

## Oxford and the Order of The Garter

by Peter R. Moore

**I**N August 1995 Prof. Alan H. Nelson, acting at my suggestion, microfilmed the records of the elections to the Order of the Garter for the years 1569 to 1604 from the register in the British Library, where it is Additional Manuscript 36,768. These elections have much to tell about the standing of the Earl of Oxford during his adult years.

I have never seen the Garter elections cited in history books as evidence of the standing of English courtiers, though they say a great deal about who a courtier's friends were, about the formation of factions and alliances, not to mention who had the monarch's favor. For example, the nineteenth century myth that the poet Earl of Surrey detested Sir Thomas Seymour collapses in the face of Surrey's votes for Seymour in 1543 and 1544 (see "Letters and Papers of Henry VIII" 18.2.517 and 19.1.384). Other old stories from the history books can receive support or refutation from the evidence of the Garter elections. But new evidence often does much more than simply providing a thumbs up or thumbs down on the received wisdom. We often find entirely new motives, twists, and dimensions in old tales of who, what, when, where, how, and why. The Garter elections could add a great deal, for example, to our understanding of court factions in the reign of Henry VIII.

The information about the Earl of Oxford's life that is currently in print is highly incomplete, given the available records, although new material is becoming available; largely thanks to Prof. Nelson. Moreover, as with Surrey, myths have proliferated, such as that

Oxford cruelly rejected his wife in 1576. Both B.M. Ward and Conyers Read, biographers respectively of Oxford and Lord Burghley, concealed their knowledge of a memorandum in Burghley's hand showing that Lady Burghley carried off her daughter after she reunited with her husband upon his return from Italy (H.M.C. Salisbury, 13.128; Ward, 123; Read, 136). We must expect more surprises.

We will begin by considering what the Order of the Garter is and how members were selected. We will then take a look at some other nominees besides Oxford; the Garter elections are of particular interest at the end of a reign when a transfer of power is imminent, and Elizabeth's reign is no exception. Finally we will examine the record on Oxford. The purpose of considering other nominees before taking up Oxford is twofold. First, we cannot make much sense out of the Garter elections or, for that matter, anything else that happened four centuries ago, without establishing the historical context. Second, we shall discover interesting things about people who are part of the story of Oxford's life.

The Order of the Garter was founded by Edward III in the 1340s and consists of the sovereign and 25 Knights of the Garter (KGs). Membership in the Order remains the highest honor bestowed by the British monarch. The great prestige of the Order is due in large measure to its exclusiveness; no one may be elected KG unless the death or degradation of an incumbent creates a vacancy. During the period 1569-1604 there were about sixty peers, so the Order of the Garter was far more exclusive than the peerage. In contrast, the French Order of St. Michael was debased in the mid sixteenth century by being awarded to all and sundry, and so in 1578 Henry III created the Order of the Holy Spirit, limited to one hundred knights. With the much larger population

of France in those days, the Holy Spirit was about as exclusive as the Garter. The ninth, eleventh, thirteenth, fifteenth, and twentieth Earls of Oxford were all Knights of the Garter.

Selection of KGs worked in the following manner. Whenever a vacancy existed an election was held to select a new member, normally at the annual meeting or chapter on St. George's Day, 23 April, at St. George's Chapel, Windsor Castle. Each KG present voted for nine men, three in each of the following categories: *princes*, *barons*, and *knights*. *Princes* meant earls, marquesses, dukes, and royalty (or, earls and above), while *barons* and *knights* are self-explanatory. A viscount, who ranks between an earl and a baron, could be nominated under either category, *prince* or *baron*. In Queen Elizabeth I's reign, the heir to an earl or above could be nominated under his courtesy title, while a duke's younger son could be nominated as a baron. If ten Knights of the Garter were present at a given election, with each KG listing nine nominees, then as many as ninety names could be listed, though the more likely result would be about twenty. The votes were then tallied and presented to the Queen, who picked whomever she pleased or no one at all.

As an example, we may consider the election of 1572. Nine members were present, and they voted for seventeen names. The top finishers were: the French Duke of Montmorency, the newly created Lord Burghley, and the Queen's first cousin, Sir Francis Knollys, each of whom received nine votes; Sir James Croft received eight; the Earl of Oxford and Lord Grey of Wilton each got seven; four other men got either six or five votes; and Walter Devereux, Viscount Hereford got four. Three places

were vacant, so the Queen selected Burghley, Grey, and Hereford as the new KGs. Later that year Burghley was made Lord Treasurer and Hereford was created Earl of Essex. Hereford's wife was the Queen's first cousin once removed (the daughter of Francis Knollys), and Hereford had shown great energy opposing the Northern rebellion of 1569-70, hence the Queen's favor.

Who received votes and how did Elizabeth make her choices? The category of *princes* included about twenty Englishmen, though a significant number of them were already KGs, but also included favored foreign royalty and near-royalty, as well as Irish earls. Twelve KGs voted in the election of 1590, and Henry IV of France and James VI of Scotland were up for the first time, and so all twelve KGs made Henry their first pick and James their second; four English earls split the remaining twelve votes. The category of *barons* included about fifty men, less those who were already KGs, but they didn't have to compete with foreigners. There were about three or four hundred knights in England at this time, but the nominations for the category *knights* were confined to a very tight circle of high Court officials, military commanders, and the Queen's viceroys for Ireland, Wales, and the North. In the elections of 1578 and '79, all voters listed Sir Francis Knollys, Sir James Croft, and Sir Christopher Hatton, in that order. It is easy to see which knights got votes: the Queen's closest servants, while the number of votes received is a good index of a knight's standing.

Why noblemen got votes is not so easy to say. Mere rank was not enough. After succeeding his father as third Marquess of Winchester in 1576, William Paulet lived until 1598. During that time England had no dukes and no other marquesses, so Winchester stood alone above the earls. And yet he received

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only twelve votes for the Garter during the entire period. His record is particularly sad compared to that of his cousin Sir Hugh Paulet, Governor of Jersey, Vice-President of Wales, and second-in-command at the defense of Le Havre, who received twenty-eight votes in the last five years of his life, 1569-73. Sir Hugh's son Sir Amias Paulet was Governor of Jersey, Ambassador to France, and jailer to Mary of Scotland; he received twenty-three votes in the period 1580-85. The Marquess of Winchester's problem was that he was a stay-at-home, whose best Garter year, four votes in 1580, coincided with his only significant office, Lord Lieutenant of Dorset.

Family connections helped. The second Earl of Essex received his first Garter vote in 1587 from his stepfather, the Earl of Leicester. In 1603 Lord Howard de Walden was able to cast all three of his *baron* votes for fellow Howards. The only votes ever received by the dissident Catholic second Earl of Southampton were cast by his father-in-law and co-religionist, Viscount Montague, in the elections of 1574-78. Montague was not present to vote in 1579. Southampton rejected his wife in early 1580, and so he failed to get Montague's vote in that year and the next, whereupon he died.

The Queen's choices seem to have been influenced by three factors besides personal favor: rank, service, and good behavior (from her point of view). As Sir Robert Naunton remarked, Queen Elizabeth was partial to the nobility (including noblemen by courtesy), and it shows in her Garter selections. In the first three decades of her reign, only one “knight” received the Garter, Sir Henry Sidney in 1564. But in her later years the Queen grew more democratic: Hatton finally got it in 1588, Knollys in 1593, and Sir Henry Lee in 1597. Barons were more than twice as numerous as earls, but Elizabeth selected slightly more earls

for the Garter, showing again her preference for rank. Separating service to the Queen from her personal favor is difficult for she combined the two. Her leading favorites over the course of her reign were the Earls of Leicester and Essex, Sir Christopher Hatton, and Sir Walter Raleigh. All received offices of great responsibility, and the first three were also Privy Councilors and KGs (Sir Walter just missed on both counts).

Among the men whose standing can be judged by the Garter elections are Thomas and Robert Cecil, Henry Howard, Walter Raleigh, and the third Earl of Southampton. The Dictionary of National Biography is quite scornful of Thomas Cecil, Lord Burghley's older son, though it allows that he eventually received the Garter in 1601 for helping to suppress the Earl of Essex's rebellion, which the DNB calls a “foolish riot.” But Thomas Cecil regularly received votes from 1590 on, with the numbers steadily increasing; in 1601 he was picked by eleven out of thirteen members. His younger half-brother, Robert Cecil, on the other hand, never received a vote until 1604, when he got fourteen votes out of sixteen; he was finally elected in 1606. What is remarkable is that, in the election of June 1603, with King James on the throne and Cecil seemingly confirmed as the new King's right hand man, Robert, by then Lord Sandborne, didn't get a single vote. Presumably the Knights of the Garter respected the frequently displayed military skills of Thomas, while the Queen valued his abilities enough to make him President of the North in 1599. Meanwhile the KGs probably resented Robert's status as his father's understudy, while the Queen failed to put in a word to help him garner some votes.

Lord Henry Howard, Oxford's enemy in 1580 and 1581, held the rank of younger son of a duke, but never received a vote during

Elizabeth's reign, though he picked up five out of six as James's favorite in June 1603, and was elected unanimously in 1604. Incidentally, one must be careful with names and titles when examining the Garter register, especially when the prolific Howard clan is involved. The "Lord Howard" who received numerous votes in 1599 and 1600 is the same "Lord de Effingham" who received votes in 1601 and 1603, that is William, Lord Howard of Effingham, heir to the Earl of Nottingham. Lord Henry Howard was the son of the Earl of Surrey, who was son and heir to the third Duke of Norfolk. Henry's older brother became the fourth Duke of Norfolk, and Henry himself was treated as a duke's son.

Sir Walter Raleigh's rising political power at the end of Elizabeth's reign and his sudden collapse may be seen in the Garter elections. He received single votes in 1590, '92, '96, and '97, then four out of nine in 1599, eight out of thirteen in 1600, and nine out of twelve in 1601. Then in June of 1603, reeling under the new King's disfavor, Raleigh received but a single vote from his friend, the Earl of Northumberland, shortly before being arrested for treason (Henry Howard had been poisoning James's mind against Raleigh for years). Raleigh's rise in Garter votes exactly coincides with Essex's fall, 1599-1601.

Biographers have remarked on the popularity of the third Earl of Southampton, which is borne out in the Garter elections. He got four out of twelve votes in 1595 at age twenty-one and ten votes out of twelve in 1596. In 1597 all ten voters picked the Duke of Wurtemberg, thereby reducing the votes available for English earls, although Southampton managed to pick up two, including Lord Burghley's vote for the first time.

But Southampton did not get the Earl of Essex's vote in 1597 (though he did in '95 and

'96)—the attachment of Southampton to Essex begins with the Azores voyage later that year. The theory of an Essex-Southampton social circle going back to the early 1590s is a myth originating in a misdated letter. G.P.V. Akrigg's *Shakespeare and the Earl of Southampton* provided the evidence to puncture the myth, but Akrigg failed to realize its significance. The Garter election of 1597 provides more evidence. In 1599, newly arrived in Ireland, Southampton was decidedly in the Queen's disfavor owing to his begetting a child by one of her maids of honor, whom he secretly married, but he still received four out of nine votes. In 1600, presumably even more deeply out with the Queen as a result of the Irish campaign, Southampton yet polled six votes out of thirteen. In 1603 only six KGs voted, all selecting James's Scottish favorites, the Duke of Lennox and the Earl of Marr, as two of their three *princes*. Of the six remaining ballots in the *prince* category, Southampton and the Earl of Pembroke each got three; James selected both English earls as KGs.

### Oxford and the Garter

With regard to the Garter elections, Oxford's life can be divided into four phases: 1569-80, 1581-4, 1585-8, and 1590-1604. He received numerous votes from 1569 to 1580 and probably would have gotten the honor, except that the Queen preferred someone else. In 1569 and '70 the underaged Oxford received the vote of William, Lord Howard of Effingham. In 1571 Oxford was picked by all ten voters. In the eight elections from 1572 to 1580, Oxford averaged close to eight votes annually and never less than four. His supporters included not only the Earl of Sussex, as one would expect, but also the Puritan leader, the Earl of Leicester. The various misdeeds

and alleged misdeeds of Oxford’s youth—such as trying to rescue the Duke of Norfolk in 1571, or running away to the Low Countries in 1573—seem to have had no effect on his standing with the KGs, though they may have prevented the Queen from selecting him. Lord Burghley always voted for Oxford as his first choice among English *princes* (foreigners were always listed first), even during his separation from his wife between 1576 and 1582.

Burghley’s forbearance stands in marked contrast to Viscount Montague’s reaction to the rejection of his daughter by the second Earl of Southampton. Burghley’s various writings on the breakup of the marriage invariably take a hurt or defensive tone, rather than expressing outrage, presumably reflecting the primary role of Lady Burghley in the separation. Incidentally, Lady Burghley’s invasion of Oxford’s house at Wivenhoe, trying to raise his servants against him and carrying off his wife, occurred in April 1576 while Oxford and Lord Burghley were at Windsor Castle for the chapter of the Garter.

Oxford was banished from Court until June 1583 as a result of having a son by Anne Vavasour in March 1581. In 1582 and ’83 Oxford and his followers had to defend themselves against attacks by Vavasour’s kinsmen and their men. Moreover Oxford was involved in a scandal of charges and countercharges with Lord Henry Howard and Charles Arundel beginning in December 1580, though we have little evidence of how seriously the charges against Oxford were taken. Oxford received no votes in the four Garter elections during 1581-84. The Queen’s anger explains the results for 1581-83, but Oxford’s failure to get any votes in 1584 (an election that Burghley missed) indicates that he was still not fully rehabilitated. His disfavor in these years may be contrasted to the third Earl of Southamp-

ton’s situation in 1599-1600, when he continued to receive votes despite his sexual misconduct. Clearly Oxford’s standing with his fellows was seriously damaged.

Oxford was allowed back at Court in June 1583, but the Queen was not fully mollified. In May 1583 she was still concerned about the charges made by Howard and Arundel, permitting Oxford’s return to Court only after “some bitter words and speeches.” His standing presumably improved further after Charles Arundel fled to France in the wake of the discovery of the Throckmorton plot in November 1583, which resulted in the reincarceration of Lord Henry Howard. Arundel was further discredited in September 1584 by being named as one of the co-authors of the libelous *Leicester’s Commonwealth*. That Oxford was fully restored to the proper status of his rank in the period 1585-88 is shown by the Garter elections and proffers of two military commands.

In April 1585 Oxford received five votes out of thirteen for the Garter, while that summer he was offered command of the cavalry contingent of the English expeditionary force to the Netherlands. In 1587 Oxford got four votes out of eight, and he received three out of seven in 1588. In the summer of 1588 Oxford was offered command of the key port of Harwich during the fight against the Spanish Armada, and was prominent in the victory celebrations in November. Lord Burghley voted for Oxford in all three elections, always naming him first among the *princes*. Two recently made KGs who voted for Oxford were the seventh Lord Cobham and the third Earl of Rutland. Oxford’s other supporters had all voted for him before 1581, namely Henry Stanley, fourth Earl of Derby, Henry Herbert, second Earl of Pembroke, and Charles, second Lord Howard of Effingham, Lord Admiral (and future Earl of Nottingham).

It is worth noting that Oxford's daughter Elizabeth married Derby's son William in 1595, Oxford's daughter Bridget almost married Pembroke's older son William in 1597, and Oxford's daughter Susan married Pembroke's second son Philip in 1605. These marriages seem to have been arranged by the Cecils, but although the fathers of the two grooms were dead by the time of the marriages, the Garter votes support a long-term connection between them and Oxford. Charles Arundel had accused Oxford of plotting to murder Lord Howard of Effingham, who was first cousin to Henry Howard's father, the poet Surrey. But Effingham's three subsequent votes for Oxford seem to indicate that he didn't take the charges seriously. Derby, Pembroke, and Howard of Effingham had one obvious thing in common—they were all patrons of major acting companies.

The Garter election of 1589 produced two new KGs, Lord Buckhurst and the fifth Earl of Sussex, but the votes were not recorded. Buckhurst was the Queen's cousin, a Privy Councillor, and several times an ambassador, and presumably benefited from the death of his enemy Leicester in 1588. Sussex was the military commander of Portsmouth, who emptied his magazines to replenish the English fleet with powder and shot during the Armada fight the previous year. Lord Admiral Howard of Effingham and Lord Hunsdon had previously been Sussex's leading supporters for the Garter, the Admiral being Sussex's first cousin, Hunsdon his first cousin once removed, both were present for the 1589 election, and so Sussex was selected.

Oxford received one vote throughout the period 1590 to 1604, that of his brother-in-law, Thomas Cecil, second Lord Burghley, in 1604. Oxford's loss of his father-in-law's vote is perhaps explained by Anne Cecil's death in 1588,

but his failure to get anyone else's vote seems to indicate that he was living under something of a cloud in this period.

The least dramatic explanation of Oxford's disrepute would be his financial collapse around 1590, accompanied by the loss of his daughters to Burghley, their guardian after 1588 (and Robert Cecil became their guardian when Burghley died in 1598). But Lord Sussex was even more broke than Oxford. Between his election as KG and his installation, Sussex wrote a letter to the Queen explaining that his inherited estate yielded but £450 per year, while he owed her a debt of £500 per year. Sussex begged that his annual payment be reduced to £200 or £250. Oxford had his £1,000 pension from the Queen, he also had lands worth at least several hundred per year, though we do not know the size of his debts. On the other hand, his second wife was a woman of some wealth.

To judge Oxford's lack of votes during 1590-1603, we must compare him to his peers. Twenty-five other Englishmen held the rank of marquess or earl in that period, and fifteen of them were KGs by 1603. One of the remaining ten, the fifth Earl of Derby, died a few months after inheriting his title, and there was no election during his short period as an earl. So we are left with nine earls and marquesses besides Oxford who never became KGs. But several of them, such as the Earls of Kent and Hertford, regularly received a respectable number of votes, as Oxford did during 1585-8.

Those who did worst were the third Earl of Bedford and the second Earl of Lincoln, who received three votes each from 1590 to 1603 and one vote each in 1604, followed by the fourth Marquess of Winchester, who received two votes under his courtesy title in 1590 and '91, and no votes after that, even after becoming a marquess in 1598. Last we find the third

Earl of Bath, who received zero votes in the entire period 1590 to 1604. So Oxford comes in behind Bedford, Lincoln, and Winchester, and barely manages to beat Bath.

Winchester, Bath, Bedford, and Lincoln were all nonentities. None of them rates an entry in the DNB, nor even the kind of sub-entry given to the sixth Earl of Derby at the beginning of the entry on his son, the seventh Earl. Examination of GEC's *The Complete Peerage* confirms the DNB's verdict on these four non-achievers, especially that of Lord Bath, whose invisibility must set the record for Tudor earls. But Oxford was anything but a nonentity, and, unlike Bath, he didn't go into rural hibernation after 1588.

B.M. Ward entitles the final section of his biography of Oxford "The Recluse," stating that "From 1589 onwards the life of Lord Oxford becomes one of mystery" (299). From 1589 to about 1593 we are indeed in some doubt as to Oxford's activities, but we know where he was after that—at Court and living in or near London. He was still in the Queen's good graces, so it seems; he had a new wife and son, his daughters were getting married, so he was still in the picture. But, from the point of view of the Knights of the Garter, he appears to have become a pariah. Ward quotes Oxford's first modern editor, Dr. A.B. Grosart: "An unlifted shadow somehow lies across his memory" (389). As the Garter elections show, Grosart hit the nail squarely on the head.

In a previous newsletter, I discussed the appropriateness of Shakespeare's self-description in *Sonnet 37*, "lame, poor, [and] despised," as applied to Oxford. Regarding the word *despised*, I quoted Sir John Peyton's 1603 comment that Oxford lacked friends. The Garter elections powerfully re-enforce Peyton's evaluation. The seventeenth Earl of Oxford had been a man of popularity and pres-

tige, but he fell from favor and honor twice, first in 1581, then again after 1588. Shakespeare's personal sense of disgrace is found throughout his *Sonnets*: the poet is barred from "public honour and proud titles" (25), he wants his name buried with his body (72), and he knows himself to be "vile esteemed" (121). Shakespeare alludes to the cause of his dishonor several times, most clearly in *Sonnet 110*: "Alas, 'tis true I have gone here and there/ And made myself a motley to the view. . . ."

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Works cited

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Ward, B.M. *The Seventeenth Earl of Oxford*. London: John Murray, 1928.