LENGHTHY reports survive of speeches by several members of the Long Parliament for 9 November 1640, at the end of the first week of the session. The future royalist militant, George Lord Digby is reported to have begun his address by saying that:

you have received now a solemn account from most of the shires of England of the several Grievances and Oppressions they sustain, and nothing as yet from Dorsetshire: Sir I would not have you think that I serve for a Land of Goshen, and that we live there in sunshine, whilst darkness and plagues overspread the rest of the land . . .

The future royalist moderate Sir John Culpepper is reported to have begun: ‘I stand not up with a Petition in my hand, I have it in my mouth’, and he enumerated the grievances of his shire beginning with ‘the great increase of papists’ and the ‘obtruding and countenancing of divers new ceremonies in matters of religion’. The future Parliamentarian moderate, Harbottle Grimston, said that ‘these petitions which have been read, they are all remonstrances of the general and universal grievances and distempers that are now in the state and Government of the Church and Commonwealth. The future Parliamentarian radical Sir John Wray said:

All in this renowned senate, I am confident, is fully fixed upon the true Reformation of all Disorders and Innovations in Church or Religion, and upon the well uniting and close rejoining of the poor dislocated Great Britain. For, let me tell you Mr Speaker, that God be thanked, it is but out of joint and may be well set by the skilful chyrugeons of this Honourable House.

In November 1640 there was apparent unity of purpose amongst the members of the Long Parliament. Fortified by petitions signed

1 J. Rushworth, Historical Collections (7 vols., 1659–1701), iv. 30.
2 Ibid., iv. 33.
3 Ibid., iv. 34.
4 Ibid., iv. 40.
by their county establishments at Michaelmas Quarter Sessions or at the county court on election day, they arrived determined to take the once-for-all opportunity which had presented itself to set things right. For this Parliament met in unique circumstances. The military defeat of the king by his Scottish subjects and the latter’s occupation of north-east England guaranteed that this would be no addled parliament as in the spring, for the Scots had made it clear that they would not go home without reparations voted by the English Parliament, a Parliament which could make that supply dependent upon the redress of grievance. There was no expectation of civil war, nor even of constitutional aggression. As Sheila Lambert says:

the opening of the parliament following the traditional pattern: the earl of Essex carrying the cap of state in the opening procession. The proceedings of Parliament during the first few weeks were entirely in accordance with the precedents of the early Stuart Parliaments. But while the form of the Parliament was familiar enough, and while the expectation was that the remedy of grievance would follow established practice, the mood and context of the Parliament were unprecedented. This is most obviously seen in the contrast between the rhetoric and the agenda of the Long Parliament in its early weeks and those of the Short Parliament. When the latter had assembled, the king had retained the initiative, the freedom to dissolve them at will and resume the Personal Rule. He could reach an understanding with them and continue his war with Scotland, or he could make painful concessions to the Scots and be rid of Parliament, or he could be tempted to seek an understanding with Philip IV and the Pope and to resume both the Personal Rule and the Bishops’ War. Conscious that the initiative lay with the king, both houses set their sights low. In the autumn, the king had lost effective freedom, and the managers of the Parliament set their sights high.

It is true that one crucial dimension to the history of the Long Parliament is the working out of factional rivalries and the struggle for office. But while this forms a necessary dimension of any rounded account of the collapse of royal authority, it does not offer a sufficient explanation—any more than it does of the parliamentary clashes of the 1620s.

4 Existing impressions of the Short Parliament will be transformed by the availability of the very full parliamentary diary of Sir Thomas Aston. I am grateful to Judith Maltby for allowing me to see her full transcript of this very important diary which she is preparing for publication. It is the property of Mr Howard Talbot.
7 E.g. B.S. Manning, ‘The Aristocracy and the Downfall of Charles I’, in Politics,
My argument will be that there was in 1640 an ideological crisis as well as a functional crisis. But I wish to argue that, however jumbled together they were in the hectic early days of the Long Parliament, there were three quite distinct and separable perceptions of misgovernment or modes of opposition—what will be called the localist, the legal-constitutionalist, and the religious. One man could hold two or three of them; but many did not do so. It was possible for an individual to see links between royal secular and religious misgovernment, but not necessary or usual for him to do so. Too often in the past we have assumed that those who opposed most vigorously the Caroline religious experiment would also be in the forefront of the protest against forced loans or ship money. There are notable examples of those who did oppose both (though the link is stronger in the case of the forced loans) and who saw a connection between them. But there were many more who were prominent in their protest against either fiscal feudalism or Laudianism and who risked their careers and their liberty in protesting against one of them, but who fell in with the other. Many notable puritans paid ship money without protest, and some were even effective ship money sheriffs; many notable protesters against secular misgovernment proved to be loyal defenders of the established church in 1641–2.

The argument of the paper will be that the localist and the legal-constitutionalist perceptions of misgovernment lacked the momentum, the passion, to bring about the kind of civil war which England experienced after 1642. It was the force of religion that drove minorities to fight, and forced majorities to make reluctant choices.

The localist perception of misgovernment need not detain us. Recent work drawing attention to localism has much to teach us about the nature of the civil war, but little to tell us about why civil war broke out. It will probably be widely accepted that the decline of other loci of political and social action—the baronial household, the liberty and franchise etc—and the expansion of the duties and responsibilities of royal commissions of which the sphere of operations was the shire, and the development of distinctive and valued patterns of local government (unique administrative arrangements,
customary procedures etc.) made the county a focus of loyalty and identity. The leading families in each county had a greater or lesser degree of attachment to their ‘county community’. Not all gentry put the coats-of-arms of the families of their shire around the ceiling bosses of their great halls, but many did so. It is not claimed that this made for a cosy world of purring, contented squires, enjoying one another’s company and getting cross only when the Crown made demands on them. Quite the contrary. The social and political institutions of the county were arenas within which rivalries were worked out, disputes arbitrated, prestige and honour won and lost. Frequently the institutions of the county were respected or powerful enough to resolve such issues. But often they were not so, and appeals downward to the electorate or upward to the Court were necessary extensions of the system. It was precisely the ability to arbitrate between rival groups or individuals within particular counties and boroughs or between rival counties and boroughs which gave privy councillors or courtiers their chance to ensure that the price of their arbitration was obedience to the Crown’s wishes.

There was a dual allegiance, and therefore alarm, anger, frustration when those dual allegiances were in conflict. This occurred with the collapse of the delicate patronage system in the 1620s, when powerful groups in many counties found that they had no friends at court, or none able to help them against the power of Buckingham, and it also occurred with the intrusive drive for ‘unity through uniformity’ in the 1630s. Local traditions and customs were challenged, local men set aside, more demanded and less conceded than hitherto. Some of Charles’s fiscal expedients—ship money for example—exacerbated or resurrected jurisdictional disputes, led to charges of unfairness and arbitrariness of distribution. Some articulated their protest in legal and constitutional terms; many more saw it as a source of needless local disputes and conflict. By 1640 there was a widespread demand for a return to the older forms of local self-determination. Such a mood can be found in the addresses brought up by MPs, or reaching them from their constituents in the early months of the Long Parliament. This perception—a strongly held but ultimately mild perception of arbitrary government, of innovation and externally induced disruption—helps to explain the


11 E.g. Morrill, Revolt, 147–52.
mood of the electorate in 1640 and of the pressure for reform in
1641. But it does not explain the pressure for war in 1642. Localism
in the 1630s or in 1640 leads naturally into neutralism in 1642.
Indeed Anthony Fletcher has argued that what has been taken as
neutralism in 1642 is in fact an advanced form of localism, with
leading magistrates and others seeking either to keep both sides out
of their shire, or seeking to minimise the level of commitment to one
side or the other for the preservation of the local peace. That men-
tality which continued to see war as an unmitigated disaster, which
could not decide between a loyalty to both king and parliament, is
vital to an understanding of the nature of the war and of its outcome,
but not to the explanation of its outbreak.

Derek Hirst and others have reminded us that there was more to
the debates of the 1610s, 1620s and 1630s than a factional struggle
for power and a dislike of centralising tendencies imposed on the
Crown by the need to finance itself. There were major and
deeply-held differences of opinion and belief about the nature and
extent of the royal prerogative, about the accountability of the king’s
servants, and even (for some) about the origins and nature of kingly
power. Such disagreements are natural in all sophisticated political
cultures, and to identify such differences is not to identify the source
of inevitable political collapse. Many of the issues were keenly felt,
but everyone most of the time did accept that there were clear and
unquestioned ways of expressing dissent: in and through parliament,
in petitions to the king-in-council, in extremis by passive disobedience.
What is remarkable about early Stuart England is the absence of
political violence: virtually no treason trials, no rebellions, a decreas-
ing and localised incidence of riot, no brigandage. The English
civil war certainly did not grow out of a gradual and inexorable
collapse in the state’s ability to compel obedience. Those who
preached passive obedience to the catholics in the late sixteenth and
first decade of the seventeenth century could not, or at any rate did
not, bring themselves to contemplate the right violently to resist
wicked kings. This was in part because of the intellectual bonds in
which they had wrapped themselves, but it was also in part because
the area of constitutional dissent and alarm was still limited. What
bound them together was far greater than what divided them. We

13 D. Hirst, ‘Revisionism Revised: Early Stuart ‘Parliamentary History—The Place
of Principle’, Past & Present, 92 (1981), is the most cogent of many recent critiques of
the ‘revisionist’ approach.
14 See J.S. Morrill and J.D. Walter, ‘Order and Disorder in the English Revolution’
in Order and Disorder in early modern England, eds. A. Fletcher and J. Stevenson (Cam-
bridge, forthcoming).
must beware of two tendencies: to overlook the undebated common
ground which united the political nation; and the habit of lumping
together every complaint on every issue raised by any critic of royal
policy and then to assume that anyone who articulated any of them
accepted all of them. There is clear evidence that by 1640 very large
numbers of men, in the gentry and beyond, had a limited but clear
and firm belief in a partial royal tyranny. The king, albeit as a
consequence of wicked counsel, was misusing his powers. But let us
be clear what we mean. There was no criticism of monarchy itself;
there was no criticism of the long-term development of the early
modern state; there was no demand for fundamental change in the
nature of royal power. The complaints were very specifically about
the misgovernment of a single man, Charles I, and about the misuse
of agreed powers, not about the attempt to usurp fresh powers. The
king was not accused of trying to make law outside parliament, nor
of claiming new prerogatives or emergency powers. What was widely
asserted and believed was that the king was using approved powers
in inappropriate circumstances, powers which he possessed pro bono
publico, for the public welfare, pro bono suo, for his own benefit. He was
most criticised for raising emergency taxation in non-emergency
situations, for allowing private individuals to profit from the use of
powers reserved to the king himself, and for corruption of justice.
This limited perception of royal tyranny produced a grim deter-
mination in the members of the Long Parliament to secure remedy
and guarantees against the abuse of power. Yet the tale told by the
Journals of the Houses and the diaries of MPs is not one of headlong
constitutional action, but of sluggishness and hesitancy. In contrast
to the debates on religion, the rhetoric of the constitutional debates
was conservative, restorative. Whatever the actual cumulative effect
of the remedial legislation of 1641, the declared purpose, and, as far
as we can determine, the undeclared purpose, of those who devised,
spoke to, and approved those reforms was to maintain the rights
and liberties of the subject by amputating diseased limbs of govern-
ment, pruning back those emergency powers which had been so
readily subverted for corrupt purposes, in order to preserve the
essence of the ancient and established political order. There was no
will to new model the constitution, to reform it root and branch, let
alone to create parliamentary sovereignty. It was the failings of

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16 Lambert, ‘Opening of the Long Parliament’ (forthcoming). Her account of the
slowness of the Houses to take up legislative redress of grievance is very telling. But
I cannot agree with her that this is evidence of a house deeply divided over the need
for such redress from the outset.

15 This is based principally upon a reading of the following: Rushworth, iv. passim;
J. Nalson, An Impartial Collection of the great affairs of State from the beginning of the Scotch
Charles I, not of the political system, which had to be rectified. In all the political debates down to and beyond the Grand Remonstrance, nothing was presented as a grievance which predated the accession of Charles I. The constitutional problem was a problem with a particular monarch. In contrast, an increasing number of ecclesiastical reformers argued for a fundamental reform of the Church. The Elizabethan settlement was to be dismantled and reconstituted.

The most puzzling aspect of the Long Parliament's first session is the lack of urgency about legislative remedies. Although early speakers laid out an agenda for reform, little attempt was made to enshrine that programme in statute until after the execution of Strafford in May 1641. By that time, it is true, the Triennial Act and the Act which gave the Long Parliament control over its own dissolution had been enacted. But the substantive attack on the conciliar and prerogative courts, and the statutory pruning of royal emergency powers, only passed through the Houses in the summer months. This may reveal supreme self-confidence in the inability of the king to wriggle free, but to defer conclusive action until long after that parliamentary session had become the longest in history may also indicate that concern over the remedies were less obsessive than is often supposed.

By contrast, the attack on evil counsellors was immediate and effective. Within a few weeks, most leading privy councillors and principal officers of state were in the Tower, in exile or in disgrace. Less than half those who attended meetings of the Council in the second half of 1641 had been members of it in November 1640.17 But while the king's principal advisers were hounded from office, there was no wider harrying of those responsible for civil misgovernment. In addition to the councillors, six judges were impeached but allowed to preside over their courts while on bail,18 and there was a fitful pursuit of monopolists.19 But there it ended. Those lords lieutenant who had vigorously supported unpopular royal policies, those who had exceeded their powers during the Bishops' Wars,
those zealous ship money sheriffs, were exempt from investigation and penalty. There was no call for the removal or persecution of those who enforced the forest laws or knighthood fines; no weeding out of JPs who had openly and brazenly extolled royal policies. We will see how stark is the contrast between this and the Long Parliament’s pursuit of churchmen.

The legal-constitutionalist perception of misgovernment was thus one of a limited tyranny, and it led to an unhurried and largely uncontroversial programme of remedial legislation consciously intended to restore a lost balance, to conserve the ancient constitution. There was no recognition either that the old system was unworkable or intrinsically tyrannical, or that the remedial legislation was making it unworkable or intrinsically unstable. There was no intellectual ferment in the period November 1640 to August 1641 creating new theories of government and new constitutional imperatives. If the king’s behaviour left many unsatisfied with the achievements of the first session, there was no new rhetoric of popular or parliamentary sovereignty spurring members on to self-confident constitutional demands. All this is in stark contrast to the progress of religious concerns.

Unlike some recent commentators, I believe that it is almost impossible to overestimate the damage caused by the Laudians. I see no reason to doubt that most ‘hotter sort of protestants’ were integrated into the Jacobean church and state. Puritan magistrates and churchwardens abound, and can be found arguing for and working for an evangelical drive to instruct the ignorant, and all alliance of minister and magistrate to impose godly discipline. There was no incompatibility between serving God and the Crown. Such men found comfort in St John’s letter to the true believers in Laodicea, a church pure in doctrine but not in worship, in which he urged them to work for reform from within. They yearned for a new Constantine, a godly prince who would put the power of the state at the service of the church. The godly magistrate and parish notable yearned for more to do rather than for less. They saw James I and even more Charles I as abdicating their responsibilities under God to promote true religion. But while they saw James I as moving too slowly but in the right direction, they found in Charles I a negligent king who was oblivious to the threat of popery at home, abroad, and within the church of which he was supreme governor.

20 A committee was set up to investigate complaints against Lords Lieutenant and their deputies, but it appears never to have reported (Rushworth, iv. 98–9).
21 This paragraph and the succeeding ones are a synthesis of much reading in primary and secondary sources. The most influential of the latter include Professor P. Collinson’s The Religion of Protestants (Oxford, 1982), Godly People (1983), especially chapters 4, 6, 20, and his Birkbeck lectures in Cambridge of Lent 1981 (as yet unpublished).
It remains uncertain how and how far Laud’s doctrine of grace departed sharply from the spectrum of predestinarian views maintained by successive generations of bishops and theologians since 1559. Certainly his ecclesiology does not appear to make sense except as the expression of a belief that man, morally and intellectually depraved, could only be reconciled to God and brought to sustain a saving faith by and through the sacramental grace mediated to him by the church. Be that as it may, the programme of Charles and Laud was profoundly offensive to most lay and much clerical opinion. It rested upon a narrow and literal enforcement of the observances and practices of the book of common prayer and early injunctions of the Elizabethan church. This prohibited the penumbra of observances and practices which had grown up around the prayer book, which for many represented the kernel of their witness, as the prayer book ceremonies represented the husk. This penumbra did not constitute a challenge to the church until Laud chose to make it one, by a narrow reading of the prayer book which treated its forms and rubrics not only as necessary, but as sufficient.

The heavy task Charles and Laud gave themselves, of bringing conformity to religion and of bringing sinful man to a due regard for the things of God mediated through His church, rested upon a profound clericism. The church had to be freed to evangelise, to convert, to impose order, and had to be freed from the cloying, stifling, corrupting intrusions upon its wealth and jurisdiction which had grown up over the previous century: the invasion by 'common law cormorants'; the secularisation of church lands and assets; lay appropriations and improprations; and so on. In all of his kingdoms, Charles and Laud set out to restore the autonomy of the church. Whatever they thought they were doing, by 1640 their programme had aroused disenchantment amongst its committed and


23 See also his statement, in reply to Lord Saye and Sele, that ‘almost all of them (the Puritans) say that God from all eternity reprobates by far the greater part of mankind to eternal fire, without any eye to their sins. Which opinion my very soul abominates.’ The Works of the Most Reverend Father in God William Laud, ed. J. Bliss (7 vols, 1853), vi. 133.

24 K. Sharpe, ‘Archbishop Laud’, History Today, 33 (1983) is correct to see Laud as consciously a ‘traditionalist’; but by all evaluations, except Laud’s own, he was stressing and imposing (often neglected) aspects of the Elizabethan church at the expense of other traditions and much established practice.

25 This view owes much to the ideas of Patrick Collinson in his Birkbeck lectures.

26 For key letters and instructions of Laud in relation to these issues, see Laud’s Works, ed. Bliss, v. 321, 324, 337, 345, 351, 355, 361, and vi. 310, 330, 332, 338, 341.
its critical members, a disenchantment which gave rise to a debate more passionate than the debate on the constitution. In November 1640, Wentworth was the most feared man in England; but Laud was the most detested—"the sty of all pestielental filth", according to Harbottle Grimston, "like a busie angry wasp, his sting is in the tayl of everything". 27

The religious perception of misgovernment differed from the localist and the legal-constitutionalist perception first in its intensity. It spilled over into everything in the early weeks of the Long Parliament. 28 It saturates the language of the petitions to Parliament; it crops up with greater regularity and persistence in the business of both Houses than do secular grievances. 29 The first positive achievement carried through was the annulment of the canons 30 of convocation approved during the spring of 1640 (canons which gave full force to the Laudian programme). 31 But the religious perception is more complex than the others. It too, at the outset, was in part a perception of tyranny. Laud was accused of promoting false doctrine which lent support to the king’s arbitrary actions; and of abusing his own jurisdiction and that of other courts to impose unlawful observance and to silence ‘professors’ of the true religion. 32 But this was not simply a matter of the arbitrary use of power. Indeed, the scale of religious persecution under Laud was in fact quite limited: there were fewer deprivations and suspensions in the 1630s than in most other decades since the Reformation. 33 It was not his persecutions which caused most outrage. The religious perception was paradoxically also one of royal weakness, abdication, failure to halt the advance of popery. The attack on the bishops was built around their usurpation of the royal supremacy. 34 There were long debates in early 1641 about whether the bishops who had promoted the canons and prosecuted Bastwick were guilty of treason or praemunire,

27 Rushworth, iv. 122–3.
28 It is not true, as has been often asserted, that the managers of the Parliament sought to keep contentious ecclesiastical issues out of the Houses until after the secular reforms were achieved. See, for example, the willingness to escalate religious issues in Journal of the House of Commons (henceforth CJ), ii. 25, 26–7, 35, 41, 52, 54, 71 etc; d’Ewes, ed. Nortestein, 4, 5, 16, 17, 18, 22, 24–5, etc.
32 Rushworth, iv. 196.
33 Hutton, Laud, 98–102.
of derogating from the king's title and dignity. In the words of Laud's impeachment: 'the said archbishop claims the king's ecclesiastical jurisdiction as incident to his episcopal office... and doth deny the same to be derived from the Crown of England.' Laud had a plausible defence to the charge, but his own words in High Commission in the case of Sir Giles Allington and the alleged words of John Cosin, that 'the king had no more power over the church than the man who rubs my horse's heels', leave us in little doubt why his defence was unheeded. One of the most heated exchanges in the early months of the Long Parliament was over a report of a sermon by Dr Chaffin at the metropolitical visitation of Salisbury. Chaffin, referring to Laud as 'our little Aaron', had compared him favourably with the blessed archbishop Arundel'. He may have had in mind Arundel's silencing of preaching and harrying of Lollards, but d'Ewes was quick to remind the house that Arundel had been impeached for treason in 1397 for usurping the king's regality, dignity and Crown. Laud's usurpation had been intended to weaken the church: 'these are the men that should have fed Christ's flock, but they are the wolves that have devoured them'. As Lord Falkland put it, they sought 'to introduce an English, though not a Roman, popery'.

The remedies to the constitutional ills of the 1630s were widely agreed, leisurely pursued, based upon a conservative rhetoric. From the outset, the reform of the church was more contentious, more impulsive, and more divisive, because there quickly emerged a radical rhetoric which many could not accept. It is true that Laud and Laudianism were quickly swept away and without dissent. But within eight weeks of the opening of Parliament, the Houses were subjected to a pulpit oratory and to a petitioning campaign that called not for the restoration of the pre-Laudian order, not for the conserving of the 'pure religion of Elizabeth and James', but for the abolition of the entire ecclesiastical order and its reconstitution along...
pure biblical lines. Edward Calamy called upon Parliament to ‘reform the reformation’, and Stephen Marshall called upon them to ‘throw to the moals and the bats every rag that hath not God’s stamp upon it’.42

In the late 1620s, most critics of Arminianism spoke as defenders of the established church against novelty and innovation; even in late 1640 the number who appear to have anticipated the need to overturn the church of Elizabeth was small.43 But whereas the events of 1641 reinforced constitutional conservatism, they polarised the religious views of members of both Houses. In part, this resulted from their response to the sermons, the tracts, the lobbying. In part, it was a response to Scottish pressure.44 But in large part it was a response to the level of ecclesiastical corruption revealed by the Houses’ enquiries.

The attack on churchmen was far wider than the attack on the laity. In addition to the thirteen bishops impeached in December 1640, and the overlapping group of twelve impeached in December 1641, there was a steady stream of complaints against individual ministers, especially from within London, East Anglia and the Midlands. The Commons sent more than twenty such complaints to committees by the end of November 1640 and a steady flow thereafter.45 In those early weeks they also undertook long reviews of the trials of Burton, Bastwick, Prynne, Leighton and Lilburne, set aside their conviction and sentence, and awarded them damages against their persecutors. This was far more aggressive than anything done for the victims of secular tyranny.46 In those early weeks when more than twenty clerics were hounded, only two civil officers, a sheriff and an under-sheriff, were investigated.47 By the summer of 1641 the Commons were happily depriving ministers of their freehold, banning them from future preferment, imprisoning them in the Tower or elsewhere, or otherwise punishing them for ceremonialism or preaching up Laudianism. Those ecclesiastics responsible for

42 E. Calamy, England’s Looking Glass (22 December 1641), 48; S. Marshall, A Sermon Before the House of Commons (17 November 1640), 40. It should be said that the Fast Sermons as a whole displayed an indifference amounting to contempt for secular injustices, and focused with increasing clarity on the prospects for building a New Jerusalem. I am grateful to Mr S. Baskerville for his comments on this question.


46 CJ, ii. 24, 424–9.

47 CJ, ii. 23, 32.
ordering the parish of Waddesdon in Buckinghamshire to repair its organ and pay for an organist found themselves covering all the consequent costs by order of the Lower House.48 As early as January 1641, the Commons declared that the judges in High Commission had acted ultra vires in ordering the parishioners of St Bartholomew’s London to pay the wages of the parish clerk; they themselves acted ultra vires in setting aside the order and requiring the judges to pay the parishioners’ fines and costs.49 Such highhandedness soon produced a reaction amongst the members themselves. A study of the 700 and more cases taken on appeal by the House of Lords in the early 1640s leads to the same conclusion. Far more and worse abuses of ecclesiastical authority were revealed than of secular authority. The Lords were far more resolute in the pursuit of ecclesiastical officials than of secular ones.50

At the very time that the Houses expressed alarm at the abuses within the church, the Commons were willing to wink at breaches of ecclesiastical law. In June 1641, ‘mechanical’ lay preachers were called before the House but merely gently reprimanded and protected from the rigours of the law;51 rather later, the JPs of Monmouthshire were ordered not to prosecute those who absented themselves from their parish churches in order to hear sermons elsewhere;52 in a bitter ten-hour debate in early September 1641 the Commons issued instructions to local governors to take the law into their own hands to demolish ‘innovations’, and rejected an amendment which would have ‘provided a remedy against such as did vilify and contemn the common prayer book’.53

The point is that by the end of the first session of the Long Parliament, not only had a militancy of rhetoric and action led to a militancy of conduct in religion different in kind from that generated by the constitutional debate; but that militancy had led to a decisive shift in perception amongst many MPs who had begun the Parliament looking for a pruning and cleansing exercise in the church similar to that enacted for the state, but who now saw that the established church had to be abolished, reconstituted. For many,

49 Ibid., 281–2.
51 BL, Harl. MS 163 ff. 662, 669.
the existing order had been shown to be intrinsically unstable. For reasons of prudence, and for reasons of Providence (God's judgment appearing upon the order as well as upon the individuals who composed it), episcopacy had to be destroyed. Many accepted the necessity, fewer embraced the necessity, seeing it as the breaking of the mould, the opportunity of renewal and of the millennium. Yet the same militancy which had forged this new religious radicalism produced a reaction which created, or at any rate crystallised, a theoretical and practical defence of non-Laudian episcopacy and of the Anglicanism of the prayer book and of the Thirty Nine articles. The debates on church government in the spring and summer of 1641, culminating in the resolutions of the Commons in the final days of the session, witnessed a gradual polarisation of the members. By the time of the recess there was no royalist party; but there was an anglican party.

The constitutional reform of 1641 was largely uncontroversial and created no major division, generated no major public debate. The perceived tyranny of the 1630s was remedied. No issue left over from the past remained on the agenda in late 1641. The renewed constitutional concern arose from the king's fresh misbehaviour. It is, of course, true that in 1642 questions of trust generated new constitutional demands which proved non-negotiable and which became the occasions of civil war. A review of the Militia Ordinance and the Nineteen Propositions, however, must keep in mind a number of easily forgotten points. The first is that Parliament's defence of its actions remains basically conservative. A reading of the exchanges over the Militia Ordinance, over the king's attempt on Hull, over the Nineteen Propositions, leaves little doubt that the moves towards war were reluctantly taken. No such self-doubt can be found amongst those who pushed forward towards godly reformation in 1642, as iconoclasts, as the protectors of illegal gathered churches, as campaigners for presbyterianism. A reading of the debates, at least up to the battle of Edgehill, tells not of a radical group leading a quailing majority gently onwards, but of a leadership picking its way through a minefield, full of self-doubt, seeing the hazards of turning back as worse than the perils of pursuing their passage. This impression is

54 W.A. Shaw, A History of the English Church during the Civil War and Under the Commonwealth (2 vols, 1900), i. 1–121; Abbott, 'Episcopacy', passim.

55 The following is based not simply on the documents themselves (for which see Constitutional Documents of the Puritan Revolution, ed. S.R. Gardiner (3rd edn, Oxford, 1906), 245–7, 249–54), but also on the debates which arose from them (see Private Journals, eds Coates et al., 291–5, 313–15, 334–50, 544–50; BL, Harl. MS 163, ff. 427–8; Rushworth, iv. 516–50, 691–735.

56 I recognise that this is highly contestable view. Might not the prospective leaders
reinforced in two further ways. First the logic of events forced the Houses to make claims and then to justify them. That is, the claims to exercise unprecedented control over the militia and the executive were not the inexorable working out of a clarified constitutionalism, but were desperate rationalisations of pragmatic responses to a king increasingly seen as deranged and incapable of governing, no longer a tyrant but a man incapable of discharging his trust. Secondly, the new claims made by the Houses were advanced piecemeal and tentatively. The so-called ‘legislative’ ordinances of 1642 were in fact astonishingly hesitant and half-hearted. The most aggressive and assertive were those which dealt with religion, as that of June 1641 which extended local governors’ powers to collect recusancy fines and amended the legal definition of recusancy. In early August 1642, by contrast, Parliament desperately needed money to raise an army to defend itself. The sixth and last of the Long Parliament’s acts for the collection of tonnage and poundage had lapsed and there was no prospect of the royal assent to another one. Yet the Houses could not bring themselves to claim the right to vote themselves taxation. They appealed to all those liable to pay customs, asking them voluntarily to hand over their dues to Parliament’s treasurers, promising them a fifteen per cent discount and threatening refusers that when king and parliament once more worked in harmony, retroactive legislation would contain a clause ‘for the forfeiture of the value of all such goods as shall not be duly entered’. Similarly the Militia Ordinance possessed no legal force. The Houses specifically laid down that no action at law could follow from non-compliance. As d’Ewes said, the form of the ordinance was moral and not legal, telling the people how they ought to look to their own defence, not requiring them to do so.

...of the parliamentary cause have deliberately played down their radicalism for tactical reasons, for fear of alienating moderate opinion and losing the initiative? This is the very influential view of J.H. Hexter, The Reign of King Pym (New Haven, 1940), 1-30 and passim. I prefer the view expressed here because (i) they displayed no such reticence on religious matters despite the fact that it cost them moderate support (ii) their private thoughts appear to reflect their public statements (iii) their rhetorical reticence led to a reticence of action which threatened the success of the military operations.


BL, Harl. MS 164, ff. 858, 876; Journal of the House of Lords (henceforth L.J), iv. 384-7; Fletcher, Outbreak, 76-7.


Gardiner, Constitutional Documents, 247; BL, Harl. MS 163, f. 247, viz. “That all
Most importantly, the constitutional issues of 1642 were means to an end, not ends in themselves. They were a controversial means to protect the uncontroversial settlement of 1641 and to deal with a king no longer trusted to keep his word. I shall argue below that that lack of trust grew out of a religious perception.

Finally, the Militia Ordinance and the Nineteen Propositions may have been the occasion of armed conflict, may have provided the non-negotiable issues which required men to take sides, but they were not the issues which determined which side most men would be on. This is a point which is particularly true of the provinces, as I shall argue at the end of the paper.

Once more, in 1642, a comparison of the constitutional and religious dynamics is suggestive. The presses remained remarkably silent on the theoretical issues underpinning constitutional issues. As Michael Mendle has written, there was 'no public debate on the major constitutional questions until mid 1642'. Yet there was a vast and growing literature on the nature of the church and of episcopacy. The contribution of Lord Brooke, of John Milton, of the Smectymnuans and of others against episcopacy, and of Joseph Hall, James Ussher, Sir Thomas Aston and others in its defence is well-known, but they constitute only a tithe of the works which poured out on the subject. Even the most important constitutional developments were swamped by literature on religious ones; in January 1642 four times as many pamphlets were devoted to the impeachment of the bishops as to the Attempt on the Five Members. The great issues of church government were fully rehearsed in print for months before the substantive debates on the issue. Recent studies of a number of MPs, including Sir Robert Harley, Sir John Wray, Sir William Brereton and Sir Thomas Barrington, all show a dramatic process of radicalisation, a conversion to the necessity of root and branch reform. That radicalisation grew out of a considered review of the
possibilities; it grew out of a fundamental reappraisal and a belief in
the need for a fresh start. As we have just seen, majorities in the
Commons if not in the Lords consistently grasped the nettle of acting
to promote and to protect those who challenged not merely Laudian
innovation, but the very basis of the established church. Finally, the
demand for a godly reformation was an end in itself, a vision. As
Jacqueline Levy has recently written of the Harleys: '[They] viewed
the civil war primarily as a war to establish true religion, in defiance
of a catholic-inspired plot against church and state'. She here
points, as others have recently done, to the widespread belief in a
Popish Plot about the king's person, which was seen as the only
credible explanation of his behaviour. It was not claimed that
Charles I was a papist; but it was believed that he had ceased to be
responsible for his actions, had ceased to govern. It was, in modern
parlance, as though he had been got at by the Moonies, had been
brainwashed, programmed; or in a metaphor more appropriate to
the seventeenth century, that he had been insidiously and deliber-
ately poisoned, so that he had gradually become disoriented, dis-
tracted. The Nineteen Propositions were designed for such a circum-
stance: not to deal with a tyrant or a despot, but with a deranged
king, one who needed to be rescued from the contagion of popery,
to be shielded and deprogrammed, to be decontaminated. The his-
orical precedents to be pursued were those of the senile Edward III
or the catatonic Henry VI, not the wicked Edward II or Richard
II.

The principal elements of the Popish Plot are well-known: the
penetration of the court and household by known and suspected

Soc., 63 (1954), 1-26; J.S. Morrill, 'Puritans and the Church in the Diocese of
Chester', Northern Hist., 12 (1975), 151-5; W. Hunt, The Puritan Moment (Cambridge,

Levy, 'Harleys', 175.

C. Hibbard, Charles I and the Popish Plot (Chapel Hill, 1983), passim; G. Albion,
Charles I and the Court of Rome (1935), passim; W. Lamont, Richard Baxter and the Mil-
leum (1979), 76-123; M. Finlayson, Historians, Puritanism and the English Revolution
(Toronto, 1983), 79-119; Fletcher, Outbreak, passim.

I owe this point to conversations with Conrad Russell and to ideas contained in
his unpublished paper 'The Causes of the English Civil War'. The notion that the
king had been 'poisoned' is a common one, but more specific was the declaration of
the Houses that they proceeded as though the king was suffering from nonage, natural
disability or captivity (BL, Thomason Tract E 241(1), pp. 207-8). Dr Ian Roy tells
me that Sir Ralph Verney's (hitherto undeciphered) notes on the debate of 28 Feb-
uary 1642 show MPs considered the king in the position of a suicidal maniac, from
whom the power of the sword must be removed. Verney Papers: Notes of Proceedings
in the Long Parliament by Sir Ralph Verney (Camden 1st series, 31, 1845), 184. I am very
grateful to Dr Roy for this reference.
Catholics; the activities of papal envoys; the ascendancy of the Queen over the King; the use and projected use in 1639 and 1640 of Highland and Irish Catholic troops alongside an English army containing many catholic officers, all to be subsidised by Rome and Madrid, the ostensible purpose of which was to impose Charles’s religious preferences upon the protestant church of Scotland. No wonder the papist threat to the state was seen to parallel the infiltration and subversion of the English church. While lay papists schemed to take over the state, the church was to be fatally weakened by the activities of the episcopal wolfpack.68

Yet not everyone shared this belief in the popish plot; or more importantly, not everyone continued to see it as the principal danger. This was partly the result of the excesses of those who most fully believed in it, and was partly the result of the wildly inconsistent signals sent out by the king. On the one hand, he was, or seemed to be, implicated in the Army Plots, the Incident, the Attempt on the Five Members, and, in the midst of all these, and most damagingly, the Irish Rebellion.69 Those who knew of Charles’s negotiations with the earl of Antrim in 1639 had little reason to doubt the authenticity of the warrant which Catholic rebel leaders produced to vindicate their rising.70 Yet Charles also projected another image of himself. He accepted all the remedies for grievance put to him; he pointedly and heartlessly abandoned Laud and his policies and promoted to the episcopate moderate men, or at any rate men who were Laud’s enemies.71 And he publicly associated himself with the slogans and values of non-Laudian Anglicanism.72 Just as Pym and his colleagues were increasingly obsessed73 by the stranglehold of popery at court


69 Hibbard, Popish Plot, passim.


73 There was a generalised anxiety about the growth of popery in and around the Court from the beginning of Charles’ reign, but few saw it as the principal hazard until the events of 1641. For John Pym’s precociousness in this respect, see C. Russell, ‘The Parliamentary career of John Pym, 1621–1629’, in The English Commonwealth, eds P. Clark, A.G.R. Smith, N.R.N. Tyacke (Leicester, 1979).
and beyond, so the reinvigorated Anglicans became preoccupied with the indulgence given by the Commons to fanatic preachers, to unlawful religious assemblies, to mass picketing. The very measures which religious perceptions led a majority of the Commons to adopt as a defensive means to the end of safeguarding themselves and the nation from the threat of popery led an increasing minority to back away. Fresh constitutional priorities were evaluated from the perspective of increasingly polarised religious assessments.

Talk of ‘popery’ is not a form of ‘white noise’, a constant fuzzy background in the rhetoric and argument of the time against which significant changes in secular thought were taking place. This has been a fundamental error in the intellectual historians of the English Revolution. This falsifies the passionate belief, the passionate belief that is the ground of action, that England was in the process of being subjected to the forces of Antichrist, that the prospects were of anarchy, chaos, the dissolution of government and liberties; and the equally passionate belief that disobedience to the king, carried to the point of violent resistance, could only lead to chaos and anarchy; and to the conviction of most men that both dangers were equally real, a conviction which led to panic and a yearning for settlement.

There is a steady but inexorable shift from the muffled fears in the early months of the Long Parliament to the outpourings of apprehension of imminent Armageddon to be found in the declarations of 1642; from Mr Thomas’s call, during a debate on cathedral chapters in 1641, for the abolition of church music:

> For I do find in my reading that anno 666, the year that was designed and computed for the coming of Antichrist, Vitalian, bishop of Rome, brought to the church singing of service and the use of organs;74

and from Sir John Wray’s introduction of the Protestation as being

> first ... to preserve our religion entire and pure without the least compound of superstition or idolatry; next to defend the defender of the faith, his royal Crown and Dignity ... thus doing, Mr Speaker, and making Jerusalem our chiefest Joy, we shall be a blessed nation;75

from these to the exchanges of 1642, with Pym speaking of evil counsellors, who like ‘diseases of the brain are most dangerous’, and of a plot to destroy all liberties, privileges and the rule of law.76

Gone were the accusations of a tendency to arbitrary government;

74 Rushworth, iv. 287.
75 Ibid., iv. 240-1.
76 LJ, iv. 540-3.
in their place is the language of anarchy and destruction, brought about by those whose ‘devilish purpose was the better destruction of the true reformed religion’. 77

If we read the sequence of parliamentary defences of its actions in 1642 78 to find out to what end they acted, rather than by what right, we find the same primacy of religious argument.

William Lamont’s brilliant reconstruction of Richard Baxter’s account of his decision to resist the king’s authority lays emphasis on the King’s responsibility for the Irish Rebellion and his abdication of the duty ‘to protect his subjects from the forces of Antichrist. It was not royal tyranny but royal abdication which forced the people to look to their own defence. 79 At a stroke, decades of intellectualising about how subjects were bound to obey wicked kings as scourges sent by God were set aside; and at a stroke we can see how the constitutional issues of 1642 differed from those of 1640. The issue in 1642 was not the King’s past tyranny; it was his present moral and political incapacity. This was precisely the argument of the Declaration of Lords and Commons sent to the North (11 July 1642) 80 and of the Declaration for Taking Up Arms (2 August 1642). 81 It is also the increasingly dominant theme in the work of Henry Parker, whose thought evolved under the impact of providentialist argument and a growing recognition that the King’s will had been seduced by ‘those execrable instruments which steal the king’s heart from us, but they think the religion of protestants too tame and the nation of the English insensible to injuries’. 82 In the Contra-Replicant, for example, Charles was portrayed not as a tyrant but as a man helpless to prevent lawyers, corrupt clergy or soldiers from ‘spoyling above the general law’. 83

In 1640 and 1641 there is and was no way to distinguish ‘moderate’ and ‘radical’ constitutionalism. Future royalists like Hyde, Falkland, Dering and even George Digby, were no less ‘hardline’

77 LJ, iv. 512.
78 Rushworth, iv. 398-421 (Since the pagination is awry at this point, 385-415 being used twice, this reference is to 398-415 and then 385-421), 516-50, 565-601, 691-739. A good starting point is ‘the Declaration of Causes and Remedies’ (CJ, ii. 443-6, reprinted in Private Journals, eds Coates et al., 543-50).
79 Lamont, Baxter, 88-98.
80 LJ, v. 201-2.
81 LJ, v. 257-60.
82 H. Parker, Observations on His Majesties late Answers and Addresses (1642), 15.
83 H. Parker, The Contra-Replicant His Complaint to his Majestie (1642). See also his comments on the ‘absolute and unlimitable power of the king’s sword and sceptre’ controlled by the Queen who is in turn controlled by ‘the Romish vice-god’ (Ibid., 10-15). Parker’s thought was dramatically affected by the Irish Rebellion. My reading of Parker has been enormously helped by discussions with Howard Moss, and by supervising his admirable B.A. dissertation.
than future Parliamentarians like Pym, Selden and d’Ewes. What distinguished them was the gradual unfolding of the religious debate and the religiously-conditioned response to a new constitutional situation which was only indirectly related to the debates of 1640. None of those who defended the pre-Laudian church order in the debates of mid 1641 subsequently became a parliamentarian; few of those who demanded a fresh start supported the King. Defence of the established order, shorn of recent innovations, was partly a social perception: the defence of hierarchy in society and government. But it also owed much to affection for the practice and rhythms of a church of which they were third- or fourth-generation members; and to the claims for the superiority of the ‘catholic and reformed’ church as set forth by its apologists following Jewel and Hooker. 84

The party which withdrew from Westminster during the winter of 1641–2 and during the spring of 1642 was the Anglican party. Those who remained were more or less unanimous in approving the Militia Ordinance, and the final form of the Nineteen Propositions, but they were far from unanimous on the need to wage war to implement them. While sources for religious commitment at that juncture are hard to come by, it seems likely that what distinguished those willing to raise armies to impose the new guarantees on the King, from those who voted against the escalation of the conflict, was the level of commitment to the godly cause. Robert Harley, William Brereton, Alexander Rigby are examples of men who had modest records of standing up to secular misgovernment; but all were men who were fired by the vision not simply of ecclesiastical reconstruction, but of building a godly commonwealth. By contrast, many of those with an impeccable record of standing up to legal and constitutional misgovernment but whose commitment to ecclesiastical reform was more cool, prudential, erastian, got cold feet in 1642. They felt that they had no choice but to stay at Westminster and to work for fresh guarantees of the constitutional settlement, but they could not bring themselves to support the means which alone could in fact achieve these guarantees. No one who reads the works of d’Ewes, Selden, Rudyard or Whitelocke can have much doubt that constitutionalism, however deeply felt, was inadequate as a ground for militant action. They would be parliamentarians in the war; but they did not will that war. 85

84 Fletcher, Outbreak, passim; Morrill, Revolt, 46–50; Morrill, ‘Church in England’, 89–114; See also the forthcoming Cambridge Ph.D. thesis by Judith Maltby. For the growing articulation of the case for episcopacy within the Commons, see the debates on the Grand Remonstrance (the most heated exchanges before the final vote all concerned the church) in d’Ewes, ed. Coates, 117, 149–52, 165–6.

85 Innumerable works could be cited here. See, for example, Fletcher, Outbreak, 228–82; Gardiner, History, x. 152–219; Hexter, King Pym, 1–30; Rushworth, iv. 754–5.
Pressure of space has led me to an uncharacteristic concentration on the centre rather than on the provinces. What follows is the merest sketch of how the points made above can help to make as much sense of the provinces as of Westminster politics. MPs were too much in the limelight, too much on the spot, too much in the know, to be able to avoid making decisions which typcast them and limited their options. In the provinces, decisions were more easily hedged, fudged, deferred. It is quite clear that a majority of the gentry and of all social groups, whether they had a preference or not between king and parliament, had an absolute preference for peace, and the attempts of individuals and of county establishments to prevent or to limit the coming of the war to their communities are well enough known. Localism in 1640 led naturally to neutralism in 1642.\(^8^6\)

Anthony Fletcher's study of the petitioning campaigns of 1640–2 is very telling. In the autumn of 1640, all three ‘perceptions of misgovernment’ can be found in the petitions, jostling side by side and sometimes inconsistently. By late 1641 and the first half of 1642, petitions on constitutional issues were beginning to show a lack of comprehension of developments at the centre. Fletcher discusses the petitions sent up by thirty eight counties and characterises them as containing paeans of praise for the achievements of the parliament in putting an end to arbitrary government; but he also argues that while ‘at Westminster there was a sense of outright confrontation with the Crown ... this is entirely absent in the provinces’. While some petitions showed an interest in the Militia Ordinance and a desire for regular musters, this was purely defensive and grew out of a concern with papist risings and local order. They remain suffused with a loyalty to Charles as well as to Parliament.\(^8^7\)

More dramatic still was the wave of petitions in the summer of 1642 which called for peace and accommodation and which refused to acknowledge the non-negotiability of the differences between Charles and the Houses. There was no great wave of petitions for and against the Nineteen Propositions, no great debate on its constitutional claims. Contemporaries took rather less interest than have historians in the exchanges of Culpepper and Parker.

Yet at the same time the religious issues were being stirred, the source of division and polarisation. The wave of anti-episcopal pe-
tions in the spring of 1641 was followed by widespread iconoclasm, by ‘swarms of conventicles’ and by anti-catholic mobs, all winked at and countenanced by some in authority. Throughout the provinces this led, just as it did in Parliament, to a reaction in favour of the established order, to movements to defend episcopacy and the prayer book. More than half the counties sent up petitions in the period pleading for the established church. The bitterness of the language of the religious petitions of 1642 contrasts with the yearning for settlement and the increasingly forlorn pleading for peace which comes out of the constitutional petitions. Yet again, we find that the dynamism of religious argument contrasts with a shrinking away from constitutional choices.

The civil war broke out because small minorities thrust themselves forward, volunteered, took to arms. Neither the militia nor the array were the instruments of war. It was individual captains and colonels, recruiting their own companies and regiments who created the armies that went to war. Many of the rank and file volunteered, doubtless because they expected a short campaign in the slack season after the harvest or to escape the trade slump in London. But many, especially amongst the officers, were motivated by a cause. And here for the last time, we find the familiar contrast. In Cheshire the royalist activists in 1642, who created the war effort and dragged the reluctant county establishment into the war, were led by Sir Thomas Aston, campaigner against ship money and for episcopacy; and the parliamentarian war effort was led by Sir William Brereton, constitutional quietist and sponsor of the anti-espiscopal petition. In Herefordshire Jacqueline Levy finds that ‘religious issues lay at the heart of divided opinion ... contemporaries were writing of “parties” in connection with episcopacy as early as January 1641’. She finds in 1642 reluctance to divide over the militia, but an increasing polarisation over the religious issues. A similar conclusion was reached by Liam Hunt in his recent study of Essex. If we go back to other county studies and distinguish between the issues which required men to make choices, and the grounds upon which they made their choices, I believe we will find that only where there was strong and distinctive and developed religious commitments will we find militancy. There were no constitutional militants.

On 10 September 1642 the Houses told the Scottish General

Assembly that 'their chiefest aim' was 'the Truth and Purity of the Reformed Religion, not only against Popery but against all other superstitious sects and innovations whatsoever'. Have we been so confused into seeking parallels between the British Crisis of the 1640s and the wave of rebellions on the Continent (brought on by war and the centralising imperatives of war), or between the English Revolution and the events of 1789 and 1917, that we have missed an obvious point? The English civil war was not the first European revolution: it was the last of the Wars of Religion.

*LJ*, v. 348-50.