasurer Wallop to Walsyngham', 1580, TNA: PRO, SP 63/73/19; Geoffrey Fenton, 'G. Fenton to the Earl of Leycester', 1580, TNA: PRO, SP 63/76/19. See, also, the correspondence of Edward Fenton. Edward Fenton, 'Mr. Edward Fenton to Burghley', 1580, TNA: PRO, SP 63/72/61; idem, 'Mr. Edward Fenton to Walsyngham', 1580, TNA: PRO, SP 63/74/21.

latter's associates, with Leicester himself receiving the lands of the viscount Barry and either his brother, the earl of Warwick, or Philip Sidney granted the county of Kerry, as a newly established barony.[31] Given the support the initiators of the proposal gave to the interests of the martial men who were serving in Munster it appears likely that the latter element would be the direct occupiers of the lands on Leicester's and others behalf. This too would accord with the increasingly vocal call by those at the heart of pacifying Munster, the army or 'servitors' as they began to refer to themselves in their correspondence with London, to be allowed reap what rewards would come once the conflict had ceased.[32] Alternatively suitors were willing to get in on the anticipated windfall independently. Raleigh, for instance, requested a grant of Barryscourt in 1581, while Daniel Kirtan and Rhys Mansell petitioned for Corbally and Adare, respectively.[33]

For a time, though, hopes of any plantation being affected were endangered by a widespread belief that the queen might resolve to pardon Desmond and his followers once the rebellion was quelled.[34] This fear was owing to the recall of the hardline lord deputy, Arthur Grey, in 1582, and his replacement as commander in Munster by the earl of Ormond, actions which seemed to indicate a shift towards a more lenient position on the monarch's part. Consequently a campaign was mounted by a number of those who had personally served in Munster to denigrate Butler, the primary movers amongst whom were Raleigh, Humphrey Gilbert, Edward Barkley, Francis Lovell and Warham St Leger, a campaign which, though leading to the earl's temporary replacement in 1581, in the long run proved largely unsuccessful.[35] Yet, despite Ormond's attempts to temper the scale and impact of the

[31] On this scheme, of which the details are quite limited, see Edward Waterhouse, 'E. Waterhous to Walsyngham', 1580, TNA: PRO, SP 63/74/30; Henry Wallop, 'Treasurer Wallop to Walsyngham', 1580, TNA: PRO, SP 63/76/21; Fenton, 'G. Fenton to the Earl of Leycester', 1580. See, also, Canny, *Making Ireland British*, pp. 108-109, which does not, however, make mention of Pelham's 'Discourse' when analysing the proposed plantation.

[32] See, for example, 'Memorandum for drawing a petition to the Queen to grant to a servitor Cosbride and Cosmore in fee farm, and a lease of the town of Youghal, rent free for the first seven years', 1584, TNA: PRO, SP 63/108/23, for the use of this nomenclature.

[33] Walter Raleigh, 'Walter Rawley to Walsyngham', 1582, TNA: PRO, SP 63/80/82; Daniel Kirtan, 'Petition of Daniel Kyrton to Burghley', 1584, TNA: PRO, SP 63/107/99; Rhys Mansell, 'Petition of Ryce Mansell, gent., to the Privy Council', 1584, TNA: PRO, SP 63/108/37.

[34] On Desmond's negotiations with the crown, see McCormack, *The Earldom of Desmond*, pp. 187-192.

[35] Walter Raleigh, 'Walter Rawley to Walsyngham', 1581, TNA: PRO, SP 63/80/82, printed in Edward Edwards, *The life of Sir Walter Ralegh : based on contemporary documents preserved in the Rolls House, the Privy Council office, Hatfield house, the British Museum and other manuscript repositories, British and foreign, together with his letters now first collected*, 2 Vols. (London, 1868), II, pp. 11-13, wherein he recommends his half-brother, Humphrey Gilbert, as a replacement for Ormond. Edward Barkley, 'Mr. Edward Barkley's advice how to overthrow the traitors in Munster', 1581, TNA: PRO, SP 63/95/69; Warham St Leger, 'Sir Warham Sentleger to Burghley', 1581, TNA: PRO, SP 63/80/29; idem, 'Sir Warham Sentleger to Burghley', 1583, TNA: PRO, SP 63/102/17; idem, 'Sir Warham St Leger to the Queen', 1583, HMC, Salisbury MSS. iii., pp. 4-7; 'Observations on the Earl of Ormond's government while Lord General in Munster', 1582, TNA: PRO, SP

projected plantation by encouraging native land claims, a resolution to conduct a government co-ordinated settlement of the attainted lands along scientific lines in the province was arrived at by the time of Perrot's arrival in Ireland to take up the post of lord deputy in 1584.

The principal organisers of this innovative settlement were Burghley, Walsingham, Christopher Hatton, the attorney general, John Popham, and the solicitor general, Thomas Egerton, whose working out of the scheme throughout 1585 was recorded in a series of documents. Generally, they outlined plans for the granting of seignories to individuals considered of sufficient status and wealth to oversee the required improvements to the lands received. The allotments were to vary in size from 4,000 to 12,000 acres, while a host of specifics were also provided at the planning stage on the breakdown of landowners, tenants and copyholders to live thereon.[36] It was envisaged that the settlers would create a plantation which would be a microcosm of society in southeast England and a model to the rest of Ireland. Thus, the lands of Desmond and his followers fell not to the military men who had petitioned so strongly for them throughout the course of the rebellion, but to individuals such as Hatton, Popham, Edward Denny, William Herbert, Edmund Spenser and Richard Beacon, many of whom figured prominently in the 'reform' discourse of the 1580s and 1590s.[37] The latter three writers have been the subject of a disproportionately high number of studies in recent decades, a development which Brady has suggested was owing to two facets of their works; namely that the environment they were conceived in, where the principles of a military colony overlapped with those of a scientifically planned civil colony, and their distinctiveness in terms of the manner in which the authors attempted to essay what England's role in Ireland ought to be, how and why it had failed and, finally, what should be done to correct this.[38] Yet, in essence this was what so many treatise writers had attempted in their routine memoranda and correspondence with government ministers, and despite their

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63/90/67. On Lovell's accusations against Ormond, see the earl's, defence, Ormond, 'Ormond to Burghley', 1584, TNA: PRO, SP 63/110/59; Francis Lovell, 'Francis Lovell to Walsyngham', 1585, TNA: PRO, SP 63/115/9; Edwards, *The Ormond Lordship*, pp. 229-237.

[36] 'The general plat summarily set down, for the transporting of some English colonies into Ireland, whereby not only the country may be repeopled, and Her Majesty be served with assured subjects, but also Her revenues may be restored, and the English live well and safely', 1585, TNA: PRO, SP 63/121/54; 'The plot for inhabitation of Munster', 1585, TNA: PRO, SP 63/121/55; 'Plot of Her Majesty's offers for repeopling of Munster', 1585, TNA: PRO, SP 63/121/56; 'Particular matters to be considered of with those formerly set down for the peopling of Munster', 1585, TNA: PRO, SP 63/121/57; 'Articles concerning Her Majesty's offers for the disposing of the lands in Munster', 1585, TNA: PRO, SP 63/121/58. Also, see a collection of documents from amongst the papers of Thomas Egerton, now held in the Huntington Library, which deal with the genesis of the plantation, Hunt. Lib., EL 1703-1727.

[37] Herbert, Spenser and Beacon's views on Ireland are well known. Denny was capable of being as severe in his judgements as the latter two. See Edward Denny, 'Mr. E. Denny to Walsyngham', 1580, TNA: PRO, SP 63/76/18, wherein he claims the natives cannot equal Satan for treachery and cruelty.

[38] Brady, 'Spenser, Plantation, and Government Policy', pp. 100-102.

sophistication and appeal to a scholarly audience, Spenser, Beacon and Herbert's tracts are entirely regular documents in terms of their tangible significance for the direction of government policy.

The Munster Plantation differed from previous plantations in Ireland in the respect that it was the first such initiative which was both overseen by the crown and was organised along scientific principals. While the settlements in the midlands might hold some claim to being orchestrated by the government, chaotic as their inception was, thereafter colonisation had been resoundingly directed by private individuals both in Munster and Ulster. Ultimately the failure of those efforts, along with the cost that had been incurred by the crown in supporting supposedly 'private' enterprises, was most likely in large part to account for the resolution to embark on a government-directed plantation in Munster in the 1580s, a pattern which would be followed to varying degrees for much of the seventeenth century.

II – The Viceroyalty of John Perrot

The period in question is notable for the appointment of one chief governor, John Perrot, whose significance for the history of Tudor Ireland has been widely speculated on, most tellingly by referring to him as the 'apotheosis' of the 'reform' governor.[39] Where much of the period witnessed the employment of either military governors or caretaker lord justices, and in the case of William Fitzwilliam a functionary whose importance as lord deputy has perhaps been underappreciated, 1584-1588 has been depicted as harking back to the mode of programmatic government seen under Sussex and Sidney. In particular, Ciaran Brady has argued on the basis of Perrot's widely circulated 1581 'Discourse' that his viceroyalty saw a return to conciliatory 'reform' government.[40] However, as the proceeding will indicate this analysis is substantially flawed, for not only are Perrot's views on certain policies unclear but he appears not to have had a free hand to direct policy during his viceroyalty, his government being substantially shaped by directives from Whitehall, while a need to placate local interests in the Pale and adapt to developments in the regions created further ambiguities in his approach to government.

In respect of the presentation of his thoughts and the language employed by Perrot in the 1581 'Discourse' it is representative of standard 'reform' discourse calling for a

[39] The term was initially used in idem, *The Chief Governors*, p. 293; Crawford, *A Star Chamber Court of Ireland*, p. 246, has accepted Brady's term unequivocally. *DIB*, s.v. Perrot, Sir John.
[40] Brady, *The Chief Governors*, pp. 291-300, esp. p. 293. This approach has recently been reaffirmed in a somewhat diluted fashion in idem, 'East Ulster, the MacDonalds and the provincial strategies of Hugh O'Neill, earl of Tyrone, 1585-1603', in Kelly and Young (eds.), *Scotland and the Ulster Plantations*, pp. 41-61.

parliament to oversee a period of legislative change and concerning himself elsewhere in the text with typical 'reform' issues such as Anglicisation and the scheme for composition.[41] However, what Brady singularly fails to note, is the overwhelming concentration by Perrot on military matters in the 'Discourse'. The first quarter of the text deals with the suppression of the ongoing rebellion in Munster, an understandable concern for any prospective governor.[42] Perrot then goes on to consider the pay and victualling of the soldiers and reform of the coinage as an adjunct to his deliberation on the financing of the armed forces, before briefly outlining a general military strategy to be employed countrywide against various rebels in the north, the midlands, the Pale and Munster.[43] Having wholly given over two-thirds of his 'Discourse' to a discussion of martial affairs, Perrot proceeds to what should be the centre-piece of his more sanguine 'reform' proposals, the calling of a parliament to adjudicate on social and political issues, but even here there is a prioritisation of extra-legal and punitive measures.[44] Of the fifteen articles Perrot outlines for consideration by the parliament, nine deal either with the army, fortifications, factions and the Irish exactions or advocate the use of martial law and land redistribution. There are some proposals for more pacific initiatives. The foundation of two universities, one at Armagh, the other at Limerick, to be funded through the disposal of the attainted lands in Munster, an idea that John Ussher was also pushing in 1581, was mooted by Perrot, for example.[45] However, his relatively brief discussion of these topics in contrast to his copious treatment of military and extra-legal affairs hardly makes the 'Discourse' a solid basis for arguing that Perrot's viceroyalty saw a return to conciliatory government grounded on the common law. This assessment is further strengthened by the utilitarian quality of most of his more benign suggestions. For instance, when he recommends that some leniency be shown to those in rebellion in Munster it is not for mercy's sake but the result of cool economic necessity:

"Leaft fome might draw this mine opinion of a feuere correction, into the reckoning of a more cruell fentence then I meane: I proteft it is farre from me to defire any extirpation; but rather that all might bee faued, that were good for the Country to be faued. Yet this I fay, Till your Maiefties Sword hath meekened all, I thinke it neither Honour nor fafety to graunt mercy to any. But when the Sword hath made away, then, as to pardon all, would be too remiffe a pitty: So, not to pardon many, would be an extremity nothing agreeable to your

[41] The full text of the 'Discourse' was printed in 1626. See the preface to E.C.S., *The Government of Ireland under the Honorable, Ivst and Wife Gouernour Sir Iohn Perrot Knight* (London, 1626). This printed version has been used here, however, the pages of the 'Discourse', which is presented over 22 pages, are not numbered in this edition, and for convenience sake are numbered here as i-xxii.
[42] Ibid., pp. i-vii.
[43] Ibid., pp. vii-xv.
[44] Ibid., pp. xv-xxii.
[45] Ibid., p. xvi.

Maiefties moft godly and mercifull inclination. Otherwise there would be fuch a vacuity of ground there, (as it is already too great) that your Realme of England, though it be moft populous, through your Maiefties moft godly Gouernement, (God be thanked, and long continue it) were not able to fpare people, to replenifh the wasts."[46]

While the 'Discourse' is just one document and Perrot's temperament should not be read from it in isolation, the inclination to see him as far from a viceroy of moderate sensibilities is reinforced through a perusal of his correspondence whilst serving as president of Munster in the early-1570s, wherein he relates in a business like fashion his execution of hundreds, occasionally even thousands, of malefactors in the province.[47] Thus, the attribution of a conciliatory 'reform' programme to Perrot based on the evidence of the 'Discourse' is unconvincing, moreover when supporting documents are consulted. And yet some further consideration of the supposedly programmatic nature of Perrot's term in office is necessary, perhaps most pertinently by scrutinising the preponderance of traditional 'reform' initiatives such as the composition, appointment of provincial presidents and promotion of the reformed faith in Ireland during Perrot's tenure and by extrapolating the governor's personal attitudes towards these policies from his memoranda and actions.

In the case of the composition Perrot, as seen, seems to have been in favour of some form of systematised rent-taking as early as 1574, when he stated that yearly rents should be agreed upon between the lords and freeholders.[48] Yet, there appears to be no explicit evidence of his advocacy of the composition scheme worked out by Tremayne and Sidney at this time, while for the 1570s and up to his appointment in 1584 Perrot's primary interest in Irish fiscal matters was in reforming the coinage.[49] He was certainly not as unambiguously in favour of composition as Burghley was in 1582 when, in a memorandum of short points on Irish policy, he stated, 'composition for cess to be ronewid'.[50] This latter statement raises a crucial problem in terms of determining whether the renewal of the composition scheme in the 1580s was at the behest of Perrot or a policy imposed upon him by central government. Tellingly, in this regard, Walsingham addressed a letter to Perrot in August of 1584 stating his opinion that the lords of Ulster should be brought to contribute to the upkeep of a military force there to

[46] Ibid., p. vi.
[47] John Perrot, 'Sir John Perrot, Lord President of Munster, to the Privy Council', 1573, TNA: PRO, SP 63/40/6; idem, 'Brief report of the important service done by Sir John Perrot in his presidentship of Munster', 1575, TNA: PRO, SP 63/50/80.
[48] idem, 'Note of the Lord President of Munster's opinion for reforming of Ireland', 1574, TNA: PRO, SP 63/54/39, f. 120r.
[49] Ibid.; Richard Rawlinson, *The History of That moft Eminent Statefman, Sir John Perrot, Knight of the Bath, and Lord Lieutenant of Ireland* (London, 1727), pp. 92-101; E.C.S., *The Government of Ireland*, pp. x-xii.
[50] Burghley, 'Notes by Burghley as to the composition for cess by Sir H. Sydney and other Governors', 1582, TNA: PRO, SP 63/91/57, f. 135r.

which Perrot responded in October by sending a treatise outlining a scheme to introduce composition into the north in order to maintain a force of 1,100 men there.[51] Furthermore, the composition scheme which was eventually worked out differed in a pivotal manner from that promoted by Sidney. In Connaught and Munster the devolution of responsibility for implementing the scheme into the hands of the presidents to a large extent mirrored Sidney's approach, but the tactics employed in Leinster were substantially different, for where Sidney had attempted to browbeat the country into agreement, Perrot negotiated with the Pale community and sought parliamentary acceptance for the £1,500 per annum contribution that was agreed.[52]

A similar ambivalence surrounds Perrot's approach to the appointment of provincial presidencies. On the one hand, his past tenure of the Munster office points to someone who should have been receptive to the idea, however, his four years as lord deputy were plagued by his quarrels with John and Thomas Norris in Munster, and with Richard Bingham in Connaught. Add to this his statement in 1574 that it was better, 'to haue but two presidents in Ireland for the saving of chardge, the one to remaine in Vlster and the other in Mounster', and his outlook becomes ever more confused.[53] Similarly, although he informed Walsingham in a letter in 1584 that he would write soon with his thoughts on a northern president, when he did disclose his opinion on the topic to the privy council shortly thereafter he recommended a division of power in Ulster between Gaelic and New English lieutenants.[54] Perhaps his antipathy towards an Ulster presidency was owing to his conflict with the Bagenals, Nicholas and Henry, one of whom would surely have occupied the post had it been created. However, the possibility that Perrot was opposed to provincial presidents owing to a general belief that they constituted palatinate liberties simply by another name, as Hiram Morgan has suggested, is also probable.[55] The fact of Perrot's hostility towards presidents and prospective presidents, such as Bingham and Bagenal, though, further complicates any appraisal of his disposition towards the office generally. For instance, the governor's antipathy towards Bingham has

[51] Francis Walsingham, 'Privy Council to the Lord Deputy', 1584, TNA: PRO, SP 63/11/82. The document has been misattributed to the privy council in the calendar of state papers, a fact which has been previously noted by Morgan, *Tyrone's Rebellion*, p. 38. John Perrot, 'A device for the charges of 1,100 soldiers to be found in Ulster without any burthen but rather gain to Her Majesty', 1584, TNA: PRO, SP 63/112/40; idem, 'Lord Deputy Perrot to the Privy Council', 1584, TNA: PRO, SP 63/112/41; Charles McNeill (ed.), 'The Perrot Papers', in *Anal. Hib.*, Vol. 12 (1943), pp. 1-65, pp. 9-11.
[52] Cunningham, 'The Composition of Connacht in the Lordships of Clanricard and Thomond, 1577-1641'; Victor Treadwell, 'Sir John Perrot and the Irish Parliament of 1585-6', in *PRIA*, Vol. 85C (1985), pp. 259-308.
[53] Perrot, 'Note of the Lord President of Munster's opinion for reforming of Ireland', 1574, f. 120r.
[54] idem, 'Lord Deputy Perrot to Walsyngham', 1584, TNA: PRO, SP 63/111/94, f. 207r; idem, 'Lord Deputy Perrot to the Privy Council', 1584, TNA: PRO, SP 63/112/41, f. 89r.
[55] Morgan, *Tyrone's Rebellion*, pp. 33-34.

been well documented, but this concentration on personal acrimony might distract from a general dislike of a Connaught presidency held by Perrot in favour of uniting the government of the western province with that of Leinster under a centralised government located at Athlone, an arrangement which he was leaning towards in the 1570s.[56] Thus, on the whole Perrot's attitude towards this central pillar of what Brady identifies as conciliatory 'reform' government is actually decidedly ambiguous.

Some certainty is possible when turning to his stance on religious reform. Perrot favoured a persuasive strategy, a point underscored by a statement in 1574 when he advocated caution in the handling of religious matters and that 'the Arch-Buyfhops and Buyfhops of that Province, to deal more carefully in theyr feveral Charges than hitherto they have done'.[57] He was supported in this by Whitehall which did not wish to fuel religious dissent any further at a time when England's international situation was looking increasingly precarious. Central to the viceroy's persuasive approach was the establishment of educational institutions and his 'Discourse', as seen, advocated the endowment of two universities as the first measure to be considered by his proposed parliament.[58] However, as James Murray has clearly demonstrated it was Burghley who was responsible for the direction which the initiative to found a university took during Perrot's time in office, impressing upon the new lord deputy that the correct means to do so was to revive George Browne's scheme to suppress St Patrick's, and subsequently convincing the privy council to include such a provision in the viceroy's instructions.[59] As such in 1584 Perrot wrote to Walsingham recommending the suppression of the cathedral and the removal of the courts to the site of the church. Furthermore the canon's house would be converted into an Inn of Court while the current residence of the pseudo-Inn at Blackfriars would in future serve as a storehouse. The consequent rents would amount to '4,000 markes a yeare ster.' which 'woold serve to begyn the foundacion of these twoo vniuersities and indowe a cople of colleage in them'.[60] Despite these efforts Perrot was unsuccessful in having a university endowed during his tenure, largely owing to Loftus' continuing opposition to the dissolution of St Patrick's, but it is significant that his policy stance on this issue is relatively clear, in contrast to so many other

[56] Rapple, *Martial Power and Elizabethan Political Culture*, pp. 255-299; Morgan, *Tyrone's Rebellion*, pp. 29-54; Bagwell, *Ireland under the Tudors*, III, pp. 116-171; Crawford, *A Star Chamber Court in Ireland*, pp. 246-256; Perrot, 'Note of the Lord President of Munster's opinion for reforming of Ireland', 1574.
[57] Rawlinson, *The History of That moft Eminent Statefman, Sir John Perrot*, p. 86.
[58] E.C.S., *The Government of Ireland*, p. xvi.
[59] Murray, 'St Patrick's Cathedral and the university question in Ireland, 1547-1585', pp. 26-28.
[60] John Perrot, 'Lord Deputy Perrot to Walsyngham', 1584, TNA: PRO, SP 63/111/71, f. 158r [App. no. 46]; MacNeill (ed.), 'The Perrot Papers', pp. 8-9; Crawford, *A Star Chamber Court in Ireland*, pp. 247-248, outlines the significance of the conversion for the legal establishments in Dublin.

areas, though it is essential to note that even in this his actions were significantly shaped by senior ministers at Whitehall.[61]

In one further area can be glimpsed the same ambiguities, half starts and interventions from Whitehall that seem to characteriser Perrot's government, specifically in relation to his Ulster policy. This will be traced in more detail later when looking at the crown's overall policy towards the north in the decades prior to the Nine Years War, but a brief survey is necessary. Generally Perrot appears to have arrived in Ireland without a concerted idea of what his approach to the northern province would be, instead preferring to look 'through my fingers at Vlster, as a fit receptacle for all the salvage beasts of this land'.[62] However, events there forced his hands as an incursion of Scots in 1584 necessitated a military response, while more significantly Walsingham addressed a letter to the viceroy in the summer of that year stating Ulster was the key to reforming Ireland and he should send report on how he intended to proceed in relation to acquiring contributions from the lords there, appointing a president and seeing off the Scots threat.[63] This directive led to the composition of a wide ranging policy paper wherein he outlined proposals to negotiate a composition which would provide for 1,100 men and to divide power in central Ulster between three lieutenants, Hugh O'Neill, Turlough Luineach and Henry Bagenal, rather than appointing a president.[64] This was in keeping with Perrot's general policy of attempting to reduce the power of the Gaelic lords by undermining succession by tanistry through division of the lordships between rival contenders.[65] A further stipulation of his paper was that a series of seven towns, seven castles and seven bridges ought to be constructed throughout Ireland, though the overwhelming majority of these were to be located in Ulster, presumably to aid in the effort at restraining the MacDonnells towards which end Walsingham had also stated some ships should be sent to patrol the northeast.[66] In essence these were old tactics as the establishment of strong

[61] On the subsequent history of the scheme, see Murray, 'St Patrick's Cathedral and the university question in Ireland, 1547-1585', pp. 30-35.
[62] John Perrot, 'Lord Deputy Perrot to the Privy Council', 1584, TNA: PRO, SP 63/111/70, f. 153r; MacNeill (ed.), 'The Perrot Papers', p. 6.
[63] Walsingham, 'Privy Council to the Lord Deputy', 1584.
[64] Perrot, 'A device for the charges of 1,100 soldiers to be found in Ulster without any burthen but rather gain to Her Majesty', 1584; idem, 'John Perrot to the Privy Council', 1584, TNA: PRO, SP 63/112/41, ff. 88r-89r.
[65] Morgan, *Tyrone's Rebellion*, pp. 47-50, looks at this attempt to end succession by tanistry.
[66] Perrot, 'John Perrot to the Privy Council', f. 90r. The locations were as follows: Towns (Athlone, Coleraine, Sligo, Mayo, Dingle, Liffer, Newry), Castles (Blackwater, Ballyshannon, Melleek, the Munster Blackwater, Castlemartyr in the Route, Galen in Offaly and Kilcolman in Wicklow), Bridges (Coleraine, Liffer, Ballyshannon, Dundalk, the Munster Blackwater, the Deal, Kells in Clandeboy). John Perrot, 'Perrot to Burghley', 1584, TNA: PRO, SP 63/112/28; Walsingham, 'Privy Council to the Lord Deputy', 1584.

points in the north dated back to the late-1540s, with it becoming a formalised policy under Sussex, and Perrot was simply responding to events by advocating more of the same.[67]

Unfortunately none of this went to plan. His composition scheme proved far too ambitious and the number of men it was hoped could be supported had to be halved to 550.[68] Continuing acrimony between the three lieutenants, and indeed between Perrot and the Bagenals, meant this arrangement did not function effectively. Perrot's construction programme was deemed too expensive, while, finally, a further shift in relations with Scotland in 1586, when James VI accepted a pension from Elizabeth and a non-aggression pact was agreed between the two nations, saw the crown adopt a more congenial attitude towards the Scots presence in Ulster.[69]

Thus, in yet another of his policies, Perrot appears not to have been programmatic, but rather to have had some policies foisted upon him by Whitehall, implemented the policies of his predecessors in other instances, or to simply have adapted to changing circumstances. This adaptability may indeed be the central characteristic of Perrot's government, rather than an adherence to a 'reform' programme as Brady has contended, a supposition which, once account is taken of the ambiguities involved in almost every policy pursued by Perrot, stretches credibility. This adaptability would also explain one final characteristic of his style of government, specifically his reliance on a clique of Anglo-Irish politicians, the most prominent of whom were Dillon and White, during his years at the Irish helm. This was despite his protestation in 1574 that as, 'fewe as maye be to be placed in office of their Irishe birthe, ffor daylie experience shewithe that to reforme any cuntrey, the…most indifferenth are fittest therefore'.[70] Constrained, by the opposition of so many of the country's leading officials, notably Bingham, Loftus and the Bagenals, Perrot adapted his position in respect of Irish born politicians in order to acquire an alternative base of support amongst local interests, as he seems to have also done in respect of so many of his policies, a flexibility which perhaps explains the contradictions inherent in his tenure as lord deputy.

[67] See, for example, Sussex, 'The opinion of the Earl of Sussex Lieutenant-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, Cal. Carew MSS. 1515-1574, 236.
[68] Morgan, *Tyrone's Rebellion*, pp. 46-47.
[69] Brady, 'East Ulster, the MacDonalds and the provincial strategies of Hugh O'Neill, earl of Tyrone, 1585-1603'; Hill, *Fire and Sword*, pp. 188-209; Hayes-McCoy, *Scots Mercenary Forces*, pp. 148-187.
[70] Perrot, 'Note of the Lord President of Munster's opinion for reforming of Ireland', 1574, f. 120r.

III – Literatures of Complaint and Justification

The contradictions which are offered by Perrot's viceregal programme are mirrored in other developments during this period, most discernibly in the variety of dispositions towards the government of Ireland within New English officialdom and beyond. The closing decades of the century saw a stratification of opinion in Irish political discourse between those who began advocating hardline policies, 'reform' through conquest and those who firmly believed that corruption, militarism and self-interest had undermined the government of Ireland and a reinvigorated conciliatory 'reform' programme grounded on the common law was urgently needed. Taking due consideration of one aspect of this outlook historians of the final decades of Elizabeth's reign in Ireland have often depicted the period as a time when government officials collectively became united in implacable opposition to the Gaelic Irish and Old English communities. In this analysis New English officials are seen developing a strongly xenophobic posture towards both the Gaelic Irish, and increasingly the Old English, with these latter communities becoming more resistant to the encroachments of the newcomers, a defiance symbolised by a growing adherence to the tenets of Counter-Reformation catholicism.[71] This depiction is supported by reference to the writings of the likes of Spenser and Beacon, most conspicuously, but also less cited figures such as William Mostyn and John Dowdall. In their deliberations are to be found the most extreme examples of a policy which sought to prevent the degeneracy of the newcomers, which it was believed would inevitably occur through prolonged contact with the natives, through the waging of a form of absolute war.[72] In this scenario John Merbury's statement that, 'Theise craven crowes devour the seede, theise weedes choake the corne whie sould they not be killed and weeded out in tyme', was increasingly representative of mainstream thought on the Irish polity.[73]

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[71] The following are just some of the more prominent examples from amongst the numerous studies which have drawn such a conclusion. Bradshaw, 'Sword, Word and Strategy in the Reformation in Ireland'; Brady, 'The road to the *View*'; idem, 'The captains' games'; idem, *The Chief Governors*, pp. 291-300; Canny, *The Formation of the Old English Elite in Ireland*; idem, 'Edmund Spenser and the Development of an Anglo-Irish Identity'; Ellis, *Tudor Ireland*, pp. 278-313; Crawford, *Anglicizing the Government of Ireland*, pp. 419-423; idem, *A Star Chamber Court in Ireland*, pp. 227-285; Canny, *The Elizabethan Conquest of Ireland*, has placed emphasis on the viceroyalties of Henry Sidney as leading to the breakdown in relations between the New English on the one hand and the Old English, along with the Gaelic Irish, on the other, thus identifying the 1570s as the key period in this alienation. There have, admittedly, been some minimal attempts at softening this view in more recent years. See, for example, Brady, 'New English ideology in Ireland and the two Sir William Herberts'.

[72] See, for example, William Mostyn, 'Proposals of William Mostyn to the Lord Deputy and Council for the subjugation of Connaught', c. 1598, BL, Add. MS. 4,819, ff. 171-175 [App. no. 68]; John Dowdall, 'Sir John Dowdall to Secretary Cecil', 1600, Cal. Carew MSS. 1589-1600, 340.

[73] John Merbury, 'Mixed collections, by Capt. J. Merbury, proving the necessity to make war in Connaught', 1589, TNA: PRO, SP 63/146/57, f. 177v [App. no. 54]. TNA: PRO, SP 63/146/58, is a near identical copy.

Conversely, it is maintained that this late hardening of attitudes was directly opposed to what had directly preceded it, for many who posit that consensus broke down irrevocably in the 1580s suggest that government policy as far back as the early-1540s was based on conciliatory 'reform'. As such Tudor rule in Ireland from the 1530s to the late-1570s is portrayed as a long experiment in extending crown government island-wide through a programme of assimilative, common law 'reform'.[74] Thus, reformist initiatives such as the policy of 'surrender and regrant' are central to the pre-1579 period in such interpretations of Tudor Ireland, while a drift towards overtly hostile relations dominate the late-Elizabethan period, ultimately leading to the calamitous conflict of the Nine Years War.

This reading of post-1580 Tudor Ireland has become the orthodox interpretation of the period and has been forwarded stridently by Ciaran Brady and Jon Crawford, among others.[75] It is, however, open to criticism on two accounts. The first of these is in relation to the preponderance of more hardline tactics amongst government officials in Ireland as far back as the 1530s. As seen, at this time scorched earth, regional conquest, the replacement of the Gaelic lords with English commanders and transplantation had all either been recommended or employed by leading government officials.[76] This flaw in the orthodox interpretation of the history of Tudor Ireland has been identified in a number of recent studies.[77] However, a further criticism can also be levelled at the tendency to divide Tudor Ireland's history into two parts, divided by a Rubicon-like date of no return, specifically that more conciliatory methods were advocated in government circles in the 1580s and 1590s. Just as English officials in Ireland were willing to countenance hardline tactics as early as the 1530s so too they were prepared to highlight perceived injustices at a time of supposedly inflexible

[74] Crawford, *Anglicizing the Government of Ireland*, esp. pp. 414-419; idem, *A Star Chamber Court in Ireland*, pp. 8-11; Brady, *The Chief Governors*; idem, 'Sixteenth-century Ulster and the failure of Tudor reform'. This is also the argument of Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, though Bradshaw contends that reform failed much earlier, in the mid-Tudor period. Brady's stance has been altered recently with some attempt to incorporate the proliferation of martial law commissions into his model of 'reform' government. However, even here it is suggested that this pernicious and incendiary practice was a carefully modelled and controlled instrument of 'reform'. See Ciaran Brady, 'From policy to power: the evolution of Tudor reform strategies in sixteenth-century Ireland', in Brian MacCuarta (ed.), *Reshaping Ireland, 1550-1700: Colonization and its consequences: essays presented to Nicholas Canny* (Dublin, 2011), pp. 21-42.

[75] Brady, *The Chief Governors*; Crawford, *Anglicizing the Government of Ireland.*

[76] For examples of such writings, see Robert Cowley, 'R. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 129; 'The Council of Ireland to Crumwell', 1537, *SP Henry VIII*, ii, 152, p. 444; John Alen, 'Lord Chancellor Alen to Mr Comptroller William Paget', 1548, TNA: PRO, SP 61/1/129 [App. no. 4]. 'A Memoriall, or a note, for the wynnyng of Leynster, too bee presented too the Kynges Majestie and His Graces most honorable Counsayle', 1537, *SP Henry VIII*, ii, 162.

[77] Fitzsimons, 'The Lordship of O'Connor Faly, 1520-1570'; Maginn, *"Civilizing" Gaelic Leinster*; Edwards, 'The escalation of violence in sixteenth-century Ireland'; Rapple, *Martial Power and Elizabethan Political Culture*, pp. 139-150.

opposition to the Gaelic Irish and Old English after 1580.[78] Thus, a more nuanced appraisal of the final two decades of Elizabeth's reign in Ireland will have to take account of the significant voice of dissent which demanded that a halt be called to the system of militarism, gross corruption and exploitation which had become prevalent country-wide. What follows will argue the case for the existence of this literature of complaint in late-Elizabethan Ireland.

There were significant antecedents to these developments earlier in the century, the most conspicuous examples of which include the malaise displayed concerning the direction of government policy at the Aylmer household in the 1550s and the emergence of substantial opposition to Sussex's administration. However, a watershed was reached in the late-1570s with the cess controversy and when William Gerrard produced a series of reports on the government of Ireland which amounted to nothing less than a renunciation of the methods used to govern the country.[79] By favouring a strategy of militarisation it was suggested that the progress of the common law through the fostering of legal and judicial institutions had been stymied. Moreover, the development of an ungainly military executive had led to a dramatic increase in exploitative behaviour and corruption:

"third generall greife I told I found throughout everye countie and that was oppression of the people by exaccion, extortions and imposicions, cheifelv in seneshalles, sheriffes, serieauntes and cessors."[80]

The way forward, the lord chancellor argued, was to root out the manifold abuses within the military, encourage the application of the common law throughout Ireland and generally favour legal 'reform' over the sword.

Gerrard's views added to a growing awareness at court of the manifest problems inherent in the Irish set-up and might well have resulted in an immediate effort to redress some of the abuses he highlighted had it not been for the outbreak of simultaneous revolts in Munster and the Pale shortly thereafter. However, contrary to the expressed views of many historians of the period, this does not mean that criticism of the internal workings of the Irish government ended in 1579. While a temporary hiatus may have occurred as a result of the

[78] There have been some limited attempts made recently at identifying these ambiguities. See, for example, Canny, *Making Ireland British*, pp. 59-120.
[79] William Gerrard, 'Mr. William Gerrard, Lord Chancellor of Ireland, to Mr. Secretary Walsingham', 1576, Cal. Carew MSS. 1575-1589, 41; idem, 'William Gerrard, Lord Chancellor, to [the Privy Council?]', 1577, Cal. Carew MSS. 1575-1589, 46; MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland'; William Gerrard, 'Nots ffrom the L. chancellor of Ireland, to be considrd of vpon his dyspach', c. 1580, BL, Cotton MSS. Titus B XII, ff. 257-258; idem, 'Notes by Chancellor Gerrarde of evils which annoy the English Pale', 1580, TNA: PRO, SP 63/71/31 [App. no. 35].
[80] MacNeill (ed.), 'Lord Chancellor Gerrard's Notes of his Report on Ireland', p. 116.

rebellions, Desmond's defeat in Munster ushered in a renewed period of critical observation of the government of Ireland which lasted for the proceeding decade and a half.

The authors of this literature of complaint were a disparate lot and it would be misleading to suggest, as some studies have, that the sole critics of the government at this time were were a clique of Old English politicians.[81] Newcomers from England were equally, if not more, willing to eschew government practices in Ireland and the position of those involved within the polity ranged from individuals occupying government office to private citizens. Of those who matched the former description few were as vociferous in their complaints as the master of the rolls, Nicholas White. At the height of the Desmond rebellion his was one of the few voices raised in opposition to the policies being implemented from Dublin Castle. This was demonstrated in 1581, and again in 1582, when he refused to append his signature to a number of letters concerning the actions of senior officials in Ireland.[82] His most brazen action, though, was in the composition of a report late in 1581 on the policies being pursued in Ireland, for perusal by Burghley.[83] Here he suggested that over-reliance on the military to govern Ireland was undermining crown government rather than strengthening Dublin Castle's hold on the country as was intended.

"Yf her matie be rightly enformed of the true state of this her kingdome it is highe tyme for her to lok to the amendment therof, least (emonge other grevanncs) the sworde by which it was first gotten be whett too moche."[84]

Furthermore, he inferred that self-interest was the motive which governed those charged with running Ireland, an inclination which led many to promote conflict there for private gain. In place of such policies he counselled temperance and reliance on the common law, which he believed his own community, the Old English, should be charged with implementing.[85] White's audacity in strongly rebuking government policy at a time when the state was threatened from many sides was doubtlessly owing both to his friendship with Burghley and his ties to Ormond, and the subtext of his letter seems to hint at its contents being divulged to Elizabeth.

White's high profile as a complainant within Irish officialdom was matched only by the chief justice of queen's bench, Robert Gardener. Arriving in Ireland in 1586, this Suffolk-born legist served as an interim governor in the 1590s. As will be seen his most significant

[81] Canny, 'Identity Formation in Ireland', pp. 166-167.
[82] Nicholas White, 'N. White to Burghley', 1581, TNA: PRO, SP 63/80/48; 'Council of Ireland to Walsyngham', 1582, TNA: PRO, SP 63/94/101; *ODNB*, s.v. White, Sir Nicholas.
[83] Nicholas White, 'N. White, Master of the Rolls, to Burghley', 1581, TNA: PRO, SP 63/87/55 [App. no. 39].
[84] Ibid., f. 151r.
[85] Ibid., f. 151v.

contribution to this late-Elizabethan reform movement was the prominent role he played in perhaps the most tangible result of that process, the all-but prohibition of martial law in the early-1590s.[86] One other high ranking court officer with a history of reaction against policy as pursued from Dublin Castle was the chief justice of common pleas, Robert Dillon. This scion of one of the Pale's most powerful families had been involved with the students who protested against Sussex's resort to the cess in the 1560s; however, he later appears to have become a calculated careerist, albeit one who was willing to cast a disapproving eye over the political landscape of Ireland.[87] Others staffed lower offices. Robert Legge, a serial complainer who was the bane of many within government circles, including Fitzwilliam and Loftus, served as the deputy remembrancer in the exchequer office. Roger Wilbraham, the English-born solicitor general also composed a number of critiques of practices in Ireland, while a noble complainant, the baron of Delvin, Christopher Nugent, composed a treatise calling for the implementation of significant changes in government policy at the outset of Perrot's government.[88]

Others who did not occupy high office also composed missives on the perceived problems in the government of Ireland. These included military officers such as Barnaby Rich and Thomas Lee, undertakers like William Herbert, religious figures such as William Lyon, along with more obscure individuals as Anthony Trollope and Edmund Tyrrye. This was not a homogenous group of actors and the common concerns of their writings should not lead to an assumption that they formed a lobby group operating in shared interest. White, for instance, appears to have had the standing of his own community in mind when he wrote on the overly confrontational approach of the New English to the descendants of the twelfth century settlers, the Anglo-Irish and Old English. Conversely Dillon's ruthlessness in furthering his own career saw him clash with numerous members of the Pale community of high standing. Trollope suspected White of being a papist and went so far as to accuse Delvin of being guilty of idolatry, comments which are hardly indicative of individuals acting in accord.[89] Wilbraham, though scornful of certain issues was a senior member of Fitzwilliam's government, of whom Lee was a passionate opponent, the latter's hostility largely resulting from his demotion upon Fitzwilliam's appointment in 1588. Gardener presents one of the more puzzling characters. He was at the centre of the events which saw martial law

[86] Ball, *The Judges in Ireland*, I, pp. 222-223.
[87] *DIB*, s.v. Dillon, Sir Robert.
[88] Roger Wilbraham, 'Mr. Solicitor Roger Wilbraham to Burghley', 1591, TNA: PRO, SP 63/161/28; Delvin, 'Baron Delvin's plot for the reformation of Ireland', 1584, TNA: PRO, SP 63/108/58, printed in the preface to J.T. Gilbert (ed.), *Facsimiles of National Manuscripts of Ireland*, 5 Vols. (London, 1874-1884), IV(i).
[89] Andrew Trollope, 'Andrew Trollopp to Burghley', 1587, TNA: PRO, SP 63/131/64.

essentially shelved in the early-1590s, yet he was an intimate of many of those regional commanders whose abuse of extra-legal methods had been so acute as to warrant virtually a blanket prohibition, notably the notorious governor of Connaught, Richard Bingham.[90] Evidently, then, the motives of the contributors to this literature of complaint were myriad and it is clear that they were not simply spurred on by a dispassionate belief in civic service.

One final figure merits mention among the canon of complainants. James Croft, a former lord deputy, had maintained an interest in Irish affairs following his brief stint as viceroy in the early-1550s.[91] In 1583 he presented a 'Discourse' directly to the queen which bemoaned the over-reliance on the military to govern Ireland and the fundamental flaws inherent in such a policy, particularly the alienation the cess engendered in the loyal Pale community. In one of his more expressive passages Croft noted:

"Is it to be marvelled that Ireland resteth in disorder when the cheif manner of curinge consisteth in cuttinge of the members and to winne men with force, and not by reasonable meanes, which is to correct menn which will not learne theire lessons. But to correct before teachinge is preposterous."[92]

Croft appears to have been quite successful in his efforts to persuade the queen and the instructions which the new lord deputy, John Perrot, received in 1584 augured the adoption of a more conciliatory approach in Ireland.[93]

These were strong words from a man who was no stranger to controversy. Yet, the concerns which Croft raised were fundamentally the same as those found in the dozens of other memoranda and treatises which make up this literature of complaint. Clearly those who took up their pen to rebuke policy and practice in Ireland were more reluctant to use such inflammatory phraseology but the substance of their criticisms was markedly similar in content.

The gravest issue for these commentators, and the foremost theme of their writings, concerned the role of the military in the determination of Irish policy. In this light it was believed that Dublin Castle was far too reliant on the garrison to govern the country when it

[90] Rapple, *Martial Power and Elizabethan Political Culture*, p. 270.
[91] See, for example, a tract he composed in 1561 on the problem posed the incursion of the Scots into Ulster. James Croft, 'A remembrance by Sir James Croft showing the need of some to administer justice throughout Ireland, and proposing that Grammar Schools be erected, that the people may be bred to be meet for that purpose; also the dissensions in Ulster, the number of Scots, and proposals for reformation thereof', 1561, TNA: PRO, SP 63/3/17 [App. no. 16].
[92] idem, 'A Discourse for the Reformacon of Ireland', 1583, Northamptonshire Records Office, Fitzwilliam MS. 67, p. 10. I am grateful to David Edwards for allowing consultation of a pre-publication copy of a paper on, and transcription of, the 'Discourse'. Charles MacNeill (ed.), 'Fitzwilliam Manuscripts at Milton, England', in *Anal. Hib.*, No. 4 (Oct., 1932), pp. 287-326, esp. pp. 313-315.
[93] 'Heads of the instructions for the Lord Deputy of Ireland', 1583, TNA: PRO, SP 63/106/43.

should be attempting to sow stability by more conciliatory policies and peaceful persuasion grounded on application of the common law. As seen, three men of considerable influence, Gerrard, White and Croft, were willing to clearly state their belief that an over reliance on the army was poisoning attempts at reforming Ireland, the master of the rolls writing almost as explicitly to that effect to Burghley as Croft had to Elizabeth:

"And in conclucen it is perceaved that this violent and warlik forme of goverment will but exhawste her mats treasyor, wast her revenue, depopulat the pale, weaken the Englishe nobilitie that haue bene, and may be made the suertie of this state, leave the wild Irishe to ther dasires that be the perill therof, and consume with mysery of the warrs her soyldiors."[94]

There was widespread agreement with these sentiments. The baron of Delvin might not have been so overt in his criticism of the military build-up attendant upon the second Desmond rebellion but such disapproval was nevertheless inferred in his recommendation in 1584 that the standing garrison be reduced to 1,000 soldiers.[95]

Yet, it was not just the presence of a standing army in Ireland which aroused resentment, but also the difficulties which were attendant upon having such a force stationed around the country. These included, but were not limited to, the economic burden of the cess, and later the composition, the extortion of the senior officers, the blatant contravention of the common law by both the executive and the soldiery and a seeming willingness to act in the most incendiary of fashions within the regions. The latter aspect was alluded to by White who noted that many in Ireland sought a continuation of the wars there to 'seke more ther owne settinge a worke', while the chief justice of Munster, Nicholas Walsh, posited that the burdens of the cess and composition were the true causes of the unrest in Munster at the time of the second Desmond rebellion.[96] Delvin in his 'Plot' listed seven issues which he believed in combination would work the destruction of the kingdom, two of which related to malfeasance within the military. These consisted of the economic ruin brought about by the extortion of the soldiery and the cess along with the 'privie plott' of the captains to force the Irish into rebellion 'wherbie the queene is dryven to chardge and the contrie wasted, ffor no longer warre no longer paie'.[97] Trollope reported in 1587 that bands in Munster were guilty of excessive requisitioning of goods under the heading of the cess. Moreover, the captains were so inattentive to their duties and determined to exact as much pay for themselves as

[94] White, 'N. White, Master of the Rolls, to Burghley', 1581, f. 151r [App. no. 39].
[95] Delvin, 'Baron Delvin's plot for the reformation of Ireland', 1584, f. 145r.
[96] White, 'N. White, Master of the Rolls, to Burghley', 1581, f. 151v [App. no. 39]; Nicholas Walsh, 'Justice Nicholas Walshe to Walsyngham', 1581, TNA: PRO, SP 63/81/31; *DIB*, s.v. Walsh, Sir Nicholas.
[97] Delvin, 'Baron Delvin's plot for the reformation of Ireland', 1584, ff. 142r-142v.

possible that one band had allegedly been made up of just nineteen soldiers.[98] Robert Dillon, writing at the height of the second Desmond rebellion, reached similar conclusions. In his view the soldiery in the Pale were abusing the cess, there were far too many needless offices being created within the military executive, while the army figures, which reached 6,000 on the books, were not above 3,000 strong.[99] Finally, it was the opinion of the anonymous author of 'The efficente and accidentall impediments of the civilitie of Irelande', that the captains were essentially destroying the very fabric of the Irish polity:

"Secondly, chaunceth that some captaynes (to manye) seinge the wante of the premisss (as flesh is prone to wickedness) adapte them selfs to some parte of the countrey maners and rather seke their pryvate gayne with contynuance of theire service then the reformacion of the countrey lyvinge in remote places from the deputie doe not onely oftentimes wante at the least fiftie of theire hundred but favour the Irishry to conceale theire owne faults wherein they robbe god of his honor, her matie of her money, thinhabytants of theire fredome, the governor of his force, the souldior of their dewtie, encorage the enemyes to enterprise, spoileing vnto them, discredyt the state, daunte and amaze the pretended subiects and distroye the sillie souldiors who oft sones perishe with wante of sustenance for their pryvate comodytie."[100]

Charges of excessive corruption and extortion were not solely levelled against figures within the military set-up with the ranks of the judicial and administrative establishment also coming in for sharp censure in this regard. Evidently this was not the standard level of corruption which was endemic in all of Europe's pre-modern societies, and which was to some extent tolerated, but corruption on an abnormal scale, which it was felt could not be abided.[101] Certainly it seems safe to conclude that the individual whom Robert Rosyer, the attorney general of Munster, claimed in 1586 had been found guilty of treason nine times and had received pardons on each occasion as a result of repeated acts of bribery would not have escaped punishment had his crimes been committed in England.[102] Delvin, when addressing the same topic, counselled the removal from office of judges who were found to be guilty of corruption and bribery, while they were to be tried before the lord deputy and council, who would inform the queen and privy council where guilt was proven.[103]

More often than not those who protested about such underhand practices were explicit in whom they criticised. Adam Loftus was a regular object of censure. Early in 1590 Legge

[98] Trollope, 'Andrew Trollopp to Burghley', 1587.
[99] Robert Dillon, 'Justice Robert Dillon to Walsyngham', 1581, TNA: PRO, SP 63/86/27, f. 92r [App. no. 38].
[100] 'Causes of the want of civility amongst the Irishry', c. 1579, TNA: PRO, SP 63/70/82, f. 204r. The calendar of the State Papers dates the document to 1579, despite the manuscript bearing the date 1588, while a second copy of the tract, BL, Cotton MSS. Titus B XII, ff. 623-624, is undated, however, internal evidence would seem to suggest a date of composition during the second Desmond rebellion.
[101] For a study of the prevalence of corrupt behaviour within the legal system in England, see Wilfrid Prest, 'Judicial Corruption in Early Modern England', in *Past and Present*, No. 133 (Nov., 1991), pp. 67-95.
[102] Robert Rosyer, 'Mr Robert Rosyer to Burghley', 1586, TNA: PRO, SP 63/126/22, f. 64r.
[103] Delvin, 'Baron Delvin's plot for the reformation of Ireland', 1584, f. 146r.

reported that upon examining the books in Dublin he had discovered that the lord chancellor owed large sums of money to the crown and was also guilty of accepting fines for pardons which he failed to pass on to the government. Clearly Loftus was not oblivious to his wrongdoing as he verbally abused Legge for meddling and uttered his regret that the exchequer officer had not drowned on his way to Ireland.[104] Barnaby Rich laid a series of accusations against Loftus, ranging from negligence in promoting the religious reformation to corrupt activity throughout the early-1590s which culminated in Rich fleeing Ireland having twice been attacked on the streets of Dublin by Loftus' men in the space of two days in June 1592. Much of the criticism of the archbishop centred on his attempts to construct his own faction in the Pale in order to further his numerous offspring.[105] His nepotism apparently proved to the detriment of crown government on numerous occasions. One Udall, most likely William, a character of some controversy who had close relations with the earls of Kildare and Tyrone, proposed that Loftus' appointment of his sons as army captains was detrimental to the state.[106] Remarking in a somewhat tongue in cheek fashion on the defection of troops from their bands he stated 'I hope my L. chancelor's sonnes wold not entertayne those who had a naturall inclination to rebellion'.[107] Loftus was just one of the numerous characters whose conduct was reproached. An on the make Richard Boyle had charges of forgery and perjury lain against him.[108] Others such as the governor of Connaught, Richard Bingham, also came in for severe criticism, while the holding of high office did not shield Grey or Fitzwilliam from reproach.[109]

The latter was, on the evidence of his numerous critics, guilty of another major concern of the participants in this literature of complaint, namely the excessive granting of pardons to known rebels. This was a practice which was clearly rampant in late-Tudor Ireland, buoyed up by the twin benefits of leading to an immediate, if temporary, cessation of hostilities and also bringing a cash payment to the government which was often

[104] Robert Legge, 'Book by Robert Legge touching the debts of the Lord Chancellor, the Bishop of Meath, Sir Robert Dillon, Sir N. White, and other principal officers when John Perrot came over from Ireland in July 1588', 1590, TNA: PRO, SP 63/150/52(ii).
[105] Barnaby Rich, 'Barnabe Ryche to Burghley', 1591, TNA: PRO, SP 63/158/12; idem, 'Barnaby Ryche to Burghley', 1591, TNA: PRO, SP 63/158/52; Hinton, *Ireland Through Tudor Eyes*, pp. 57-61; *DIB*, s.v. Rich, Barnaby; Flanagan, 'Captain Barnaby Rich (1542-1617)'.
[106] William Udall, 'William Udall to Sir Robt. Cecil', 1595, TNA: PRO, SP 63/180/40.
[107] idem, 'Considerations respecting the state of Ireland', c. 1598, BL, Add. MS. 19,831, ff. 3-4, f. 4v [App. no. 69].
[108] Ibid., f. 3v; Terence O. Ranger, 'Richard Boyle and the Making of an Irish Fortune, 1588-1614', in *IHS*, Vol. 10, No. 39 (Mar., 1957), pp. 257-297.
[109] As noted, Grey and Fitzwilliam came in for censure from a wide range of writers from Trollope to Legge and Lee. For examples of Bingham's critics, see Thomas Jones, 'Thomas Jones, Bishop of Meath, to Burghley', 1589, TNA: PRO, SP 63/144/30; Robert Fowle, 'Robert Fowle to Burghley', 1590, TNA: PRO, SP 63/155/12.

misappropriated. Certainly Lee and Legge adjudged Fitzwilliam guilty of personally profiting from the awarding of pardons.[110] While their own dealings with the governor might have inclined them to exaggerate the extent to which this practice was severely undermining the state during Fitzwilliam's time in office no such bias would appear to have coloured Thomas Lovell's judgement. In a tract he composed around 1592 he suggested that this practice was the root cause of all Ireland's problems. Following a description of how hosts of rebels would go out against the state committing murders and robberies before being granted pardons to cease their activity Lovell suggested that these pardons simply acted as a means for a respite before engaging in further misbehaviour:

"So by the meanes of protecting of rebells geveth them assistance, as well to make prouyssion for theire victualles, as for libertie, contynueth long warres and doth much imboulden them to rebell, because they know that after protecting they get pardons, or pardonns are gotten for them by such as first put them out."[111]

In addition to facilitating the rehabilitation of perpetual offenders against the crown, Lovell surmised that the resulting lack of an enemy for crown forces to engage with led to the placing of the soldiery in peacetime on the loyal populace whose disillusionment with their rapine and extortion led those same people to turn against the state. Thus, the granting of pardons, far from reducing the number of those hostile to the crown, was in fact augmenting their numbers.

Another often maligned convention was the sale of offices. Edmund Tyrrye sent an extensive memorandum on venality to Burghley in 1585 wherein he complained that a pyramid scheme had been created in Munster with the county sheriffs creating posts which they could sell on down the chain of officers. He went on to note that there were now men filling positions in Cork with 'nothing els to doo but eatinge and drinking vppon the pore husbandman, whoo som tymes is forced to fast all daie and night with his poor wife and

[110] Thomas Lee, 'Ifformacion giuen to Queen Elizabeth against Sir William Fitzwilliams, his gouernmente in Irelande', 1594, BL, Harley MS. 35, ff, 258-265; idem, 'A Brief Declaration of the Government of Ireland', in Lodge (ed.), *Desiderate Curiosa Hibernica*, I, pp. 87-150. The 'Declaration' is also printed in John Curry (ed.), *An Historical and Critical Review of the Civil Wars in Ireland from the reign of Queen Elizabeth to the settlement under King William* (Dublin, 1775), pp. 359-390. Both these editions are transcribed from TCD, MS. 652. James P. Myers, Jr., 'Early English Colonial Experiences in Ireland: Captain Thomas Lee and Sir John Davies', in *Éire-Ireland*, Vol. 23, No. 1 (Spring, 1988), pp. 8-21; John McGurk, 'A soldier's prescription for the governance of Ireland, 1599-1601: Captain Thomas Lee and his tracts', in MacCuarta (ed.), *Reshaping Ireland, 1550-1700*, pp. 43-60; Robert Legge, 'A long book of accusations against Sir William Fitzwylliam, the Lord Deputy, drawn by Robert Legge', 1593, TNA: PRO, SP 63/169/3.

[111] Thomas Lovell, 'The beginning and contynuannce of the rebells of Ireland, bye degrees truly discouered', c. 1592, BL, Add. MS. 34,313, ff. 49-56, f. 53r [App. no. 58].

children'.[112] Like so many of his fellow reformers, however, Tyrrye's motives are hard to decipher. He appended to the end of his memorandum a request to be appointed as an overseer of offices in Cork and Limerick, thus suggesting that an additional position be created there, the very practice he had taken up his pen to condemn. Consequently it is difficult to determine whether Tyrrye wrote out of a genuine desire to better the Munster polity or simply aspired to acquire a fiscally remunerative office himself, having found his mercantile interests compromised by the economic destruction wrought by the second Desmond rebellion.[113]

Venality was not the only fault found in the political and social life of Munster where numerous undertakers were encountering accusations in relation to their failure to abide by the articles of the plantation grants. In December 1591 Wilbraham queried in pessimistic overtones whether the queen would receive the envisaged increase in rents following the plantation as Munster was not being inhabited with Englishmen. Avoiding an out and out attack on the undertakers he simply stated that Irish tenants were much more profitable, but the inference was clear; the undertakers were failing to abide by the articles stipulating that they settle their lands with English tenants and their motive was private gain.[114] Nor was this the only occasion on which the solicitor general expressed reservations about the reliability of the undertakers. In 1587 he presciently stated that the conditions under which Irishmen were willing to take farms was such that no English tenant would be favoured by the undertakers regardless of the articles which they were expected to abide by.[115] Others, notable amongst whom are William Lyon and William Herbert, prepared numerous memoranda on the social, political and religious issues prevalent in the south.[116]

While these were the most critical subjects that arose within this literature of complaint many lesser issues surfaced periodically. Anxiety over the appointment of sheriffs, and in particular a desire that individuals not purchase these offices but be chosen to fill them

[112] Edmund Tyrrye, 'A particular relation of the extortions tolerated in the province of Munster, showing the evils which result from the sale of offices', 1585, TNA: PRO, SP 63/116/68(i), f. 161r [App. no. 49].
[113] See idem, 'Petition of Edmund Tyrry, of Cork, merchant, to the Privy Council', 1583, TNA: PRO, SP 63/105/15, wherein he gives notice of the spoil of his goods off Cornwall in 1581. Also, see idem, 'Petition of Edmund Tyrry, of Cork, merchant, to Burghley, for license to transport grain into Ireland free of custom in respect of his great losses by pirates', 1583, TNA: PRO, SP 63/105/24; idem, 'Petition of Edmund Tyrry to the Privy Council, with an order that he may have license to transport 200 or 300 qrs. wheat upon bands and to bring a certificate', 1583, TNA: PRO, SP 63/105/33. On Tyrrye generally and the broader Terry family in Tudor Cork, see Kevin Terry, 'Terrys of Cork, 1420-1644: Merchant Gentry', MA (UCC, 2007), pp. 56-82.
[114] Wilbraham, 'Mr. Solicitor Roger Wilbraham to Burghley', 1591.
[115] idem, 'Mr Solicitor-General Roger Wilbraham, to the Lords Commissioners for Munster Causes', 1587, TNA: PRO, SP 63/131/13.
[116] See, for example, William Lyon, 'William Lyon, Bishop of Cork and Ross, to Lord Hunsdon', 1596, TNA: PRO, SP 63/191/8; *DIB*, s.v. Lyon, William; *ODNB*, s.v. Herbert, Sir William.

on merit, was regularly expressed.[117] In relation to the granting of custodiams of escheated and concealed lands it was urged that these be surveyed and recorded in the exchequer office before any such grants were made as a failure to do so was resulting in a significant loss of revenue to the crown.[118] Finally, in terms of religious reform, a number of commentators regularly complained about the failure to implement existing laws which they believed would aid in furthering the reformed faith.[119]

The tangible results of this steady stream of correspondence eschewing policy and practice in Ireland are hard to determine, in many cases because the outbreak of disturbances in Ulster from the early-1590s onwards retarded efforts at acting on these complaints. Yet, in at least one instance, that of martial law, there was an unequivocal response to the objections which were raised. The granting of such commissions had begun in earnest during the mid-Tudor period and had snowballed in the following decades.[120] By the 1580s it was evident that the granting and use of such commissions was not just being abused but was largely out of control with many attendant problems, a supposition which was supported by calls to rein in its use. Legge, for instance, in 1590 recommended that martial law 'cease, except in time of rebellion and in place of rebellion, and then and ther not to be grannted, except to chief officers as governors of provincs'.[121]

Such appeals combined with the reports of a number of local controversies brought about by misuse of martial law had impressed upon the queen the necessity of bringing a halt to such abuses by the late-1580s, while by the early-1590s a prohibition of some sort was favoured.[122] Central to this process was Robert Gardener, who composed a brief memorandum during a visit to England late in 1590 which recommended that 'all comissions for martiall law, formerlie grannted by any governors, may be called in'.[123] Gardener also drew up a draft proclamation by which it was assumed the queen would:

"by this or proclamacion command all persons of what sort so ever to whom any aucthoryty of execucion of marshall lawe eyther is or shalbe grannted or comytted within any or

[117] Udall, 'Considerations respecting the state of Ireland', c. 1598, ff. 3-4 [App. no. 69]; Robert Legge, 'Remembrances for Her Majesty concerning the better regulation of sheriffs, pardons, execution of martial law', 1593, TNA: PRO, SP 63/172/47 [App. no. 61].
[118] Robert Legge, 'Memoranda', 1590, TNA: PRO, SP 63/152/2; idem, 'Remembrances for Her Majesty concerning the better regulation of sheriffs, pardons, execution of martial law', 1593 [App. no. 61].
[119] William Herbert, 'Description of Munster', 1588, TNA: PRO, SP 63/135/58; idem, 'A note of such reasons which as moved Sir W. Herbert to put the statute in execution against Irish habits', 1589, TNA: PRO, SP 63/144/57(ii).
[120] Edwards, 'Beyond Reform'; idem, 'Ideology and experience'.
[121] Legge, 'Memoranda', 1590.
[122] Edwards, 'Ideology and experience', pp. 140-142.
[123] Robert Gardener, 'A Memorial for Ireland delivered by Justice Gardener', 1590, TNA: PRO, SP 63/150/5, f. 14r [App. no. 55].

provinces if Lenister, Mynster or Connaughte forwith vppon publication herof to forbeare any execution of ther said comission vntill our further pleasuer be singnifyed therin."[124]

Ulster was to be omitted from the ban as a result of its unsettled state, though even here it was 'very sparinglye to be vsed' as attested to by a policy document in relation to the northern province drawn up jointly by Gardener and Wallop, in 1590.[125] It seems the chief justice's suit did not fall on deaf ears, for late in 1591 martial law was effectively prohibited by Elizabeth except in times of rebellion.[126] Evidently, then, persistent criticism of the use of martial law resulted in a decision to reel in the granting of commissions by the early-1590s, with Gardener acting as the chief instrument of the crown in implementing this prohibition.

A correlative development to the emergence of this literature criticising the government and administration of Ireland for both its failings and the corruption of its officials was the proliferation of memoirs and journals by the viceroys and other prominent officers of crown government. This was not an entirely novel occurrence. From the first incursions of the New English under Henry governors, notably Leonard Grey, had composed journals, or had them composed on their behalf, recounting their military exploits in Ireland.[127] Sussex, in particular, availed of such literary devices to celebrate and promote his perceived successes.[128] The erstwhile lord lieutenant also pioneered the writing of end of service reports in 1565, – though his 'note' was as much an attack on his successor, Nicholas Arnold, as an acclamation of his own accomplishments – a trend which was adopted by figures other than the chief governor, specifically John Perrot and the earl of Essex, in the 1570s.[129]

It is clear then that there was a tradition of writing reports celebrating ones tenure of office in Tudor Ireland. However, these earlier examples were distinctive in that they were largely designed to laud the achievements of the central figure. Sussex's journals especially,

[124] idem, 'Draft Proclamation to restrain martial law in Ireland', 1590, TNA: PRO, SP 63/150/4(i), f. 13r.
[125] 'Opinions of the Justice Gardiner and Sir Henry Wallop for the reformation of Ulster', 1590, TNA: PRO, SP 63/152/39, f. 132r.
[126] Edwards, 'Ideology and experience', p. 142.
[127] Leonard Grey, 'Journal of the progress of the Lord Deputy in a hosting into Desmond's country from Nov. 5 to Dec. 24', 1539, TNA: PRO, SP 60/8/38.
[128] These accounts were generally composed by Philip Butler, the Athlone Pursuivant, and various copies of these journals are contained in Lambeth MS. 621 and calendared in Cal. Carew MSS. 1515-1574, 207, 211, 212, 215, 217, 238. Copies are also contained in TCD, MS. 581.
[129] Sussex, 'A briefe note of the Earle of Sussex cowrse in his government of Irelande from the beginning of his chardge withe a declaracion of Sir Nicholas Arnoldes doings there synce his first arrivall as Commissioner in that realme, and a note of the present state thereof', 1565, BL, Add. MS. 4,767, ff. 156-160. Also see another unattributed text the origin of which may have been Sussex, 'A brief memorial of service done in Ireland, during the government of the Earl of Sussex', 1566, TNA: PRO, SP 63/19/83; Essex, 'Memorial touching the service of the Earl of Essex in Claneboy', 1574, TNA: PRO, SP 63/48/1; John Perrot, 'Brief report of the important service done by Sir John Perrot in his presidentship of Munster', 1575, TNA: PRO, SP 63/50/80.

and those of his successors, notably Sidney, were largely propagandist in nature and were designed to commemorate the accomplishments of the protagonist at Whitehall.[130] By contrast, the end of service reports and memoirs which appeared in the last two decades of the sixteenth century, were somewhat dissimilar in that the explicit purpose of these later compositions was to vindicate, not laud, the governor or official from whose pen they came. Increased complaints of the conduct and dubious service of those in charge of government in Ireland was gradually leading those at the centre of these criticisms to consider justifying their Irish careers on paper a necessity. As such this new brand of end of service report, far from being attempts at self-glorification, were designed to rescue the reputation of the author from ignominy and suspicions of corruption at Whitehall.

Central here are successive viceroys, Henry Sidney, Arthur Grey and John Perrot, the lord chancellor, Adam Loftus, along with concurrent governors of Connaught, Nicholas Malby and Richard Bingham. The latter is perhaps the most instructive example. Bingham in 1586 had come under severe scrutiny concerning his handling of unrest amongst the MacWilliam Burkes in Mayo that year. Responding to charges of heavy handedness and inattention to due process, Bingham composed an extensive 'Discourse', in which he portrayed himself as an exemplary adherent of the common law in an effort to clear his name of such accusations.[131] Bingham's efforts were largely successful unlike those of his predecessor in Connaught, Malby, who despite the distribution of a 'Discourse' justifying his suppression of similar unrest in the province in 1581, was rebuked by the queen while at court in 1582 and suffered a diminution in his pay and authority.[132]

Of the memoirs and reports of the lord deputies of the 1570s and 1580s it is tempting to reserve a special place for Henry Sidney's 'Memoir', given its marked literary merits and its authors avowed intent to render an account not just of his Irish service but his time in public office generally. However, Sidney's almost exclusive concentration in the text on his time as lord deputy reveals his 'Memoir' for what it is, a slightly more elaborate version of the by now common reflections composed by recalled viceroys. A much briefer memorial of the lord deputy's time in office, perhaps composed as early as 1578, had lauded his supposed

[130] For examples of these, see Collins (ed.), *Letters and Memorials of State*, I, pp. 18-31, 81-85, 89-97, 102-110.
[131] Richard Bingham, 'A discourse of the services done by Sir Richard Byngham in the county of Mayo, within the province of Connaught, for the quieting of the said country, the suppression of such of the Burkes as revolted there, and the overthrow of the Scots who lately invaded the same province, in July, August, and September 1586', 1586, TNA: PRO, SP 63/126/53(i); Rapple, *Martial Power and Elizabethan Political Culture*, pp. 250-300; idem, 'Taking up Office in Elizabethan Connacht: The Case of Sir Richard Bingham'.
[132] Nicholas Malby, 'Discourse of Sir N. Malbie's proceedings and journey', 1581, TNA: PRO, SP 63/72/39. Numerous copies of the document would appear to have been circulated. For another version, see BL, Cotton MSS. Titus B XII, ff. 320-326; *DIB*, Malby, Nicholas.

achievements, such as his subduing of Shane O'Neill, his journeys against the Scots and the increase in the revenues generated, in a succinct fashion, but the lord deputy's more elaborate celebration of his accomplishments were reserved for the 'Memoir'.[133] Sidney's motives in composing such a work have been widely conjectured at, with perhaps the least convincing explanation being that of the recent editor of the text, Ciaran Brady, who supposes the idea that Sidney wrote in an attempt at, 'making some sense of the tumult of his years in Ireland'.[134] Both the decision to address the 'Memoir' to Francis Walsingham, perhaps at the peak of his political career and his influence over Irish affairs, whose daughter was soon to wed Henry's son Philip, and the date of composition mitigate against Brady's supposition. Why release for public consumption a private recollection, designed to work out personally the exigencies of one's past career? Sidney's date of writing, in 1583 and perhaps in 1582, would suggest, rather than a personal reflection, that the 'Memoir' was an attempt at reclaiming his reputation from charges of financial maladministration during his tenure of the viceregal office.[135] This formed part of a campaign Sidney mounted at this time to have himself returned to Ireland as lord lieutenant, preferably in conjunction with his son Philip, a fact which would further explain his decision to address the 'Memoir' to Philip's soon to be father-in-law.[136] Hopes of his obtaining the viceroyalty seemed to have persevered to the time of Sidney's writing in early-1583, with William Piers advocating the former lord deputy to Walsingham as late as April of that year.[137] The fact that it became apparent around this time that Sidney would not be reappointed would also offer an explanation for why there is no completed extant copy of the 'Memoir', internal evidence from the surviving copies showing Sidney had intended to develop the text further.[138] The former lord deputy may well have simply abandoned the project upon discovering that he would not resume the viceroyalty. Brady does briefly acknowledge the possibility that Sidney wrote to promote his campaign for reappointment in his introduction to the text, however, favours the idea of text as reflection, a fact which may be in keeping with Willy Maley's supposition that Brady's

[133] Henry Sidney, 'A brief memorial of Sir Henry Sidney's service in Ireland, during his deputations', 1578, Cal. Carew MSS. 1575-1589, 120.
[134] Brady (ed.), *A Viceroy's Vindication?*, p. 37.
[135] David Edwards (ed.), 'A Viceroy's Condemnation: Matters of Inquiry into the Sidney Administration, 1578', in *Anal. Hib.*, Vol. 42 (Jan., 2011), pp. 1-24.
[136] Henry Sidney, 'Certain fpeciall Notes to be imparted to Mr Philippe Sidney, in the Hand writting of Edm. Molyneux, Efq; and figned by Sir Henry Sydney, 27 April, 1582', 1582, in Collins (ed.), *Letters and Memorials of State* I, pp. 295-296; Michael Brennan, *The Sidneys of Penshurst and the Monarchy, 1500-1700* (Aldershot, 2006), pp. 75-76, 87; Robert Shephard, 'The Motives of Sir Henry Sidney's *Memoir* (1583)', in *The Sidney Journal*, Vol. 29, Nos. 1-2, Special Issue: Sir Henry Sidney in Ireland and Wales (2011), pp. 173-186.
[137] William Piers, 'Captain William Piers the elder to Walsyngham', 1583, TNA: PRO, SP 63/101/20.
[138] Brady, *A Viceroy's Vindication?*, pp. 1-4.

introduction acts more as a justification of his own interpretation of the viceroy's career, than as an accurate analysis of the purpose and design of Sidney's text.[139]

Perrot, following his replacement by Fitzwilliam in 1588, composed a memornadum on his services whilst serving as lord deputy which was no doubt put to some use shortly thereafter in shoring up the former viceroy's reputation as his successor immediately began a smear campaign, designed largely to remove the last vestiges of Perrot's influence from the Irish administration, principally those Old English officials, such as White and Dillon, whom Perrot had relied so much on.[140] While the furore temporarily abated in 1588, the death of Walsingham, Perrot's patron, in 1590 saw the onset of a determined campaign by Burghley to have the former chief governor charged for treason, which, ultimately, no amount of literary self promotion could prevent from ending in Perrot's conviction and eventual death in the Tower while awaiting execution.[141]

One of the most explicit defences was composed by Loftus who in 1592 proffered a series of answers to a number of charges brought against him most prominently by Rich and Legge, though other Dublin notables such as Robert Pipho were also alleged to have slandered the lord chancellor's reputation.[142] The archbishop's rejoinders to the accusations of corruption, nepotism and general misconduct were predictable enough, floundering from outright denial of wrongdoing to careful attempts at exhibiting his ignorance to his own unwitting participation in the misconduct of others. Thus, where he was adjudged to have received deliveries of malt as bribes from the bishop of Leighlin he laid the blame on a steward of his who had failed to notify him of the arrival of this load. He concurrently claimed that the shipment was merely a gift from the bishop for a crew of workmen whom

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[139] Ibid., p. 6; Willy Maley, 'Apology for Sidney: Making a Virtue of a Viceroy', in *The Sidney Journal*, Vol. 20, No. 1 (2002), pp. 94-105.

[140] John Perrot, 'A brief declaration of part of the services done to your Majesty by Sir John Perrot, knight, during the time of his deputation in the realm of Ireland', 1588, TNA: PRO, SP 63/139/7.

[141] Hiram Morgan, 'The fall of Sir John Perrot', in John Guy (ed.), *The reign of Elizabeth I: Court and culture in the last decade* (Cambridge, 1995), pp. 109-125; Roger Turvey, *The treason and trial of Sir John Perrot* (Cardiff, 2005); Pauline Henley, 'The Trial of Sir John Perrot', in *Studies*, Vol. 21, No. 83 (Sep., 1932), pp. 404-422.

[142] Adam Loftus, 'The Lord Chancellor to Burghley', 1592, TNA: PRO, SP 63/166/1, wherein Loftus attributes the charges against him to these three figures. idem, 'The answers of the Lord Chancellor of Ireland to certain articles objected against him by Barnaby Ryche and Robert Legge', 1592, TNA: PRO, SP 63/166/59. Canny, *Making Ireland British*, pp. 113-116. For examples of the criticisms of Loftus, see Barnaby Rich, 'Book drawn by Barnabe Ryche, and delivered to the Lord Deputy Fitzwilliam for the reformation of Ireland', 1589, TNA: PRO, SP 63/144/35; Legge, 'Book by Robert Legge touching the debts of the Lord Chancellor, the Bishop of Meath, Sir Robert Dillon, Sir N. White, and other principal officers when Sir John Perrot came over from Ireland in July 1588', 1590; 'A note how the Archbishop of Dublin hath linked and allied himself in strong friendship and kindred by means of the marriages of his children marriageable and unmarriageable, wrought by bargains and matches of marriages by the said Archbishop, to extol his line and offspring, for successsion of inheritance with divers of the ablest "possessioners" in the English Pale and borders adjacent', 1592, TNA: PRO, SP 63/165/32.

Loftus was employing at the time. Elsewhere, he argued that his bestowal of prebendaries upon a large number of his family members and kinsmen, far from being a demonstration of his partiality, was a result of the fine characters of those involved, while in the face of Rich's complaint that Loftus' men had set upon him on the streets of Dublin, the lord chancellor asserted that it was in fact Rich who had attacked one of his men.

Finally, one of the more extensive compositions, and one which was no doubt designed to allay serious doubts about its authors achievements while in office, was Arthur Grey's 'Declaracion' of service, which he compiled in 1583.[143] His account is a panegyric of both his own time as lord deputy and his military subordinates wherein he lauds his victories, mutes any reverses which were encountered, such as that at Glenmalure, and glorifies his taking of rebel lives, most palpably by presenting a synopsis of rebels slain at the end of the declaration.[144]

From these texts it is clear that the writing of exculpatory accounts of service amongst the viceroys and other senior officials serving in Ireland had become common practice by the closing decades of Elizabeth's reign, and it would seem that this was connected to some extent with the increasingly vocal criticisms of a significant group of Old and New English officials. This was doubtlessly the most significant development in treatise writing at this time; how fractious and polarised political discourse was becoming. While some writers, such as John Merbury and Edmund Spenser, were calling for a campaign of unlimited coercion to finally 'reform' Ireland, many others, notably influential political figures like William Gerrard, James Croft, Nicholas White and Robert Gardener, strongly believed that 'reform' through a more conciliatory fostering of common law procedures and the rooting out of rampant corruption was the best way to ameliorate the country and make it a functioning part of the Tudor dominions. While this debate raged, and while political opinion became more polarised, the single greatest attempt at scientific state-led plantation undertaken by the Tudors was implemented in Munster. Awareness that there would be large swathes of land to promote philanthropic, economic, social and cultural endeavours in Ireland available in Munster, and to a lesser extent in the Pale, following the rebellions there led to the composition of numerous 'reform' treatises promoting schemes as varied as transplantation and for the endowment of universities. Had the host of treatise writers promoting more

[143] *DIB*, s.v. Grey, Arthur.
[144] Arthur Grey, 'Declaration by Arthur Lord Grey, of Wilton, to the Queen, showing the state of Ireland when he was appointed Lord Deputy, with services during his government, and the plight he left it in', 1583, TNA: PRO, SP 63/106/62.

sanguine ways to rule Ireland at this time gained a greater hearing, as they seem to have been acquiring by the late-1580s and early-1590s, perhaps such colonisation schemes, though, would not have been as necessary at all in the future. But, this was not to be so as relations between recalcitrant elements in Ireland, and in particular the Gaelic lords of Ulster, with the crown became fatally strained in the early-1590s. As they did so the subject of treatise writing shifted to address the problem of that province and predominantly what was the best military strategy to be employed there.

Chapter Six – 'Reform' and Ulster, 1594-1609

The closing years of Elizabeth's reign in Ireland have quite rightly been characterised as a period of calamitous conflict, dominated as they were by the Nine Years War and the destruction wrought by it. It would be amiss, though, to isolate that struggle and not to intimately identify it with what preceded and proceeded from it, for ultimately Tyrone's Rebellion was but one part in the wider narrative of the crown's interaction with the lords of Ulster in the sixteenth and early-seventeenth centuries. As will be seen, the decades following the 'constitutional revolution' of the Henrician period saw a plethora of attempts at drawing the northern province more closely into the ambit of crown government, while the post-war era under James I saw many of the same problems presented by Ulster still prevalent at the council table, both in Dublin and London. This continuity failed only with the ill judged decision of the northern lords to fly the country in 1607 when a reluctant James I and his ministers were forced to consider plantation as a means to affect a broader solution to the Ulster question.

In this light many of the studies of these years, notably by Ellis and Lennon, have perhaps stymied our understanding of this wider narrative by introducing a termination date of 1603, an understandable development given the necessity of considering specific reigns or centuries within the scope of a textbook, but one which the limitations of should be recognised.[1] A more effective approach is that pursued some time ago by Cyril Falls, and more recently by John McCavitt, whereby the problems presented by Ulster prior to the Nine Years War are considered, followed by a discussion of the conflict itself, preparatory to considering the return to a pre-war state of uncertainty in the early-Jacobean period.[2] The termination point in these narratives is the Ulster Plantation which marked a far more momentous shift in the political and social state of the northern province than the somewhat illusory repercussions of Tyrone's Rebellion.

[1] Ellis, *Tudor Ireland*; Lennon, *Sixteenth-Century Ireland*.

[2] Cyril Falls, *The Birth of Ulster* (London, 1936); McCavitt, *The Flight of the Earls*; idem, 'The political background to the Ulster Plantation, 1607-1620', in Brian MacCuarta (ed.), *Ulster, 1641: Aspects of the Rising* (Belfast, 1993), pp. 7-24, synopsises much of the former work. More recently Jonathan Bardon, *The Plantation of Ulster: The British Colonisation of the North of Ireland in the Seventeenth Century* (Dublin, 2011), has adopted a similar approach when relating the antecedents to the plantation of Ulster in the sixteenth century. See esp. pp. 1-48.

What follows is an analysis of the government's interaction with the lords of Ulster in the period prior to, during and after the Nine Years War. Various attempts at reforming the northern province through shiring and the introduction of common law procedures in the decade before the outbreak of the rebellion are considered preparatory to an overview of the debate on military strategy which raged throughout that uprising a debate which has received remarkably little attention from historians of the period for all the critical importance of the conflict in the Tudor conquest of Ireland. Finally, the general arc of political discourse on Ireland in the post-war years is considered, focusing on renewed efforts to protestantise the country, transplantation and the colonising enterprises begun at this time.

I – The Crown's Ulster Question

Ulster was the most enduring of problems for any administration in Tudor Ireland.[3] While progress, albeit of a stunted and often malignant kind, had been made in the other provinces, the north refused to respond favourably to various attempts at 'reform'. The decades following on from the end of the Geraldine ascendancy had seen various efforts to do so, most prominently by raising Conn O'Neill to the peerage, as first earl of Tyrone, and also through the establishment of colonies in Antrim and Down to serve the twin purpose of keeping the Scots out and the Irish placid, in conjunction with Sussex's plans for planting and fortifying the province.[4] All of these initiatives had met with failure, whether owing to the intransigence of Shane O'Neill and his erstwhile lieutenant and successor, Turlough Luineach, or to sheer ineptness on the part of the government agents charged with furthering the settlement of Ulster.[5]

By the 1580s a number of fundamental questions were being asked in relation to the province and in some sense it was the government's attempts at working out these issues which resulted in the calamitous conflict of the 1590s. The foremost of these concerned the O'Neill lordship, an issue which became much more difficult as the 1580s progressed and it became evident that the baron of Dungannon, the future earl of Tyrone, Hugh O'Neill, was not the cure-all for the province that it had been imagined he would prove to be. Where it had

[3] Morgan, *Tyrone's Rebellion*; Brady, 'Sixteenth-century Ulster and the failure of Tudor reform'; Lennon, *Sixteenth-Century Ireland*, pp. 283-292; Ellis, *Tudor Ireland*, pp. 278-299; Canny, *From Reformation to Restoration*, pp. 115-119;

[4] Sussex, 'Opinions of Lord Fytzwauter on the above articles', 1557, TNA: PRO, SP 62/1/22(ii); idem, 'The opinion of the Earl of Sussex Lieutenant-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562, Cal. Carew MSS. 1515-1574, 236.

[5] Hiram Morgan, 'Gaelic Lordship and Tudor Conquest: Tír Eoghain, 1541-1603', in *History Ireland*, Vol. 13, No. 5 (Sep.-Oct., 2005), pp. 38-43; idem, *Tyrone's Rebellion*, pp. 16-25.

been hoped his superseding Turlough Luineach would lead to the normalisation of government activity in the north, from 1579, when Hugh first attempted to claim the title of O'Neill, it increasingly became evident that this would not happen. Finally, in 1587 the crown abandoned any tacit support for Hugh.[6] Thus, debates on Ulster policy in the 1580s and 1590s centred on what was to be done with O'Neill, what balance of power should prevail between Hugh, Turlough and the Bagenals at Newry and how government activity should be normalised by introducing shiring, composition and other initiatives which were proceeding at speed in that other wayward Gaelic province, Connaught.

One tract which was of central importance to the debate on Ulster was composed by a figure at the heart of politics there, Henry Bagenal, who presented his 'Description' while at court in 1586.[7] His work, which is primarily a standard geographical account of the northern counties, ends with a brief consideration of four causes of Ulster's woes, specifically the want of towns and fortifications, the excessive power of the O'Neills founded on the *uirríthe*, the incursions of the Scots and the lack of religion and law in the province.[8] The solutions Bagenal proffered were somewhat generic, suggesting, as Henry Wallop, Nicholas Dawtrey and William Piers were often seen to do, that any revenue provided to the exchequer from Ulster should be reinvested in fortifying the province, that Hugh and Turlough should be restrained from any influence south of the Blackwater and that the MacDonells ought to be counterbalanced by bolstering the position of the MacLeans through the provision of a pension.[9] Most significant, however, was Bagenal's final proposal which broadly suggested the normalisation of the government apparatus in Ulster:

"As for the fourth: it might doubtlesse be remedied yf these countries weare as well brought to the nature as to the names of Sheere; that is, that the Sheeres beinge perfectly bonded, Sheryffes of Englysh education may be appointed in everye countie, and in certaine convenient places some Preachers and Free Schooles. And for the whole Province a Counsaile weare established, of the wisest, gravest, and best disposed, dwellinge within the same, havinge some other joyned with them that were not possessyoners thearin. That alsoe Assizes, Quarter Sessions, and such other lyke tymes should duely and orderly be in every countie observed."[10]

[6] On O'Neill's shifting relationship with the crown, see Ibid., pp. 85-112.
[7] Hore (ed.), 'Marshal Bagenal's Description of Ulster, Anno 1586'.
[8] Ibid., pp. 157-160.
[9] Nicholas Dawtrey, 'Reasons set down by Captain [N.] Dawtrey showing why the ward of the Queen's storehouse at Carrickfergus, commonly named the Palace, should be continued after the building or finishing of the walls of the said town', 1586, TNA: PRO, SP 63/176/93; Henry Wallop, 'Wallop to Burghley', 1586, TNA: PRO, SP 63/123/52; William Piers, 'Captain Pyers Articles for the North of Ireland', 1578, HMC, De L'isle and Dudley MSS. ii, pp. 87-91.
[10] Hore (ed.), 'Marshal Bagenal's Description of Ulster, Anno 1586', p. 159.

These sentiments were reinforced in a second memorandum which Bagenal prepared in 1586.[11] Here, in addition to voicing his support for the composition and calling for the *uirríthe* on the east side of the Blackwater to be cut off from the O'Neills, he put forward a programme of administrative reform for Ulster, centred on dividing the province into counties, establishing a council, holding assize sessions and constructing a shire hall and gaol in the most appropriate place.

In essence Bagenal was calling for the acceleration of a process which had begun some years earlier, following upon Perrot's campaign into the north in 1584. As seen, at this time the lord deputy had introduced a composition to support a force of 1,100 in the north and organised a tri-partite division of power in the province between Hugh, Turlough Luineach and the Bagenals.[12] This, in addition to the shiring of those counties neighbouring Leinster and appointment of sheriffs therein, amounted to the first concerted effort at establishing in Ulster the standard institutions of Tudor government which prevailed elsewhere in Ireland. It was this process that Bagenal was keen to promote, along with, more importantly, his own family's interests.

This preoccupation with normalising government activity in Ulster was shared by a number of Bagenal's contemporaries. Henry Wallop, in a general report on the state of Ireland which he sent to Burghley in 1586, recommended the construction of roads and fortifications in the north to facilitate the spread of effective governance there.[13] George Carew, in a brief memorandum he drew up specifically on Ulster in 1589, was even more unequivocal when he suggested that O'Donnell, O'Cahan, Maguire and MacMahon were all to allow sheriffs, build gaols and allow garrisons in their lordships. He furthermore recommended that the MacShanes be promoted to counterbalance the increasing influence of Tyrone.[14] In a similar vein William Weston, writing in 1593, favoured creating freeholders in Antrim and Down as a means to sow some stability in two counties which he saw as mired in disorder as a result of the power of the chief men there.[15] Finally, Miler McGrath was strongly in favour of undermining the power of O'Neill by separating his *uirríthe* from him.[16]

[11] Henry Bagenal, 'The information of Sir Henry Bagenall touching Her Majesty's service in the north of Ireland', 1586, TNA: PRO, SP 63/124/66.
[12] John Perrot, 'Lord Deputy Perrot to the Privy Council', 1584, TNA: PRO, SP 63/112/41, f. 89r.
[13] Wallop, 'Wallop to Burghley', 1586.
[14] George Carew, 'Notes touching the ordering of Ulster', 1589, TNA: PRO, SP 63/143/54.
[15] William Weston, 'Sir W. Weston to Burghley', 1593, TNA: PRO, SP 63/171/21.
[16] Miler McGrath, 'Book set down in writing by the Archbishop of Cashel by Her Majesty's express commandment declaring the state of Ireland', 1592, TNA: PRO, SP 63/164/46.

Yet, much of this had been heard before, whether in Sussex's advocacy of a president in the north along with an extensive programme of urbanisation and fortification or in Nicholas Bagenal's requests for funding to, among other things, build a gaol and courthouse at Newry in the 1570s.[17] Indeed many commentators looking at the problem Ulster presented in the 1580s were ultimately backward looking in their approach to the northern province. One of the more striking examples in this regard was a future lord deputy, William Russell, who in a tract he most likely drew up while at court in 1581 urged, '1,000 soldiors of good and hable men to be chosen owte of England for thinhabitinge of the Q. mats owne inherytance in Vlster' and in particular 'the Arde, Claynyboy, the Rote and Yrraght de Cane'.[18] Russell's text, which was modelled on the 1515 'State', essentially harked back to the strategic planning of the 1570s when the introduction of colonies in the northeast was seen as the best means to 'reform' Ulster.

Similarly anachronistic was Edward Waterhouse in 1587 when he opined that the best means 'to prevent the greatnes of the O'Neyles' was:

"To appoint a continuall garrison, parcell of hir mats ordinary bands in Ireland, and the same garrison to be at Donanayn in Ferney, and to consist of 100 horssmen and 200 footmen, wherof the erle of Eshex to be generall and to haue the gouernement of:
The O'Reylies, The McMahonns, The Clankies and the Poles of Methe, Maguire and O'Donell."[19]

Thus, Waterhouse believed that the second earl of Essex should be called to Ireland to continue his family's disastrous experience with Ulster in Farney, which he had inherited as a result of his father's ill fated association with the north. In this he was backward looking in so far that he believed another Devereux might prove successful where one had previously failed but also in that attempts to settle scions of the English nobility in the north as a cure-all for Ulster's perceived woes was a practice which dated at least as far back as 1473 when Edward IV had granted lands in east Ulster to lord Henry Grey to arrest Gaelic resurgence there.[20] Nevertheless, Waterhouse's 'Diminstracion' was astute in that it recognised that much of the unrest in Ulster was owing to an insecure balance of power there, both within the

[17] Sussex, 'The opinion of the Earl of Sussex Lieutenat-General, as well for the ordering of Ulster as the government of the whole realm, after Shane O'Nele shall be expulsed', 1562; Nicholas Bagenal, 'A Declaration how…the Newrie…May be fortified…by the Trayvell of Sir Nicholas Bagenall', 1577, HMC, De L'isle and Dudley MSS., ii, p. 56.
[18] William Russell, 'Russell's discourse of the present state of Ireland and the way to redrese and reforme the same', 1581, BL, Cotton MSS. Titus B XII, ff. 347-354, f. 354r [App. no. 36]; *DIB*, s.v. Russell, Sir William.
[19] Edward Waterhouse, 'A Plot by Sir Edward Waterhouse how Ulster may be governed by the Earl of Essex and the Earl of Tyrone, without danger to the Pale or increase of her majesty's charge', 1587, TNA: PRO, SP 63/129/3, f. 4r [App. no. 50]; *DIB*, s.v. Waterhouse, Sir Edward.
[20] Ellis, *Tudor Ireland*, pp. 61-62.

O'Neill lordship and, perhaps more importantly, between Hugh and the Bagenals, noting that the 'discontentment yt hath growen betwene the erle of Tirone and Sir Nichas Bagnall hath bene cheifly for the superiority over Magines and O'Hanlon'.[21] As such, it was supposed that by introducing a further element into the province, Essex, that this instability could be stabilised.

It was becoming increasingly clear by 1590 when Tyrone travelled to court that the decades-long attempt to ameliorate the problems posed by Ulster by checking the power of Turlough Luineach through promotion of Hugh and the Bagenals until such time as O'Neill could be used as a conduit for the introduction of English government was proving unsuccessful. Though his trip was ostensibly to explain his continuing conflict with the MacShanes, the most recent episode in which had seen Tyrone murder Hugh Gavelach, this visit became the occasion for an extensive debate on what direction policy towards the northern province should take.[22] This involved some of the most senior Irish officials, Henry Wallop, Robert Gardener and Geoffrey Fenton, while Perrot's advice was also sought. Wallop and Gardener writing together on 10th May favoured a somewhat old fashioned approach to the reformation of Ulster, suggesting that a governor be appointed who would reside at Armagh which was to be re-edified. This was a revival of Sussex's scheme, but was accompanied by a proposal to have the province shired throughout and staffed with sheriffs, while Turlough and Hugh were to be joined in commission with the governor, who would most likely be Henry Bagenal. Thus, Wallop and Gardener's joint memorandum was little more than a summation of three decades of tried methods at reforming Ulster.[23]

Perrot and Fenton drew up separate memoranda though the substance of their recommendations was virtually identical, both, for example, placing much emphasis on the necessity of separating Hugh from his *uirríthe*, particularly O'Cahan.[24] Both men also agreed that pledges should be obtained, that the earl should consent to Ulster being made shire ground and also not retain Scots mercenaries. Fenton also prioritised the introduction of a composition in the north so that O'Neill:

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[21] Waterhouse, 'A Plot by Sir Edward Waterhouse how Ulster may be governed by the Earl of Essex and the Earl of Tyrone, without danger to the Pale or increase of her majesty's charge', 1587, f. 4v [App. no. 50].
[22] Morgan, *Tyrone's Rebellion*, pp. 75-76; idem, '"Slán Dé fút go hoíche": Hugh O'Neill's murder', in Edwards, Lenihan and Tait (eds.), *Age of Atrocity*, pp. 95-118, esp. pp. 101-107.
[23] 'Opinions of the Justice Gardiner and Sir Henry Wallop for the reformation of Ulster', 1590, TNA: PRO, SP 63/152/39.
[24] John Perrot, 'Notes by Sir John Perrot to be remembered touching Ulster', 1590, TNA: PRO, SP 63/152/38; Geoffrey Fenton, 'Notes of points wherein the Earl of Tirone is to be restrained, drawn out by Sir G. Fenton', 1590, TNA: PRO, SP 63/152/41(i).

"by compownding with his tenants and free holders after the manner of ether parts in Ireland all Irish exaccions and extorcions may cease, whereby the earle maie have of his tenants more in certenty with theire good lykinge then he hath now by compulsion, and yet with theire grudge and murrmore by this meanes her matie might be provided for as shee is by the composicion in Connaght."[25]

The result of these deliberations is difficult to determine, however, in at least one instance, that of Perrot, there is a subsequent extant tract wherein he comments upon O'Neill's responses to his initial treatise which had been divided into nineteen articles. Of most import here is Perrot's acknowledgement that of the nineteen points he had raised in his original memorandum O'Neill had failed to respond or only responded in part to eight. These concerned his *uirríthe*, his taking of black rents, his right to execute offenders without a warrant of martial law, his keeping of galloglass and kern and his reception of friars, nuns and priests within his lands.[26] Apprehension had also been expressed by Fenton in relation to the probability of Tyrone seeking the title of O'Neill when Turlough Luineach's imminent death vacated the position, while Gardener and Wallop's lack of faith in the willingness of Tyrone to accept their proposals was made evident through their reticence to discuss the issue:

"And howe likelye the erle of Tyrone…will agre to the likinge or choyce of any shrive or other offices or in provydinge for ther safetye and maintenance we leve to your honor's consideracion."[27]

Thus, even the most senior government officials, involved in what must have been one of the most extensive debates on the means which might be used to 'reform' the O'Neill lordship by utilising the once allegedly pliant earl seem to have been pessimistic on the possibility of success.

Ultimately the crown's attempts at developing some means to curb the excessive power of the O'Neills in Ulster formed only part of the cause of the conflict which engulfed that province, and later all Ireland, from the mid-1590s. Of perhaps equal significance was the manner in which the Dublin government sought to slowly incorporate the other lordships there, particularly those bordering the northern limits of the Pale. This had been an acknowledged policy as early as the 1530s when a brief memorandum identified, among other areas, the lordships of the O'Reillys and MacMahons for attention.[28] Thus, Thomas

[25] Ibid., 1590, f. 141v.
[26] John Perrot, 'Sir John Perrot's opinion upon the book agreed upon by the Earl of Tirone', 1590, TNA: PRO, SP 63/153/1
[27] 'Opinions of the Justice Gardiner and Sir Henry Wallop for the reformation of Ulster', 1590, ff. 133v-134v.
[28] 'Notes of the five shires in Ireland, which should be obedient to the King', 1536, TNA: PRO, SP 60/3/88.

Cusack, in his celebrated 1553 tour of the country, had visited the area to acquire restitution for forays made by the Gaelic lords there into the Pale, while the 1560s witnessed a renewed effort by Sussex to establish 'surrender and regrant' arrangements for a number of lords there.[29]

These were, however, precursors to the real drive towards incorporating southern Ulster into Dublin Castle's area of effective governance, a push for which the administrative settlement made amongst the O'Reillys of East Breifne from the late-1570s onwards served as a model.[30] This lordship was shired as county Cavan in 1579 and an arrangement was gradually worked out in 1584 following the death of the O'Reilly, Aodh Conallach, the previous year whereby two of his sons Seán and Pilib Dubh along with their uncle Eamón would share power in the county, an arrangement which it was hoped would bring the use of the O'Reilly title to an end.[31] Attendant upon this was the holding of assize sessions and other standard common law procedures, and establishment of rents payable to the crown, overseen by a newly appointed sheriff, Henry Duke. Duke reported the apparent success of the initiative to Burghley in 1587. Here he described East Breifne prior to his appointment as 'a nurserie of all Rome runners and all others robbers, spoilers and burners of her mats good subiects of the Pale' where none 'coulde passe to the markett vnrobbed' nor 'poore inhabitants dwell neare them vnspoyled or anie other in manner lyve thereaboutes without contynuall danger of loosinge bothe liefe and goodes besides', while 'suche was their incivill and disordred course emonge themselves [as] daylie murthers were by them comytted one vppon another'.[32] This was all changed however and the sheriff glowingly related his success in bring about a drastic reformation in just three years:

"all which inconveniences, by reason of my aboade emongste them, and the course and order I haue followed and observed, are cutt of and refourmed, and not onlie everie man brought to be annswerable to size and sessions, but the subiecte freed from feare and dannger, the poore (aswell as other) leavinge their cattell nightlie abroade withoute stealinge, her matie allso

[29] Thomas Cusack, 'The copy of the book sent from Sir Thomas Cusake, Lord Chancellor of Ireland, to the Duke of Northumberland's Grace for the present state of Ireland', 1553, Cal. Carew MSS. 1515-1574, 200.
[30] There have been a number of in-depth studies conducted on the O'Reilly lordship. Ciaran Brady, 'The O'Reilly's of East Breifne and the Problem of 'Surrender and Regrant'', in *Breifne*, Vol. 6, No. 23 (1985), pp. 233-262; idem, 'The end of the O'Reilly lordship, 1584-1610', in Edwards (ed.), *Regions and Rulers in Ireland*, pp. 174-200; Bernadette Cunningham, 'The Anglicisation of East Breifne: The O'Reillys and the Emergence of County Cavan', in Raymond Gillespie (ed.), *Cavan: Essays on the History of an Irish County* (Dublin, 1995), pp. 51-72.
[31] Morgan, *Tyrone's Rebellion*, pp. 40-43. On the shiring of the county, see 'Certayne, contries, territories and landes now to be made Shire ground and to be called the countie of Cavan', 1578, BL, Cotton MSS. Titus B XII, ff. 194-196.
[32] Henry Duke, 'Henry Duke to Burghley', 1587, TNA: PRO, SP 63/128/48, f. 100r [App. no. 51].

trulie annswered of her arerags and her revenewe by this meanes muche encreased and advannced."[33]

Duke's inflated promotion of his own alleged achievements, however, must be evaluated in light of his request at the end of his letter for Burghley to aid him in relation to his lease of the parsonage of Ballyboggan which unnamed conspirers were seeking a reversion on owing to Duke's absence in the north.

More significant was his suggestion that the arrangement which had been arrived at in Cavan should be replicated, particularly in Monaghan and Fermanagh, a suggestion which appears to have been common by the 1590s. Nicholas Dawtrey, for example, writing in 1594, advocated dividing Clandeboy between a number of the principal O'Neills and MacCartans there, sentiments which had already been expressed by Christopher Carleill two years previously.[34] Robert Gardener, in a memorandum he composed on the O'Farrell lordship in 1590, dealt with the suppression of the chieftainship, the introduction of composition and the establishment of rents and freeholders, all of which had formed part of the Cavan experiment.[35]

It was to be in Monaghan, though, that the precedent was set under Fitzwilliam for the process of forcible intervention in the northern lordships. Following the death of Sir Ross MacMahon in 1589 the government attempted to undermine the position of his successor, Hugh Roe, resulting in his execution in 1590.[36] This may have been owing to Hugh's unwillingness to facilitate the naked corruption of Fitzwilliam by providing the lord deputy with several hundred cattle. Following this, in 1591, in an arrangement quite reminiscent of that arrived at by Perrot for Cavan in 1584, and under the aegis of the solicitor general, Roger Wilbraham, the MacMahonship was suppressed, the lordship was divided between various competing parties amongst the MacMahons, freeholds were created and a sheriff appointed.[37] Subsequently attempts were made to introduce similar arrangements into the Maguire,

[33] Ibid.

[34] Nicholas Dawtrey, 'Propositions for the South and North Claneboys, Killultagh, Kilwarlin, and Killaleertogh, to be graunted to the chieftains in fee farm for a reasonable chief rent to Her Majesty', 1594, TNA: PRO, SP 63/174/52 [App. no. 62]; Christopher Carleill, 'A note of the names of such gentlemen and their countries, lying under the government of Captain Christopher Carliell, Walsyngham's son-in-law, as desire to surrender their lands to Her Majesty and to take the same again by English tenure for such reasonable rents and other services as shall be thought convenient', 1592, TNA: PRO, SP 63/167/66.

[35] Robert Gardener, 'Mr. Justice Gardener's opinion of the course to be observed in the cause of the O'Ferrals', 1590, TNA: PRO, SP 63/152/29 [App. no. 56].

[36] Morgan, *Tyrone's Rebellion*, pp. 61-64.

[37] See 'Lord Deputy and Council to the Privy Council', 1590, TNA: PRO, SP 63/156/1, on the preparations for the division of the county. Morgan, *Tyrone's Rebellion*, pp. 61-70; P.J. Duffy, 'The Territorial Organisation of Gaelic Landownership and its transformation in County Monaghan', in *Irish Geography*, Vol. 14 (1981), pp. 1-26; Peadar Livingstone, *The Monaghan Story: A Documented History of the County Monaghan from the Earliest Times to 1976* (Enniskillen, 1980), pp. 81-94.

O'Rourke and O'Donnell lordships.[38] The unrest which ensued from these efforts was to be a major contributory factor in the cause of the Nine Years War.

Effectively, then, the war which began in a stop-start fashion following the campaign against Maguire in 1593 was the result of the attempted introduction of government institutions in the northern lordships from the 1580s onwards and of Dublin Castle's ongoing efforts to reduce the power and influence of the O'Neill lordship.[39] Having botched the attempt to introduce supposedly peaceable government grounded on the common law into Ulster, the focus of those commenting on the north switched from Ulster policy to military policy in Ulster.

II – Military Strategy during the Nine Years War

The debate which ranged around the direction of military policy during the Nine Years War has been the subject of surprisingly few studies. While an abundance of work has been published on the actual engagements of the war and in producing narratives of its course, particularly those by Hayes-McCoy and Falls in the 1950s and 1960s, there has not been a comparable attempt at analysing the various strands of thought on how to suppress the rebellion.[40] This is especially perplexing in light of the unprecedented level of consultation between central government and its agents in the provinces, be they martial men or civic and ecclesiastical officials, on the pacification of the country at the time of the revolt. Normal, peacetime conditions under Elizabeth might well have seen the production of a far greater number of tracts and memoranda on Irish policy than in the reign of her half-siblings or father, but even these figures – roughly ten extant tracts a year for the 1560s and 1570s – were eclipsed in the latter half of the 1590s for which period there are approximately thirty treatises extant per year, with an especial surge in 1599 when the crown's hold on the island was at its most precarious. Moreover, this heightened instability in Elizabeth's Irish kingdom coincided with the drift of the Tudor state into an increasingly precarious international position, stalked as it was by the twin threats of a chaotic succession following the queen's impending death and potential defeat to catholic Spain. As will be seen these fears were partially responsible for a drift towards endorsement of more extreme methods with which to

[38] Morgan, *Tyrone's* Rebellion, pp. 71-73; Peadar Livingstone, *The Fermanagh Story: A Documented History of the County Fermanagh from the Earliest Times to the Present Day* (Enniskillen, 1969), pp. 46-56.
[39] On the stop-start nature of the outbreak of the war, see Morgan, *Tyrone's Rebellion*, pp. 139-213.
[40] Cyril Falls, *Elizabeth's Irish Wars* (London, 1950); Gerald Hayes-McCoy, *Irish Battles* (London, 1969).

pursue the conflict in Ireland, notably devastation of the countryside to produce demographic wastage and the unbridled reintroduction of martial law.

Table 6.1: Number of extant treatises for select years, 1570-1600

Year	*1570*	*1580*	*1590*	*1597*	*1598*	*1599*	*1600*
No. of treatises	8	22	14	28	28	50	43

Source: App.

What work has been done in recent times on the military strategy debate has tended to focus on the utilisation of scorched earth tactics and the demographic and economic destruction which ensued.[41] This fixation is largely attributable to the unprecedented attention garnered during the 1980s and 1990s by Spenser's *View*, which recommends the use of scorched earth in the most explicit of fashions.[42] This concentration, though explicable, has perhaps led to the neglect of other major memoranda particularly those in which the focus is the debate over whether to adopt a garrison strategy or plump for a more traditional strategy of hosting and campaigning.

Perhaps the most rounded study in the latter respect is the work of Ciaran Brady on the military captains in Ireland.[43] Here, he identifies three distinct options which were available to military strategists in Ireland; the hosting, garrisoning or scorched earth. However, while it is correct to suggest that these were three actions which could be engaged in by the Tudor's military commanders in Ireland, it would prove more accurate to make a clear distinction between scorched earth and the other two, for while destruction of the country to decimate the enemy's supplies was most certainly a tactic which could be, and was, employed, it could not be used exclusively as both hosting and garrisoning could, and were. Furthermore, as will be seen below, it is necessary to make a distinction between those who advocated scorched earth as a functional means to end the rebellion quickly and those for whom wastage of the countryside, and consequently the people who inhabited it, was just the first step toward the eradication of the Gaelic polity and its replacement with a society modelled on the norms of southeast England.

[41] Vincent Carey, '"What pen can paint or tears atone?": Mountjoy's scorched earth campaign', in Hiram Morgan, *The Battle of Kinsale* (Wicklow, 2004), pp. 205-216; John McGurk, 'The pacification of Ulster, 1600-3', in Edwards, Lenihan and Tait (eds.), *Age of Atrocity*, pp. 119-129.
[42] On the works involved in the Spenser debate, see above p. 4, n. 8.
[43] Ciaran Brady, 'The captains' games', in Thomas Bartlett and Keith Jeffrey (eds.), *A military history of Ireland* (Cambridge, 1996), pp. 136-159, esp. pp. 139-144; John McGurk, *The Elizabethan Conquest of Ireland: The 1590s crisis* (Manchester, 1997), pp. 220-227, also deals with multiple aspects of military strategy.

Hosting and the traditional campaign was the standard military procedure for armies operating in Ireland, as elsewhere in western Europe, in the sixteenth-century.[44] As such very few treatise writers ever ventured to actively promote this brand of tactic, but by contrast generally wrote in relation to it only when condemning its use as opposed to the perceived utility of the garrison strategy. The reasons for this condemnation were plain. The terrain and nature of Irish warfare mitigated against a traditional campaign strategy, while defeats such as those suffered by Sussex in his northern campaign of 1562 cast it in a negative light as the century progressed, while at the time of the Nine Years War disasters at the Yellow Ford in 1598 and the Curlew and Wicklow mountains in 1599 served as grim reminders of the dangers of open campaigning in Ireland. These problems were epitomised in a treatise addressed to the queen, possibly by William Piers, around 1594:

"As ye hosting or armie is lesse able to anoy ye enemie so is it ye lesse strong to defend it self and more subiect to a generall defeate then a lesser number, that come sodenly from so no neare and sitly seated garrisson place, for it is a maxime in ye warres then one thousand men will march or retyre in more strength and safetie if they haue nothing to gard but him selues then double their nomber."[45]

Henry Wallop, venturing his opinion on military strategy to Robert Cecil in 1597, reflected these sentiments in his summation of common thinking on a wandering army based on the hosting when he claimed that 1,000 men in garrison would be more effective than such a force of 10,000.[46]

The drawbacks of a traditional campaign, then, were readily apparent to both military professionals and bureaucrats alike by the time the conflict escalated in the mid-1590s. Similarly, an alternative means of waging war against the highly mobile guerrilla-style rebels of Ireland was to hand in the shape of the garrison strategy. The maxim here was that since an overwhelming victory on the field of battle could not be attained, given the idiosyncrasies of Irish warfare, a slower campaign, one based around fortifying strategic locations and garrisoning them with forces which could control the surrounding country, thus strangling the enemies freedom of movement, was preferable.

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[44] Charles Oman, *A History of the Art of War in the Sixteenth Century* (London, 1987); Geoffrey Parker, *The Military Revolution: military innovation and the rise of the west, 1500-1800* (Cambridge, 1988); Christopher Allmand, 'New Weapons, New Tactics, 1300-1500', in Geoffrey Parker (ed.), *The Cambridge Illustrated History of Warfare: the triumph of the West* (Cambridge, 1995), pp. 92-105; Paul Hammer (ed.), *Warfare in early modern Europe, 1450-1660* (Ashgate, 2007); Frank Tallett and D.J.B. Trimm (eds.), *European Warfare, 1350-1750* (Cambridge, 2010).

[45] William Piers?, 'Proiect for Ireland deliuered to ye Q. by an old captaine of Irland', c. 1594, BL, Cotton MSS. Titus B XII, ff. 567r [App. no. 63]. Piers seems a likely choice given the reference to him in other documents as 'old Captian Piers'. The date of composition would appear to be sometime in the mid to late-1590s, with 1594, when Piers visited court, suggesting itself as most likely.

[46] Henry Wallop, 'Sir Henry Wallop to Sir Robert Cecil', 1597, TNA: PRO, SP 63/200/55.

This was hardly a revolutionary concept for not only did classical precedents suggest the utility of such an approach but the initial conquest of Ireland in the twelfth and thirteenth centuries had been grounded on the construction of fortified, nucleated settlements to control pockets of land.[47] The same principal underpinned the plantation of the midlands from the outset and was employed throughout the century elsewhere. For instance, the repeated requests from the 1560s through to the 1590s by a small cohort of would-be colonisers associated with Munster, amongst whom Warham St Leger and Humphrey Gilbert were most prominent, frequently returned to the idea of garrisoning a swathe of towns across Cork and Kerry along with the erection of settlements around the southern havens, particularly at Berehaven and Baltimore.[48] As noted, when outlining his plans for Ulster to the privy council in 1584 Perrot drew up a list of seven towns and an equal number of castles and bridges to be located primarily along the southern edge of the northern province.[49]

It was this issue, of how best to occupy Ulster, which held the attention by and large of those who distributed memoranda on the best means of quelling the rebellion in the 1590s and in this sense Perrot's scheme foreordained these later efforts.[50] He was not alone, though, in having done so and the garrison scheme around which something of a consensus had formed by the late-1590s was already in existence, albeit in embryonic form, and for the ostensible purpose of preventing rebellion, not ending it, by the 1580s. It was summarised most concisely by Nicholas Taffe when asking by what means the northern lords might be compelled to be obedient to the crown:

"To mayntaine the garisone vpone the Greate Water, the lyke bridge and garisone vpone Loghfoile, a bridge and garisone vpone the Bande, att Culrahane, placyinge there the lyke captaine with the 2 hondiyide men which McQuyvelin now bere the, a garisone of 2 hondiyde men at Glanduerne and the garisone now att Knockfergose."[51]

[47] Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century*, p. 46.
[48] For illustrative examples, see Humphrey Gilbert, 'The book for the reformasion of Ireland', 1574, Bod. Lib., Carte MS. 56, ff. 254-263 [App. no. 30]; idem, 'A Plot how to Overthrow the Traitors in Munster', 1579, Cal. Carew MSS. 1575-1588, 183; Humphrey Gilbert?, 'Plot how Her Majesty may maintain 1,000 soldiers in Munster without any charge to herself', 1580, TNA: PRO, SP 63/74/76; Warham St Leger, 'A Plot for the establishing of a sound and severe government in Munster', 1589, TNA: PRO, SP 63/144/80 [App. no. 52]; idem, 'Answers to such objections as may be alleged against the plot for a sound government in Munster', 1589, TNA: PRO, SP 63/144/81 [App. no. 53]. St Leger submitted the project for consideration by central government again in 1595. See TNA: PRO, SP 63/178/121.
[49] John Perrot, 'Lord Deputy Perrot to the Privy Council', 1584, TNA: PRO, SP 63/112/41.
[50] See, for example, Francis Jobson, 'Ulster's Unity', 1598, TNA: PRO, SP 63/202(iv)/83; Phillip Williams, 'An advice concerning the service of Lough Foyle, by Philip Williams', 1598, TNA: PRO, SP 63/202(iii)/26; Henry Bagenal, 'Project by Sir Henry Bagenall for the prosecution of the Earl of Tirone', 1596, TNA: PRO, SP 63/186/76.
[51] Nicholas Taffe, 'Nicholas Taffe to Burghley', 1585, TNA: PRO, SP 63/116/31, f. 84v [App. no. 48].

The Blackwater, Lough Foyle, the Bann, Coleraine and Carrickfergus were all points which were regularly identified as locations for garrisons at the height of the war. In effect this initiative was merely the logical extension of the policy of creating strong points in the north which had been favoured ever since mid-century when, as seen, a host of servitors such as Nicholas and Ralph Bagenal, William Piers, Andrew Brereton and Roger Brooke were placed throughout the northeast at key locations like Newry and Carrickfergus. This was gradually extended throughout the course of Elizabeth's reign with Sussex variously patronising attempts to settle these locations and turn Armagh into an administrative hub for the north, while his successor Sidney tried, but failed, to establish the first garrison at Lough Foyle in 1566.

Garrisoning became the central pivot of thinking on military strategy almost from the outset of the war with Nicholas Dawtrey and William Piers, two martial men with an abundance of experience of Ulster, recommending its suitability in 1594.[52] By 1596 it formed the basis of the deputy and council's thinking on how to suppress the rebellion as articulated in the 'Declaracion' which they drew up at the time.[53] This document informed all future plans emanating from Dublin Castle for ending the rebellion and one of the surviving copies was possessed by the man who successfully ended the revolt in Munster, George Carew. It was suggested that a main force of 3,000 foot and 300 horse might be sent into the heart of Tyrone's lordship, while garrisons were to be established throughout the province, with 200 foot at Newry, 100 foot each at Carlingford, Armagh and the Blackwater, 100 foot and 50 horse at Dundalk and wards to be bestowed on Dundrum, Strangford and Argles. In addition Carrickfergus was to have a force of 100 foot and 50 horse while Cavan was to be defended by a retinue of 200 foot and an unspecified number of horse. O'Donnell was identified as the root of the increasing instability in Connaught and as such a garrison of 600 foot and 50 horse was to be laid at Ballyshannon, with an expeditionary force of 1,000 foot, 100 horse and 200 pioneers to be dispatched from England to Lough Foyle. Munster, where things were still calm, was to be negligibly provided for with a force of 200, but Leinster, the viceroy and council believed, should have forces of foot at Ardee (100), Kells (100), Offaly (200), Laois (200), Tully (250) and Rathdrum (250).

[52] Nicholas Dawtrey, 'Captain Dawtrey's discourse on Ireland', 1594, TNA: PRO, SP 63/174/62(i); William Piers, 'Plat by old Capt. William Piers for establishing the North of Ireland, and the overthrow of the rebels as well Irish as Scottish', 1594, TNA: PRO, SP 63/177/3.

[53] 'A project for certain armies and garrisons to be forthwith put in readiness for suppression of the rebellions in Ireland', 1596, TNA: PRO, SP 63/197/98(i). For the copy owned by Carew and an adequately calendared version, see Cal. Carew MSS. 1589-1600, 261.

That the government should have elected to adopt the garrison strategy from an early point in the war was no surprise given the almost unanimous support it garnered within military and official circles. Russell's rival for power, John Norris, who was dispatched to Ireland to lead the campaign in Ulster, drew up a 'Project' in 1595 which made identical recommendations in relation to the Lough Foyle expeditionary force.[54] His belief that a force of 1,000 foot and 100 horse was necessary was reiterated in a number of memoranda, while he also envisaged that the garrison would be under the command of his brother, Henry.[55] Nicholas Dawtrey, writing in 1597, stated that the best place for northern garrisons was on the rivers, specifically the Bann, the Blackwater and the Lifford, at the abbey of Coleraine, the Blackwater Fort and Lifford Castle.[56] A captain, identifiable only as J. Goring, recommended in 1595 that Carrickfergus be established as the centre of military operations in Ulster for which its forces were to be augmented by an additional 400 foot and 100 horse. He also outlined plans to plant garrisons along the southern perimeter of Ulster:

"Ffor the keepinge fronter againste the erle, and the safegard of East Methe, it will be necessarie there be in garrison in the Nurie 4 com. and 50 horse, in Dundalke 4 com. and 50 horse, in Arde 2 com., in Carlingforde one com., in Kells one com.. It wilbe necessarie that the garrison of Monohan be supplied with another companie and 50 horse…And it will be verie needful for the service, that there be placed on the borders 200 horse more then aboue named, else the foote shall never be able to lett the enemie from burninge and spoylinge, nor be of sufficient force to enter his contrie."[57]

Francis Shane, an anglicised O'Farrell, put forward a fanciful scheme in 1597 which envisaged multiple garrisons in the north at Lough Foyle (2,500), Ballyshannon (350), Belleek (350), Belturbet (700), Monaghan (800), the Blackwater fort (2,500), Newry (300), Carrickfergus (300) and Coleraine (200). Shane was succinct in what benefits might accrue from the strategy:

"The passadges of this ryver, as Ballashanan and Bealick (being at the most fyve miles distant), being garrisoned with indifferent forces, will not only defend Connoght, and represse the insolensies therof, and defend ye south side of the pale next adioyning, but also at convenient tymes annoy O'Donell in such measure as he shalbe forced to disvnite him self

[54] John Norris, 'Project of Sir J. Norreys for carrying on the war for a certain sum of money', 1595, TNA: PRO, SP 63/182/72.
[55] idem, 'Sir J. Norreys to Sir Robert Cecil', 1595, TNA: PRO, SP 63/180/9; idem, 'Sir John Norrey's project to place 500 foot and 50 horse at Loughfoyle, with victuals for five months', 1595, TNA: PRO, SP 63/182/13(i). The title given this document in the calendar of the state papers, and reproduced here, is somewhat misleading. Norris suggested that 500 foot and 50 horse should be sent directly from England. Presumably he intended this to be bulked out with the same number from troops already in service in Ireland so as to accord with his repeated requests for 1,000 foot and 100 horse.
[56] Morgan (ed.), 'A Booke of Q + Answars concerning the warres or rebellions of the kingdome of Irelande', pp. 110-111. The attribution of the document to Dawtrey is Morgan's whom I have followed here.
[57] J. Goring, 'Discourse by Capt. J. Goring on the Rebellion', 1595, TNA: PRO, SP 63/180/61, f. 191 [App. no. 65].

for his owne defence from the earle, which is one of the chefist things that carefully ought to be labored, in performing wherof a strong garrison is to be planted at Lough Foyle, at the Dyrry, which being well provided for will dissipate the hoale forces of the north."[58]

These thoughts on the garrisoning of Ulster in particular, but also locations in the other provinces, were shared by an almost limitless list of government servants in Ireland notably the president of Connaught, Conyers Clifford, a future president of Munster, Henry Brouncker, the treasurer-at-wars, Henry Wallop, and the muster master, Ralph Lane.[59] Even Ormond, a figure whose thoughts on Irish policy were rarely committed to paper, wrote to the Queen in 1598 to propose the planting of a garrison of 1,200 foot and 100 horse at Lough Foyle, while Spenser's *View*, for all its sophistication as an exposition of the Irish polity, is in many ways an elaborate meditation on the garrison strategy.[60]

Ultimately garrisoning could have only a limited effect on bringing the rebels to heel. In awareness of this those who advocated occupying strategic locations with companies of troops often pressed the case for devastation of the countryside in tandem. Thus, the garrison strategy, with scorched earth tactics being used as a corollary, amounted to a war of attrition whereby it was assumed the rebels could be defeated by inducing famine conditions.

That extreme measures of this nature should have been resorted to is somewhat indicative of the international position the Tudor state found itself in, especially in the late-1590s, when those voices calling for a concerted campaign of devastation and indiscriminate violence to end the rebellion were at their most vocal. The twin problems of war with Spain and an unsure succession were augmented by fears of heightened Spanish interference in Ireland and France, while, to compound problems, a factional conflict erupted at the Tudor court between the followers of the earl of Essex and a group of political allies who coalesced around the Cecils.[61] If the Tudor state was unravelling at the seams it was in Ireland that this process manifested itself most openly.

The result of this fear and uncertainty – which it is all too easy to dismiss in retrospect – was a further expansion of the public sphere in Ireland, temporary though this may have

[58] Francis Shane, 'A brief discourse by Francis Shaen, declaring how the service against the northern rebels may be advanced, and the Connaught tumults in some sort repressed', 1597, TNA: PRO, SP 63/198/124, f. 368r [App. no. 67].
[59] Conyers Cliffors, 'Sir Conyers Clifford to the Privy Council', 1598, TNA: PRO, SP 63/202(i)/21; Henry Brouncker, 'Sir Henry Brouncker to Sir Robert Cecil', TNA: PRO, SP 63/202(i)/29; Wallop, 'Sir Henry Wallop to Sir Robert Cecil', 1597; Ralph Lane, 'The project for service, by Sir Ralph Lane; addressed to Sir Robert Cecil', 1598, TNA: PRO, SP 63/202(iv)/46(i).
[60] Ormond, 'The Earl of Ormond to Queen Elizabeth', 1598, TNA: PRO, SP 63/202(ii)/75; Spenser, *A View of the Present State of Ireland*, pp. 91-134.
[61] Paul Hammer, *The Polarisation of Elizabethan Politics: the political career of Robert Devereux, 2nd Earl of Essex, 1585-1597* (Cambridge, 1999); Wallace MacCaffrey, *Elizabeth I: war and politics, 1588-1603* (Princeton, 1992).

been. As noted there was a sharp increase in the number of treatises being composed on Irish policy, particularly around 1598 and 1599 when the situation there was at its most desperate. The underlying causes of this snowballing discourse were tri-fold. At once there was the increased correspondence between the Irish administration and Whitehall, which was augmented by the arrival of waves of army captains in Ireland, who were only too willing to voice their opinions on how the war should be conducted.[62] Supplementing these endeavours was a new element of writers in England who took up pen and paper, and occasionally had resort to the press, to consider the Irish situation, an occurrence which is indicative of heightened concern over how events there fitted into the broader challenges faced by the state. Conspicuous in this regard were pamphleteers such as John Norden and John Speed, while politicians such as Francis Bacon and Buckhurst, whose input on Irish affairs had been minimal, began lavishing far greater attention on events there.[63]

That this increased proliferation of documents on Irish policy, and especially the advocacy of more extreme methods, was linked to the wider crisis faced by the Tudor state is further suggested by the direction in which this paper traffic was flowing. While Walsingham's death in 1590 had led to a period of domination of Irish policy by Burghley,

[62] For just some of the examples of this correspondence, see James Carlile, 'Plot of Ulster', 1595, TNA: PRO, SP 63/179/72(i); John Price, 'Capt. John Price to Burghley', 1598, TNA: PRO, SP 63/182/52; Henry Bagenal, 'Project by Sir Henry Bagenall for the prosection of the Earl of Tyrone', 1596, TNA: PRO, SP 63/186/76; 'The Coppie of a Projecte', 1596, BL, Harley MS. 35, ff. 302-304; Ralph Lane, 'The copy of a project of an advice at war in the present journey of the Lord Deputy that now is meant for Lough Foyle', 1597, HMC, Salisbury MSS. vii., pp. 311-313; William Saxey, 'Advertisements to Burghley by William Saxey, Chief Justice of Munster', 1597, TNA: PRO, SP 63/197/55(i); Nicholas Browne, 'The meanes howe to keepe the Prouynce of Mounster and suche are of anye force thearin, from beinge able hereafter to raise any power, but such as shalbe quickly suppressed without the Prince's charge, exhibited by Mr. Nicholas Browne to the Lo: Tresorer', 1597, BL, Cotton MSS. Titus B XIII, ff. 501-510, printed in James Buckley (ed.), 'Munster in A.D. 1597', in *JCHAS*, Vol. 12 (1906), pp. 53-68. An additional copy is TNA: PRO, SP 63/199/109. Geoffrey Fenton, 'Sir Geoffrey Fenton to Sir Robert Cecil', 1597, TNA: PRO, SP 63/200/137; Phillip Williams, 'An advice concerning the service of Lough Foyle, by Phillip Williams', 1598, TNA: PRO, SP 63/202(iii)/26; John Dymmock, 'A Treatice of Ireland', in IAS, *Tracts Relating to Ireland*, 2 Vols. (Dublin, 1841-1843), II, pp. 1-90. This tract is transcribed from BL, Harley MS. 1,291. Another copy, BL, Sloane MS. 1,328, was quite possibly composed some time before this version. Barnaby Rich, 'A looking [glass] for Her Majesty wherein to view Ireland: wherein is expressed how this rebellion hath been kindled, and the rebel thus strengthened; what reformation [is] most behoveful for Her Majesty's advantage; [and] of (sic) many profits that might be raised towards Her Majesty's expenses', 1599, TNA: PRO, SP 63/205/72; John Baynard, 'The opinion and advice of Captain John Baynard', 1600, TNA: PRO, SP 63/206/116; 'A Direction to the Queenes Majeftie how to conquer Ireland', 1600, BL, Harley MS. 292, ff. 168-274; Edward Stanley, 'Memorandum on the Invasion and Defence of Ireland', 1601, TNA: PRO, SP 63/209/49.

[63] John Norden, *A prayer for the prosperous proceedings and good successe of the Earle of Essex and his companies in their present expedition in Ireland against Tyrone and his adherents, rebels there* (London, 1599); Buckhurst, 'Considerations touching Ireland causes', 1600, TNA: PRO, SP 63/207(i)/7; idem, 'The Lord High Treasurer Buckhurst to [Sir Robert Cecil]', 1600, TNA: PRO, SP 63/207(iv)/63; idem, 'The Lord High Treasurer Buckhurst to Sir Robert Cecil', 1600, TNA: PRO, SP 63/207(iv)/67; John Speed, *A description of the ciuill warres of England* (London, 1601); Francis Bacon, 'Certain Considerations touching the Queen's Service in Ireland', 1601, in Montagu (ed.), *The Works of Francis Bacon*, II, pp. 188-190. A number of anonymous pamphlets and doggerels were also produced in London as a result. See, for example, *Englands Hope Against Irish Hate* (London, 1600).

and concurrently his son, Robert, by the second half of the decade Essex's influence was increasingly evident across the Irish Sea.[64] Thus, the conflict between the overseer of military affairs in the early years of the war, John Norris, a candidate favourable to the Cecils, with the viceroy, William Russell, whose links to Essex extended back to Leicester's campaigns in the Low Countries. Furthermore, while the Cecils were virtually the universal recipients of treatises from Ireland in the early-1590s, by the second half of that decade a range of texts were finding their way to Essex. These more often than not advocated extreme methods and the most prominent examples were Spenser's *View* and the 'Dialogue of Silvyne and Peregrine'.[65] These documents, albeit small in number by comparison with what the Cecils received, are important, for in them were expressed some of the most incendiary policies suggested by Tudor officials for application in Ireland, policies which were to be pursued after Essex had left Ireland. That they were dispatched to the earl, the acknowledged head of England's wider war effort by the time of the Cadiz expedition in 1596, would further suggest links between the state's volatile position overall in the 1590s and increasing support for extreme methods in Ireland.

Devastation of the country to induce famine conditions was not a revolutionary concept. Robert Cowley had approved of similar measures as early as 1536 while Gilbert's justification of the killing of unarmed women and churls, as related by Churchyard, was to undermine the rebels' ability to feed themselves:

"the men of warre could not bee maintained, without their Churles, and Calliackes, or women, who milked their Creates, and prouided their victualles, and other necessaries. So that the killyng of theim by the sworde, was the waie to kill the menne of warre by famine, who by flight oftentymes saued them selues from the dinte of the sworde."[66]

Similar sentiments were expressed by Pelham whilst serving as lord justice at the height of the second Desmond rebellion and by senior captains such as Edward Barkley who opined that that war could be ended by the planting of two garrisons, at Mallow and in south Tipperary, from which the surrounding country could be devastated.[67] Subsequent recourse to such methods during the conflict led to the deaths of tens of thousands in Munster through starvation and instances of cannibalism as related at the time in the reports of Warham St

[64] Edwards, 'Ideology and Experience', pp. 149-157.
[65] Ibid., p. 149; Rudolf B. Gottfried, 'Spenser's *View* and Essex', in *PMLA*, Vol. 52, No. 3 (Sep., 1937), pp. 645-651.
[66] Robert Cowley, 'R. Cowley to Crumwell', 1536, *SP Henry VIII*, ii, 129; Thomas Churchyard, *A generall rehearsall of warres* (London, 1579), sig. D2v.
[67] William Pelham, 'Lord Justice Pelham to the Queen', 1580, Cal. Carew MSS. 1575-1589, 437; Edward Barkley, 'Mr. Edward Barkley's advice how to overthrow the traitors in Munster', 1582, TNA: PRO, SP 63/95/69 [App. no. 41].

Leger and Edward Stanley, while Spenser's later description has become somewhat infamous.[68]

Despite the harshness of such conditions it is clear that the concurrent damage inflicted on the rebels was significant in their defeat for by the time conflict erupted in Ulster in the 1590s there seems to have been a consensus that devastation of the countryside was a necessary weapon of war in Ireland. Thus, John Dowdall, a staunch supporter of such measures, defended its use in 1600 by citing the effect to which it had been used during the Desmond rebellion.[69] In effect then devastation of the country became self-perpetuating as recourse to it spread awareness of its efficacy and consequently led to its frequent application.

The most extreme proponents of scorched earth were a cadre of hardliners who were, by and large, military professionals and amongst whom Spenser is somewhat anomalous as an undertaker and minor official. William Mostyn, is notable as perhaps the most vocal and persistent advocate of its use, a fact which is doubly unusual when consideration is had of his brother, Hugh's, decision to throw in his lot with the rebels, so compromised had he become through his dealings in the north. William's belief that inducement of famine conditions was necessary to bring the war to a conclusion was sounded out in two memoranda which he drew up sometime around 1598, one of which was dispatched to Robert Cecil, the other to the deputy and council.[70] These were intimately connected to the garrison strategy and both treatises dealt almost exclusively with furthering this initiative, though the document Cecil received detailed troop numbers and locations for Ulster, while the tract he addressed to the deputy and council outlined similar plans for Connaught. In both documents having outlined the preferred locations for garrisons – Ballyshannon, Lifford, Mount Sendal, Newry, Drogheda, Kells and Cavan in the case of the Ulster tract and Kilellenan, Shannon, Athenry, Ballinasloe, Curraghboy, Roscommon, Burrishoole, Moyne abbey and Sligo in the Connaught memorandum – Mostyn proceeds to argue, in almost identical language, the necessity of inducing famine along with planting garrisons:

"Nowe I have layed to your Lops. the forces and places requisitt to establishe Connaght in civilitie your lops also must vnderstand that the same will never (by all licklihood) be

[68] Anthony McCormack, 'The Social and Economic Consequences of the Desmond Rebellion of 1579-83', in *IHS*, Vol. 34, No. 133 (May, 2004), pp. 1-15; Warham St Leger, 'Sir Warham Sentleger to Burghley', 1581, TNA: PRO, SP 63/91/41; idem, 'Sir Warham Sentleger to the Queen', 1581, TNA: PRO, SP 63/91/41(i); Edward Stanley, 'Captain Edward Stanley to Ormond', 1583, TNA: PRO, SP 63/102/49(i).
[69] John Dowdall, 'Sir John Dowdall to Secretary Cecil', 1600, Cal. Carew MSS. 1589-1600, 340.
[70] William Mostyn, 'A Plot for the cutting off of that "cruell and tironious traytor of Tiron" and of his wicked confederates', 1598, TNA: PRO, SP 63/202(iii)/185; idem, 'Proposals of William Mostyn to the Lord Deputy and Council for the subjugation of Connaught', c. 1598, BL, Add. MSS. 4,819, ff. 171-175 [App. no. 68].

effected so well by the dent of the sworde, as if also it should come by the crueltie of famyn which must be by takinge there cattells from them in eche parte of the province where the traytors inhabyt."[71]

Mostyn, despite his years of experience in Ireland, appears to have adopted the common mistaken belief that the Irish of Ulster were reliant almost wholly on cattle for their diet and did not state the necessity of burning crops also. This oversight was not replicated by John Dowdall who in the numerous tracts he wrote in support of scorched earth tactics repeatedly asserted that the wars would only come to an end when both the plough and breeding of cattle had ceased.[72] Dowdall was perhaps the most uncompromising of Elizabeth's Irish servants, for while extremists like Spenser were willing to countenance a general offer of pardon prior to the inducement of famine conditions, Dowdall repeatedly claimed that pardons should not be offered, his logic being that the more mouths the rebels had to feed the easier it would be to starve them into submission.[73]

There was some minimal disparity of this nature amongst advocates of scorched earth as to how it was to be put into practice. For example, one anonymous tract which was sent to Fitzwilliam in the early-1590s and which details a scheme for overthrowing Feagh McHugh O'Byrne contended that his country could be spoiled and laid waste by issuing a proclamation that all the inhabitants there were to move a distance of twelve miles out of his country on pain of a year's imprisonment, thus rendering the land barren.[74] Another tract, written in 1600, argued the case for destroying the *súgan* earl of Desmond's *creaght*, which was in contrast to others like Mostyn who envisaged that the rebels' cattle might be captured and used to victual the garrisons rather than destroyed.[75]

However, the sharpest divergence was over what the actual objective was in laying waste the countryside. For some it was simply the best means of speedily ending the rebellion, though the practice itself was found distasteful. For example, George Carew appears to have been more moderate than many of his contemporaries in Ireland, despite being charged with laying the countryside waste in Munster. Certainly his over-riding concern, as expressed in his numerous memoranda on Ireland, was always for furthering England's international position in relation to Spain, rather than any apparent distaste towards

[71] Ibid., f. 172.
[72] John Dowdall, 'Sir John Dowdall to Lord Burghley', 1596, TNA: PRO, SP 63/187/19; idem, 'Sir John Dowdall to Secretary Cecil', 1600; idem, 'Sir John Dowdall to the Privy Council', 1600, TNA: PRO, SP 63/207(ii)/22.
[73] Spenser, *A View of the Present State of Ireland*, p. 100.
[74] 'The easy, speedy and [aduiyable] overthrow that may be comprehended of that archtraitor Ffeagh', c. 1594, Bod. Lib., Carte MS. 55, ff. 563, 590.
[75] 'A project for suppressing the rebellion in Ireland', 1600, TNA: PRO, SP 63/207(ii)/23.

the Irish polity and populace.[76] Henry Docwra, the man who finally led the Lough Foyle expedition, adopted an accommodating disposition towards those Irish lords who served as allies in Tyrconnell and was bitterly disappointed with the government's betrayal of them in the peace settlement.[77] Perhaps most important was the attitude of Robert Cecil who, having received the anonymously authored project to destroy Desmond's cattle, struck out the paragraph and wrote 'I like no such barbarisme' in the margin.[78]

In contrast, for many devastation of the country, inducing famine and indiscriminate killings, were all favourable as the first step towards establishing a new society in Ireland, one free of the vestiges of the Gaelic order. A kingdom, whose Irish population had been decimated by these practices mused Dowdall, Mostyn and Spenser was one which would be ripe at last for successful 'reform', simply because there would be no Gaelic polity left to be reformed, a point expressed most clearly by the poet through Irenaeus:

"all these evills must first be cut away by a strong hand, before any good can bee planted, like as the corrupt braunches and unwholesome boughs are first to bee pruned, and the foule mosse cleansed and scraped away, before the tree can bring forth any good fruite."[79]

These thoughts were mirrored by the future lord deputy, Arthur Chichester, whose own hatred of the Irish most likely stemmed from the murder and beheading of his brother, John, whilst serving at Carrickfergus.[80] It was his successful application of scorched earth after succeeding to the command of that garrison which most likely led to the adoption of the policy countrywide, Chichester declaring that a 'million of swords will not do them so much harm as one winter's famine'.[81] While this was, at base, a practical observation his remarks in a letter to Cecil in 1601 leave little doubt concerning his true antipathy towards the people of Ireland:

"We follow a painful, toilsome, hazardous and unprofitable war by which the Queen will never reap what is expected until the nation be wholly destroyed or so subjected as to take a new impression of laws and religion, being now the most treacherous infidels of the world and we have too mild spirits and good consciences to be their masters."[82]

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[76] George Carew, 'A Discourse for Ireland', 1594, Cal. Carew MSS. 1589-1600, 151; idem, 'A Discourse of Ireland', 1601, Cal. Carew MSS. 1601-1603, 191; idem, 'Sir George Carew to Secretary Cecil', 1602, TNA: PRO, SP 63/210/16.
[77] McGurk, *Sir Henry Docwra*, pp. 69-237.
[78] 'A project for suppressing the rebellion in Ireland', 1600, f. 60r.
[79] Spenser, *A View of the Present State of Ireland*, p. 93. Also, see the 'Brief Note of Ireland', Spenser's authorship of which is more contentious, in which it is stated bluntly that 'Great force must be the instrument but famine must be the meane for till Ireland be famished it can not be subdued'. Edmund Spenser, *Works of Edmund Spenser: A Variorum Edition*, 11 Vols. (Baltimore, 1932), X, pp. 235-245, p. 244.
[80] John McCavitt, *Sir Arthur Chichester: Lord Deputy of Ireland, 1605-16* (Belfast, 1998), pp. 5-17.
[81] *CSPI*, 1600, p. 193.
[82] *CSPI*, 1601-1603, p. 111.

Far more contentious are the personal views of the viceroy, Mountjoy, for while he strived to rehabilitate Tyrone in the aftermath of the war in the hopes of bringing peace and stability to the country, he could nevertheless express sentiments not too dissimilar, if less vitriolic, than those conveyed by Chichester, as he did when writing to Carew in 1602:

"I should the better have provided for what these Cloudes doe threaten, and sooner and more easily either have made this Countrey a rased table, wherein shee might have written her owne lawes, or have tied the ill disposed, and rebellious hands, till I had surely planted such a governement, as would haue overgrowne and killed any weeds, that should have risen under it."[83]

Yet, elsewhere, writing to the same man, he remarked on his unhappiness at the slaying of churls, thus, revealing further ambiguities in his approach to Ireland and its people generally.[84]

Whatever the personal proclivities of Mountjoy, the end result was the same. A policy of despoliation, emanating from the garrisons which had been established, throughout Ulster in particular, coupled frequently with indiscriminate killings had the desired effect in the aftermath of Kinsale. Indeed, as John McCavitt has convincingly argued, it was not the disaster which befell the Confederates and their Spanish allies in the south which spelled defeat for the northern lords, but the sustained campaign of despoliation and wastage carried out by Chichester, most enthusiastically, but also Mountjoy and Docwra in Ulster in 1602.[85] Yet, despite the aspirations of many of Elizabeth's Irish servitors to create a *tabula rasa* upon which a new society and polity could be engineered, the 1603 settlement left many aspects of Irish society, at least temporarily, unchanged, a decision which may explain the reversion to well worn ideas concerning the 'reform' of that kingdom in the post-war years.

III – 'Reform' post-1603

The accession of James VI of Scotland to the throne of England in 1603 has been quite understandably identified as a point of demarcation in Irish history, accompanied, as it was, by the almost simultaneous cessation of the Nine Years War. Such dividing lines, while necessary, often prove less than wholly accurate, and the onset of the reign of the Stuarts in Ireland is no exception in this respect, for the prevailing pattern is one of continuity in the

[83] Fynes Moryson, *An Itinerary Containing His Ten Yeeres Travell through the Twelve Dominions of Germany, Bohmerland, Sweitzerland, Netherland, Denmarke, Poland, Italy, Turky, France, England, Scotland & Ireland*, 4 Vols. (Glasgow, 1907), III, pp. 275-276. On Mountjoy's time in Ireland, see Cyril Falls, *Mountjoy: Elizabethan General* (London, 1955), pp. 119-208; Frederick M. Jones, *Mountjoy, 1563-1606: The Last Elizabethan Deputy* (Dublin, 1958).
[84] Carey, '"What pen can paint or tears atone"', p. 212.
[85] McCavitt, *The Flight of the Earls*, pp. 29-49.

years immediately proceeding from Tyrone's surrender at Mellifont. The earl was confirmed in his position in the north, while even more surprising was the creation of the earldom of Tyrconnell for bestowal upon Hugh O'Donnell's brother, Rory, aswell as the 1603 Act of Oblivion pardoning all wrongdoers in the recent revolt. On the government's side policy, despite partial de-militarisation in the immediate aftermath of the conflict, was to a large extent a continuation of what had been preferred under Elizabeth with the establishment of strategically located garrisons and the granting of martial law commissions.[86] The attitude of those responsible for formulating Irish policy, particularly in regard to Ulster, was, furthermore, little changed from what had prevailed prior to the war with issues such as O'Cahan's status in relation to Tyrone and the extension of common law procedures into the province garnering attention.[87] Simply put there were many policy initiatives which were central to Tudor political discourse on Ireland which were also prominent during the early-Stuart period.

This continuity was mirrored in a number of memoranda prepared in between Mellifont and the Flight of the Earls in 1607, the most prominent example being William Saxey's 1604 'Discovery', a document which is remarkable in that it highlights the static nature of senior officials' thinking on Ireland. Saxey, it appears, had learned nothing from the conflict and made virtually the same recommendations he had in his previous tracts from the 1590s, most notably by advocating a return to the cess, thus turning the clock back to the 1570s. Other concerns of his such as the regulation of trade to prevent illegal arms importation and the necessity of creating freeholds were issues which had long been raised by commentators on Ireland.[88] The latter issue in particular became a central plank of discourse

[86] David Edwards, 'Legacy of defeat: the reduction of Gaelic Ireland after Kinsale', in Morgan (ed.), *The Battle of Kinsale*, pp. 279-299; idem, 'The Plight of the Earls: Tyrone and Tyrconnell's "Grievances" and crown coercion in Ulster, 1603-7', in Mary-Ann Lyons and Thomas O'Connor (eds.), *The Ulster Earls and Baroque Europe* (Dublin, 2010), pp. 53-76.

[87] On the prevalence of these issues in the aftermath of the war, see Nicholas Canny, 'Hugh O'Neill, Earl of Tyrone, and the Changing Face of Gaelic Ulster', in *Stud. Hib.*, No. 10 (1970), pp. 7-35; idem, 'The Flight of the Earls, 1607', in *IHS*, Vol. 17, No. 67 (Mar., 1971), pp. 380-399; John McCavitt, 'The Flight of the Earls, 1607', in *IHS*, Vol. 29, No. 114 (Nov., 1994), pp. 159-173.

[88] William Saxey, 'A Discovery of the decayed State of the kingdom of Ireland, and of means to repower the same', 1604, TNA: PRO, SP 63/216/59. For an example of an earlier document by Saxey which expresses similar sentiments to the 'Discovery', see idem, 'William Saxey, Chief Justice of Munster, to Sir Robert Cecill', 1600, TNA: PRO, SP 63/207(ii)/124; idem, 'Justice Saxey his opinion and reporte made to Queen Elizabeth and hir councell touchinge the Refformacion of the countrye of Mounster in Irelande…Dated the xiiijth of June 1601', 1601, BL, Harley. MS. 35, ff. 304-308, is virtually a synopsis of the 'Discovery', though with the emphasis on ending the rebellion rather than preventing a future one.

on the north in the immediate aftermath of the war, with Davies exploiting the desire to increase the number of freeholders to carve up and reduce the northern lordships.[89]

On the other side of the political spectrum from these more exploitative perspectives continuity was also seen in the willingness of commentators to identify malfeasance within government circles and in the expression of a desire to promote sanguine 'reform' measures. For instance, John Harington's 'View', which advocated promotion of the common law and the staffing of offices by Irish-born officials, harked back to the sentiments of Croft, Gerrard and White decades before.[90] Elsewhere, Barnaby Rich continued to rail against those in authority in Ireland, notably Davies and his colleagues in high office whom Rich claimed were managing Irish affairs to benefit their own interests.[91]

There were, however, some notable divergences from this pattern and a number of particular initiatives stand out as gaining either a new lease of life or entering the mainstream of the government's lexicon on Ireland in the post-1603 period. Most salient here was the reinvigorated effort to protestantise the country which it was averred could now commence with renewed enthusiasm given that the much vaunted *tabula rasa* had apparently been achieved. There was, though, a severe split within government circles as to how to proceed in regard to furthering the Church of Ireland, a divide which was essentially a continuation of the quandary, in evidence since the outset of Elizabeth's reign, of what balance of persuasion and coercion might prove most beneficial.

At the onset of James' reign there appears to have been a consensus amongst those who formulated policy – the king, the privy council and the triumphant viceroy, Mountjoy – that persuasion ought to be preferred.[92] This approach was personified by Francis Bacon in his 'Suggestions' of 1602 wherein he put forward well worn ideas surrounding the appointment of learned ministers and the necessity of preaching in the native tongue:

"But there (should) go hand in hand with this, some course of advancing religion where the people is capable thereof, as the sending over of some good preachers…to be resident in the

[89] John Davies, 'A Letter from Sir John Davies, Knight, Attorney-General of Ireland, to Robert Earl of Salisbury, touching the state of Monghan, Fermanagh and Cavan, wherein is a Discourse concerning the Corbes and Irenahs of Ireland', 1608, printed in Morley (ed.), *Ireland under Elizabeth and James I*, pp. 343-380. On the strategy of legal imperialism and Davies' centrality thereto, see Pawlisch, *Sir John Davies and the Conquest of Ireland*.

[90] John Harington, 'A Short View of Ireland Written in Anno. 1605', in *Anecdota Bodleiana*, I (Oxford, 1879).

[91] Flanagan, 'The anatomy of Jacobean Ireland'; idem, 'Captain Barnaby Rich (1542-1617)'; C. Litton Falkiner (ed.), 'Barnaby Rich's 'Remembrances of the state of Ireland, 1612' with notices of other manuscript reports, by the same writer, on Ireland under James the First', in *PRIA*, Vol. 26C (1906), pp. 125-142, is a scathing attack on a number of high ranking government personnel. Also, see Rich's dialogue tract, Edward M. Hinton (ed.), 'Rych's Anothomy of Ireland, with an Account of the Author', in *PMLA*, Vol. 55, No. 1 (Mar., 1940), pp. 73-101.

[92] Ford, *The Protestant Reformation in Ireland*, pp. 48-62.

principal towns…and the recontinuing and replenishing the college begun in Dublin, the placing of good men to be bishops in the sees there, the taking care of the versions of bibles, catechisms and other books of instruction into the Irish language and the like religious courses."[93]

This was a textbook approach to persuasive conversion for any Reformation state, albeit Bacon was eager to qualify his position by asserting that to force the state religion on the Irish at this time against their consciences would be to 'continue their alienation of mind from this Government'.[94] Moreover, in an astute observation, he claimed that the 'pretences' of defending the catholic religion had led the Irish to consort with Spain and made the Spanish more eager to interfere in Ireland.[95] Thus, religion was not a thing to be toyed with in Ireland, given the volatility of the country, a realisation which the new king and his ministers were to agree with in the following years.

Nevertheless, the direction of religious policy in Ireland at the outset of James' reign was to meet with a further problem in that this central directive did not correlate with the wishes of those charged with implementing it, notably the heads of the dioceses of Dublin and Meath, Adam Loftus and Thomas Jones, and a number of senior government officials, in particular the future lord deputy, Arthur Chichester, and the president of Munster, Henry Brouncker.[96] It was these figures who oversaw the widespread issuance between 1605 and 1607 of Mandates, summons ordering recusants to attend the state sanctioned services upon threat of a fine for non-compliance. Their stance was epitomised in a memorandum, most likely drawn up by, or for, Brouncker at the height of this campaign of coercion in 1606, which took the view that 'the people should be enforced to come to church, their nature and condition is forcible to persuade it', while 'lenity with them will work no conformity'.[97] Furthermore, the examples of the success of William Lyon, John Dowdall and Francis Barkley, who had all taken to enforcing their tenants to attend service, was cited. These sentiments were reiterated by the Munster settler who was entrusted with delivering Brouncker's memorandum in 1606, Parr Lane, who some years later in his 'Newes from the Holy Ile', a verse exploration of the Irish polity, and religious policy specifically, stated his belief in the coercive strategy:

"Win faith by love and rather leade than drawe
and where neede is bestow the lash of lawe

[93] Jones, *Mountjoy*, pp. 190-191, wherein the tract has been misattributed to Mountjoy. The attribution to Bacon is provided by Hiram Morgan at http://www.ucc.ie/celt/published/E6000001-015/index.html.
[94] Jones, *Mountjoy*, p. 190.
[95] Ibid.
[96] 'Bishops of Dublin and Meath to the King', 1603, TNA: PRO, SP 63/215/68.
[97] *CSPI*, 1603-1606, p. 545; *DIB*, s.v. Brouncker, Sir Henry.

yf well deserved, and lett it freelie fall
to punish one and admonish all."[98]

This variation in opinion between those who shaped policy and those who executed it inevitably created tensions, for while agreement was reached on certain issues – for example, on the necessity of expelling Jesuits and seminaries from Ireland – on others serious disagreement ensued, the most famous instance being the privy council's orders to Brouncker to adopt a more moderate stance following unrest in Munster aroused by his strict enforcement of conformity and the supremacy.[99] Thus, religion took to centre-stage in Jacobean Ireland, a position which it would increasingly occupy as the century progressed.

If the religious question was given a new lease of life after 1603, one enterprise found its way from the fringes of viability to the very heart of government policy. Transplantation had been intermittently suggested since the 1530s but had remained outside mainstream thinking.[100] There was a notable shift in this position during the 1590s, the most famous example being Spenser's recommendation that the O'Byrnes and the O'Tooles be removed to Ulster with the Gaelic lords of that province forceably resettled in Leinster.[101] A contemporaneous 'Discourse', of which there are a number of surviving copies, opined that a mass transplantation should be executed.[102] It was the opinion of the tracts' anonymous author that the dispatch of 200,000 inhabitants of England to Ireland (10 from each parish) with a comparable number of Irish being transplanted across the Irish Sea (5 to each parish with a further 100,000 to be household servants) was feasible. Furthermore, it was envisaged that a population swap with the Low Countries could be carried out with the remainder in Ireland either perishing through 'these warres with the sword and famine' or engaging in

[98] Alan Ford (ed.), 'Parr Lane, 'Newes from the Holy Ile'', in *PRIA*, Vol. 99C (1999), pp. 115-156, p. 130; idem, 'Reforming the Holy Isle: Parr Lane and the conversion of the Irish', in Toby Barnard, Dáibhí Ó'Cróinín and Katharine Simms (eds.), *A Miracle of Learning: studies in manuscripts and Irish learning: essays in honour of William O'Sullivan* (Aldershot, 1998), pp. 137-163.
[99] John McCavitt, 'Lord Deputy Chichester and the Government's "Mandates Policy" in Ireland, 1605-7', in *Recusant History*, Vol. 20 (1990), pp. 320-335.
[100] 'The Council of Ireland to Crumwell', 1537, *SP Henry VIII*, ii, 152, p. 444; Alen, 'Lord Chancellor Alen to Mr Comptroller William Paget', 1548 [App. no. 4]; Ralph Lane, 'Demands of Mr. Rafe Lane to the Privy Council, touching the colonelship to be committed to him in Kerry, Clanmorris, and Desmond', 1584, TNA: PRO, SP 63/107/100, f. 262r; idem, 'Rafe Lane to the Queen', 1584, TNA: PRO, SP 63/107/61; idem, 'Offers of service touching the delivery of the English Pale from the annoyance of the Mores, to be performed by James Moore, who undertakes to draw the whole sept into any part of Munster now uninhabited and fallen to Her Majesty', 1584, TNA: PRO, SP 63/107/61(i) [App. no. 45].
[101] Spenser, *A View of the Present State of Ireland*, pp. 118-119.
[102] D.B. Quinn (ed.), ''A Discourse of Ireland' (Circa 1599): A Sidelight on English Colonial Policy', in *PRIA*, Vol. 47C (1941/1942), pp. 151-166. This volume was transcribed from a copy acquired by Queen's University Belfast Library in 1940. Other copies are BL, Harley MS. 35, ff. 328-333; BL, Cotton MSS. Titus B XII, ff. 431-433, 569-572.

household service as a species of Tudor helot.[103] The desired outcome of the scheme was stated clearly:

"The manner of this proceeding (vnder correction) may be that as the Soldier gaineth the English inhabitants shall followe, and ever as the Irish shall be receiued to mercy to send them over into England So shall the country wonne never be regained by the Irish but remaine in quite possession without disturbance which otherwise shal neuer be brought to passe."[104]

Such an extreme proposal was never enforced and, as the treatise's editor D.B. Quinn noted, entailed an even more 'drastic liquidation of the Irish nation' than the Cromwellian settlement.[105]

The motions favoured by those who mattered, high-ranking government officials, were less far-reaching. For instance, the necessity of a forceable movement of the idle swordsmen in Ireland was accepted by Mountjoy by the end of the war but his view on this was limited to shipping the septs of Wicklow and the midlands off for service in some foreign wars.[106] Elsewhere the lord deputy made a cursory statement about shipping the idle swordsmen of Ireland to the Indies, however, it was another tract, written in 1607, which first pressed in a concerted fashion the case for transplantation of the Irish to the New World; Virginia in this instance, though the preferred location when such endeavours were pursued later in the century was the Caribbean.[107] The author of this particular document, who may well have been Chichester, also suggested the removal of some 8,000 kern from Ireland, a course which was set upon at this time by the lord deputy's administration. The destination for those who were forceably transported out of Ireland was northeastern Europe to Scandinavia and Russia where the twin forces of civil unrest and interstate war had created a market for foreign swordsmen.[108]

Simultaneous with this exile was an experiment at internal transplantation when in 1606, in an initiative bearing a remarkable resemblance to Ralph Lane's 1584 scheme, the O'Mores were removed to Kerry under the auspices of Patrick Crosby. Davies was an especial advocate of such a course averring that the habiting of septs in a concentrated area was inimical to the course of the common law as such close degrees of relation created biased

[103] Ibid., p. 165.
[104] Ibid.
[105] Ibid., p. 158.
[106] Mountjoy, 'Lord Deputy Mountjoy to Cecil', 1603, TNA: PRO, SP 63/215/38.
[107] idem, 'The Lord Deputy Mountjoy to the Privy Council', 1601, Cal. Carew MSS. 1601-1603, 53; Arthur Chichester?, 'An advice for Ireland', 1607, BL, Lansdowne MS. 156, f. 265, printed in Aubrey Gwynn (ed.), 'Documents relating to the Irish in the West Indies', in *Anal. Hib.*, No. 4 (Oct., 1932), pp. 139-286, pp. 157-158.
[108] Edwards, 'Legacy of defeat', pp. 293-296; McCavitt, *The Flight of the Earls*, pp. 154-174.

juries and increased incidences of perjury within the courts.[109] Indeed by 1610 he was advising that some swordsmen from Munster and Connaught be transplanted to Sweden with the remainder in Ulster and Connaught to be shipped either to Scandinavia or Virginia.[110] Thus, by the time of the beginnings of the Ulster Plantation internal and external transplantation, procedures which had been fringe options throughout the sixteenth century, were both being advocated and attempted by the Irish establishment. Moreover, this would appear to be another clear instance of 'reform' treatises directly influencing policy. The specific acts of transplantation recommended in some of the documents surveyed here were implemented by Chichester's administration and beyond. Recourse to these measures would prove increasingly popular as the century progressed.

Yet, the solution to regional social and political problems which was most routinely resorted to by king, privy council and Irish administration was plantation. This tendency was in evidence within weeks of James' accession when Randall MacDonnell, the future earl of Antrim, was granted some 300,000 acres in the north, a trend which was continued in 1605, when Upper Clandeboy was divided between Con McNeill O'Neill, Hugh Montgomery and James Hamilton.[111] Private initiatives were also clearly of importance, the most telling instance being the expansive nature of Thomas Phillips' colony at Coleraine prior to the decision to vest ownership of the county to the Irish Society.[112] The willingness of the first Stuart monarch to continue the Tudor's policy of plantation in Ireland was exacerbated in 1607 when the Flight of the Earls precipitated the settling of Ulster where a void had been created by the departure of Tyrone, Tyrconnell and Cuconnaught Maguire in a region where James and his ministers had been eager to preserve the post-war settlement.[113]

Other than the certainty that the barony of Inishowen would become the personal fief of Chichester, following Cahir O'Dogherty's revolt in 1608, it was far from clear what shape the new settlements would take and throughout the early years of James' reign numerous

[109] *CSPI*, 1603-1606, p. 465. Also, see Robert Jacob, 'A view or survey of some reasons why Ireland hath always been so full of troubles and subject to so many insurrections and rebellions', c. 1612, printed in Raymond Gillespie (ed.), 'Three Tracts on Ireland, c. 1613', in *Anal. Hib.*, No. 38 (2004), pp. 1-47, pp. 6-27, wherein Jacob expressed almost identical views to Davies claiming transplantation would not prove effective if the septs themselves were not dismembered in conjunction with being moved.
[110] John Davies, 'Particular Questions concerning the Plantation', 1610, TNA: PRO, SP 63/228/69.
[111] Raymond Gillespie, *Colonial Ulster: the settlement of east Ulster, 1600-1641* (Cork, 1985); M. Perceval-Maxwell, *The Scottish migration to Ulster in the reign of James I* (London, 1973).
[112] T.W. Moody, 'Sir Thomas Phillips of Limavady, Servitor', in *IHS*, Vol. 1, No. 3 (Mar., 1939), pp. 251-272.
[113] Canny, 'The Flight of the Earls, 1607'; McCavitt, 'The Flight of the Earls, 1607'; John McGurk, 'The Flight of the Earls: Escape or Strategic Regrouping?', in *History Ireland*, Vol. 15, No. 4: The Flight of the Earls (Jul.,-Aug., 2007), pp. 16-21; Murray Smith, 'Flight of the Earls? Changing Views on O'Neill's Departure from Ireland', in *History Ireland*, Vol. 4, No. 1 (Spring, 1996), pp. 17-20; David Finnegan, Éamonn Ó'Ciardha and Marie-Claire Peters (eds.), *The Flight of the Earls: Imeacht na nIarlaí* (Derry, 2010).

schemes were put forward for the colonisation of the northern province.[114] John Bell, who had also drawn up a tract at the height of the Nine Years War, propounded a plan to plant Ireland with 2,000 men of wealth and ability, meaning knights, gentlemen, clerics, yeomen, farmers, fishermen, victualers and artificers. Bell combined social engineering in Ireland with alleviation of England's societal problems calling for the removal of English vagrants to Ireland in both his tracts, and, in the case of the latter document, Newfoundland.[115] Richard Spert also resurfaced in the following reign with a proposal for surveying Ireland to determine waste lands which he envisaged could concurrently be made over to the king for the purposes of establishing parishes and peopling with tenants to increase the crown's revenues and customs.[116] Lord Say and Seale addressed a proposal to Salisbury in 1610 recommending that the earl establish himself as an overseer of lands in Armagh, specifically by taking the title of baron of Oneilland. Furthermore, it was envisaged that the undertakers under him resolve to establish a town to be named Sarum or Cranborne with a fortification entitled Cecil's fort.[117] Another theorizer, but one whose project was given serious consideration in London before being rejected, was lord Audley. This father-in-law of John Davies requested 100,000 acres of land either in Tyrone or Armagh which he intended to divide into 33 parts on each of which he would construct a castle and a town. To these he would apportion 600 and 2,400 acres respectively which would support 30 families comprising foot soldiers, artificers and cottagers. Of the towns six were to be market towns with one corporate town while provision was also made to develop iron, glass and woad industries in the colony.[118]

The ideas conceived by these writers on the erection of settlements in Ireland were of varying degrees of significance. Figures such as Bell occupy one extremity in that their ideas were most likely of zero influence on those who actually formulated plantation policy while others appear to have had a determinable impact, notably Audley whose prioritisation of corporate towns was enshrined in the final plantation scheme. What were far more essential to the shape of the concluded project were the thoughts of the senior officials in Ireland of whom none was more critical than the viceroy's, Arthur Chichester. His 'Notes of

[114] P. Roebuck, 'The Making of an Ulster Great Estate: The Chichesters, Barons of Belfast, Viscounts of Carrickfergus, 1599-1648', in *PRIA*, Vol. 79C (1979), pp. 1-25, esp. pp. 10-12.
[115] John Bell, 'A Supplicacion for the great, for the wonderfull, for the infinite enriching of my Gracius Lord and Soveraign', 1603, BL, Royal MSS. 18 A LIII, ff. 8-10; idem, 'How Irish rebels may be taught to be obedient to her Majesty, this supplication declareth', 1597, TNA: PRO, SP 63/201/156.
[116] Gillespie (ed.), 'Plantation and Profit: Richard Spert's Tract on Ireland, 1608'.
[117] *CSPI*, 1608-1610, p. 425.
[118] *CSPI*, 1608-1610, pp. 258-259.

Remembrance' outlined plans to improve the built environment of the six counties through the extension of corporate towns and garrison points.[119] Allotments of land were to be made over to a variety of communities. Tyrone, for instance, was to be settled by those servitors who had not been rewarded for their service in the war:

"And for that the parties, who are in my opinion most fitt to vndertake this plantacon are the Captens and officers who haue serued in these ptes, whoe are yett soe poore as not able to manure and settle anie greate quanteties of land, I wish som of them of least ability in purse should be seated in the places of most dannger and best advauntage for his Mats seruice."[120]

Along with grants to the servitors provision was made by Chichester for both Scots and English undertakers while the native Irish were also to have some lands bestowed upon them.

This latter provision has aroused significant divergence of opinion amongst historians of the plantation as to Chichester's personal inclinations. McCavitt and Gillespie have argued that the lord deputy favoured a more humane approach to the natives than the other Irish official who had a major impact on the conceptualisation of the plantation, the attorney general, John Davies.[121] Others, notably Nicholas Canny, have concluded that they both aimed at restricting the number of Irish grants as much as possible but that Chichester as viceroy was ultimately forced to adopt a more practical stance and acknowledge the necessity of allowing Irish freeholds as it would be 'hard and almost impossible to displant them'.[122] Elsewhere the lord deputy commented that 'if they received not what they seek, however unreasonable…they forbear not to trouble His Majesty, and sometimes to tax the justice of the land', reinforcing the perception of the viceroy as someone who was forced, contrary to his own wishes, to make concessions to a people he considered ripe for revolt if pushed.[123] Ultimately it is difficult to believe that the lord deputy's acceptance of the probability of a significant number of grants to the native Irish was based on anything other than pragmatism. Such was the vitriolic nature of his outbursts against the Irish, whom he compared to beasts and advocated the indiscriminate slaughter of in the closing years of the war, that it is scarcely credible to suggest that a wholesale shift in his outlook could have occurred by 1608

[119] There are numerous copies of this memorandum. The most regularly cited version is transcribed from a manuscript in Trinity College Dublin and is taken from T.W. Moody (ed.), 'Ulster Plantation Papers', in *Anal. Hib.*, No. 8 (Mar., 1938), pp. 179-297, pp. 281-286. However, this copy is a synopsised version and more extensive copies are TNA: PRO, SP 63/225/222; Bod. Lib., Rawlinson MS. A 237, ff. 117-128.
[120] idem, 'Ulster Plantation Papers', p. 285.
[121] McCavitt, *Sir Arthur Chichester*, pp. 149-168; Raymond Gillespie, *Seventeenth-Century Ireland* (Dublin, 2006), pp. 45-47.
[122] The quote is Chichester's, from Canny, *Making Ireland British*, p. 191, and is taken from the copy of the 'Notes of Remembrance' held in the Bodleian Library.
[123] *CSPI*, 1608-1610, p. 82.

as to actually recommend their inclusion in the plantation for any motive other than sheer necessity.

If there was a significant split between Chichester and Davies over the issue of plantation grants to natives it was the attorney-general who was to be disappointed for the 'Project' which was drawn up early in 1609 and on which the plantation was based allowed for Irish freeholds.[124] The terms of the plantation as outlined were clear. Grants of land in lots of 1,000, 1,500 and 2,000 acres were to be made to three different type of undertaker, specifically, English and Scottish men who would plant their allotments with tenants from their home countries, servitors who could settle either English or Irish tenants on the lands granted to them and natives who were to be become freeholders. Specifics were also given on how the planters would provide for their religious needs and the manner in which the colonies was to be constructed through the erection of parishes, manors and corporate towns.[125] Thus, the scheme closely reflected the Munster Plantation with some notable exceptions. For starters the size of the grants had been drastically scaled back with the largest envisaged allotment one-eight the size of its counterpart in Munster. Secondly, the requirements in relation to planting the counties with English and Scottish tenants as well as the obligations to establish parishes, manors and churches were much more stringent than the plantation's southern predecessor. Finally, as a result of a lack of applications for land grants in Coleraine that county was forcibly foisted upon the City of London's merchant community for colonisation in the shape of the newly formed Irish Society.[126]

Such was the scope of the Ulster plantation and its pivotal importance for the later history of Ireland that the drive to confiscate and settle large swathes of land in the other provinces during James' reign is often overlooked. Of note here are the settlements which were erected in Wexford and Longford, each of which had a prominent advocate in the shape of George Calvert and Oliver St John, respectively, though the original sponsor of these initiatives was Chichester who sought extra plantation lands to reward those servitors who

[124] Moody (ed.), 'Ulster Plantation Papers', pp. 286-296.
[125] For accounts of the working out of the plantation, see Philip Robinson, *The Plantation of Ulster* (Belfast, 1994), esp. pp. 43-90; Canny, *Making Ireland British*, pp. 165-242; Falls, *The Birth of Ulster*, pp. 161-189; McCavitt, *The Flight of the Earls*, pp. 154-174; T.W. Moody, *The Londonderry Plantation, 1609-41: the city of London and the plantation in Ulster* (Belfast, 1939); Raymond Gillespie, 'After the Flight: The Plantation of Ulster', in *History Ireland*, Vol. 15, No. 4 (Jul. – Aug., 2007), pp. 40-45; idem, *Seventeenth-Century Ireland*, pp. 45-53; McCavitt, *Sir Arthur Chichester*, pp. 149-160; Robert J. Hunter, 'The Ulster Plantation in the Counties of Armagh and Cavan, 1608-41', MLitt (TCD, 1969), pp. 1-50.
[126] Moody, *The Londonderry Plantation*.

had been overlooked for grants in the north.[127] Mathew De Renzy, a naturalised German, was a persistent promoter of an extension of the colony in King's County westwards to the banks of the Shannon at the expense of the MacCoghlans.[128] James Sempil was in correspondence with Chichester in 1612 concerning a proposed plantation of MacCarthy lands in Munster, chiefly Carbery.[129] Yet none matched the rapacity of the solicitor general, Robert Jacob, who in his promotion of the establishment of colonies in such disparate regions as the O'Flaherty lordship in Galway, the Kennedys' lands in northern Munster, the O'Rourkes' domain in Leitrim and the Gaelic regions of Carbery in Cork and Idough in Kilkenny was suggesting a sweeping removal of all remaining vestiges of the Gaelic lordships outside of Ulster.[130] This policy was soon to be extended into the Old English parts of Ireland with efforts made to plant Connaught and parts of Ormond under Wentworth's government.[131] Thus, within a few years of the onset of James' reign many of the ingredients which would characterise seventeenth century Ireland, religious division, transplantation, confiscation and plantation, facets of English rule which had their origins in the Tudor period, had all come towards centre stage within the political discourse of the time.

Treatise writing in the closing decades of the sixteenth century was overwhelmingly concerned with the issue of Ulster. Conquering the province had always been held as a high priority by policy speculators dating back to the 1515 'State', but the measures suggested to effectively 'reform' the province had evolved over time to include colonisation along the seaboard, the introduction of local power figures such as the Bagenals at Newry and attempts to normalise government activity through the introduction of gaols, assize sessions and local

[127] George Calvert, 'A Project for the Division and Plantation of the several small territories in the county of Wexford', 1616, Cal. Carew MSS. 1603-1625, 164. Another copy of Calvert's treatise is BL, Cotton MSS. Titus B XII, ff. 23-24r; Oliver St John, 'A Project sent by Oliver St John, kt., Deputy of Ireland, concerning the plantation of the county of Longford to the lords of the Council in England', 1618, Cal. Carew MSS. 1603-1625, 198; idem, 'The Lord Deputy's second advice concerning the plantation of Longford and O'Carroll country', 1618, Cal. Carew MSS. 1603-1625, 205; William F.T. Butler, 'Confiscations in Irish History: IV – The Plantation of Wexford', in *Studies*, Vol. 4, No. 15 (Sep., 1915), pp. 411-427; McCavitt, *Sir Arthur Chichester*, pp. 160-168.

[128] Brian MacCuarta (ed.), 'Mathew De Renzy's Letters on Irish Affairs, 1613-1620', in *Anal. Hib.*, No. 34 (1987), pp. 107-182; idem, 'A Planter's Interaction with Gaelic Culture: Sir Mathew De Renzy, 1577-1634', in *Ir. Econ. Soc. Hist.*, Vol. 20 (1993), pp. 1-17.

[129] R. Dudley Edwards (ed.), 'Letter-Book of Sir Arthur Chichester', in *Anal. Hib.*, No. 8 (Mar., 1938), pp. 1-157, esp. pp. 19-21; Aidan Clarke, *The Old English in Ireland, 1625-41* (London, 1966), p. 51, provides further details on Sempil.

[130] The relevant tracts by Jacob are Hunt. Lib., Hastings MS. 15,058; 15,059. These have been calendared as HMC, Hastings MSS. iv, pp. 7-14, however, as these do not give a complete account of the content of these treatises the above information is drawn from Canny, *Making Ireland British*, pp. 175-176.

[131] Clarke, *The Old English in Ireland*, pp. 90-110; H.F. Kearney, *Strafford in Ireland, 1633-41* (Manchester, 1959), pp. 85-103; Edwards, *The Ormond Lordship in County Kilkenny*, pp. 263-302.

courts. Finally, an aggressive programme of weakening individual lordships by dividing power therein between competing factions in order to introduce English-style government became a participatory cause in the outbreak of the Nine Years War. The latter conflict led to the single greatest explosion in treatise writing in the course of the century as, in some instances, dozens of tracts were produced each year largely addressing the issue of what military strategy should be used to bring the conflict to an end. These varied from stabilising the less rebellious provinces such as Connaught, to forming garrisons around Ulster to choke Tyrone and his allies, or sending a military expedition to Lough Foyle to act as a rear-guard action, primarily against O'Donnell. Overshadowing all of this was a debate on whether to simply bring the war to a conclusion, perhaps by utilising a policy of devastating the countryside to force the rebels to capitulate, or to truly ravage the country and decimate the population there and, thus, create a *tabula rasa* on which English law, society and culture could finally be implanted. What won out was largely the former, as not only were the Gaelic lords treated favourably in the aftermath of the conflict, but the concerns of the body of 'reform' literature produced in the aftermath of the war was overwhelmingly the same as prior to it; assize sessions, shiring, a president for Ulster. One noticeable change, though, was that religion was becoming a much more burning issue, something which it was previously thought contributed significantly to the northern earls' decision to leave Ireland to 1607. But it was this event, perhaps above any other, which led to the foremost changes in policy directions in early-Stuart Ireland, as transplantation and, far more substantially, extremely extensive plantation became widely promoted by the writers of political treatises. This foreshadowed the century of intensified confiscation and plantation which was to follow.

Conclusion

In 1605 John Harington dispatched copies of his recently composed exposition of the political state of Ireland, 'A Short View of the State of Ireland', to Robert Cecil, then viscount Cranbourne, and the nominal lord lieutenant of Ireland, lord Mountjoy.[1] This text, composed by a godson of Elizabeth I, in its content stands as something of a microcosm of the debates which had surrounded policy formation in Tudor Ireland. Relating how he had visited that country on two separate occasions, once in 1586 and again at the height of the Nine Years War in 1599, he remarked on how during the first visit, when he had traversed Munster during the preparations for the plantation there, that he had:

'herd often the wysest and gravest men of this land debating of the means how to plant Colonyes thear, how to enritch them, how to govern them, and after I saw those oversyghts committed that theyr forsygths supected'.[2]

In many ways this is what political discourse in Tudor Ireland and the content of the 'reform' treatises which were so central to that manifold conversation was concerned with, the articulation of policies, their refinement and, finally, the response to the difficulties which their implementation inevitably encountered. This was just as true of efforts to incorporate Gaelic Ireland into the Tudor state, whether through 'surrender and regrant' arrangements or the fostering of legal and judicial institutions in the provinces as it was measures to secure the country from foreign intervention, by, for example, establishing colonies in the northeast to expel the Scots. Equally religious and military policy were commented on and scrutinised by a broad range of political, ecclesiastical and martial officials throughout the century, particularly so during the reign of Harington's godmother as a burgeoning public sphere in Ireland witnessed unprecedented levels of consultation between the metropolitan government and individuals in Ireland.

Yet, Harington's tract said much more on the nature of discoursing in Ireland than that it simply occurred, for he was quick to articulate his opinion on the nature of that country and its people and how best they might be reformed. In this respect he was one of the most optimistic observers of Tudor and early-Stuart Ireland whose writings have come down to us,

[1] John Harington, 'A Short View of Ireland Written in Anno. 1605', in *Anecdota Bodleiana*, Vol. 1 (Oxford, 1879).
[2] Ibid., pp. 2-3.

for the picture he presented of Ireland was not one of un-regenerative barbarism and poverty, but of civility and potential economic abundance if it could be spared the ravages of war. As such he recommended that the *modus operandi* of government there ought to be through the dispensing of impartial justice in the courts of law rather than as it had been through the partial rule of martial law.[3] Here his dichotomous analysis reflected not just the variety of contemporary opinions on how the country would best be subjugated by the crown but also the concerns of modern historians. However, where the authors of treatises often used the words 'reform' and 'conquer' interchangeably recent studies have focused on whether the Tudor state sought to 'reform' or 'conquer' the country, when, given that the conquest and subjugation of the country was the design of all those whose allegiances lay with Dublin Castle and Whitehall, it might be more pertinent to discuss what level of conciliation or coercion should be employed in doing so as this was what certainly concerned Tudor analysts.

In addition to touching upon the debate which he, his contemporaries and many predecessors back to the onset of the sixteenth century had been engaged in surrounding policy Harington held firm ideas as to why the policies enacted had failed. Specifically he believed that reliance on the military to hold the country had undermined, rather than aided, the progress of government there. Elaborating on this he suggested that the partiality of martial law and the extortions and naked corruption of crown officers there had proven particularly detrimental, while he believed of the captains and soldiery that 'some of them tooke speciall care how to nowrysh the seeds of new quarrells, lest yf all wear quyet theyr crafte wold bee owt of request'.[4] Harington's views again were shared by the authors of many 'reform' treatises. Beginning with the institution of the garrison system in the late-1540s and early-1550s there had been a steady increase in the number of writers condemning the reliance on martial law, the resort to the cess and later the attempts to convert this into the fixed payment known as composition. This discontent reached a crescendo in the late-Elizabethan period when, contrary to the expressed views of many historians, the clamour for conciliatory 'reform' grounded on the common law, and for an end to be brought to such abuses as venality, corruption, extortion and excessive taking of pledges, actually abounded.

Furthermore, Harington's tract also reveals much about the nature of discoursing in Tudor Ireland and in particular about the motivations behind composing a policy paper. Having heard rumours of Adam Loftus' subsequently fatal illness Harington was petitioning

[3] Ibid., pp. 5-11.
[4] Ibid., p. 6.

to acquire not just the office of lord chancellor of Ireland, but also, more preposterously, the archbishop of Dublin's ecclesiastical office.[5] Thus, while on the face of it Harington's tract is a concerned statement on the need for a more benign approach to Irish government, it was also a thinly veiled petition to further his own interests. Yet, even in this respect Harington's motives are difficult to decipher. Such was the incongruity of his suggestion, that a layman be appointed as archbishop of Dublin, that it is difficult to see how serious an entreaty it was. However, elsewhere Harington had concerned himself with theological issues and shortly prior to his writing he had aided another layman, Adam Newton, in his successful bid for the deanery of Durham.[6] As such, it is not at all clear what might have motivated Harington and in this respect his tract is yet again representative of the 'reform' literature composed in the century leading up to his time of writing. From William Darcy's anti-Kildare stance, through the agitators in the Pale against the cess, to the members of the army executive who sought to foment conflict in Ireland in their interest the motives for composing a 'reform' tract were as myriad as the ideas enunciated therein.

Lastly, Harington's tract was also quite prescient, for in his reflections on the state of Ireland in 1605 he concluded that despite the cessation of the war having brought a temporary peace that the country was still unstable. Subsequent events were to reveal just how correct he was in this regard. Far from bringing about a *tabula rasa* on which a new colonial society could be engineered the decades following the Nine Years War saw escalating tension between a government committed to confiscation and plantation and a Gaelic Ireland attempting to resist this process. Moreover, the reigns of James I and Charles I witnessed the increasing alienation of the Old English community. These divisions manifested themselves most forcefully in the 1640s but that tensions were simmering in the intermittent period was noted in a number of political tracts by writers such as George Carew and Charles Cornwallis.[7]

In conclusion, then, the foregoing has attempted to cast greater light on the 'reform' treatises and on government policy in Tudor Ireland more generally. However, much that has only tentatively been speculated at here needs to be studied further. For instance, while the preceding study has contended that a nascent public sphere emerged in Elizabethan Ireland much more work will have to be conducted to corroborate this and if it proves so what the

[5] Ibid., p. 1.
[6] *ODNB*, s.v. Harington, Sir John.
[7] George Carew, 'A difcourfe of the prefent state of Ireland, 1614, *per* S.C.', 1614, printed in Lodge (ed.), *Desiderate Curiosa Hibernica*, I, pp. 430-440; Charles Cornwallis, 'Observations concerning the estate and government of Ireland collected by my father Sir Charles Cornwallis in the time of his being there a commissioner', 1613, printed in Gillespie (ed.), 'Three Tracts on Ireland', 28-33.

exact nature of that public sphere was. In addition, while this study has looked at a wide array of writers, many of them quite obscure, exigencies of space have precluded detailed treatment of those more marginal figures. As such more expansive studies of prolific commentators on matters of public policy in Tudor Ireland who have been neglected by historians, individuals such as Robert Legge, William Piers and Patrick Sherlock, whose significance have most likely been belied by their neglect, need to be conducted. Finally, the present study has focused almost exclusively on the writings of those with direct Irish experience. However, there is also a voluminous range of memoranda on Irish affairs throughout the State Papers by senior ministers at Whitehall, notably Thomas Wolsey, Thomas Cromwell, William and Robert Cecil, Francis Walsingham, Leicester, Sussex, Francis Knollys, Winchester and Buckhurst. Systematic analysis of this set of documents would reveal much about the personal approach towards Ireland of these pivotal characters, but also, and more importantly, help to determine to what extent policy was formulated at Whitehall and how significant policy formulators on the ground in Ireland were in the shaping thereof. It is only by answering these and other questions that the precise significance of the treatises studied here can be fully ascertained.

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