

## Francis Bacon, Shakespeare & the Earl of Essex

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*A historical sketch of Francis Bacon's association with Robert Devereux, 2<sup>nd</sup> Earl of Essex, the Shakespeare Circle, the Essex Rebellion and Essex's Trial.*

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Francis Bacon and his brother Anthony, sons of Sir Nicholas Bacon, Lord Keeper of the Great Seal, and his second wife, Lady Anne (née Cooke), had known Robert and Penelope Devereux from childhood, as they had once been neighbours, the Bacon family living in York House and the Devereux family living next door in Durham House.

Also close to York House was Burghley House, home of Sir William Cecil, Lord Burghley, who was married to Lady Mildred (née Cooke), Lady Anne's sister. From a young age, Francis and Anthony Bacon were often at Burghley House, and, in this way, they also came to know and befriend Philip and Mary Sidney, who were many times left in the care of the Cecils during Sir Henry Sidney's absences in Ireland during the years 1565-1571.

When Walter Devereux, 1st Earl of Essex, died on 22 September 1576, his son Robert, now the 2nd Earl of Essex, became a ward of Sir William Cecil, Lord Burghley, and soon after, in 1577, came to live at Burghley House amongst the Cecil household.

That same year (1577) Mary Sidney married Henry Herbert, 2nd Earl of Pembroke, and in 1578 the widowed Lady Essex (Lettrice Knollys) married the Queen's favourite, Robert Dudley, Earl of Leicester. Leicester was a major patron of poets, and it was at Leicester House that the English Areopagus of poets used to meet during the 1580s.

In 1579 Francis Bacon was recalled from France, where he had been since 1576, furthering his education in the English embassy to the French court. Settling in London, he renewed and built up a strong friendship with Fulke Greville, Sir Philip Sidney, Philip's sister Mary, now Countess of Pembroke, Robert Devereux, now Earl of Essex, and Robert's sister Penelope, the "Stella" of Philip Sidney's *Astrophel and Stella* sonnet sequence.

Essex first came to court in 1584, and by 1587, with his sparkling charisma, gallantry, lively mind and eloquence, had become the foremost favourite of the Queen as well as a popular hero with the people. When Sir Philip Sidney died in June 1586, his sword was passed on to Essex, and thereafter Essex took on the heroic mantle in the public eye that Sidney had previously borne. In 1587 the Queen made Essex her Master of the Horse, replacing Leicester. Then, after Leicester's death in September 1588, the Queen transferred the late earl's royal monopoly on sweet wines to Essex, providing him with revenue from the taxes.

In 1589, Essex took part in Francis Drake's English Armada, which sailed to Spain in an unsuccessful attempt to press home the English advantage following the defeat of the Spanish Armada, although the Queen had ordered him not to take part. Later that year (October 1589), Essex, his sister Penelope and her husband Lord Rich began a secret, treasonous correspondence with James VI of Scotland, the likely successor to the throne on the death of Elizabeth, promising their support for his accession.

When Leicester died in 1588, Essex inherited Leicester House. Because Essex (born 1565) had not yet legally 'come of age', Essex's mother, Lettrice Knollys, leased out the house for a while,

but moved in later, in 1590, with her new husband, Sir Christopher Blount, whom she married in 1589, together with her son Robert and his newly-wed wife, Frances Walsingham. Frances was the daughter of Sir Francis Walsingham, the Queen's principal secretary (i.e. Secretary of State), and widow of Sir Philip Sidney. Essex renamed the house, Essex House, and continued his step-father's patronage of poets.

In 1591 Francis Bacon gave up his fruitless "rare and unaccustomed suit" with Burghley and the Queen, which he initially made on his return from France in 1579 and which he was promised would be fulfilled, but which was always delayed with yet more promises. The delay was probably because Burghley despised poets, and Francis' project was for an academy to be set up in England like the ones he had experienced in France, namely the royal academy patronised by Henri III and headed by the French poets, known as the Pléiade, which embraced philosophy, philology, drama, music and court entertainments, and the 'Petit Academie' headed by Bernard Palissy (the Potter), who lectured on natural science.

So, in 1591, completely disillusioned with and thwarted by his uncle Burghley, Francis decided to assist Essex in every way possible, believing him to be "the fittest instrument to do good to the State",<sup>1</sup> but always with the reservation that his first duty was to the Queen. Essex in turn promised to help Francis. When Francis' brother, Anthony Bacon, returned from the continent where he had been for 12 years as an intelligencer and diplomat on behalf of the Queen and Burghley, Francis "knit" Anthony's services to Essex. Anthony then, moving into Essex House, established an intelligence network employing most of the key spies that had belonged to Sir Francis Walsingham's network, since, after Walsingham died in 1590, Burghley had lost interest and refused to pay the spies. This network became known as Essex's intelligence network, which from 1595 onwards included a headquarters in Venice at the house of a merchant known as Antonio Basadonna.

This Venice connection, together with Francis Bacon's brief arrest for debt, his reliance on his brother Anthony for funds, and his wooing of the wealthy Elizabeth Hatton in the hope of marrying her, form the basis for the Shakespeare play, *The Merchant of Venice*. Indeed, the whole Shakespeare scene was launched in 1593-4, with Francis Bacon heading a group of poets and amanuenses (known as Francis' "good pens") in conjunction with and helped by his brother Anthony and the intelligence network. Anthony, like his brother Francis, was also a poet, known for writing sonnets – hence the probable reason for the allusion to two poets in *Shakespeare's Sonnets* – and Essex House provided a headquarters for the intelligence work and a meeting place for the poets and their aristocratic patrons.

Francis Bacon was well known for writing and producing dramatic devices, masques and entertainments for Gray's Inn and the Queen, and speeches for noblemen to perform before the Queen, and he was the main organiser and writer for the Gray's Inn 1594 Christmas Revels, *The Prince of Purpoole and the Order of the Knights of the Helmet*, for which the Shakespeare play, *Comedy of Errors*, was written and performed (and at which *Love's Labour's lost* was intended to be performed). But also he was known to his friends as a concealed poet, an Apollo and Daystar of the Muses, who wrote comedies and tragedies by means of which he renewed Philosophy and restored the honour of Minerva (Pallas Athena, the Spear-shaker), as revealed in tributes to Francis Bacon when he died in 1626.

Ultimately the association with Essex turned out to be a perilous mistake for both Bacon brothers. Essex's temperament was so hot-headed and imperious that, rather than helping

Francis, he repeatedly made matters worse, with him and the Queen clashing like gladiators. Burghley and Robert Cecil came to loathe Essex, and they did their utmost to block the advancement of the Bacon brothers, with Robert Cecil swearing that he held Anthony Bacon “for a mortal enemy”.<sup>2</sup>

Previously, in 1592,<sup>3</sup> the Queen had appointed Francis Bacon as her special legal adviser, her designated Queen’s Counsel Learned, with a patent giving Bacon precedence at the bar. Although unpaid (i.e. ‘extraordinary’), it brought Francis Bacon ‘within the bar’ together with the judges and serjeants-at-law, gave him precedence over the serjeants, and granted him near access to the Queen. Besides the fundamental duty of conducting court work on behalf of the sovereign, advising the Queen and protecting her interests, his duties encompassed a wide spectrum. This was the first such appointment and was the birth of what later became known as the Queen’s Counsel, or ‘QC’ for short.

Knowing the nature of the Queen, Francis Bacon constantly advised Essex not to get directly involved with matters of war, but to cultivate a more peaceful role and approach. However, this was not to Essex’s liking and, consistently ignoring the advice, he set out to be the great military hero. In 1591 he was given command of a force sent to the assistance of King Henry IV of France. In 1593 he was made a member of the Privy Council. In 1596 he persuaded the Queen to make him general-in-chief of the expeditionary force that raided the Spanish coast, sacked Cadiz and frustrated Philip II’s attempts to fit out a second Armada against England. As a result of this great military achievement, the Queen made Essex Earl Marshal.

Bacon, who had always wished Essex to give up military enterprises, was forced to change tack with his advice and try other means to direct Essex towards more peaceful activities. In the middle of February 1598, the opportunity arose when the Queen’s secretary, Sir Robert Cecil, left England on a diplomatic mission to France and Essex was employed to do his work in his absence. Bacon thought that this was the chance to persuade Essex to become a statesman by interesting him in the government of Ireland, which was one of the most important political challenges of the time and therefore one in which Essex could gain great honour. Essex was indeed interested, but before anything was settled, it had become too late to bring Ireland into order by peaceful statesmanship. The result was that, having pressured the Queen to grant his request, Essex departed to Ireland on 27 March 1599 as the Queen’s Earl Marshal and Lord Lieutenant of Ireland at the head of the largest army ever sent to Ireland in the Queen’s reign.<sup>4</sup>

When Essex returned from Ireland on 28th September 1599 in defiance of the Queen’s express command and was subsequently put under house arrest in York House, Bacon began to distance himself from the earl’s cause. He urged Essex to submit to the Queen, and did what he could to encourage the Queen in her desire not to be too hard on the earl. The Queen insisted on a public declaration of the offences of Essex in the Star Chamber on 29 November 1599.

However, Essex did not take Bacon’s advice and, indeed, became even more popular in the public eye. After successive petitions to the Queen by Essex’s family and friends that he should be allowed back to Essex House, in March 1600 the Queen ordered Anthony Bacon, together with Lady Leicester (Essex’s mother), Lord and Lady Southampton, and Fulke Greville, who were also residing in Essex House at that time, to move out of Essex House, so that Essex could return to his own home, but still under house arrest.<sup>5</sup> Then, in order to satisfy

public opinion, on 5th June 1600 Essex had to submit to an informal trial at York House before the High Court judges, at which Francis Bacon, as the Queen's Counsel, was compelled to take part.

Francis Bacon was given the specific role of charging Essex concerning his connection with John Hayward's book, a role to which he objected, remarking that "it would be said that I gave in evidence mine own tales". (Hayward's book, *The First Part of the Life and Raigne of King Henrie VIII*, is largely based on the Shakespeare play, *Richard II*.) The main judicial enquiry was led by Edward Coke, the Queen's Attorney-General. Essex threw himself on the Queen's mercy. He was reprimanded, condemned to house arrest until further orders, then forgiven and released after twelve weeks. But he was denied from exercising his offices of Earl Marshal, Master of the Horse and Master of the Ordnance, and denied any income from the wine monopoly that he had previously been granted. This turned out to be too much for Essex.

During the months that followed, Essex began plotting with his friends the overthrow of his enemies amongst the Queen's ministers, notably Cecil and his supporters, and indeed the whole court and government. He sent messengers to Ireland and Scotland, arranging for Mountjoy to come to his aid from Ireland with an army and for James VI of Scotland to pledge himself to Essex's general design. He began to arm himself and his followers, collecting men and arms at Essex House. Then, on 6 February 1601, the plotters paid a bonus fee of 40s to the Lord Chamberlain's Men to perform the Shakespeare play, *Richard II*, with the deposition scene included, at the Globe Theatre on the very next day, 7 February 1601.

However, the Council managed to learn what was going on, and the following morning, 8 February 1601, the Queen sent four Privy Councillors, including the Lord Keeper, Thomas Egerton, to Essex House, to summon the earl to appear before the Council. Essex invited them to his library, where he locked them in and had them guarded. He then led a 300-strong band of noble followers and armed men from Essex House and into the City, calling on the citizens to rally round him. Their design was to take the Tower of London, hold the City of London, surround the court and force the Queen to appoint Essex as Lord Protector, claiming that they were rescuing the Queen from evil advisers. However, royal officials with guards were already in the streets, with barricades mounted to prevent Essex carrying out his plan. A herald was sent to follow Essex, proclaiming him a traitor, and the Earl of Northampton had mustered a small army against the rebels. Expecting support from the people of London, but failing to get it, Essex and his friends returned to Essex House and barricaded themselves in. Eventually, after various confidential papers had been burnt by his sister Penelope at his request, Essex gave himself up.

On 11 February Francis Bacon was appointed among others to investigate the causes of the revolt. By 18 February, the day before the trial, the various depositions made by others involved in the conspiracy had been gathered. On 19 February Essex and his co-conspirators were brought to trial, at which Edward Coke, as Attorney-General, was the chief prosecutor. Bacon attended as the Queen's Counsel, wherein, as he put it, he performed at the bar his public service that was laid upon him with the rest of his fellows. When Coke started to digress too much, Bacon stepped in to bring the trial back to the main charge, which was that of Essex's treason, backed up by the depositions, and to challenge Essex's deceitful excuses and his blaming of others. Essex was convicted of treason by a jury of his peers, including his sister

Penelope's husband, Lord Rich, and sentenced to death.<sup>6</sup> There was no reprieve, and on 25th February 1601 Essex was executed at the Tower of London.

Before his execution, Essex confessed to his chaplain, the Reverend Abdy Ashton, all that had happened and who were involved, including his sister Penelope on whom he put a great deal of the blame for urging him on. It was only then that the full extent of Essex's treason was realised, which was to not only take the Tower of London and court by force, but also for an army to arrive from Ireland, led by Mountjoy, Essex's successor as Lord Lieutenant of Ireland, and supported by the Earl of Tyrone, with whom a military alliance had been made. The Queen was then to be deposed in favour of James of Scotland, who was to come with an army from Scotland, or, failing that, Essex himself, as Henry Bolingbroke did with Richard II – hence Essex's use of the *Richard II* play and the Queen's unease about it. In return, Tyrone would be made Viceroy of Ireland. King James' caution and procrastination fortunately saved him in this matter, for Essex was executed before James' emissary to Essex, the Earl of Mar, arrived in London. As for Mountjoy, he decided not to carry out Essex's design but to remain loyal to the Queen.

After all this was over, the Queen ordered Francis Bacon to write the official government account of the trial. After being heavily edited and virtually rewritten by the Queen and her ministers, it was published as *A Declaration of the Practices and Treasons attempted and committed by Robert late Earle of Essex and his Complices, against her Majestie and her Kingdoms*.<sup>7</sup>

In 1604, after the Queen's death and the coronation of King James VI of Scotland as James I of England, Bacon wrote to the Lord Lieutenant of Ireland, the Earl of Devonshire, his *Apologie in certaine imputations concerning the late Earle of Essex*.<sup>8</sup> In it he explains and puts on record the truth, from his point of view, of what had happened concerning the Earl of Essex and himself during those troubles. First, he states that whatsoever he did concerning that action and proceeding was done in his duty and service to the Queen and the State, pointing out that every honest man will forsake his king rather than forsake God, and forsake his friend rather than forsake his king, and will forsake any earthly commodity and even his own life rather than forsake his friend. He explains that, unlike former times, he was not called upon by Essex for any advice for a full year and a half before Essex went to Ireland, and when Essex did call on him for advice just before he departed, Bacon not only tried to dissuade Essex from going but also to protest against his going into Ireland, warning him that it would exasperate the Queen, which would be ill for him and for the State. But Essex's heart and resolution were shut against that advice, whereby his ruin might have been prevented.

### Shakespeare's *Richard II*

It is not known for certain when the first performance of *Richard II* took place, whether it was as early as 1595 or later, in 1597, when it was first registered for publication, but it evidently contained the deposition scene when first acted.<sup>9</sup> However, when the play was first published in 1597, and again in the next two quartos of 1598, the deposition scene was omitted, almost certainly because of the Queen's and therefore the Privy Council's concern.<sup>10</sup> This was because Queen Elizabeth was being increasingly likened to King Richard II by certain of her courtiers who followed Essex, whilst Essex was being associated by them with Henry Bolingbroke. The deposition of Richard II, as depicted in the play, suggested not only that the general population had a right to demand the abdication of a sovereign whom they

considered unfit to rule, but also that the oath and crowning of a sovereign, which supposedly bestowed a divine right to rule, could be reversed. As the unwritten constitution of England was based on precedent, this was a major point of contention and horror to the Queen.

It was in the second quarto publication of *Richard II* that the Shakespeare name was used in print for the first time in conjunction with plays (as 'William Shake-speare'). The name also appeared that same year (1598) on the title pages of the first quarto of *Love's Labour's Lost* (as 'W. Shakespere') and the second quarto of *Richard III* (as 'William Shake-speare').

### *Hayward's The First Part of the Life and Raigne of King Henrie IIII*

A small volume by a young doctor of civil law, John Hayward, entitled *The First Part of the Life and Raigne of King Henrie IIII*, was published in February 1599, just before Essex left for Ireland. The book referred specifically to the deposition of Richard II and was dedicated to Essex, associating the Earl with the popular usurper Henry Bolingbroke and hinting in its dedication that Essex, 'the great expectation of the future', should do as Bolingbroke did.

After some copies had been issued, the incriminating dedication page was torn out of the remaining copies before they were circulated. A revised second edition, however, was suppressed, and Hayward was arrested on a charge of treason and of using for that purpose an old story to suit the present times. This was because Hayward's book derived much of its textual material and phrasing from the Shakespeare play, *Richard II*.

The Queen then specifically called for Francis Bacon, who was her Counsel Learned, to give his opinion on whether there was treason in the book. Of this interview with the Queen, Francis Bacon made a careful report, contained in his lengthy *Apologie concerning the Earl of Essex* that he wrote in 1604 to the Lord Lieutenant of Ireland, the Earl of Devonshire: -

About the same time I remember an answer of mine in a matter which had some affinity with my Lord's cause, which though it grew from me, went after about in other's names. For her Majesty being mightily incensed with that book which was dedicated to my Lord of Essex, being a story of the first year of King Henry the fourth, thinking it a seditious prelude to put into the people's heads boldness and faction, said she had good opinion that there was treason in it, and asked me if I could not find any places in it that might be drawn within case of treason: whereto I answered: for treason surely I found none; but for felony very many. And when her Majesty hastily asked me wherein, I told her the author had committed very apparent theft, for he had taken most of the sentences of Cornelius Tacitus, and translated them into English, and put them into his text.<sup>11</sup>

At the Earl of Essex's informal trial in York House before the High Court judges on 5th June 1600, Bacon, as the Queen's Counsel, was compelled to attend and take part. He was given the specific role of charging Essex concerning his connection with Hayward's book, a role to which he objected, remarking that "it would be said that I gave in evidence mine own tales" and pointing out that the original upset concerning the deposition scene in that play was an 'old matter' for which he had already suffered: -

Hereupon the next news that I heard was, that we were all sent for again, and that her Majesty's pleasure was, we should all have parts in the business; and the Lords falling into distribution of our parts, it was allotted to me, that I should set forth

some undutiful carriage of my Lord, in giving occasion and countenance to a seditious pamphlet, as it was termed, which was dedicated to him, which was the book before-mentioned of king Henry the fourth. Whereupon I replied to that allotment, and said to their Lordships, that it was an old matter, and had no matter of coherence with the rest of the charge, being matters of Ireland, and that therefore I having been wronged by bruits before, this would expose me to them more; and it would be said that I gave in evidence mine own tales.<sup>12</sup>

The remarks by Bacon that the “matter” (Hayward’s book) grew from him and went after about in other’s names, and that “it was an old matter, and had no matter of coherence with the rest of the charge, being matters of Ireland, and that therefore I having been wronged by bruits before, this would expose me to them more; and it would be said that I gave in evidence mine own tales,” is a clear pointer to Francis Bacon being the true author of the Shakespeare play, *Richard II*, which caused so much angst and vexation with the Queen, but which, afterwards, went about under the name of Shakespeare or Shake-speare.

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## Endnotes

<sup>1</sup> Francis Bacon, *Apology in Certain Imputations Concerning the Late Earle of Essex* (1604).

<sup>2</sup> Anthony Bacon to Essex, n.d. September 1596, LPL, MS 659, fols. 23<sup>r</sup>-26<sup>v</sup>. In this letter to the earl of Essex, Anthony relayed the conversation that took place with his aunt, the dowager Lady Russell.

<sup>3</sup> Some researchers give the date as 1597, but this ignores the evidence that in 1592 Bacon was advising and enjoying special access to the Queen, that he infuriated her by opposing her proposals in the parliament of 1593, was banished from her presence for over a year, and then as a result denied the position of attorney-general or solicitor-general when either became possible, although at that time he was regarded as the fittest person to be chosen.

<sup>4</sup> The army was 16,000 foot and 1500 horse strong.

<sup>5</sup> Order dated 10 March 1600.

<sup>6</sup> See: *THE Arraignment AND TRYALL OF Robert Earle of Essex AND HENRY Earle of SOVTHAMPTON At Westminster the 19th of February, 1600. and in the 43 year of the Reign of Queen Elizabeth*. London, Printed for Tho. Basset, at the George in Fleet-street, Sam. Heyrick, at Grayes-Inn-Gate in Holborn, and Matth. Gillyflower in Westminster-Hall. 1679.

See also: State Trials, 43 Eliz. 1600, Vol. 1, *A complete collection of state trials and proceedings for high treason and other crimes and misdemeanors*. Compiled by T. B. Howell, Esq. FRS, FSA. Printed by T. C. Hansard, London, 1816.

<sup>7</sup> Francis Bacon, *A declaration of the practises & treasons attempted and committed by Robert late Earle of Essex and his complices, against her Maiestie and her kingdoms and of the proceedings as well at the arraignments & conuictions of the said late Earle, and his adherents, as after: together with the very confessions and other parts of the evidences themselues, word for word taken out of the originals*. Imprinted at London: By Robert Barker, printer to the Queenes most excellent Maiestie, Anno 1601.

<sup>8</sup> Spedding, X: *Letters and Life of Francis Bacon*, III, iv, 149-50: Francis Bacon, *Apologie in certaine imputations concerning the late Earle of Essex* (1604).

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<sup>9</sup> Shakespeare, *Richard II*, IV, i, 154-318.

<sup>10</sup> Not until the play's republication as the fourth quarto in 1608 was the deposition scene replaced in the play, long after Queen Elizabeth had died and King James of Scotland was safely on the English throne.

<sup>11</sup> Spedding, X: *Letters and Life of Francis Bacon*, III, iv, 149-50: Francis Bacon, *Apologie in certaine imputations concerning the late Earle of Essex* (1604).

<sup>12</sup> Spedding, X: *Letters and Life of Francis Bacon*, III, iv, 149-50: Francis Bacon, *Apologie in certaine imputations concerning the late Earle of Essex* (1604).