

F. The Essex Nullity, the Somerset Marriage and the Death of Overbury (1613-1614)

The poems in this section react to and re-present some of the most notorious events in the history of the Jacobean court. On 17 May 17 1613, Frances Howard, daughter of the King's Lord Chamberlain, Thomas Howard, Earl of Suffolk, and, since 1606, the wife of Robert Devereux, 3rd Earl of Essex, submitted a formal request (or "libel") to a specially assembled commission of churchmen and lawyers, in which she asked the commissioners to annul her marriage. Her petition claimed that although the Earl of Essex "hath had, and hath power and ability of body to deal with other women, and to know them carnally", with her he was unable to "have that copulation in any sort which the married bed alloweth" (qtd. in Lindley 81). The marriage was unconsummated and thus, by ecclesiastical law, was not a marriage at all. As the nullity commissioners weighed the merits of the case, court gossips and London newsmongers discovered that the unhappy Countess was planning a second marriage once the first was broken, a marriage that would have massive political implications for the structure and balance of Jacobean court politics. For the talk was that Frances Howard was to marry Robert Carr, Viscount Rochester and, for several years, the intimate favourite of King James I. This marriage would tie the increasingly politically ambitious favourite to the powerful Howard faction, signalling a shift in Carr's hitherto anti-Howard political leanings, and providing the Howards with a massively increased opportunity to influence royal policy in both domestic and foreign affairs. These political stakes made the nullity proceedings dangerously controversial, compounding several problematic legal and moral concerns raised by the case. Concerned by the nullity's political implications, but seizing on plausible legal and moral difficulties, several commissioners, led by Archbishop of Canterbury, George Abbot, opposed granting Frances Howard's petition, threatening to bring the hearings to a halt. To save the process, James himself intervened in late July, postponing the nullity case and then adding bishops to the commission who would break the deadlock in Frances Howard's favour. When the commission reconvened in September 1613, a positive verdict was virtually guaranteed and, on 25 September, Frances Howard was granted her nullity. In preparation for his marriage to the daughter of one of the great aristocrats of the realm, Robert Carr was elevated in November 1613 to the Earl of Somerset. A few weeks later, on 26 December, the favourite and the former

wife of the Earl of Essex were married in a spectacular and exorbitantly expensive court wedding.

The libels written on and around the nullity and the Carr-Howard marriage compellingly reveal the moralized anger with which many contemporaries greeted the events. In a brilliant, eloquent and detailed reading of these poems, David Lindley has argued that the libels' vitriolic attacks on Frances Howard—their allegations of whoredom and sexual insatiability, and their intimations of demonic witchcraft—are best understood as projections of commonplace misogynistic stereotypes onto a woman whose decision to seek a nullity of her marriage had so blatantly violated patriarchal ideals of submissive femininity. But these libels and their charges also have broader political resonances: a number implicate royal and episcopal authority in the moral transgressions sanctioned by the nullity verdict; while others lament the symbolic assault on ancient nobility and honour in the nullity's humiliation of Robert Devereux and consequent elevation of the comparatively socially obscure Robert Carr. The final two poems in this section allude to an event that would in retrospect become an essential part of the nullity story. In mid-September 1613, shortly before the nullity was granted, Sir Thomas Overbury died in the Tower of London. Overbury, once a close friend and advisor to Robert Carr, had quarrelled with the favourite over his relationship with Frances Howard and her family and, for his pains, in April 1613 had been tricked into offending the king and sent to the Tower for contempt of royal authority. At the time, Overbury's death aroused little pity—one of the poems' contempt seems to have been a fairly typical reaction and only a few whispers of foul play—some of which are documented in the other Overbury verse included in this section. Two years later, however, evidence emerged to suggest that Overbury had been murdered. The ensuing criminal investigation and murder trials would constitute and generate the most significant court scandal of the age, which would culminate with the trials and convictions of the Earl and the Countess of Somerset as accessories to Overbury's murder.

Some of the verses in this section (and in section H on the Overbury murder scandal) have been published before—in a small selection of poems edited by Sanderson and in the appendix to Beatrice White's narrative of the Overbury scandal (220-27). The verses are discussed and contextualized in Lindley's *Trials of Frances Howard*, which reads them primarily through the prism of gender, and in Bellany's *Politics of Court Scandal*, which reads them in multiple

intersecting moral, social, gender and political contexts.

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