

PAULINE CROFT (London)

Parliaments and the Political Nation 1559 - 1640*

Over the last fifteen years the history of the English parliament in this period has been largely transformed, both by the application of new research and by the challenging of old assumptions. What had seemed a settled, indeed virtually exhausted topic, its clear outlines and high points universally accepted, has become instead something of a minefield in which it is wise to tread with extreme caution. On the whole, the new interpretations which have emerged are better established for the reign of Elizabeth (1558 - 1603) than for the early seventeenth century, so this paper will tackle the two periods separately, although many of the themes inevitably overlap.

By the end of the fourteenth century it was already accepted in England that nationwide taxation on the laity must receive the consent of parliament. So also must new statute laws, and these fundamental characteristics, of parliament as a taxing and legislative assembly, were fully established by 1485 when Henry Tudor took the English throne after the battle of Bosworth. By Elizabeth's accession in 1558, however, the status of parliament stood even higher than it had done when her grandfather called it to confirm his accession. The key reason for this was the advent of the Reformation in England. Henry VIII, his young son Edward VI (1547 - 1553) and his elder daughter Mary (1553 - 1558) all used parliament to obtain the various (and conflicting) religious changes which they were intent on imposing on the nation. Whereas as late as 1528 it had been accepted legal opinion in England that if any statute were to be made against the law of God by which was meant the doctrine and organisation of the Catholic church — such a statute would be automatically void. The calling of the Reformation Parliament in 1529, and its successors up to and including the session of 1559, the first of Elizabeth's reign, altered that completely. Changes not merely in church

* *Od Redakcji:* Tekst stanowi uzupełnioną wersję referatu wygłoszonego w czasie konferencji *Parlament a społeczeństwo*, która odbyła się w dniach od 14 do 16 września 1987 r. w Poznaniu (por. CPH, t. XL, 1988, z. 1, s. 229 - 230).

government but also in doctrinal matters were made by parliamentary statute, and once that happened only new statutes could alter or reverse them. The lawyers of Mary Tudor recognised that she had no option but to use parliament in her efforts to return England to Catholicism. Significantly, only her newlyappointed archbishop, Cardinal Pole, continued to deny the supremacy of statute over religion, for having spent the previous twenty years in exile he was unreconciled to recent constitutional development. By 1559 the English parliament was thoroughly accustomed to dealing with matters spiritual, and its role in this respect was so central that the great jurist Sir Edward Coke, who first took his seat in 1589, regarded „the state and defence of the Church of England” as „first in intention” among „the matters of parliament”¹.

This was not, however, the only way in which the agreed authority of parliament had increased. Property rights had been assumed before 1529 to be largely governed by the long-established precedents of the common law rather than by statute. Acts of parliament had altered or taken away such rights in the cases of specific individuals, particularly those convicted of treason or attempted rebellion, but there had been no general changes, nor any widereaching suppression of privileges relating to land ownership. Still less had there been any wholesale, nationwide confiscation of property. But with the Statute of Uses in 1536 parliament temporarily gave the Crown greatly increased control over virtually all landed estates; with the suppression of franchises in the same year, it removed legal rights from powerful regional nobles and bishops; and above all with the dissolution of the monasteries between 1536 and 1540 a huge amount of land, perhaps a quarter of all the land in England, was taken from the church and its ownership vested in the Crown, before being steadily sold off to new owners over the next fifty years. Such major developments were consolidated and expanded over the reigns of Edward and Mary, so that it became apparent that statutes could, and did, deal with anything. By 1559, nothing was outside the scope of an act of parliament².

At the end of each session, statutes were printed by the Crown's printer. Thereafter, they were enforced in the law courts at all levels from the highest, Kings Bench and Common Pleas, presided over by the most senior judges, down to the local level of petty sessions run by unpaid local gentlement, the Justices of Peace, appointed in each county by the Crown. Previously in the fifteenth century parliamentary statutes has been only one of a number of forms of law including custom and

¹ Christopher St. German, *Dialogus de fundamentis legum Anglie et de Conscientia* (London 1528); Jennifer Loach, *Parliament and the Crown in the Reign of Mary Tudor* (Oxford 1986), pp. 108-111, Sir Edward Coke, *Institutes of the Laws of England*, vol. 4 cap. 1.

² M. A. R. Graves, *The Tudor Parliaments* (London 1985), pp. 93-94.

previous judicial practices and decisions. But by the middle of the sixteenth century, statute had become supreme over all the rest; it was the highest form of law, overriding anything else, and its authority in the law courts could only be curtailed by another statute. Of course statutes did not regulate every aspect of life, for in many areas such as economic and mercantile practice, at yet there were none. But where there were, or whenever new statutes were passed, they immediately became the supreme authority.

Finally, the relationship between parliament and the Crown had changed during the early sixteenth century. In the later middle ages, the English parliament had been somewhat vaguely thought to consist of three estates, nobility, spirituality and commons, much like other representative institutions on the continent. By the death of Henry VIII in 1547, this had given way to a far more precise definition both of parliament itself and of its powers. Parliament was now envisaged as a trinity, of King, Lord and Commons. The spirituality — after 1540 consisting only of the bishops since the abbots had disappeared along with the monasteries — sat in the House of Lords, but it had been established in 1516 that they were merely individual members of the upper house, not representatives of a separate estate. Assembled together, King, Lords and Commons possessed sovereignty, the ultimate power in the state. Henry VIII himself had confirmed this, commenting to members of the Commons in 1543 that „We be informed by our judges that we at no time stand so highly in our estate royal as in the time of parliament, wherein was as head and you as members are conjoined and knit together into one body politic”³. As Henry VIII's simile made clear, the Crown was inevitably the senior element in this new trinity. Parliament met infrequently (only once about every three and a half years in Elizabeth's reign) and was summoned and dissolved entirely at the monarch's pleasure, although it was assumed that the summonses would come at fairly regular intervals. Even when parliament was in session, the day-to-day government of the realm continued to be carried out by the Crown assisted by the privy council. Nevertheless, from the vantage point of Elizabeth's accession, there was no denying that the authority of parliament had increased greatly over the previous half-century.

It was perhaps the crucial assumption of the last generation of historians that a similar increase in status continued steadily through the reigns of Elizabeth, James I (1603-1625) and Charles I until the outbreak of the civil war in 1642. In that war the sixteenth-century trinity broke apart, with the house of Commons and some members of the house of Lords waging war on the king and some other members of the

³ G. R. Elton, *The Parliament of England 1559-1581* (Cambridge 1986), pp. 18-22; Elton, *The Tudor Constitution* (Cambridge 1960), p. 270.

Lords. Members of the first group arrogated to themselves the name of parliament, despite the king's justified protest that without him there could be no parliament. They succeeded in defeating the Stuart monarchy and briefly established a republic. With this long-term scenario of parliamentary victory linked to the changes of the first half of the sixteenth century, the temptation was inevitably to see every development between 1559 and 1642 as part of the „rise to dominance” of the House of Commons, which was experiencing „an apprenticeship in the arts of opposition”⁴. At the same time two other historical phenomena were linked to this „rise” and used both to explain and reinforce it. One was the undoubted evidence of increased standards of literacy and education, which affected English society as a whole but most particularly the aristocracy, the gentry and urban elites, the group often called for convenience „the political nation”. The other was the increasing hold of protestantism in its most rigorous Calvinist form on some members of that political nation. These „hotter sorts of protestans” were labelled „puritans”, though it seems increasingly likely that historians might do well to abandon the term altogether since it is apparently incapable of an agreed working definition⁵. Building on the achievements of the first half of the sixteenth century, an assertive, educated, strongly protestant gentry, unhappy with the lukewarm protestantism of the official Church of England established in 1559 began to form an opposition to the Crown. This opposition was novel, and formidable, because it was carefully organised, with pre-session planning and concerted tactics in debates. Moreover it was not simply negative; while vowing, quite genuinely, its loyalty to Elizabeth, it had an alternative programme on religion and related issues such as the royal succession which it was intent on forcing her to adopt. Acting on this set of assumptions, Sir John Neale and other historians trained by him combed the parliamentary records for every incident of criticism, every clash with the Crown or members of the privy council, every bill proposing changes in the church. They wove the results into a powerful narrative of escalating conflict. By Elizabeth's death, it seemed, „the House of Commons reached maturity [...] the instrument tempered with which the Crown was to be resisted and conquered”⁶.

Neale's version of Elizabethan parliamentary history has recently crumbled before a multi-faceted onslaught. For one thing, the old interpretation totally ignored the house of Lords except to cast it in the role

⁴ M. A. R. Graves, *Elizabethan Parliaments 1559-1601* (London 1987), pp. 19-20.

⁵ M. G. Finlayson, *Historians, Puritanism and the English Revolution* (Toronto 1983) pp. 160-162.

⁶ Sir John Neale, *The Elizabethan House of Commons* (London 1949), pp. 319-320.

of toady to the Crown. Such a view was always inherently unlikely, given that the English political nation remained until the nineteenth century a group dominated by its aristocracy. Recent work has revealed that in the conduct of business as well as political influence, the Lords frequently functioned as the leading house. At the same time, historians of religion have generally rejected the simple old concept of puritan non-conformity, hostile to bishops and intent on changing the English church into a Geneva-style presbytery. Instead of such a puritan group, central to the formation an leadership of the parliamentary opposition, we now see a much broader, more diffuse movement of „the godly“. These were committed protestants, but they aimed not so much at presbyterianism as at less radical goals such as higher standards of learning and above all of pastoral und preaching skills in the clergy. Ranked among „the godly“ it has been pleasing to find most of the bishops of the state church, and a large number of Elizabeth's most senior and trusted privy councillors. Many of the bills for reform of the church came from them, not from a thrusting puritan opposition. Moreover local studies have revealed the continuing strength of Catholicism in some areas, and the lack of any great enthusiasm for protestantism in others, until at least the 1580s. This in turn has made the existence of a puritan power-group in the Commons in 1559, 1563, 1566 and 1571, as identified by Neale, seem even less likely. Only in 1584 and 1587 was there any sort of planned presbyterian campaign, and it was a flop, never gaining anything like majority support and disliked almost as much by many of the godly as it was by the queen herself¹.

As religious dynamism ceased to be a convincing explanatory device in Elizabethan parliamentary history, entirely different questions came to occupy scholars. Instead of constructing selective, dramatic narratives of politico-religious conflict, they began to study how parliament functioned as an institution. After all, the Crown went on calling parliament regularly, indicating that the queen and her council still found sessions worth having, and by far the greater bulk of parliamentary time was devoted not to the discussion of high politics but to the steady passage of legislation. Fresh scrutiny of the records of the original acts submitted to the House of Lords and the House of Commons has brought remarkable results. The sheer usefulness of parliament, as a means of doing all sorts of business, has emerged very clearly. Bills (the first stage in obtaining an act or statute) were drafted as soon as a parliament was announced, in the forty days between the initial summons and assembly at Westminster. In addition to government bills, groups and individuals also put forward measures. Together these covered every category of

¹ Elton, *Parliament of England*, pp. 198-216; Elton, *Parliament in the 16th century: Functions and Fortunes*, *Historical Journal* XXII, 1979, pp. 271-77.

national life — on agrarian matters such as the restriction of corn exports abroad and the keeping of sufficient land under food cultivation at home; on the manufacture of cloth and attempts to standardise it; on trade and shipping; and on matters of social reform such as measures to assist the poor. Communities asked the help of parliament in founding schools and hospitals, in establishing or moving markets, in levying local rates for paving streets or maintaining bridges, and in rebuilding themselves after disastrous fires or floods. Promoters of drainage schemes requested parliament to authorise their operations, as did those intent on mining for alum or copperas. Towns, counties or regions sought to bend national legislation into a shape more suited to their own requirements, or to exempt themselves from it completely. The aldermen of London always met before each session to formulate a programme of legislation to advance the interests of the city; similar meetings took place in York and Exeter. Groups such as fishermen or brewers or weavers aimed to protect or expand their craft privileges. Individuals sought bills to naturalise their children born abroad, to restore the legal rights of those whose ancestors had been stripped of them for treason or serious crime, to resolve disputes of landownership caused by ambiguous wills or contested matrimonial arrangements. Many bills came before parliament more than once, for if they failed initially there was always the hope that a re-drafted version might attract more support a second or even third time round. Sir Edward Coke thought that „good bills or motions never die [...] which may be a great encouragement to worthy and industrious attempts”. In all these varied ways parliament acted as a forum for the nation's business, itself a great rag-bag of individual, local, urban, regional and specialist concerns, all begging for parliamentary time and attention. Bills which had been ignored in the narrative of political conflict, such as one proposing to confirm all existing weights and measures, and to reform misbehaviour on the part of clerks of the market, can now be seen to have attracted the most serious concern and attention from members. The statistics speak for themselves; in the first seven sessions of Elizabeth's reign, 885 bills were handled, of which 252 resulted in acts. In the next six sessions, where the disappearance of major sources makes the calculation more difficult, there were probably 597 measures introduced of which 182 became acts⁸.

The problem for the Crown and the privy council was that official government business was competing for time with the flood of private matters. Above all, the council had to ensure that the subsidy bill, voting taxation, passed as smoothly and speedily as possible. Members of the privy council sat in the Lords or the Commons, according to their

⁸ Elton, *Parliament of England*; D. M. Dean, *Bills and Acts 1584-1601*, (Ph. D. thesis, Cambridge University, 1984).

rank, and during a session they devoted most of their time to parliamentary management. In this they were aided by a group known as „the council's men of business", experienced debaters and political operators with an expert knowledge of parliamentary procedure. Although most of the men of business were in some way connected with the government, they were not mere hacks or puppets. The two most influential of them, the lawyers Thomas Norton and William Fleetwood, had commitments and interests of their own which occasionally cut across the directives of the privy council. Norton spent a brief spell imprisoned in the Tower for speaking out too vehemently on one occasion, while Fleetwood, the Recorder of London, sometimes put the city's interests before those of the government. The most delicate and important matters in which the men of business were involved were those in which the privy council differed from the queen. Councillors could not come out into the open, but through the men of business they could arouse opinion in parliament, which could then be presented to the reluctant monarch as effectively expressing a national consensus. In 1563 and 1566, when the succession and religion were discussed, and again in 1571, 1572, and 1586-1587, when parliament debated the fates of the Duke of Norfolk and Mary queen of Scots, the conflict was not between government and opposition. These were more like campaigns, masterminded by the privy council and the men of business, to move an obstinate and isolated queen who was resisting the concerted pressure of her council, bishops, courtiers and members of parliament — virtually the whole of the English governing classes⁹.

Of course, although many members were chiefly concerned with the local and regional matters which they had been charged to bring before parliament, they still felt anxiety over such crucial national issues as the unsettled succession to the Crown, or threats to the queen's life. Thus, in involving them in the political process, even indirectly, parliament fulfilled another important function, that of a „point of contact" between Elizabeth and her realm. Such contact was needed particularly on those occasions when the government misjudged the impact of its policies. In the 1590s, trying to finance a war on two fronts, against Spain and in Ireland, the Crown resorted increasingly to profit-making devices known as patents and monopolies. The result was an unprecedented outburst of criticism in 1597 and again in 1601, which the best efforts of the privy council proved unable to damp down. But Elizabeth publicly accepted the value of such a response, telling the Speaker to „thank them of the House of Commons from me, for had I not received a knowledge from you, I might have fallen into the lap of an error only

⁹ M. A. R. Graves, Thomas Norton the parliament man, *Historical Journal* XXIII (1980); Graves, *The Management of the Elizabethan House of Commons: The Council's Men of Business*, *Parliamentary History* II, (1983).

for lack of true information [...] I take it exceeding grateful from them" ¹⁰.

In the older version of parliamentary history, the death of Elizabeth in 1603 and the accession of James VI of Scotland, as James I of England, was seen as major turning point. An experienced monarch, inspiring if imperious at times, was replaced by a shuffling, seedy incompetent, an event which allowed a mature and increasingly combative House of Commons to „win the initiative". After this victory, conflict with the Crown was bound to escalate, and from 1603 onwards England was inexorably advancing down „a highroad to civil war". While there is no denying the events of the 1640s, the argument that war was the inevitable outcome of the years immediately after 1603 now seems much less convincing. James I was a more effective monarch than the traditional view allowed, and in some areas, particularly ecclesiastical policy, he proved more deft and constructive than Elizabeth. Moreover the key episode on which the whole notion of „the winning of the initiative" rested has been shown to have been completely misunderstood ¹¹. Far from steadily increasing in power in the early seventeenth century, parliament was in some ways experiencing a decline. Since the middle of the sixteenth century, the value of the subsidy, the main tax granted by parliament, had been shrinking. Whereas Henry VIII could hope to receive at least £150,000, Elizabeth by the middle of her reign received around £130,000 while by the 1620s the return had slid down to a mere £55,000. Meanwhile, continuing inflation was seriously undercutting the real value of even these shrinking sums. In this situation the Crown looked for other sources of revenue to supply its growing financial needs. Just after the disastrous session of 1610, Lord Treasurer Salisbury told James I that despite everything, parliament „hath ever been the only foundation of supply to those princes whose necessities have been beyond the cares and endeavours of private men" ¹². This opinion stamped him as distinctly old-fashioned, for new types of income, such as the new

¹⁰ Elton, *Tudor Government, the Points of Contact: Parliament*, Transactions of the Royal Historical Society 5th series XXIV, 1974. For Elizabeth's „golden speech" of 1601, Sir Simonds D'Ewes, *The Journals of all the Parliaments during the Reign of Queen Elizabeth* (London 1682), 658–60.

¹¹ Wallace Notestein, *The Winning of the Initiative by the house of Commons*, Proceedings of the British Academy XI London 1924; Elton, *A Highroad to Civil War?* in C. H. Carter (ed.) *From the Renaissance to the Counter-Reformation* (New York 1965); Jenny Wormald, *James VI and I: Two kings or one?* History IXVIII (1983); N. R. N. Tyacke, *Wroth, Cecil and the Parliamentary Session of 1604*, Bulletin of the Institute of Historical Research, L (1977); Pauline Croft, *Wardship in the Parliament of 1604*, Parliamentary History II (1983).

¹² *A Collection of Several Speeches and Treatises of the late lord treasurer Cecil*, ed. Pauline Croft (forthcoming, Camden Series, 1987) p. 263.

impositions on trade which Salisbury had himself invented, were fast becoming more important to the Crown than the dwindling yield of parliamentary taxation. During the war years, 1585-1603, parliament had tacitly recognised the problem by voting two or three subsidies at a time, to compensate for the declining value of a single one. The willingness to do so had always been limited and grudging, and it largely evaporated in the years of peace after 1604. By the 1620s, when the Thirty Years War on the continent required that England should re-arm, the political nation assembled in parliament was completely out of touch with the scale of taxation required by the costs of war, and totally unwilling to provide a realistic sum. The fact that the 1620s were years of severe economic depression worsened the situation, for members were acutely aware of how very unpopular any taxation, however light, would be in their constituencies. Thus from the point of view of the Stuarts, parliament was becoming a far less useful body than it had been to the Tudors¹⁸.

Just as the decline in the value of the subsidy was undermining one of parliament's oldest and most important functions, that of taxing the realm, so with the increasing pressure of private bills it was also deteriorating into a slow and inefficient legislative machine. With more bills flooding in all the time, less and less attention could be devoted to any one of them, and as each required three official readings the majority never completed their course and were lost at the end of the session. Members of parliament rode to Westminster with ready-drafted bills benefiting their county or neighbourhood. They often returned home empty-handed with nothing to show for their weeks of effort except news of the forthcoming collection of a subsidy. Not surprisingly, members felt under pressure. A parliament was an important occasion in the life of the political nation, and at the heart of the system lay assumptions of co-operation and understanding, not hostility and aggression. The time-honoured aim was to find mutually acceptable solutions to problems, not occasions for conflict. But whereas members had been the essential, respected intermediaries in the exchange of benefits which constituted the essence of a sixteenth century parliament, they were now unable to satisfy either the expectations of the government, which required huge increases in financial supply, or those of their constituents, who by the later 1620s were increasingly voicing their discontent. Although the prestige attached to a seat in parliament was very high, the role of a member was becoming more and more difficult, ensnared between conflicting expectations and duties.

In part, parliament had become the victim of its own earlier success, in which the passage of legislation had gratified so many different interest

¹⁸ Conrad Russell, *Parliaments and English Politics 1621-29* (Oxford 1979) pp. 1-49.

groups. The situation was worsened by the decline in the calibre of political management in both the Lords and the Commons. Not only were there few if any men of business briefed to aid the privy council, the privy council itself was far less effective in organising and controlling sessions. After the death of Robert Cecil of Salisbury in 1612 and Henry Howard Earl of Northampton in 1614, the Elizabethan tradition of skilled and careful parliamentary management lapsed¹⁴. As a result, offensive criticisms and suspicions bred of misunderstanding which once had been soothed away by emollient political operators were now left to fester. Moreover, while there had always been a tendency for faction and disagreement at court to spill over into a parliament, the danger was greatly increased when such divisions grew more acute. James' court was significantly more scandal-prone and faction-ridden than Elizabeth's had been, and in 1610, 1614, 1621 and 1624, court faction played a significant part in making sessions more turbulent. Perhaps most important, the attitude of James himself had been soured at the very beginning of his reign by the Commons' rejection of his deeply cherished but over-ambitious scheme for a full legal union between England and Scotland. Coke, trying to analyse why the parliaments of his youth had been more successful than those of the early seventeenth century, thought the prime reason was „when the king hath been in displeasure with his Lords or his Commons [...] so essential is the king's good will'. After 1607 James made no secret of his dislike of parliaments and later boasted that he had broken the necks of three of them¹⁵. We can discard the old theory of an inevitably escalating conflict while still recognising that such utterances did not make for a harmonious relationship.

Although Stuart parliaments were in many ways little changed from their Elizabethan predecessors, the king's attitude was not the only novel and disturbing feature. Elizabeth had never been refused a vote of supply, but in 1604 and 1614 the Crown's requests were turned down, while in 1610 and 1621 only token sums were voted. In 1614 parliament was dissolved before a single bill had passed, while in 1621 only the subsidy act completed its three readings. Though medieval kings of England had seen their chief ministers tried and condemned in parliament, no Tudor royal servant had suffered impeachment. In the 1620s, James saw both his Lord Chancellor and his Lord Treasurer succumb, while Charles I had to intervene to prevent the same fate befalling his best friend and chief counsellor the Duke of Buckingham¹⁶. Obviously, there was friction between the king and the political nation, not helped

¹⁴ Linda L. Peck, *Northampton: Patronage and Policy at the Court of James I* (London 1982) pp. 185 - 212.

¹⁵ Coke, *Fourth Institute* cap. 1; *Lords Journal* III, 283.

¹⁶ Colin Tite, *Impeachment and Parliamentary Judicature in early Stuart England* (London 1974).

by the creeping disease of administrative arthritis which was affecting Crown and parliament alike. Neither was fulfilling its role and function as effectively as it had done fifty years earlier.

Nevertheless, the contrast between the parliaments of James reign and those of his predecessor should not be overdrawn. Both experienced stormy sessions and both faced deep national disagreements over foreign policy. If the frequency of disagreement seems greater in the early seventeenth century, to some extent that assessment is distorted by a very considerable increase in the sources. During the sixteenth century, the records of parliament had expanded from being just the record of statutes passed — the parliament roll — to recording the actual proceedings of each house — the journals of the Lords and of the Commons. By the early seventeenth century a further increase had taken place with the growing tendency of members to keep personal diaries of the sessions they attended. Such diary-keeping is in itself an index of the expanding literary culture of the political nation mentioned earlier. The clashes over policy made better material for memorable diary entries than did the stodgy detail of the readings of endless bills, and in that way, by themselves reading the parliamentary diaries, historians have tended to write accounts of proceedings which are probably too highly coloured. In any case, whatever the extent of disagreement in the reign of James I, it paled by comparison with that of the later 1620s. The catalysts of change were twofold. On the one hand, England entered into an extremely expensive, utterly fruitless war against both France and Spain. James had spent the last year of his life fighting a rearguard action against English involvement in continental warfare, but on his death his son Charles I promptly commenced hostilities. The war exposed the administrative incompetence of both local and central government, while at the same time the burden of taxation necessary to pay for naval and military expeditions, despite their ineffectiveness, strained the links between the centre and the localities to breaking point. By 1627 the war was deeply unpopular with the political nation but protests went unheeded by Charles I. Indeed the arrest and imprisonment of leading country gentlemen for non-payment of the forced loan was perhaps the most profound shock that the governing classes had received for generations, upsetting all assumptions of a shared social hierarchy headed by the Crown¹⁷. The second catalyst was the character of the new king. Charles was much more under the political influence of the Duke of Buckingham, James' sexual favourite, than the old king had ever been, and his own inflexibility of attitude rapidly became apparent. Nowhere was this more disastrous than in Charles' adherence to a minority party in the church. Since the 1560s, increasing numbers of the political nation

¹⁷ Richard Cust. *The Forced Loan* (Oxford 1987).

had been deepening their commitment to a fervent predestinarian protestantism; by the 1620s the influence of the godly was far more widespread than it had been two generations earlier. Mistakenly equated with popery, Charles' high church or „Arminian” convictions fatally sapped the trust and confidence which had still been reposed in the monarchy, despite James' many weaknesses, up to 1625¹⁸. The sessions of 1628 and 1629 revealed that the privy council no longer exercised any managerial control over either the Lords or the Commons, and the violence of 2 March 1629, when the Speaker was forcibly held down in the chair, convinced the king that he should rule without summoning parliament again, at least for the foreseeable future. When the outbreak of war with the Scots forced him to call the Short Parliament in 1640, it was soon clear that the stalemate of 1629 between king and nation still prevailed, and by the calling of what was to become the Long Parliament in November 1640, a new political world was already in the making. What had previously been inconceivable now seemed all too likely, namely that the differences between the king and his subjects were irreconcilable. Parliament was no longer serving as a point of contact.

The new versions of early seventeenth century parliamentary history, collectively labelled „revisionism”, have minimised the significance of the series of constitutional clashes between 1604 and 1629 which used to be seen as mileposts on the highroad to civil war. In so doing they have denied that there were any major conflicts of principle linking the frictions of those years with the clashes of 1640-1642. The cause of the earlier troubles, revisionists agree, was simply the strain of waging foreign war; when the war ended so did the troubles. The essential corollary of revisionism is the belief that there were no long-term causes of the English civil war, that on the contrary it was „a most surprising and unintended catastrophe”. There is now an influential school of opinion which sees that war not even as the result of the policies espoused by Charles I after 1625, but more as the result of a series of repeated blunders and profound misunderstandings occurring only after 1640¹⁹. These twin aspects of the new interpretation are still under vigorous attack and so far no real consensus has emerged. It would be rash to put forward an individual view, but perhaps cowardly not to make the attempt. If there was no irresistible drift to war between 1603 and 1640, were there any issues which opened an unprecedented breach between the monarchy and the political nation, thus making the parliamentary trinity created in the sixteenth century less and less workable?

¹⁸ N. R. N. Tyacke, *Anti-Calvinists* (Oxford 1987); Derek Hirst, *The Representatives of the People?* (Cambridge 1975) p. 147.

¹⁹ Anthony Fletcher, *The Outbreak of the English Civil War*, (London 1981) pp. 414-5.

To change the metaphor, were there perhaps landmines sown between 1603 and 1629 which were never defused and remained set to explode whenever the ground started to quake, as it did in 1640? Two points seem worth stressing. Firstly, the new impositions of 1608 were at the same time a great financial success and a major political error. Robert Cecil was probably the most devoted servant the Stuart monarchy ever had, but his legacy dogged the Crown until impositions were abolished in 1641²⁰. Had it not been for the new impositions, the measures of the later 1620s, above all the forced loan and the unauthorised collection of tonnage and poundage, would have been more easily accepted as temporary expedients necessitated by war. As it was, the Crown's insistence on collecting impositions, declared illegal by the Commons in both 1610 and 1614, made the later measures appear vastly more serious. Particularly after the Five Knights case, a majority of the political nation which sent its representatives to parliament in 1628-9 was extremely worried that the Crown was prepared to override all rights of private property.

Secondly, it is surely of enormous significance that fears were being expressed for the survival of parliaments themselves long before Charles I dissolved the 1629 session. Such comments occur in 1610, 1614 and 1621. By the 1620s the notion was steadily gaining ground that parliaments should be summoned annually, regardless of the king's wishes or initiative. Such anxieties had never been expressed during the reign of Elizabeth, when the medieval provision at law for annual parliaments remained a dead letter. That the continued existence of parliament as an institution could no longer be entrusted to the Crown was a new perception, which led directly to the debates on annual parliaments in 1640-1641 and thence to the Triennial Act. Nor was the argument for annual parliaments simply a plea for more sessions in which to do legislative business, the clearing of the huge backlog of private bills. By the 1620s it was instead explicitly couched in terms of the need for discussion by the political nation of matters of vital national importance, not least impositions²¹. Of course, it had long been agreed that a parliament was an occasion when the actions of government could be scrutinised by the subject; but whereas Elizabeth had made it clear that she accepted such scrutiny, even if reluctantly, it was increasingly felt that James and Charles rejected it outright. At the same time, interest in what exactly happened in parliament, and in the issues of central politics in general, was rising. The political nation was a pyramid, which peaked with the highest levels of the aristocracy, but its base was expanding in

²⁰ Pauline Croft, *Fresh Light on Bate's Case*, *Historical Journal*, Oct. 1987.

²¹ Pauline Croft, *Annual Parliaments and the Long Parliament*, *Bulletin Inst. of Historical Research* IIX (1986).

the early seventeenth century to include the richer yeomen and farmers. Increasingly, these were not only entitled to vote in elections, which was probably of no great significance while there was little choice of candidate, but more importantly, they felt themselves sufficiently well informed to express political views of their own. It would be absurd to assume that such attitudes were universal; there are plenty of examples not only of total ignorance of parliament but also of hostility. In 1629 as the Commons attempted to defend merchants penalised for refusing to pay tonnage and poundage to the Crown, they also had to send for one London merchant for his contempt „in cursing the parliament saying a plague take the parliament he cared not for it”²². But many more men all over England looked to the Long Parliament for redress than had looked to the sessions of 1559 or 1604, and it was candidates known to oppose the court who were overwhelmingly elected to that parliament. The old assumptions of harmony, of the accepted role of parliamentary scrutiny and counsel, the belief in a reciprocity of benefits linking the Crown and the political nation; such assumptions had underlain parliamentary sessions since at least 1559, but they were threadbare by 1640.

²² A. Fletcher, *National and Local Awareness in the County Communities*, in H. Tomlinson (ed.) *Before the English Civil War* (London 1983); *The Commons Debates for 1629*, eds. W. Notestein and F. Relf (Minneapolis 1921) p. 110.