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Part III

1660–88

[The Restoration]
The Commons succeeding ... in the property of the peers and Church ... have inherited likewise, according to the course of nature, their power. ... You must either bring property back to your old government, and give the King, and lords their lands again, or else you must bring the governments to the property as it now stands.¹

Henry Nevill, Plato Redivivus (1681)

Charles II officially dated his reign from 30th January 1649. An Act of 1st June 1660 declared the Long Parliament fully dissolved, and the existing Convention a legal Parliament even though it had not been summoned by the King. Another Act arranged for continuity of judicial proceedings started before the King’s return, and confirmed all legal decisions of the Interregnum, subject to a right of appeal. So the constitutional niceties were preserved. The abolition of the Court of Wards and of purveyance was confirmed by statute: Charles was compensated for loss of revenue by a grant of £100,000 a year from an excise on beer, cider, and tea. A revised version of the Navigation Act was passed on 4th September. Nearly £1 million was voted to pay off the Army. An Act of Indemnity pardoned all offences arising from the hostilities of the preceding decades, but excepted fifty-seven persons, mostly
regicides. Thirty of these were condemned to death, of whom eleven were executed. A land settlement, ambiguously promised in the Declaration of Breda, proved difficult. Church, crown, and confiscated Royalists' lands were (in theory at least) restored; lands sold privately during the Interregnum were not. In Ireland the Act of Settlement (1661) and the Act of Explanation (1665) left adventurers and soldiers with two-thirds of their estates; several thousand Catholics failed to recover land which they had held in 1641. At least two-thirds of the good cultivable land in Ireland was now owned by Protestants, many of them absenteeees. In England extruded ministers were restored to their livings, but no Act was passed to implement the promise of religious toleration made at Breda. On 25th October the King issued a Declaration granting a purely temporary liberty, pending the decisions of a national synod which never met. There had been no religious settlement when the Convention Parliament was dissolved on 9th December.

Its successor, which met on 8th May 1661, and lasted for eighteen years, was the Cavalier or Pensioner Parliament. It passed a series of severe statutes known as the Clarendon Code (Corporation Act, 1661; Act of Uniformity, 1662; Conventicle Act, 1664; Five Mile Act, 1665). Their object was to exclude nonconformists from any share in central or local government. Church courts were restored, with the all-important exception of the High Commission. The Triennial Act (1664) demanded Parliaments every three years, though it had none of the automatic sanctions laid down in the Act of 1641. In May 1662 Charles married Catherine of Braganza, who brought Tangier and Bombay in her dowry. In the same year Dunkirk was sold to France. This helped to make Lord Chancellor Clarendon unpopular in the country. He was already losing influence at court, despite the marriage of his daughter to the King's brother, James, Duke of York, in 1660. Clarendon opposed the Second Dutch War (1665-7), yet was blamed when it brought a series of disasters which coincided with the Great Plague of 1665 and the Fire of London in 1666. In June 1667 the Dutch fleet sailed up the Thames and destroyed English ships in the Medway. England was forced to make peace. A combination of Clarendon's enemies brought about his impeachment in November 1667. He fled from the country, to die in exile.

The administration which succeeded him became popularly known as the Cabal, from the initial letters of the five principal ministers — Clifford, Arlington, Buckingham, Ashley, Lauderdale. Under this government the King carried on a dual foreign policy. England formed a triple alliance against France with the Netherlands and Sweden in 1668; but in 1670 Charles signed a secret treaty at Dover with Louis XIV, by which he promised to declare himself a Catholic when the affairs of his kingdom permitted. In return he received a French subsidy. Despite a state bankruptcy in 1672 (the Stop of the Exchequer), in March 1673 Charles entered upon the Third Dutch War in alliance with France. Two days before war was declared he issued a Declaration of Indulgence for Roman Catholic and Protestant dissenters. Parliament attacked this use by the King of the prerogative to suspend the operation of Parliamentary penal statutes, and reaffirmed its policy of narrow Anglican exclusiveness by the Test Act (1673). This insisted that the holder of any civil or military office should take the sacrament according to the rites of the Church of England, should take the oaths of supremacy and allegiance, and make a declaration against the Catholic doctrine of the mass. In consequence the Duke of York resigned as Lord High Admiral, Clifford as Lord Treasurer. With the dismissal of Ashley, now Earl of Shaftesbury, the ministry collapsed.

Clifford was succeeded as Treasurer by Sir Thomas Osborne, soon to be Earl of Danby. The Dutch war was brought to an end in 1674, and Danby set about building a Parliamentary majority by bribery and distribution of offices. During most of his administration (1674-9) Parliament was prorogued, and Charles relied on subsidies from Louis XIV. Danby himself, however, was anti-French, and in 1677 he brought off a marriage between the Duke of York's eldest daughter, Mary, and the Protestant William of Orange. But in the country at large fear was growing of the suspected pro-French and Papist leanings of the King and his entourage. In 1678 the adventurer Titus Oates denounced an alleged Popish Plot to assassinate the King and to promote a massacre of Protestants and a French invasion of Ireland. The Justice of the Peace to whom Oates had made his deposition was found murdered in October 1678; and panic began. On 31st October the Commons resolved 'that there has been and still is a damnable and hellish plot, contrived and carried on by popish recusants for the assassinating and murdering the King, and for subverting the government and rooting out
and destroying the protestant religion'. Many Papist suspects were executed. When the Duchess of York’s secretary, Coleman, was arrested, he was found in fact to have been engaged in a Papist conspiracy. Meanwhile the English Ambassador in Paris, Ralph Montagu, denounced Danby for obtaining subsidies from France in order to dispense with Parliament, and in December Danby was impeached. A movement to exclude the Catholic James from the succession and replace him by Charles’s illegitimate son, the Duke of Monmouth, was started. On 24th January 1679 Parliament was dissolved. Charles signed a declaration that Monmouth was illegitimate; the Duke of York went into voluntary exile in the Spanish Netherlands.

Three Parliaments came and went in rapid succession. The first sat from March to July 1679. Danby’s impeachment was revived. The King announced that he had given him a pardon under the Great Seal. The Commons voted the pardon illegal, and Danby was committed to the Tower of London. Shaftesbury was made Lord President of the Council in a reconstructed ministry. This Parliament passed the Habeas Corpus Amendment Act, and was at work on an Exclusion Bill (to prevent James’s succession) when it was first prorogued and then dissolved. Shaftesbury was dismissed. In September Monmouth was sent into exile (to Holland) and the Duke of York returned to rule Scotland.

The next Parliament met in October 1679, but was immediately prorogued. A new ministry of courtiers – Sunderland, Godolphin, Lawrence Hyde, ‘the Chits’ – was formed. Parliament remained in recess for a year. When it met again the Commons passed a second Exclusion Bill, which was defeated in the Lords only by the efforts of the Marquis of Halifax. In January 1681 the Commons resolved that no further supply should be granted until the Exclusion Bill was passed; and Parliament was dissolved. It was during the recess of this Parliament that new party labels began to occur. Opponents of the court had organised petitions against prorogation or dissolution; their opponents expressed abhorrence of the petitions. The names Petitioners and Abhorrers designated the two parties later to be known as Whig and Tory.

In March 1681 Charles summoned his last Parliament to the Royalist stronghold of Oxford. The Commons brought in another Exclusion Bill, and Parliament was dissolved after a week. Charles was driven back to financial dependence on France. In the spring of 1682 the Duke of York returned to England; Jeffreys was made Lord Chief Justice and a Privy Councillor. Sunderland, dismissed in January 1681 for temporarily supporting exclusion, returned to office. A reign of legal terror against Whigs and dissenters began. Shaftesbury was arrested on a charge of treason, but was acquitted by a London jury. He fled to the Netherlands, where he died in 1683.

In the years 1682–3 the government tried to get city and borough charters surrendered or forfeited. They were then remodelled so as to produce Parliamentary electorates and juries favourable to the court. Under the new charter forced on London in 1683 no Lord Mayor, sheriff, or recorder could be appointed without royal approval. In the same year the Rye House Plot to seize the King led to the arrest and trial of many leading Whigs. Monmouth went into hiding, the Earl of Essex committed suicide in the Tower; Lord Russell and Algernon Sydney were executed, though neither had been active in the plot. Sydney was convicted only of defending the view that governments might be resisted in certain circumstances: this too in an unpublished treatise.

In 1684 Oates was imprisoned and Danby and a number of Roman Catholic peers were released. Under the Triennial Act a Parliament should have met in 1684, but Charles called none before he died in February 1685. On his death-bed he proclaimed himself a Papist.

James II succeeded peacefully. Thanks to the remodelling of borough charters the Parliament which met in May 1685 was more favourable to the court than any since 1661. It voted James an income of nearly £2 million, almost twice what had been granted to Charles at his accession. While Parliament was still sitting two risings took place. The Earl of Argyll invaded Scotland; and in June 1685 Monmouth landed at Lyme Regis. Neither revolt lasted more than a few weeks. Both leaders were executed and savage reprisals followed. Judge Jeffreys’s Bloody Assizes in the south-west after Monmouth’s defeat at Sedgemoor became notorious. James used the occasion to demand a permanent standing army. 16,000 men were concentrated just outside London. Some of the army officers were Papists, although legally they were disabled from serving by the still unrepealed Test Act. In October 1685 Halifax was dismissed for refusing to be a party to the repeal of the Test and Corporation Acts.

James threw down the gauntlet at an unfortunate time. In the month
of Halifax’s dismissal the culmination of a long persecution of French Protestants came when Louis XIV revoked the Edict of Nantes. Parliament suggested that, instead of a standing army, the militia should be reorganised. James prorogued Parliament, and it never met again. In a collusive legal action (Godden versus Hales) the judges affirmed the King’s right to dispense with the Test Act. James prorogued Parliament, and it never met again. In a collusive legal action (Godden versus Hales) the judges affirmed the King’s right to dispense with the Test Act. In 1686 the Papist Earl of Tyronnel was made Lord Lieutenant of Ireland, where a Catholic army was also in process of formation. (In 1688, 3,000 Irish troops were sent to England.) In 1686 the navy too was entrusted to the command of a Catholic admiral, Sir Roger Strickland. A Jesuit, Edward Petre, was made a Privy Councillor. The Lord Privy Seal was a Catholic, Lord Arundell of Wardour. The chief minister, Sunderland, did not proclaim himself a Catholic until June 1688, but he certainly had no Protestant scruples. A papal nuncio was publicly received. Houses of Franciscans, Dominicans, and Benedictines were opened in London. A Court of Commissioners for Ecclesiastical Causes was erected, which was indistinguishable from the High Commission, declared illegal in 1641. This court was used to force Roman Catholics upon Oxford and Cambridge colleges. The resistance of Magdalen College, Oxford, led to the dismissal of twenty-five Fellows before the subservient Samuel Parker, Bishop of Oxford, was elected President, followed shortly by one of the papal Vicars Apostolic.

In April 1687 James issued a Declaration of Indulgence, which suspended the tests and granted liberty of public worship to Protestant and Roman Catholic dissenters. He declared that he did not doubt the concurrence of Parliament with this Declaration when it should meet. To ensure that his next Parliament was even more subservient than its predecessor, the remodelling of town corporations was continued. James made preparations to influence even county elections, though with little success. In May 1688 he issued a second Declaration of Indulgence, and promised that a Parliament would meet not later than November. Bishops were ordered to have this Declaration read in every church in the kingdom on two successive Sundays. Seven Bishops, led by Archbishop Sancroft, petitioned the King to withdraw the order, since they thought he had no right to dispense with the statutes which denied toleration to dissenters. The Bishops were sent to the Tower and prosecuted for seditious libel. In June they were found not guilty. In the same month James’s Queen bore him a son, James Edward. This proved the last straw. An invitation was sent to William of Orange to invade England, signed by seven Englishmen, including the Bishop of London, Danby, a Sydney, a Russell, and a Cavendish.

As William made his preparations for invasion James backed down hastily. He announced that Catholics would remain incapable of sitting in the House of Commons when the promised Parliament met. A Protestant was put in command of the fleet. All municipal charters granted since 1679 were annulled. The Ecclesiastical Commission was abolished. Some Papist Lords Lieutenant were dismissed; the Fellows of Magdalen were restored. But it was too late. William’s invasion was long delayed, but on Guy Fawkes Day he landed at Torbay with 11,000 foot and 4,000 horse. Slowly the peerage and gentry rallied to this formidable force, which accomplished the last successful invasion of England. Danby seized Yorkshire, Lord Delamere rose in Cheshire, the Cavendish Earl of Devonshire in Nottinghamshire. James’s supporters deserted en masse, led by his daughter, Princess Anne, and her favourite, Lord Churchill. James packed his wife off to France, and tried to follow himself, after first giving orders to disband the army – unpaid. Anarchy threatened in London, and a group of peers invited William to advance with his army and maintain order. James was inconveniently captured by Kentish fishermen and brought back to London; but he was allowed to escape again, and was in France by the end of the year.

NOTE

1 Notice that the second sentence implies that the Commons had succeeded to the property of the King as well as of peers and church, though Nevill is too prudent to say this explicitly.
The thing which is nearest the heart of the nation is trade and all that belongs to it.
Charles II to his sister, 14th September 1668

THE LAND

In January 1660 Monck expressed the view that those who had bought land during the revolutionary period formed so significant an interest that their anxieties could not be disregarded in any settlement of the nation. The Declaration of Breda promised that all things relating to grants, sales, and purchases of land should be determined in Parliament, "which can best provide for the just satisfaction of all men who are concerned". Eventually a compromise was reached. Church, crown, and Royalists' confiscated estates were to be restored, but not lands sold privately by Royalists. In practice this meant that a great deal was left to private negotiation. Even Oliver Cromwell's son, Henry, was able by various devices to keep or to sell most of the estates which had been granted to him. It was not thought worth the trouble of taking legal action to dispossess the purchasers of Henrietta Maria's dower lands; the Queen Mother was given compensation instead. Any purchaser who had made himself conspicuous in bringing about the Restoration had a good chance of a long lease on favourable terms. Such leases were 'never denied to any of the Coldstreamers' (Monck's troops). The revenue expected from crown lands in 1663 was half the estimate of 1660.

Many who had bought Royalists' lands were no less fortunate. 'The Act of Oblivion proved a great hindrance and obstruction to... all the royal party,' complained the Duchess of Newcastle. Her husband got a special Act of Parliament to restore his lands, but even so he failed to recover some of them. So we can imagine the difficulties facing lesser Royalists who lacked the credit and political influence of a duke. Many ran badly into debt in the effort to recover their lands, and some families may never have recovered from their financial embarrassments. The Restoration land settlement, Roger L'Estrange said, 'made the enemies of the constitution masters, in effect, of the booty of three nations'. 'For some Royalists the real cost of the Civil War was poor marriages for their daughters,' wrote Professor Habakkuk. Gentlewomen with meagre dowries could hardly compete in the marriage market with rich merchants' daughters.

The Duke of Newcastle sold lands worth £56,000 in order to pay debts. Then, like many other returned Royalists, he turned improving landlord. The agricultural writer Houghton spoke of 'the great improvement made of lands since our inhuman civil wars, when our gentry, who before hardly knew what it was to think, ... fell to such an industry and caused such an improvement, as England never knew before'. The economy of the market-place was extended into regions where hitherto more feudal, patriarchal relations had prevailed. Selden observed that in the days when tenants performed military service for their lords it was reasonable that their rents should be light; but now "tis vanity and folly not to take the full value'.

'Let no man's love, friendship or favour draw thee to forgo thy profits,' the Royalist Sir John Oglander advised his descendants. 'Serve God and make much of your own,' the ex-Parliamentarian Edward Moore similarly urged his son in 1668: 'and as these new leases fall out, raise your old rents, ... that you may have something to live on like other neighbour gentlemen.' Like other neighbour gentlemen: Moore's harshness was not individual, it was forced on him by society. Even Bishops, traditionally the most conservative of landlords, consulted together to work out ways of extracting the maximum rent or
succession fines from their tenants. Bishop Cosin of Durham, who closely followed his land agent’s dealings with his tenants, used to quote the practice of other Bishops and to suggest that he would be liable to criticism if he violated their agreed policy.

After 1660 the landowning class was secure against social revolt from below. Henceforth a major pre-occupation of governments was to stimulate production and to protect the producer, no longer to safeguard the consumer or to protect the subsistence farmer. This marks a decisive change in outlook. Parliament did much to help the improving lessee, for example by authorising the crown to enclose forest lands for cultivation. Regrating and engrossing (buying corn in the open market and storing it for resale when scarcity had raised prices) were permitted under an Act of 1663, whose object was to stimulate cultivation of waste land by giving 'sufficient encouragement . . . for the laying out of cost and labour'. By the end of the sixties corn import was virtually prohibited, so as to keep home prices high. From 1673 to 1681 bounties were granted on exported wheat—a 'revolution in our fiscal policy', Professor Hughes calls it. Bounties were discontinued during the period of personal government; they returned with the Liberator in 1689. Protection against imports, and this export bounty, steadied wheat prices and greatly reduced the speculative element in agriculture. Production was stimulated. After the nineties there were no more famines, and a rise in living standards is suggested by the widespread substitution of wheat for rye.

As division of labour and regional specialisation increased, the demand for food from London and other urban areas made enclosure for intensive crop cultivation even more profitable than enclosure for sheep-grazing. Large-scale market-gardening and dairy-farming prospered; there were experiments with hot-house fruit. Most of the new crops which were to be important in England's agricultural history over the next century had been started experimentally during the Interregnum, in conscious imitation of the Dutch: beans, peas, lettuces, asparagus, artichokes, sainfoin, clover. Sir Robert Walpole's father was growing turnips, clover, and artificial grasses in the sixteen-seventies. 'Turnip' Townshend and Coke of Holkham in the eighteenth century,' Dr Plumb observes, 'were mere publicists of a system of agriculture already well established in Norfolk.' Root crops and grasses permitted the abandonment of the system of crop rotation in which land was rested and lay fallow for a year. More fresh meat and vegetables must have improved the national health, though meat would have been cheaper still if the landed interest had not secured prohibition of the import of Irish cattle. The great age of English stock-breeding dates from the middle years of the century. Samuel Pepys told his parents in 1663 that it was 'not good husbandry to such a family as yours to keep either hogs, poultry, sheep, cows, . . . there being meat of all sorts, milk, butter, cheese, eggs, fowl and everything else to be had cheaper . . . at the market'. When Bunyan's Mr Badman asked, 'Who would keep a cow of their own that can have a quart of milk for a penny?' we may deplore the attitude towards holy matrimony which he was advocating; but we note that he confirms Pepys's view of the cheapness of dairy produce.

The post-Restoration atmosphere was conducive to capital investment and scientific experiment. The Royal Society made suggestions for agricultural improvement, 'by which means parks have been dis­parked, commons enclosed, woods turned into arable, and pasture lands improved by clover . . . so that the food of cattle is increased as fast if not faster than the consumption'. Racking of rents was justified because having to pay more to landlords encouraged tenants to work harder and to grow new crops. One argument in favour of fen drainage was that it not only rendered fresh land available for cultivation but also forced poor squatters to 'quit idleness and betake themselves to . . . manufactures', thus reducing unemployment. Fortrey argued in 1663 that 'as many or more families may be maintained and employed in the manufacture of the wool that may arise out of 100 acres of pasture, than can be employed in a far greater quantity of arable'. Industry could now absorb a greater proportion of those evicted; this helped to generate opinion favourable to enclosures. There was a campaign against cottagers and squatters on the waste.

Meanwhile the abolition of feudal tenures, and the failure of copyholders to win legal protection, increased the profitability of capitalist investment in agriculture. As Le Roy Ladurie puts it, 'a capitalist agricultural economy' sprang 'ready armed from the great manorial aristocratic system'—'a new shift in the history of the (rural) world'. A rise in dowries, forced by the competition of merchant wealth on the
marriage market, widened the gap between big and small landowners. The legal device of the 'strict settlement', evolved in the fifties in order to prevent heirs breaking up estates, enabled families to concentrate land and capital into large units. Younger sons now received their patrimony in the form of a capital sum, not in land: they were thus impelled to seek a career elsewhere, and turned to the expanding professions and the civil service. Since honours were no longer publicly sold, the peerage tended to become a closed oligarchy. Rich landowners invested in production rather than in peerages. 'The liquidation ... of scores of ancient families, lesser gentry and freeholders, and the rise ... of vast new agglomerations of landed estates' constituted 'a basic social revolution in the century after the Restoration'.

INDUSTRY AND THE POOR

Professor Wilson sees the Restoration as 'the economic exit from mediexcitism', based on 'a vigorous reconstruction' of the 'apparatus of economic control and stimulus' created during the Revolution. England was thus converted from a 'semi-feudal into a semi-modern state'. No attempt was made to revive the authoritarian old regime in industry; capitalist society was left to develop unhampered. The events of the forties and fifties - massive government orders to industry, and twenty years in which the new industries described by Dr Thirsk expanded freely - established economic trends which could not be reversed. When in 1664 a Bill before Parliament proposed to revive the pin monopoly, at a meeting of wire-drawers one of them was heard to declare that the late King had lost his head for granting such patents. The Bill was allowed to drop; and it is significant of the decline in the royal prerogative that it was a Bill. Parliamentary statutes were now sovereign, and there was no Star Chamber to enforce monopolies.

The Cromwellian ordinance authorising disbanded soldiers to practise trades to which they had not been apprenticed was re-enacted in 1660; the attitude of the now triumphant common-law courts ensured that restrictive gild and apprentice regulations were never again effectively enforced except in agriculture. An Act of 1663 threw the linen industry open to all. In 1669 a draper said of the Elizabethan Statute of Apprentices that 'though not repealed, yet [it] has been by most of the judges looked upon as inconvenient to trade and to the increase of inventions'. The Privy Council accepted his contention. In 1685 the courts ruled that apprenticeship was necessary only for servants hired by the year, thus exempting most wage labourers from it. In 1689, of 200 towns in England, only a quarter had any organised gilds at all. The prosperity of Birmingham and its industries in the later seventeenth century is attributed to the fact that it was not a chartered borough: it had no gilds, and its many dissenters were free from the restrictions imposed by the Clarendon Code. The clothing industry benefited especially from the new freedom. Within a few years of the Restoration the object of Cokayne's Project was attained: dyeing and dressing of cloth in England became the rule, and the quantity of undressed cloth exports fell sharply. In 1666 came the famous statute enacting that the dead were to be buried in woollen, and not in imported textiles.

The price-revolution boom was over. The disbandment of 50,000 soldiers, the Plague, the Fire of London, the Dutch fleet in the Medway - all these shook the economy. So industrial expansion at first was slow if steady. Coal shipments from Durham and Northumberland, which had advanced fourteen and a half times between 1550 and 1640, increased by only fifty per cent between 1640 and 1690. But the rebuilding of London after the Great Fire stimulated industry, and ended the monopoly of the building trade hitherto claimed by the Masons' Company. There was general agreement among contemporaries that the country was prospering, especially after about 1674. And the political and legal conditions for further advance had been created. The abolition of prerogative courts and changes in the interpretation of common law worked to the advantage of improving landlords. Before 1640 the Fletcher family in Cumberland had been prevented from developing its coal property by the rights of freeholders: by 1680 they were exporting coal on a large scale. 'At the end of the seventeenth century,' Professor Nef says, 'there remained few wastes in which the lord's power to mine, or to lease his coal, was seriously restricted.' The failure of copyholders to win legal security of tenure was as beneficial to landlords opening up coal deposits as to enclosers. The sales of Church property during the Interregnum had led to the development of coal-bearing areas hitherto unworked, e.g. in South Wales. Nor was it only copyholders who failed to win legal security of tenure; an act of
1677 made the property of small freeholders no less insecure, except in the unlikely event that it was supported by written title.

In 1696 Gregory King estimated the number of cottagers and paupers at one-quarter of the population, labouring people and out-servants at another quarter. Both groups, he thought, had to spend more than they earned. Modern research confirms this gloomy picture. At least one-third of the households of England were exempt from the Hearth Tax on grounds of poverty. After 1660 the great impetus of private charity fell off, and there followed a more effective administration of the Poor Law by rulers of the localities, no longer at loggerheads with the central authority in attitudes towards the development of capitalism. In Charles II's reign the sum raised by the poor rate was estimated at nearly half the entire revenue of the crown. Even this was only 3d. per week for each pauper and cottager.

It is difficult to generalise about the position of wage labourers. If we look only at figures, real wages are rising. But a greater proportion of labourers, having lost their plots of land, now had no subsidiary earnings to cushion them against unemployment. For those entirely dependent on wages it remains true, in Mr Ogg's words, that 'neither contemporary nor modern economists can explain how they lived'. In the early eighteenth century men worked thirteen and a half hours a day, six days a week, in the ironware factory of the philanthropist, Ambrose Crowley. Industrial craftsmen under the putting-out system also had to work extremely long hours in their own houses, with their whole families. They were as economically dependent on their employers as were wage labourers, and their employment was less continuous.

Contemporaries now saw the main problem so far as labour was concerned as one of organisation, not of surplus population. 'Fewness of people is real poverty,' Petty exclaimed in 1662. 'The hands of men employed are true riches,' said the historian of the Royal Society. England, Fortrey thought in 1663, could support twice its population, 'were they rightly employed'. The problem was to find the right form of organisation. It was assumed that the poor would work only to avoid starvation: this was one reason for encouraging corn export, in order to keep wheat prices high. Landlords benefited doubly, by high rents from prosperous farmers and easily obtained labour from people who had to work for dear life. One effect of the Restoration, indeed, was to strengthen the position of the employing classes. 'We find the unreasonableness of servants' [i.e. wage labourers'] wages a great grievance,' said the Grand Jury (i.e. solid landowners) of Worcestershire in 1661; 'servants are grown so proud that the master cannot be known from the servant.' In order to put the lower orders back in their place, the Jury added, the authority of Justices of the Peace should be enhanced.

The 1662 Act of Settlement, passed partly to solve the problem set by masses of disbanded soldiers seeking work, authorised Justices to send back to his last place of domicile any newcomer to a parish who seemed likely to become a charge on the rates. Thus only persons of some standing could move, even to look for work, without the consent of the Justices. In Thorold Rogers's words, the Settlement Act made the labourer 'a serf without land'. The assumption behind the statute was that a pauper was idle, vicious, and rightless. The impotent poor received relief in their parish of settlement, at minimum rates. Workhouses were deliberately made unpleasant in order to discourage applicants for relief; so they helped to keep down wages outside. This harsh code was more effective in villages than in towns. Hence the drift to the greater freedom and economic opportunity of the cities, where a mass of casual labour prevented wages rising too rapidly and began to form that new phenomenon, the mob.

We have little evidence of what the poor themselves thought. The Restoration confirmed the defeat of democratic movements in London. Before the end of the century the small masters in most City companies had lost all influence in running their affairs; everywhere oligarchy ruled. Industrial struggles began to take more modern forms. There were strikes and mutinies in the dockyards in the sixteen-sixties, and combinations to secure higher wages. In 1670, when London was being rebuilt after the Great Fire, the sawyers tried to form a craft trade union, to keep out casual labour and so prevent wage-cutting. If they succeeded, the master craftsmen said, their combination would bring the building trades to a standstill. Sometimes industrial action took the form of machine-breaking. In 1675 the ribbon-loom weavers of London, 'good commonwealth's men', two or three hundred in a company, broke into houses in order to seize and burn looms for weaving
ribbons, which were putting them out of employment. There were weavers' riots in Colchester in 1676, in Trowbridge in 1677. A combination of journeymen clothworkers in London refused to work for less than 12s. a week. We know too little about such movements, since our information almost invariably derives from hostile sources. But we can see the shape of things to come when London printers in 1663 made the essential distinction between labour and capital. 'Having the clothier,' they asked 'what need (necessarily) is there of the draper? . . . And having the printer there is no fear of wanting books, though there were no booksellers.'

The trend of economic development, then, was in the direction of sharper differentiation between classes: a landless working class dependent on wage labour increased, the yeomanry and small masters declined. Large numbers of households still preserved a precarious independence by agriculture or domestic handicrafts, or by a combination of both. But workers in domestic industry were steadily coming under the control of the merchants who employed them, and the division between substantial farmers and 'the poor' in the villages was becoming more marked. Payment of rates gave a man the franchise in local government; receipt of poor relief put him outside the pale. There was a tendency to oligarchy everywhere in this period. Administration of the parochial rate had long tended to concentrate power in the hands of those who paid most; now the exclusion of nonconformists from local government further narrowed its basis. England was rapidly becoming a two-class society, divided into the ruling class and the masses. Most economists saw a large population working for subsistence wages as the sine qua non of successful conquest of the markets of the world.

TRADE AND FOREIGN POLICY

After 1660 governments concerned themselves steadily with the furtherance of trade. A number of measures of the revolutionary decades were re-enacted. Thus the legal rate of interest was again fixed at six per cent (1651: re-enacted 1661). Tobacco planting was prohibited in England in the interests of colonial production (1652: 1660). One of Charles II's earliest acts was to establish a committee of the Privy Council to collect information and offer advice about the colonies. It continued to exist in various forms down to William III's Board of Trade. Noel, Povey, and Drax, experts in high favour with Cromwell, were influential after 1660; Modyford, Restoration Governor of Jamaica, had greatly influenced the Protector's Western Design. The termination of proprietary rule in the Caribbean in 1663, the retention of Jamaica under direct government control, were evidence that the Interregnum policy of subordinating colonies to rule from Whitehall was to be continued; Ashley-Cooper personified the continuity.

The most obvious outward sign of continuity in policy was the Navigation Act of 1660. This laid down the principle that no African, Asian, or American goods might be imported into England or Ireland except in ships belonging to Englishmen, Irishmen, or English colonists, and manned by crews at least seventy-five per cent English. No goods might be imported to or exported from English colonies except in ships owned by Englishmen or Irishmen. Alien merchants and factors were excluded from colonial trade, and from the coastal trade of England and Ireland. Regulations aimed against the Dutch carrying trade excluded (or subjected to double customs dues) various commodities unless they were imported in English ships or ships of the exporting country manned by seventy-five per cent English crews. These commodities included naval stores, wines and spirits, oils and salt – in all about half the value of England's European imports. The import duty on Dutch fish was doubled. Enumerated articles produced by English colonies – sugar, tobacco, raw cotton, ginger, indigo, and dye-woods – were to be shipped only to England, or English possessions, so that England became the entrepot for these goods.

The Navigation Act declared its object to be 'the increase of shipping'. The tonnage of English merchant shipping in fact doubled between 1660 and 1688. The code took time to reach its full effect. In the early sixties dispensations had to be given to foreign-built ships. But their numbers dropped rapidly after 1662, despite high constructional costs which would have militated against English shipbuilding without the protection of the Act. Giving English seamen a monopoly of English trade seems also to have raised their wages. Since merchant shipping was one of the three or four largest employers of wage labour, this must have helped the slow upward trend of wages.
But the Act had wider objects. The Venetian Ambassador summarised the Speaker's arguments when presenting it to Charles II: if it had the effect intended, Charles would 'be in a position to give the law to foreign princes, this being the true way to enlarge dominions throughout the world, the most easy for conquests and the least costly for appropriating the property of others'. In the first instance the Act was directed against the Dutch. Josiah Child said frankly in 1672 that, 'This kingdom being an island, the defence of which has always been our shipping and seamen, it seems to me absolutely necessary that profit and power ought jointly to be considered, and if so, I think none can deny but the Act of Navigation has and does occasion building and employing of three times the number of ships and seamen that otherwise we should or would do.' Without the Navigation Act, 'you should see forty Dutch ships at our own plantations for one English'. Most contemporaries would have agreed with this analysis.

The carrying trade between the Baltic and the rest of Europe was virtually abandoned to Dutch merchants after 1660; but the latter were excluded from England's own trade with those parts. The annual average of English ships passing through the Sound after 1660 was nearly twice what it had been before 1650. Although the bulk of this trade was carried not by English ships but by those of Baltic countries, still England was saved from dependence on Dutch merchants for the vital naval stores from which she had nearly been cut off during the First Dutch War. The Second and Third Dutch Wars were due, among other things, to the renewal of the Navigation Acts. War was 'much desired by the City of London', the Duke of York had said in 1662. 'What matters is not this or that reason,' added the Duke of Albemarle. 'What we want is more of the trade the Dutch now have.' War was provoked, among a host of other quarrels, by two British acts of aggression against the Dutch in 1664, springing from calculated imperial policy. One was the seizure of stations on the West African coast, by controlling which the Dutch had established a monopoly of the slave trade. At the end of hostilities England retained only two of these stations, but the Dutch monopoly was broken; the future prosperity of Bristol and Liverpool was assured.

The other act of aggression was the seizure of New Amsterdam (later New York) in 1664. The aim was to exclude the Dutch from trade with the North American colonies. Despite its recapture in the Third Dutch War, England insisted on retaining New York at the Treaty of 1674. Under Charles II England was unable to mobilise sufficient striking power to beat the Netherlands to their knees. That was done for us by Louis XIV of France. The Anglo-French maritime treaty of 1677 allowed English ships to carry Dutch cargoes whilst France and the Netherlands were at war, and so England could cut in on the Dutch carrying trade, especially in the Mediterranean.

But the main point of the Navigation Acts was a deliberate policy of developing the production, and monopolising the export, of colonial commodities like tobacco, sugar, cotton, dye-woods. The labour of the colonists, Davenant thought, was 'probably six times more profitable than labour at home', thanks to slavery. In 1640 colonial goods imported and then re-exported accounted for a bare five to six per cent of England's trade; by the end of the century, with a very different fiscal policy, they were well over twenty-five per cent. By 1686 forty-four per cent of English ships were engaged in trade with America and India. The Acts created monopoly conditions of trade with the colonies, and so increased the profits of English merchants. They mark a decisive turning-point in England's economic history. Whereas down to 1640 wool and cloth had for centuries been almost the sole English exports, by the end of the century cloth formed less than fifty per cent of exports. By then forty per cent were either re-exports of non-European commodities, or exports to India and America. A host of new industries developed, both for export and to meet expanding consumer demand at home. This diversification had a stabilising and stimulating effect on the economy. Unemployment in the clothing industry was no longer the national disaster it had been under James I.

Exports and imports increased by some fifty per cent between the Restoration and the end of the century, from roughly £4 million to £6 million a year each. These statistics ignore those English interests outside Europe which were not reflected in customs figures, for example, the slave trade and the Newfoundland fishing, which Mr Davis thinks may have exceeded £500,000 a year by 1688. Tobacco, sugar, and calico were hardly re-exported at all before the Navigation Acts. By the end of the century they formed two-thirds of England's imports from outside Europe, and nearly two-thirds of English re-exports to Europe.
Retail prices of these commodities (and of other re-exports, such as Indian silks and pepper) fell steeply during these decades. The rapid expansion of English trade resulted not only from monopoly but from cheapness due to 'mass production'. In this respect what Mr Davis calls the 'commercial revolution' can be compared with the eighteenth-century industrial revolution. Before 1650 Dutch merchants had looked like winning the monopoly for themselves. Thanks to the Navigation Acts and sea power they were ousted by English traders.

This was a transition to a new type of economy. For the colonies, or rather their white populations, offered a protected market for English manufactures, as well as cheap sources of raw materials, and so stimulated home production. Slaves from West Africa were paid for by English manufactures. A whole series of refining and finishing industries sprang up, in London and elsewhere, for the home market and for re-export. So for England at all events a way was found out of the mid-century crisis. Between the sixteen-sixties and 1700, manufactures (other than cloth) exported to Europe expanded by eighteen per cent; similar exports to the colonies by over two hundred per cent, even though such exports still amounted only to eight per cent of the total in 1700. But their protection allowed English industries to develop to the point at which, in the eighteenth century, they could compete in European markets. Nineteenth-century industrialism, Mr Davis suggests, might well have been impossible without the Navigation Acts.

But the short-run effects of the commercial revolution were the opposite of its long-term stimulus to industry. The Navigation Act's indirect subsidy to shipping, and the great profits of the colonial re-export trade, diverted capital from investment in heavy and capital goods industries. Long voyages had to be financed, overseas fortifications built and maintained, native rulers bribed. Davenant, assessing the annual addition to the national wealth at £2 million, thought that seventy-five per cent of this came from colonial and East Indian trades. Only in time would the profits made through the slave and fishing trades, through shipbuilding, through re-export and the industries working for it, spill over into general industrial investment. Meanwhile the steam engine was not developed, coke was not substituted for charcoal in the iron industry until more than a century after it had been used for drying malt.

Industrial monopoly had been abolished during the Interregnum: commercial monopoly survived. But the companies engaged in European trade soon lost their privileged positions in face of the competition of interlopers and Parliament's hostility to monopolies. The fortunes of the Merchant Adventurers fluctuated with the political situation. Under pressure from the Cavalier Parliament trade in their area was thrown open. In 1683, in the absence of Parliament, the Company was restored to its full privileges; from 1689 the trade was permanently opened. In 1671 the Eastland Company refused to lower the admission fine which had kept it so exclusive. Thereupon Parliament established free trade in the Baltic and opened the Company to all on payment of £2. There was no need to abrogate the Company's charter after 1688; it had ceased to exist as a separate monopoly. The Greenland trade was also thrown open by statute in 1671.

The monopolies of these companies had indeed become superfluous once the navy had established adequate protection against rival powers and pirates in European waters. But other companies engaged in long-distance trade more than held their own. The restored monarchy no longer played fast and loose with them. In this new atmosphere of security, the East India Company built up a permanent fund which it used for fortifications and defence, and so laid the foundations of its future military conquests. The East India and African Companies, indeed, were essential instruments for defeating the Dutch, and enjoyed the peculiar patronage of the government. Both Companies were allowed to set up courts, whose authority was exercised against interlopers by virtue of the royal prerogative alone. Judges nominated by the Companies were thus given power over the property of English subjects. Interlopers, on the other hand, looked to Parliament for protection and support. The Royal African Company was saved only by the dissolution of Charles II's third Parliament in July 1679.

The East India Company offended against the canons of traditional financial orthodoxy by exporting bullion to pay for its purchases. Sir Josiah Child defended the Company with the argument that four-fifths
of its imports were re-exported, 'by the returns of which more than treble the bullion is imported'; and in fact bullion exported to India bought goods that were subsequently exchanged for the African gold which gave its name to the guinea. In 1663 there was an historic reversal of English monetary policy: an Act of Parliament legitimised the export of foreign coin, gold, and silver. But the Company continued under attack. In 1668, in the case of Skinner versus the East India Company, the House of Lords awarded heavy damages to an interloper; and in 1684 Chief Justice Pollexfen laid it down that interlopers infringed no law since the Company was not established by Act of Parliament. Both the East India and Royal African Companies were thus deeply involved in politics. They were pressed to lend money on a large scale to the government, in return for the privileges and protection they received. The East India Company’s new charter of 1657 had narrowed its governing body, and it was now run by a group of extremely rich capitalists, who dismissed the arguments of their enemies as ‘levelling’ complaints. Under James II Whig members of the Company were forced to sell their stock.

Merchants profited greatly by the trade boom. Between 1660 and 1688, apart from paying large dividends, the East India Company doubled, and the African Company quadrupled, its nominal capital. The Hudson’s Bay Company tripled its capital between 1670 and 1688. The only conspicuous failure among the new companies was the Royal Fishery Corporation, which was composed of courtiers and aristocrats after the fashion of the pre-1640 industrial monopolies, with the King as ‘Protector’ and the Duke of York as Governor. It proved unable to do business and collapsed in a reek of scandal. But in general the companies of the Restoration were run by merchants, not aristocrats. Sir Josiah Child, whom the gentlemanly Evelyn thought ‘most sordidly avaricious’, made enough from the East India trade to marry his daughter to the heir of a duke ‘with £30,000 portion at present, and various expectations’. ‘He is a bad merchant,’ it was said in 1674, ‘that cannot make six times as much of his money by trade as he can by land.’

Charles II’s reign opened with harmony between traders and the crown. The Portuguese marriage confirmed the Cromwellian alliance of 1654. Tangier gave England a naval base in the Mediterranean, Bombay a foothold in India, though the King valued them so lightly that he abandoned the former and rented the latter to the East India Company for £10 a year. Merchants remained influential, and their interests affected policy. The 1667 treaty with Spain insisted that colonial and East India goods should be admitted to Spain as though products of England. But Charles II’s hostility towards the Dutch, so popular with the East India Company, was not based on purely commercial considerations. Neither Charles nor James shared the fear of France which the business community began to feel from the sixteen-seventies, and in consequence their governments gradually lost the confidence of the commercial classes. The disasters of the Second Dutch War, the failure even to provide convoys to bring coal from Newcastle, reminded men how much better trade had been protected under Cromwell.

In the late seventies England prospered by being at peace, whilst the Netherlands and France, its two main rivals, continued at war. But the City does not seem to have been as grateful as some historians think it should have been. In 1676 Charles told the French Ambassador that if Louis XIV seized English ships coming from the Mediterranean it would be almost impossible to deal with the outcry among the merchants who were ‘masters of London’ and supported in all things by Parliament. The statute of 1678, excluding the principal French products, an adaptation of an Act of 1649, was passed by a Whig majority. It was repealed in James II’s reign; it was the Tories who were for ‘free trade’. A prohibitive tariff was renewed in 1689. As in earlier years of the century, the constitutional struggle meant that from 1674 to 1688 governments could not afford an effective foreign policy.

FINANCE

The Interregnum transformation in the system of taxation was not reversed. What remained of crown lands was indeed restored in 1660, but they were now a relatively insignificant source of revenue. Charles II sold lands to the value of £1,300,000 in the seventies, and the remainder went soon after 1688. The £100,000 a year which the government received in return for feudal tenures and purveyance was a bad bargain: it barely covered the loss from purveyance. But for the landed classes the bargain was far better than the abortive Great
Contract of 1610: they reduced their own share of taxation at the expense of the poorer consumers on whom the burden of the excise mainly fell. An observer wrote at the beginning of the Cavalier Parliament, "Tis the general opinion of some that this Parliament, being most of all landed men and few traders, will never take away the excise, because their own burdens will thereupon become greater.' The acceptance in the seventeenth century,' writes the historian of taxation, 'of the doctrine that the poor should pay taxation is one of the landmarks in English political opinion'. (It was 'accepted' by those whom Parliament represented: the poor themselves were not consulted.) The doctrine that landed proprietors should pay their fair share of taxation was more popular with traders (as it had been with Cromwell's Army) than with the gentry. The last of the old Parliamentary subsidies was voted in 1663. After that date Parliamentary taxation did indeed take the form of a land tax, but it was at the reduced rate of 2s. in the pound. 'The nobility and gentry are the necessary if not the only support of the crown,' said Sir John Holland whilst attacking the land tax in 1668, 'if they fall that must.' The excise was much preferred by the court party.

James II, 'like a true English king', regarded a land tax as 'the last resource if God Almighty should afflict us with a war'. Only after the true English king had been replaced by a Dutchman was the fiscal revolution completed, and the land tax became a regular feature of English finance.

With the King no longer even expected to live of his own, the possibility arose of establishing a fixed and regular income for the crown's ordinary expenditure; this was something of which ministers since Robert Cecil had dreamed, but which lack of confidence between government and taxpayer had prevented. Parliament in 1660 voted the King a revenue of £1,200,000 a year - half what Cromwell had spent, but twice Charles I's income. But the revenue had been overestimated, perhaps not without some intention of keeping the government dependent on Parliament. Receipts fell £250,000 short of what had been voted. To bridge this gap Parliament voted in 1662 a tax of 2s. on every hearth. Although the very poor were exempt, the Hearth Tax, like the excise, fell heavily on small property owners, thus helping the downward march of yeomen and artisans. The Whigs always hated it, and it was abolished after 1688. Its collection was bitterly attacked as an invasion of the Englishman's privacy, though it may be noted that Parliament in 1671 cheerfully allowed any Justice of the Peace to empower the gamekeeper of any lord of a manor (of the rank of esquire and upwards) to search the houses of suspected poachers. The protection of game was a more serious matter than the collection of taxation!

The bulk of the regular revenue came from customs and excise. So governments had every interest in furthering trade. Both excise and customs expanded rapidly after the depression of the sixties. Thanks mainly to this, from 1673 Charles began to receive the full £1,200,000 voted at the Restoration. The practice of leasing ('farming') the collection of customs dues to private individuals (who made a profit) had been abandoned in 1643; it was resumed in 1662. Petty estimated that owing to false declarations, to the cost of collecting, and to the profits of the farmers, the government received only half of what was paid. But gradually merchants, better placed for advancing money, extruded the gentry from farms. The Cavalier Parliament lost its enthusiasm for farming taxes. From 1671 the customs farm was abandoned. The excise followed in 1683, and, after a number of experiments, the Hearth Tax was taken over by the government in 1684. Leases of farms had been used to compensate ex-Cavaliers for their losses; they expected more compensation when farming was given up. They often got it in the form of secret-service money. The key to the whole problem of corruption under Charles II is to be found in the single word "compensation,' wrote Professor Browning.

The abandonment of tax-farming, a 'revolution in fiscal policy', had long-term effects. A new branch of the civil service began to be formed, and expanded rapidly. In 1671, when farming was abandoned, 763 customs officers were added to the national service. There were 10 customs officers at Exeter in 1646, 71 in 1685. Here was an important new source of full-time and well-paid employment, both for younger sons of the gentry, driven from the land by the 'strict settlement', and for sons of the developing commercial and professional middle class. Sir Richard Temple could never have paid off his debts in the seventies if it had not been for his Commissionership of the Customs; his loss of government salary between 1685 and 1689 had disastrous effects on his finances. The state machinery was thus
strengthened and brought into closer connection with business life, at the same time that individual gentlemen and their families profited. Their profits, unlike those from monopolies, were not a parasitic burden on the national economy. But many, like Sir Richard Temple, must have learnt the hard way that, in the modern state that was beginning to emerge, patronage had become too important a matter to leave at the arbitrary disposal of an irresponsible sovereign: it must be brought under the control of ministers who could be called to account.

Bankers, said Clarendon, 'were a tribe that had risen and grown up in Cromwell's time, and never were heard of before the late troubles'. Charles I's seizure of bullion in the Tower in 1640, a severe shock to credit, had encouraged deposit banking with goldsmiths. The latter had also benefited by the dangers of private hoarding during the Civil War. In the sixteen-fifties the creation of a national bank was frequently mooted. But the Restoration government was opposed to such a bank, which might well have become too powerful. In 1666 'the unsafe condition of a bank under a monarchy, and the little safety to a monarch to have any' were explained to Pepys. Bankers, said a member of Parliament in 1670, were 'the Commonwealth's men who destroy the nobility and gentry'. Nevertheless, they proved necessary of Charles II and James II. Debarred from any form of un-Parliamentary taxation, Charles systematically anticipated revenue by borrowing, and this proved a decisive factor in the evolution of a banking system. Confidence in the government was rudely shaken by the Stop of the Exchequer in 1672, which led to a number of failures among bankers and naturally caused a rise in the rate of interest the government had to pay in future. Though the legal rate of interest was six per cent, Charles was paying ten per cent by the mid-seventies. King and kingdom had become 'the slaves of the bankers'. There was no possibility of creating a funded debt until full confidence had been established between crown and business community.

Professor Chandaman refers to 'the simple Caroline law that the extravagance of the King tended to increase in proportion to his resources'.17 From 1665 onwards the House of Commons tried to appropriate their grants of taxation to specific uses. This device originated with the ex-Cromwellian Sir George Downing, and was intended to facilitate government borrowing as well as to control expenditure. The Commons repeatedly protested against the government's practice of anticipating customs revenue as a means of avoiding Parliamentary control. The opposition had reason to be worried, since part at least of the increased expenditure went on bribing members as the Cavalier Parliament became the Pensioner Parliament. In 1673–5 pensions cost the government over six times as much as in 1661–3. Between 1676 and 1679 Danby's secret-service fund averaged £84,000 a year. Charles was helped in the seventies by French subsidies. But his salvation came, after the deadlock which followed the dissolution of the Cavalier Parliament, by the improvement of the excise and customs consequent upon the expansion of trade. £1 million of debt was paid off between 1679 and 1682. In James's reign, customs and excise alone brought in as much as the total revenue allotted by Parliament to Charles II—an average of over £600,000 a year each. James's total revenue averaged over £2 million a year. He was thus relatively independent of French subsidies, and could afford to raise his army to four times the size of his brother's.

So, thanks to the country's prosperity, the government slipped from under the financial yoke which Parliament had intended to place upon it. The gentlemen's agreement of 1660 failed to establish that confidence between crown and business community for which the latter had been looking throughout the century. In its attempt to escape from control, the government was driven into a pro-French policy, to the neglect of what were regarded as England's political and economic interests. The very prosperity accidentally produced by this policy in the late seventies and eighties roused alarm, because it obviated the necessity for Parliaments; and the lack of confidence itself set limits to economic expansion. The Stop of the Exchequer, a contemporary tells us, caused greater consternation than did the presence of the Dutch fleet in the Medway. There was a crisis of confidence in 1682, the year of the attack on the City's charter, a disturbance of credit in 1685; and in the winter of 1688 James seemed deliberately to be aiming at disrupting social stability by his actions on the eve of his departure. There were many reasons why the City welcomed the Liberator, under whom £1,300,000 was at last repaid to Charles II's bankers.
NOTES

4. See p. 41 above.

14

POLITICS AND THE CONSTITUTION

I think his Majesty that now is, is King upon the best title under heaven, for he was called in by the representative body of England.

Henry Marten, on trial as a regicide in 1660

THE RESTORATION OF PARLIAMENT

The Restoration of 1660 was a restoration of the united class which Parliament represented, even more than of the King. The Convention Parliament was not summoned by the King; it summoned him. ‘It is the privilege, . . . the prerogative, of the common people of England,’ Clarendon told the Lower House in 1661, ‘to be represented by the greatest and learnedest and wealthiest and wisest persons that can be chosen out of the nation . . . . The confounding the Commons of England . . . with the common people of England was the first ingredient into that accursed dose . . . a commonwealth.’ ‘Without the safety and dignity of the monarchy,’ Charles II said twenty years later, ‘neither religion nor property can be preserved.’

A pamphlet of 1660 succinctly stated the position: ‘This island . . . is . . . governed by the influence of a sort of people that live plentifully
and at ease upon their rents, extracted from the toil of their tenants and servants, each . . . of whom within the bounds of his own estate acts the prince . . . They sit at the helm in the supreme council; they command in chief at sea and land; they impose taxes and levy it by commissioners of the same quality. Out of this rank select we sheriffs, Justices of Peace and all that execute the authority of a judge; by the influence of which powers they so order all elections, to Parliament or otherwise, that the whole counties follow their respective factions, and the commonalty in the votes are managed by them as the horse by his rider.' Parliamentary elections throughout the kingdom, Petty confirmed, 'are governed by less than 2,000 active men.' Acts of 1661–2 put the local levies of the militia under the King's control, but he had to act through Lords Lieutenant, who were of course the aristocracy. The latter nominated the leading county gentry as officers. The duty of supplying horse and foot for the militia was based on a property qualification, higher in the case of cavalry. This ensured that the militia remained 'the fortress of liberty'.

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The restoration of the House of Lords and Bishops served the same social purposes. In 1675 Shaftesbury, in Harringtonian vein, claimed that, 'There is no prince that ever governed without a nobility or an army. If you will not have the one, you must have the other, or the monarchy cannot long support or keep itself from tumbling into a democratical republic.' Peers, Shaftesbury implied, were cheaper as well as nicer than rude mercenaries. It was perhaps in recognition of this useful social function that none of the many peers convicted of murder between 1660 and 1702 suffered any penalty. But although the Upper House was restored, its position in the constitution could never be the same. Clarendon blamed the negligence of the King, his excessive reliance on the loyalty of the Cavalier Lower House, and the laziness and selfishness of the peers themselves, for the Lords' loss of reputation. Resolutions of the Commons in 1661, 1671, and 1678 finally established their right to initiate money Bills and appropriate supplies; and denied the power of the Lords to amend such Bills. In the case of Skinner versus the East India Company (1668), the Lords' claim to exercise original jurisdiction in civil cases between commoners was finally defeated; but the Upper House retained its appellate jurisdiction.

The social panic of 1660 partly explains why the King was not bound by specific conditions. But there were plenty of unspecified restrictions. Moreover, the prerogative courts were not revived; without them the Privy Council lost its power of interfering in local affairs against the wishes of the 'natural rulers'. It also lost its criminal jurisdiction, and abandoned any attempt to legislate or tax independently of Parliament. The Book of Rates (for the customs) was passed as a Parliamentary statute in 1660. The abolition of feudal tenures and the sale of nearly all crown lands transformed the nature of the monarchy's power. It was no longer, in the medieval tradition, based on land, on personal relations between King and his rich subjects, or on the crown's ability to inflict economic harm. The court in the sense of the royal household was ceasing to be the centre of real power. Royal patronage henceforth was exercised almost solely through appointment to state offices; control of such appointments passed slowly into the hands of ministers.

But the greatest change of all was in the minds of men. The execution of Charles I, Mr Ogg rightly argued, was the most important political event of the century. Almost as significant was the experience in government gained during the Interregnum. For nearly twenty years, Committees of Parliament had controlled Army, Navy, Church, and foreign trade, more efficiently than the old government had ever done. No longer could these be treated as 'mysteries of state', into which subjects must not pry. City merchants had served on committees for finance, trade, and colonies. A new civil service had arisen which was far too useful to be scrapped. The returned Royalists could not command the navy without the help of 'tarpaulin' captains who had served their apprenticeship under the Commonwealth. The Duke of York, Burnet tells us, disliked tarpaulins, who 'hated Popery and loved liberty'. He started training and promoting 'young persons of quality'. But the naval code of discipline published in 1661 and the military code of 1666 were substantially those of the commonwealth.
Twelve out of thirty of Charles II’s Privy Council in 1661 had been in arms against his father. The Committee for Trade and Plantations of July 1660 included only two former Royalists out of ten members. Downing – soon to be reputed the richest man in England – was indispensable in the sphere of finance and economic planning, and developed a completely new system of book-keeping in the Treasury. Samuel Pepys, himself an old Cromwellian, tells us that in January 1668 'all the Cavalier party were not able to find the Parliament 9 Commissioners [for Accounts], or one Secretary, fit for the business,' and they were 'fain to find out' old-fashioned men of Cromwell's 'to do their business for them'. Even in the militia there were 'few of the old stock of people left who knew which way to go about it'. The Act of Oblivion and Indemnity came to be called an Act of indemnity for the King's enemies and of oblivion for his friends. 'Presbyterians for their money must be served,' grumbled a Bishop, 'while the royal party, that have endured the heat of the day and become poor, be put off with inconsiderable nothings.'

THE LAW

The common-law courts had emerged victorious over their rivals. The King’s Bench succeeded to most of Star Chamber’s jurisdiction. King’s Bench and Parliament inherited the general supervision of legal process which the Privy Council had previously exercised; this prevented the growth of any system of administrative law. The prohibition of martial law brought all cases of riot and rebellion to the ordinary courts, so that the ‘state of siege’ is practically unknown in England. Parliament succeeded to Star Chamber’s control of the press. Church courts returned, but with depleted powers; henceforth their subordination to the common-law courts was accepted. The latter also took over much commercial jurisdiction from the Admiralty court. Governments once again occasionally employed torture against political prisoners, but furtively and shamefacedly.

The common law whose supremacy was now established was not the common law as interpreted by judges under Charles I, but as interpreted by Coke and his Parliamentarian successors, like Rolle and Hale, the latter of whom long survived the Restoration. During Coke’s lifetime the last three parts of his Institutes were forbidden publication: they were printed only in the revolutionary year 1641, by order of the Commons. But henceforth Coke was regarded as ‘a second father of the law, behind whose works it was not necessary to go’. This attitude towards Coke’s Reports and Institutes had the effect of concealing such medieval precedent as was inconvenient; so legal continuity was preserved by wholesale suppression.

Common-law supremacy led to considerable modifications in the law of libel and slander. Chancery – the equity court – began to evolve its own system of consistent law and precedent. The practice of choosing a common lawyer as Lord Chancellor continued, and Lord Chancellor Clarendon himself tacitly accepted some of the Commonwealth reforms. Under Hale and ‘the Father of modern Equity’, Lord Nottingham, himself a common lawyer, equity ceased to be ‘mysterious and the measure of the Chancellor’s foot’. Many laws passed during the revolutionary decades, though formally annulled in 1660, were reenacted before the end of the century. The Statute of Frauds (1677), whose main object was to give creditors better remedies against their debtors’ land, was possibly planned during the Interregnum. Legal continuity at the Restoration included continuity of personnel. Roger North complained bitterly of the Parliamentarian sympathies of the mass of the legal profession.

Under the Commonwealth, judges had held office ‘during good behaviour’. Under Charles II they once again held ‘during the King’s pleasure’, and this lasted until the Act of Settlement re-established Parliamentary control in 1701. In 1665 a statute insisted that jurors should possess freehold land worth at least £20 a year. Three years later the House of Commons voted that it was illegal for judges to menace, fine, or imprison juries. The Recorder of London fined a jury for acquitting two Quakers in 1670; but the Court of Common Pleas reversed this, and the principle was established that juries are immune from fines for their verdicts. The effects of these changes were less radical than they would have been without the £20 property qualification.
KING AND COMMONS

Former Parliamentarians were at first little less determined than former Cavaliers that there should be no more trouble from the lower orders. The Act against Tumultuous Petitioning of 1661 forbade the collection of more than twenty signatures to a political petition to King or Parliament, 'unless the matter thereof have been first consented unto or ordered by three or more Justices of that county, or by the major part of the Grand Jury', or in London by Lord Mayor, aldermen, and common councillors. That would prevent anything like Leveller tactics of propaganda. It called the gentry in to redress the balance inside towns. So did the Corporation Act, whose object was nakedly stated: 'that the succession in such corporations may be most profitably perpetuated in the hands of persons well-affected to his Majesty and the established government'. It required all holders of municipal office to renounce the Solemn League and Covenant, and to take an oath of non-resistance and the sacrament according to the rites of the Church of England. The Act gave commissions appointed by the crown absolute power to remove and replace officers of corporations; and the government chose its commissioners from peers and gentlemen living near the particular corporation due for purging, to the virtual exclusion of townsmen. The Earl of Derby knew from bitter experience who the dangerous men in Manchester were; and even burghers anxious to take the oaths were in many cases turned out and replaced by loyal nominees.

Purging corporations helped to ensure favourable elections of borough members to the House of Commons; both Charles I and Cromwell had tried it. But Charles II and his brother found the policy more necessary now, since Parliament could not be dispensed with, and since after 1673 the crown was compelled to abandon its claim to create new Parliamentary boroughs. The government had wanted the commissions appointed under the Corporation Act to be permanent; Parliament limited their period of authority to fifteen months. Members of Parliament did not want to give the crown a free hand to gerrymander the bodies which elected them. For the next eighteen years there were continual attempts to remodel town charters so as to give the crown the right to nominate officials, or at least exercise a veto, and to restrict the Parliamentary franchise in towns to officials recommended by the King. The more drastic interference in the affairs of corporations between 1681 and 1688 was thus not a new policy but the more vigorous application of an old one. It had the additional advantage for the government that corporation officials nominated juries, and so their selection could be influenced even if jurors could no longer be intimidated.

Relations between government and House of Commons were indeed paradoxical. Clarendon was regarded by many ex-Royalists as too lenient with Presbyterians. The government was compelled by the Commons to abandon its attempt either to include Presbyterians within the Church of England or to dispense with the penal laws, and much of the 'Clarendon Code' was forced on it. Loyal though they were, the Commons took full advantage of the new position in the constitution which the events of the preceding decades had won for them. Clarendon's fall was due (over and above his loss of the King's confidence) to his failure to build up a party of supporters in the House of Commons, or to accept the fact that, in his own outraged words, 'the House of Commons was the fittest judge of the necessities and grievances of the people'. Henceforth no chief minister survived for long who could not command a majority in the Lower House.

Macaulay wrote of the Cavalier Parliament, 'The great English revolution of the seventeenth century, that is to say the transfer of the supreme control of the executive administration from the crown to the House of Commons, was, through the whole long existence of this Parliament, proceeding noiselessly but rapidly and steadily.' In 1665 the principle of appropriation of supply, opposed by Solicitor-General Finch as 'introductive to a commonwealth', was accepted; in 1667 the first Parliamentary Committee of Public Accounts was established. In the same year the sentence pronounced against Eliot, Holles and Valentine in 1629 was declared illegal, because an infringement of the right of free speech in Parliament. So the Cavalier Parliament condemned Charles I. In 1676 the Privy Council committed a man to prison for a mutinous speech, and refused either to grant bail or to bring him to trial. The Whigs retorted in 1679 by passing the Habeas Corpus Act, forcing governments to give their prisoners speedy trial. An Act of 1641 had insisted that a writ of habeas corpus should be issued 'without delay upon any pretence whatsoever' when demanded on behalf of
anyone arrested on warrant from the King or Privy Council. The Act of 1679 defined the existing procedure, and so confirmed one of the principles fought for since the sixteen-twenties. When Charles II wished to punish a country gentleman for words spoken in a Parliamentary debate, he had to hire thugs to slit the man’s nose; and times had so changed that the King had to assent to an Act of Attainder against his bravos, which expressly denied him any right to pardon them.

After Clarendon’s fall the King’s government was run by an unholy alliance of ex-Cromwellians, future Whig exclusionists, and Papists. It split on the French alliance formed in the secret Treaty of Dover. In 1673 Charles was compelled to abandon the Declaration of Indulgence, after proclaiming his determination to stick to it; and to give up his pro-French policy and the financial independence which it promised. He had to accept the Test Act, which drove Papist and Protestant dissenters out of public life again, and so laid a secure basis for Danby’s rule through the gentry. Danby accepted more whole-heartedly than Clarendon the necessity of support in the House of Commons. His party was based on the old Cavaliers and Anglicans; but he also took over from Arlington new methods of management. Offices and pensions were distributed with a view to influencing members of Parliament; and the holders were organised and disciplined in the House. Systematic pressure was brought to bear on constituencies, sheriffs, returning officers; direct bribery was employed in the House of Commons. A pamphlet of 1679 listed 214 members alleged to be taking government money in one form or another. The story of the Secretary of State’s remark to a Cornish MP in James II’s reign may be apocryphal, but it illustrates what had by then become accepted practice. ‘Sir!’ he cried, as the MP voted against the court. ‘Have you not got a troop of horse in His Majesty’s service?’ ‘Yes, my lord,’ was the reply, ‘but my brother died last night and has left me £700 a year.’ That was the price of political independence.

But Danby had to work within clearly defined limits. He himself accurately reflected the views of his gentry supporters in opposing acceptance of money from Catholic France. The Commons’ first step at the new session of October 1673 had been to order the solemn observance of the anniversary of Gunpowder Plot. There is a direct connection between the revelation of Charles II’s dependence on France and the hysteria over the Popish Plot. Traditional fear of a too strong centralised government would apply even more to a King with a French or Irish army behind him than to the Major-Generals. Danby wondered in 1677 whether ‘a small insurrection’ might not be desirable as an excuse for obtaining money and arms for the government. Even the opposition leaders were astonished by the completeness of the court’s defeat when a general election at last came in 1679.

The impeachment of Danby showed how even a minister who originally owed his position to a Parliamentary majority could not survive once he had lost the confidence of the Commons, and that not even bribery could keep the confidence of the House for a man against whom public opinion outside had decisively turned. Since Danby’s fall sprang from the government’s foreign policy, the Commons’ effective control of this hitherto sacrosanct sphere was again demonstrated. The Cavalier Parliament in 1678 passed an Act which for sheer offensiveness to the ruling monarch has perhaps never been equalled. It said that Papists should be permitted to come into the presence of the King or Queen only if they first procured ‘licence so to do, by ... warrant under the hands and seals of six or more Privy Councillors, by order of His Majesty’s Privy Council, upon some urgent occasion, therein to be expressed, so as such licence exceed not the space of ten days, and that the said licence be first filed and put upon record ... for anybody to view without fee or reward, and no person to be licensed for above the number of thirty days in any one year’.

By 1678 three factors had transformed the political situation from that in which Charles had been so joyfully welcomed. First, a large number of by-elections had diluted the original Cavalier element, over-represented in the enthusiasm of 1661: the House of Commons became more representative of the long-term views of the propertied class, though even so Charles’s advisers rightly supposed that they would never again have so favourable a House. Secondly, the pro-French foreign policy of the King and rumours of the secret Treaty of Dover had given rise to alarm. In 1673 Charles had to deny that ‘the forces I have raised in this war were designed to control law and property’. Then, thirdly, the Popish Plot seemed to corroborate the worst fears of the opposition, and played into their hands. The most
memorable remark of Nell Gwyn, Charles II’s actress mistress, was her rebuke to a hostile mob which had mistaken her coach for that of the Duchess of Portsmouth, the French and Papist royal mistress. ‘Be silent, good people,’ cried Nell, ‘I am the Protestant whore!’ The crowd roared its approval of her theological patriotism.

How then did Charles not only survive the crisis of 1678–81, but defeat the Exclusion Bills and emerge in a strong enough position to defy the Triennial Act? Charles was as intelligent, if as lazy, as his grandfather James I. But he had also learnt political prudence and a hard cynicism in his years of exile, when he had resolved never to go on his travels again. Unlike his brother, he had no principles to which he would sacrifice his convenience. On his death-bed he acknowledged himself a Papist, and the secret Treaty of Dover probably represents the policy which he would ideally have wished to pursue. But it would not have been a realistic policy: in the last four years of his reign Charles achieved a relative political independence by the closest collaboration with the Tory-Anglican gentry.

Their favourite political theorist, Filmer, once spoke of monarchy being crucified between two thieves, Popery and the people. Certainly that was the fate of the Tory gentry. Shaftesbury had countered Danby’s court party by organising a country party based on the old ‘Presbyterian’ interest and City merchants, with the dangerous support of dissenters and London populace. By economic reprisals against persecutors, merchants made the Test and Corporation Acts unworkable in many towns. The Green Ribbon Club, established in London in 1675, may be regarded as the first party headquarters. Its green colours were those of the Levellers. The ghosts of the Interregnum were walking again. Whig electioneering and rabble-rousing tactics were too successful. In Buckinghamshire it was the yeomen who were most vociferous for exclusion; not the gentry, who normally gave the lead. In 1679 a Whig government was forced on the King, and the Commons refused to accept the royal nominee as Speaker. But Charles retained his old civil servants, and the Whig aristocrats themselves were not prepared to face civil war. They did not need to be reminded by Halifax that ‘the most forward in the Long Parliament were soon turned out by others’, and that in 1681 too ‘the gentlemen, the knights of the shires, may be kicked out by mechanics, by citizens and burgesses, for he who practiseth disobedience to his superiors teacheth it to his inferiors’.

With Tory support Charles was therefore able to call the Whigs’ bluff at the Oxford Parliament. The Rye House Plot completed their disfigure by apparently associating them with republican desperadoes.

But the King’s triumph of 1681–5 was not a personal triumph. Nor, close though relations were with France, was it an unqualified victory for Louis XIV. Charles survived only because of his complete surrender to the Tory and Anglican gentry. His purge of local government in these years was made in the closest agreement with them. ‘How complete a monopoly of local administration the Tories now won,’ Dr Feiling wrote, ‘was amply shown four years later by King James’s herculean efforts to reverse it.’ The victor was not military absolutism but the Tory gentry. ‘I will stick by you and my old friends,’ Charles told the Tory Reresby in 1680, ‘for if I do not I should have nobody to stick to me.’ The King had no prerogative courts, and dared not even repeal the Habeas Corpus Act.

PARTIES

The history of parties in this period is highly controversial. Two terminal points are clear. Between 1640 and 1660 there was a civil war: so the existence of at least two parties can be assumed then. By 1760 party labels had lost almost all political significance. What happened in between?

Civil-war animosities survived the Restoration: the Clarendon Code was a straightforward Cavalier-Anglican party measure designed to exclude their rivals from political office. But the men of property on both sides were anxious to avoid another civil war. In 1662 a Londoner expressed the hope that ‘all the gentry in the land would kill one another, that so the commonalty might live the better’. Consciousness of this deep hostility lies at the back of gentry political thinking, though it is rarely openly discussed. For example, Baxter wrote on the eve of the Restoration, ‘The rabble hate both magistrates and ministers.’ A letter-writer at about the same time agreed that between the gentry and ‘the ordinary sort of people’ there was ‘a natural animosity, of late years infinitely increased’. Edward Chamberlayne fifteen years later spoke of ‘most of the tradesmen and very many of the peasantry’ as
‘hating, despising or disrespecting the nobility, gentry and superior clergy’. The prosperity of some dissenters, and the pacifism of others, blunted the edge of their discontent. But the sharpening class divisions of the later seventeenth century increased the restlessness of the poor, and this made Parliamentary leaders think twice about pushing their quarrels too far. The Popish Plot stirred up wild passions in London, but the extent of Shaftesbury’s reliance on the populace in the end proved fatal to his cause. The men of property rallied to the crown in fear of civil war.

This is the essential if usually unspoken background to late seventeenth-century politics. The propertied classes could not forget the lesson they had learnt in 1646–60, just as kings did not forget the lesson of 1649. So political opposition was never pushed to extremes; if it was, it tended to disintegrate. The House of Commons might criticise, but did not fundamentally oppose government, so long as government did not attack the vital interests of those whom the members represented. So the government, the court, always exercised a strong influence, cutting across political parties. This arose in part from its dispensation of patronage, but also from deeper considerations of its contribution to social stability, to the system from which both Whigs and Tories benefited. ‘What does it matter who serves His Majesty,’ Sunderland used to ask, ‘so long as His Majesty is served? He might have added, ‘What does it matter which majesty one serves, so long as there is a majesty to serve?’

JAMES II

So the prospects seemed hopeful for James II. When Parliament finally met in 1685, 200 members (out of 513) were directly dependent on the King for their livelihood. 400 had never sat in the House before. The increased income voted him by this Parliament, plus the rising revenue from customs and excise, left James better off than any of his predecessors. The Tory-Anglican theory of passive obedience, used against the Solemn League and Covenant and preached tirelessly in the early sixteen-eighties, when Filmer’s tracts circulated most widely, sounded like an invitation to despotism. Monmouth’s revolt seemed to make James’s position impregnable. For it split the Whigs. Few of the hereditary landowning Whig aristocracy joined the bastard usurper; it was the small men of the south-western counties who rallied to his support. We can see this from the fact that Sedgemoor was an infantry battle: the cavalry which had been the strength of Cromwell’s Army was not there. James’s victory was complete; henceforth the Good Old Cause was dead. There was to be no organised democratic movement in England for many generations.

Yet the triumph of 1685 was illusory. The rank and file of the Somerset militia had proved unreliable, and James’s victory was won by his small professional army. Monmouth’s revolt seems to have decided James that he must increase this army; that it must be largely officered by men in whom he had confidence, mainly Catholics; and that he must build up another army in Ireland. James thus faced in an exaggerated form the dilemma from whose horns his brother had never been able to escape. Normally the staunchest supporters of the monarchy were the Tory gentry. But their loyalty was to Church as well as to crown. Between 1679 and 1681 three freely elected Houses of Commons had voted to exclude a Catholic heir to the throne. James’s docile Parliament was elected after the purges of 1681–5. A Catholic policy could hope to succeed only if the gentry’s power in the country was counter-balanced by a Catholic-Nonconformist alliance. Charles II had flirted with such an alliance, but had always been forced to draw back. James tried but never had a chance. Protestant dissenters were politically weaker than a generation earlier. The aftermath of the Popish and Rye House Plots and of Monmouth’s rebellion had taken heavy toll. Such accessions of numbers as they had received came largely from the middle and lower classes; their thought now tended away from politics and towards pacifism. Dissenters who had supported Shaftesbury and Monmouth could hardly be won overnight for a King who was all too plainly using them in his own interests. William Penn and other Quakers appear to have taken James’s intentions at their face value; the Quakers had suffered most of all the sects from Tory-Anglican persecution. As long as the heir to the throne was a Protestant, dissenters might take comfort from James’s age; but the birth of his son – another of his seeming triumphs – must have aroused the gravest misgivings among those whose support James was trying to woo.

James moreover had all the stupid obstinacy (or high devotion to
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principle) of his father: and the gentry thought the religion to which he was devoted was the wrong one. His actions did everything to unite the propertied class against him and to heal the split between Whigs and Tories which had appeared to threaten civil war in 1681. First, the defeat of Monmouth’s rebellion relieved the right-wing Whigs of their radical allies: henceforth there was little danger that 1640 would lead to 1649. Secondly, Jeffreys’s barbarities in the Bloody Assizes offered a magnificent propaganda platform, and played the same part in the mythology of 1688 as the Marian persecutions did in Elizabethan propaganda. The Bloody Assizes and the Revocation of the Edict of Nantes in France in the same year fitted perfectly into the traditional legend, for cruelty was one of the things Protestants were most taught to abhor in Papists, whether it was the burning of the Marian martyrs, the Spanish Inquisition, the ill-treatment of American Indians by Spaniards, Gunpowder Plot, or the Irish massacres of 1641. Nor is it to the discredit of English Protestants that they disliked cruelty. The brutal and bullying Jeffreys tried the accused at the rate of 500 a day; James’s Queen made profits out of transporting condemned rebels.

Thirdly, most Tories were alarmed by the introduction of Roman Catholic officers into James’s army. This was indeed the point at which the hitherto docile Parliament dug in its toes, and had to be prorogued and finally dissolved. For three long years James tried to cajole or bully the gentry into accepting repeal of the Test Act, the rock on which their supremacy had been built. Then, with the ‘heat’ which had led Charles to prophesy that his brother ‘would never be able to hold it out four years to an end’, James sacked his Tory ministers, and started to attack the privileges of the Anglican universities and the freehold tenure of fellows of colleges. In Godden versus Hales he won legal sanction for the employment of Roman Catholic officers in the army; and in Ireland he was known to be building up a strong and entirely Papist army, under the command of the terrifying and anti-English Tyrconnel. Worst of all, in renewing Charles’s attack on borough charters, he allied with the Tories’ bitter enemies, the radical dissenters, so painfully weeded out of governing positions in their natural strongholds, the towns, over the preceding twenty-five years.

The relationships of patronage between loyal gentry and their local boroughs were broken overnight. The Parliamentary franchise and administration of justice in many towns was handed over to republicans, dissenters, and Papists, men who themselves had for years been virtually outside the law. An Anabaptist became Lord Mayor of London, soon after Sir Henry Vane’s son joined Father Petre on the Privy Council. At Bedford, where several members of Bunyan’s congregation were made aldermen and common council men, reforms were instituted reminiscent of the rule of the Major-Generals: previous mayors who had pocketed moneys belonging to the town’s charitable foundations were ordered to disburse them. In the counties, the last holy of holies, ‘the prime of the gentry’ were dismissed from the commission of the peace and Deputy Lieutenancies unless they would pledge their support for repeal of the Test Act. And who replaced them? ‘Ordinary persons both as to quality and estates (most of them dissenters) . . . Neither of them have one foot of freehold land in England,’ said Sir John Reresby of new Justices of the Peace in Yorkshire. This was something very like a social revolution, as bad as the rule of the Major-Generals, who had been installed because the government had found the militia unreliable. It was too much even for Tory loyalty. Lord Keeper Guilford had given a clear warning in 1684 of the ‘reasons against tolerating Papists’. It would ‘discontent the gentry’. If the gentry would not serve cheerfully, then ‘the whole use of the law is lost; for they are sheriffs, etc. If the gentry are discontented, the rabble will quickly be poisoned by preachers, etc. And then what will force signify?’

Moreover, the rank and file of the army, concentrated on Hounslow Heath to overawe the City, indulged in political discussions and the reading of pamphlets. They recalled the New Model Army by their excessive interest in Magna Carta and similar unsuitable subjects. Their applause at the acquittal of the Seven Bishops echoed the applause of Lilburne’s guards at his acquittal in 1653. This was an army very unlike the well-to-do farmers and citizens of the militia whom James so despised. The eventual disintegration of James’s army in 1688, from on top, is evidence of the reluctance of its propertied officers to face civil war. The difference between supporters of Monmouth and William was comparable to that between ‘Independents’ and ‘Presbyterians’ in the Civil war: a foreign army enabled the latter to avoid putting arms into the hands of the common people.
For a generation the Church of England had taught that resistance to the Lord’s Anointed could in no circumstances be justified. When Monmouth claimed to die a Protestant of the Church of England, a divine said to him on the scaffold, ‘My Lord, if you be of the Church of England, you must acknowledge the doctrine of non-resistance to be true.’ Parsons and squires had gladly repeated these phrases. But they were thinking of the common people’s duty of passive obedience to established authority. They had assumed that the Lord’s Anointed would never attack their supremacy, nor that of their Church. Bishop Morley, one of the makers of the Restoration, had warned James that ‘if ever he depended on the doctrine of non-resistance he would find himself deceived. The clergy might not think proper to contradict that doctrine in terms, but he was very sure they would in practice.’

There is great symbolic significance in the fact that it was Bishops who gave the signal for resistance to the royal prerogative. Some of the Seven held their convictions so dear that, even though they stood trial rather than yield to James, they resigned rather than accept 1688. But can we imagine Laudian Bishops behaving as they did? Or enjoying such popularity with the people of London and the rank and file of the army? For all its cult of King Charles the Martyr, the Church of England had advanced farther with the times than it realised. ‘If the King can do no wrong,’ Defoe sneered, ‘somebody did the late King a great deal of wrong.’ James would have heartily agreed. He was flabbergasted and outraged by the failure of Tories and Anglicans to live up to their principles.

The Tories, then, were badly confused and rattled in 1688. Lord Willoughby summed up their difficulty when he said, ‘It was the first time that any Bertie was ever engaged against the crown and it was his trouble; but there was a necessity either to part with our religion and properties, or did it.’ General dissatisfaction with the present conduct of the government in relation to religion, liberties and properties was the first point made in the letter of invitation sent to William of Orange in 1688. Religion, liberty, and property: we have heard of them before. Religion and property were ‘the two things men value most’, James himself stated in the Declaration of Indulgence issued in 1687. He added, in so many words, that ‘although the freedom and assurance we have hereby given in relation to religion and property might be sufficient to remove from the minds of our loving subjects all fears and jealousies in relation to either, yet we have thought it fit further to declare that we will maintain them in all their properties and possessions, as well of church and abbey lands, as in any other their lands and properties whatsoever’.

James protested too much. His protestations could hardly undo the effect of his actions. In Godden versus Hales the judges had laid it down that ‘there is no law whatsoever but may be dispensed with’ by the King, for reasons of which he is sole judge. That had been royal doctrine in the Ship Money case. The Seven Bishops’ council said, ‘If the King may suspend the laws of our land which concern our religion, I am sure there is no other law but he may suspend; and if the King may suspend all the laws of the kingdom, what a condition are all the subjects in for their lives, liberties and properties! All at mercy!’ ‘It amounts to an . . . utter repeal of all the laws,’ Justice Powell told the jury. ‘If this be once allowed of, there will need no Parliament; all the legislature will be in the King, which is a thing worth considering, and I leave the issue to God and your consciences.’ (The judges were under great popular pressure in this trial, and yielded to it to such an extent that their dicta caused some embarrassment to later commentators.)

There are two points to make here. First, James had a strong legal case in Godden versus Hales and in his interference in the Magdalen College election. But this was irrelevant since, as in the sixteen-thirties, the King was flying in the face of the opinion of those who mattered in the country. James’s habit of ‘closeting’ the judges was something even Charles I had not resorted to. Four judges were dismissed before Godden versus Hales came up for trial: Powell and another judge who summed up in favour of the Seven Bishops were also dismissed. James needed to protest that property was not endangered by judges interpreting the law under such pressure: for this was the point on which Whig propaganda had long concentrated. Yet his protests were not believed. Or rather, there was enough doubt in the minds of the Tory gentry to undermine their absolute loyalty. Their devotion to Church and King had worn thin when Charles II had pursued a Catholicising policy. It snapped under a King whose openly Papist policy affected not only religion but also their jobs in central and local administration. Nothing else could have driven the Tories to see at long last that their position
could not be secure unless the supremacy of Parliament was established. This contradicted their traditional Royalist political theory; but theories proved weaker than facts when it came to the point. Even some English Catholics abandoned James. His most trusted advisers were Irishmen and priests; the main body of Catholic peers were horrified at the recklessness of his advance towards an absolutism of the French type, which would no longer have been so dependent on the direct support of the landed class. This was a further source of weakness: the main English agent of James’s schemes was Sunderland, a man to whom religion meant nothing, and who delayed his ‘conversion’ until a son had been born to Queen Mary and the Catholic succession seemed to be assured.

Even James’s close relations with Louis XIV were not a source of strength to him, though they did him great harm with his subjects. At Charles’s death-bed James had asked the French Ambassador to ‘assure your master that he shall always have in me a faithful and grateful servant’. He abjectly apologised for summoning a Parliament without his French cousin’s permission: ‘I hope that he will not take it amiss that I have acted without consulting him. He has a right to be consulted; and it is my wish to consult him about everything.’ Louis XIV helped to persuade James to take Sunderland into his service. Yet, despite James’s appeals, he obtained much less financial help from France than his brother had done – some £125,000 in all, about one-eighth of a year’s revenue. James’s foreign policy, wavering between submission to Louis and fitful revolt, managed to get the worst of both worlds. In 1688 Louis was unprepared to give him overwhelming military and naval support; and anything else, as James realised, would do more harm than good.

So James ran through the whole gamut of Stuart policy. He began with the traditional dependence on the Anglican gentry, the policy of Hyde and Danby. He flirted, as Henrietta Maria and Charles II had flirted, with the idea of imposing despoticism with French support; but he was less skilful than Charles II in extracting the maximum from the bargain and drawing back from any dangerous commitment. Then, and too obviously merely as a gambit, he revived the Indulgence policy of his brother, the alliance of Protestant and Roman Catholic dissenters against the Anglican supremacy, and again lacked Charles’s wisdom in deciding when to retreat. Finally, after his desperate attempt to resuscitate the Anglican-Tory alliance had failed, he lost his head completely.

Charles I saved the Stuart monarchy by proclaiming that he died a martyr for religion, law, and property. James damned it for ever by an apparent attempt to appeal to anarchy. He departed without handing authority over to any government. He destroyed the writs summoning Parliament, and threw the Great Seal into the Thames in the vain hope of preventing one being called. He ordered the disbandment, unpaid, of the terrible army on Hounslow Heath. The navy, where seamen were discussing politics no less than soldiers in the Army, was ordered to sail to Tyrconnel in Ireland. Riots in London and other towns united the men of property in submission to William the Liberator. By James’s absence, the loyal Sir James Bramston summed up, ‘it became necessary that government should be by somebody, to avoid confusion’, and to prevent ‘the rabble from spoiling and robbing the nobility and wealthy’. Continued non-resistance to James would defeat its object – the maintenance of social subordination.

NOTES

1 Anon., A Discourse for a King and Parliament (1660), pp. 1–2; ed. Lansdowne, Petty Papers (1927), i, 7.
2 Thurloe State Papers, i, 54.
4 H.M.C., Fifth Report, p. 195; A. Wood, Life and Times (1891), i, 333.
5 For the following paragraphs, see R. Robinson, Anticipations under the Commonwealth of Changes in the Law (1907); T. F. T. Plucknett, A Concise History of the Common Law (1956), passim; Sir W. Holdsworth, A History of English Law (1923–56), esp. i, v, vi.
6 Middlesex County Records, iii (1888), 326; Thurloe State Papers, vii, 704.
7 K. H. Plumptre, The Life of Thomas Ken (1890), i, 298.
RELIGION AND IDEAS

Christian: Did you not know about ten years ago one Temporary in your parts, who was a forward man in religion then? ... All of a sudden he grew acquainted with one Save-self, and then he became a stranger to me.

Bunyan, The Pilgrim's Progress (1678, probably written in the early sixteen-seventies)

If our Church should be an enemy to commerce, intelligence, discovery, navigation, or any sort of mechanics, how could it be fit for the present genius of this nation?

Bishop Sprat, History of the Royal Society (1667)

PARLIAMENT AND THE CHURCH

Although they had played an insignificant role during the Interregnum, and had contributed little to the Restoration, Bishops came back in 1660, recovered their lands, and returned to their seats in the House of Lords. The old Prayer Book services were restored. 1,760 ministers and 150 dons and schoolmasters were ejected as dissenters, with none of the compensation given to ejected Royalists in the sixteen-forties. But the Church did not regain its old position. Parsons were restored to their benefices by Act of Parliament, with exceptions which were laid down in the Act: the supremacy of Parliament over the Church could hardly have been more clearly declared. Bishops did not recover their dominance in politics. Archbishop Sheldon was an important figure so long as Clarendon held office; after Clarendon's fall no Bishop was ever again a significant member of a government, except the diplomat John Robinson, Bishop of Bristol and London, who was made Lord Privy Seal by the Tory government in 1711 – an appointment that was regarded as highly provocative.

Laud's economic programme for the Church was abandoned. So was his social programme. Ecclesiastical authorities no longer inquired about enclosure or the decay of tillage. Following Interregnum precedent, the clergy were taxed together with the laity by Parliament and voted in Parliamentary elections, though still incapable of sitting in the House of Commons. Even in the Lords churchmen counted for less. At the beginning of the century Bishops formed nearly one-third of its members, by the end one-eighth. Since Convocation no longer taxed the clergy separately, it lost most of its raison d'être and rapidly sank into insignificance. The medieval conception of the clergy as a separate estate finally vanished; they became one of many professions, much the worst remunerated. The Act of 1661 which restored ecclesiastical jurisdiction insisted that nothing therein should be 'construed to extend ... to abridge or diminish the King's Majesty's supremacy in ecclesiastical matters'. The jure divino authority of Church courts had gone for ever; and political events soon transformed the supremacy of the King over the Church into the supremacy of Parliament.

The High Commission was not restored. So Church courts slowly lost their power. Prohibitions were frequent as a means of asserting the now unchallenged overriding control of the common-law judges. In 1666 the Archdeacon of Durham reported 'general complaints of ministers and churchwardens that they cannot get any sesses [assessments] for reparation of churches' because they had no coercive powers; and Justices of the Peace in Quarter Sessions refused to assist. Bishop Burnet, after some years of experiment, gave up hope of doing any good through his Consistory Court and stopped going to it. In 1678 Parliament abolished 'all punishment by death in pursuance of any ecclesiastical censures', and limited the power of Church courts in cases of heresy to the imposition of spiritual penalties. Churchwardens
concerned themselves mainly with regulating the morals of the lower orders and harrying nonconformists. 'Churchwardens' presentments [of offenders] are but laughed at', we hear from Lancashire in 1669. In 1670 a vicar found it necessary to remind the gentry of the horrors of the Interregnum, when they were slaves to their own tenants and might themselves have to wear a white sheet on the stool of repentance. But even he argued for the use of the secular arm against nonconformity, because Church courts would make themselves too unpopular by prosecuting it. In the long run Justices of the Peace were residuary legatees of the Church courts in imposing discipline on the lower ranks of society.

Most of the clergy, after all, had accepted first the Presbyterian and then the Cromwellian state Church. Such men, who came to be called 'Latitudinarians', gradually set the tone as the small minority of former Laudians died off. Once Laudian aspirations had been abandoned, a natural alliance formed between the Bishops and the gentry. Sheldon had more confidence in the House of Commons than in a King who flirted with toleration to Catholic and Protestant nonconformists. The Clarendon Code was imposed by Parliament and enforced against dissenters by the secular arm. It aimed more at reducing the influence of opposition politicians than at re-establishing the unity of the national Church. But persecution ordered by Parliament could be ended by Parliament. The Toleration Act of 1689 finally killed the old conception of a single state Church of which all Englishmen were members. The parish became more exclusively a local-government area, whose officers regarded themselves as responsible to secular rather than to ecclesiastical authority. The attempt to punish 'sin' by judicial process was virtually abandoned. The laity had won its centuries-long struggle against the Church courts. In this respect too the Middle Ages were over.

In 1660 the Church had a wonderful opportunity to solve its economic problems. Almost all leases on Bishops' and Dean and Chapter lands had fallen in during the Interregnum. Burnet calculated that some £1 1/2 million were raised in fines demanded for renewal of these leases. If this sum had been used for purchasing impropriated tithes or glebes for poor vicarages, Burnet suggested, 'a foundation had been laid for a great and effectual reformation'. Instead Bishops pocketed the fines themselves. Bishop Cosin left his family over £20,000. Samuel Butler attributed the 'general ill-will and hatred' which Bishops had contracted in part to their greed and lack of charity. Lesser clergy lost the additional revenues which had been voted to them by the Long Parliament, or settled on them at the expense of deliquent Royalists; and no doubt many laymen who had made voluntary contributions to ministers during the Interregnum would transfer them to non-conformists extruded by the Act of Uniformity. So, though individual Bishops helped individual clergymen, the mass of the lower clergy were probably worse off immediately after the Restoration than at any time during the century. In 1670 John Eachard published his Grounds and Occasions for the Contempt of the Clergy, and gave poverty as a main reason.

**Dissenters**

After 1660 (and again after 1688) there was much discussion of broadening the Church of England in order to comprehend Presbyterians, the most conservative of the dissenters, and so to divide them from the rest of the sectaries. This suggestion was opposed not only by high-flying Episcopalians but also by all the other sects, who realised that 'comprehension' would mean intensified persecution for those excluded. Charles II took advantage of the failure of 'comprehension' to pursue his own scheme of granting toleration as an act of royal grace, dispensing with Parliamentary penal statutes. Thus the monarchy succeeded to Cromwell's policy of being demonstrably more tolerant than Parliament. The Declarations of Indulgence of 1662, 1672, 1687 and 1688 made a bid for the support of all those shut out from the state Church. But Charles and James were more genuinely interested in the welfare of Roman Catholic than of Protestant dissenters; their offers of indulgence were therefore naturally regarded with suspicion by most Protestants. James's real intolerance of Protestant dissenters was notorious and made nonsense of the liberal-seeming phrases of his Declarations. Moreover, Charles II, unlike Cromwell, had no army to enforce toleration; and the army which James tried to build up appeared too Papist-controlled to be popular with Protestant dissenters.

In opposing the Declaration of Indulgence of 1662, Archbishop Sheldon appealed against the King's policy to the 'law established' by
Parliament. But whenever the crown co-operated with the Tory gentry, the Church was its staunchest supporter against the Whigs. In 1683, for instance, the royal declaration alleging Whig complicity in the Rye House Plot was read twice in every parish church, with great political effect. Nevertheless, the fact that there were two policies with regard to dissent had important consequences. Nonconformists suffered severely under the Clarendon Code, which excluded them from political life, municipal administration, and the universities, and tried to prevent them developing their own independent educational system. It rendered them liable to heavy fines and periods of imprisonment in unhealthy prisons merely for worshipping in the way they thought right. Bunyan wrote The Pilgrim's Progress during a twelve years' sojourn in Bedford gaol. The law was not always enforced in its full rigour, thanks to the goodwill of constables and Justices in many towns; but there was an arbitrary uncertainty in the very irregularity of its enforcement. Exchequer processes against Quakers for absence from worship amounted to as much as £33,000 in May 1683. The Presbyterian minister, Oliver Heywood, was excluded from his parish church because excommunicated, and yet fined for non-attendance. In consequence of all this, Protestant dissenters gladly availed themselves of the Declaration of Indulgence of 1672. They emerged from underground to take up royal licences to worship in such numbers that their complete suppression was clearly out of the question. 1688 registered Parliament's victory over the monarchy on the constitutional issue; but in the Toleration Act Parliament took over the Protestant part of the royal indulgence policy. Even a High Tory Anglican like Sir John Reresby recognised in May 1688 that 'most men were now convinced that liberty of conscience was a thing of advantage to the nation'. The Toleration Act itself stated its function with brutal clarity. There are no high-flown passages about liberty such as had appeared in James's Declaration of Indulgence. Instead the preamble declared that 'some ease to scrupulous consciences in the exercise of religion may be an effectual means to unite their Majesties' Protestant subjects in interest and affection'. The Toleration Act served a political purpose: it was necessary for national unity and the safety of the regime that Protestant dissenters should be allowed freedom of worship. But they remained excluded from political life.

The permanent existence of dissenting sects meant that the monopoly of the established Church gave way to consumers' choice in religion. The sentence of excommunication lost much of its efficacy. Nonconformity might even have its uses in enabling a man to avoid unwanted municipal office. Multiplicity of alternatives in religion naturally helped to spread a spirit of scepticism. The association of 'enthusiasm' with radical politics led to a reaction which contributed to the growth of rational religion and deism. 'There is nothing that can prevail more to persuade a man to be an atheist,' Samuel Butler thought, 'as to see such unreasonable beasts pretend to religion.' Individualism was curbed by 'good taste', as a re-united society re-imposed standards. Aubrey, who regularly cited the Interregnum as a turning-point in social customs and intellectual habits, tells us how superstition declined. 'When I was a child, and so before the civil wars, the fashion was for old women and maids to tell fabulous stories, night-times, of spirits and of walking of ghosts, etc... When the wars came, and with them liberty of conscience and liberty of inquisition, the phantoms vanish. Now children fear no such things.' Persecution of witches declined rapidly after the mid-century. When an astrologer offered his services to Charles II, the Merry Monarch took him to Newmarket and asked him to spot winners.

SCIENTIFIC AND POLITICAL IDEAS

Before 1640 the court would have none of Bacon's theories. After 1660 the scientists ejected from Oxford were powerful and skilful enough to obtain royal, aristocratic, and episcopal patronage. 'This wild amazing men's minds with prodigies and conceits of Providences,' Sprat wrote, 'has been the most considerable cause of those spiritual distractions of which our country has been the theatre.' The Royal Society would help to prevent their recurrence. Science, like Hobbesism, became fashionable at Charles II's court, even though distinctions of rank were ignored at the Society's meetings. The Royal Society in its early years stimulated agricultural improvements, and its investigations contributed to advances in navigation and the manufacture of precision instruments. Its encouragement of Graunt's Observations upon the Bills of Mortality spread
interest in scientific attempts to estimate the size of the population from the number of registered deaths. Such attempts had also been aided by the more accurate assessment of taxable wealth made during and after the Interregnum. Great progress was made in chemistry (Boyle), botany (Ray, Sloane, Grew), geology (Woodward), medicine (Sydenham, Willis and Morton), mathematics and astronomy (Wallis, Halley, Hooke, Flamsteed).

But we must not exaggerate the intellectual liberalism of the Restoration atmosphere. New ideas had invaded the court; but for the mass of the population there was far less intellectual freedom than there had been in the forties. The Baconians were ejected from Oxford and Cambridge, and the universities ceased to be centres of science. The scientists themselves were so anxious to cover up their revolutionary past that they flooded the Royal Society with dilettante aristocrats who hated soiling their hands with experiments; the close connection with industrial crafts and agriculture which had been the Baconian heritage soon lapsed. After the initial impetus in the age of Hooke (1635-1703), the application of science to technology was to proceed very slowly until the end of the eighteenth century, when a new advance coincides with a new revolutionary age. It is the same in chemistry, where Boyle (1626-91) trembled on the verge of discoveries which were not in fact made until the epoch of the French Revolution, after which progress quickens again. As the older generation of Parliamentarian scientists died off in Restoration England, science became a fashionable adornment to gentlemanly conversation rather than an aid to production. Sir Isaac Newton is the only great scientist of the second generation, and Newton himself ultimately abandoned science for the Wardenship of the Mint and the study of Biblical prophecies. Newton's subjects were practical enough—astronomy was the basis of navigation and geography, mathematics of surveying; but his theory of universal gravitation raised these sciences to a level of abstraction which made them acceptable even in eighteenth-century Cambridge, the university which in 1669 had presented Cosimo de' Medici with a treatise condemning the Copernican astronomy.

Under the Licensing acts (1662–95) a rigid censorship was re-established. All books dealing with history or affairs of state had to be licensed by a Secretary of State; books of divinity, philosophy, or science by the Archbishop of Canterbury, the Bishop of London, or the Vice-Chancellor of Oxford or Cambridge. The only newspapers to appear between 1660 and 1679 were official government sheets. 'A public mercury should never have my vote,' declared the editor of one of these in 1663; 'it makes the multitude too familiar with the actions and counsels of their superiors. . . .' Sir Roger L'Estrange added, significantly, 'You shall sometimes find a seditious libel to have passed through so many hands that it is at last scarce legible for dust and sweat, whilst the loyal answer stands in a gentleman's study as clean and neat as it came from the press.' Secretary Jenkins described printing as 'a sort of appeal to the people'.

The temporary and partial lifting of the censorship after the expiry of the Licensing Act in 1679 released a flood of Whig newspapers and pamphlets; but they were soon suppressed by judicial action. In 1680 Chief Justice Scroggs notified printers and booksellers that 'to print or publish any news books or pamphlets of news whatsoever is illegal'. So was the publication of Parliamentary debates until the second Exclusion Parliament ordered its proceedings to be printed week by week under the supervision of the Speaker. Justice Allybone declared in the Seven Bishops' Case that 'no private man can take upon him to write concerning the government at all'. By that time there was again only one newspaper, the official London Gazette.

The political atmosphere thus imposed limitations on freedom of thought. Hobbes was afraid the Bishops might try to burn him; and his Behemoth was withheld from publication until a pirated edition appeared in the year of liberty 1679. Waller refused to praise Hobbes in print because he too feared ecclesiastical penalties. Aubrey was worried in 1683 lest, if his Lives should fall into the wrong hands, he might be charged with scandalum magnatum, libel upon superiors. In the same year the University of Oxford officially condemned and burnt most of the great treatises on political theory which seventeenth-century England had produced—Hobbes, Milton, Baxter. Coffee-houses, which dated from the sixteen-fifties, were suppressed in 1675 as 'the great resort of idle and disaffected persons, . . . tradesmen and others'. It is a sign of the secularisation of the times that coffee-houses and clubs were succeeding sectarian congregations as the centres of sedition. The men who drummed James II out of his kingdom did not sing psalms.
but a popular song-hit written by a dissolute peer and set to music by Purcell—‘Lillibullero’.

One can imagine the stuflifying effects of this repression on the ’unfree’, whose brief period of liberty had ended in 1660. The Restoration indeed was a tragedy for popular education. Ecclesiastical control was re-established. In Dr Schlatter’s words, ‘the Established Church was foremost in stifling a movement which would have given the power of knowledge to the lower classes’. All but one of the newly founded schools in Wales were dissolved. Grammar schools were widely held to have caused the Civil War by educating too many people above their proper station: they were justified only in so far as they served the needs of the professional classes. For others, the study of Latin might lead to hankering after ancient republicanism, Hobbes thought. Equality of educational opportunity, as advocated by Parliamentarian theorists, would divert ‘those whom nature or fortune had determined to the plough, the oar, or other handicrafts, from their proper design . . .

The multiplying of these foundations [free schools] is represented as dangerous to the government. The Act of Uniformity (1662) subjected school-masters to episcopal licence and imposed oaths of non-resistance on them. The Corporation Act forbade dissenting ministers to keep schools or teach in them. Nevertheless, despite the persecution, a few Dissenting Academies were started.

The success of propertied classes and ecclesiastical hierarchy in suppressing or driving underground revolutionary and democratic ideas is very remarkable. They were helped by pacifist and quietist trends of thought among the dissenters. ‘We do not think religion will so soon cause another war,’ wrote Pepys in 1667. This is often spoken of as ‘the separation of religion from politics’. But it would be more accurate to say that revolutionary politics ceased to be expressed in religious form: the restored Church of England certainly continued to perform political functions. The very widely read Whole Duty of Man told the poor man to ‘be often thinking of the joys laid up for thee in heaven; look upon that as thy home, on this world only as an inn, where thou art fain to take up thy passage. And then, as a traveller expects not the same conveniences at an inn as he hath at home, so thou hast reason to be content with whatever entertainment thou findest here, knowing thou art upon thy journey to a place of infinite happiness, which will make an abundant amends for all the uneasiness and hardship thou canst suffer in the way.’ ‘When men are gazing up to heaven,’ Winstanley had complained in 1652, ‘imagining after a happiness or fearing a hell after they are dead, their eyes are put out, that they see not what is their birthrights, and what is to be done by them here on earth while they are living.’ The contrast between these two passages neatly illustrates the advantage to the propertied classes of the restoration of ecclesiastical censorship and of a state Church.

This is not an impressive period in the history of political thought. The seminal works of Hobbes, Filmer, Harrington, Milton, the Levelers, and Winstanley had all been written before 1660. The influence of Hobbesian ideas spread rapidly if furtively. Those of Harrington came to be almost orthodox in Whig circles, aided by their popularisation in Henry Nevill’s Plato Redivivus (1681). But the sense of historical change, so powerful and original in Harrington, was not recaptured in the more static society of the Restoration. Harrington was influential mainly through his emphasis on the necessity of the rule of property. He had no successor in the philosophy of history until the rise of the Scottish school in the second half of the eighteenth century. The ‘Trimmer’ Halifax combined Harrington’s respect for property (Halifax was very rich) with Hobbes’s respect for power to justify a deeply cynical conservative scepticism. He jeered at theories of fundamental law or fundamental rights: ‘“Fundamental” is a word used by the laity, as the word “sacred” is by the clergy, to fix everything to themselves they have a mind to keep, that nobody else may touch it.’ Filmer’s posthumously published Patriarcha (1680) became the Bible of non-resistance High Tory Anglicans. Its theory that royal authority descended from that of Adam and the patriarchs, ludicrous though it seems today, had its point in seventeenth-century society. For the head of the family still exercised great authority, not only over his wife and children, but also over apprentices, journeymen, and servants: the household was still the most significant unit in the economy.

LITERATURE AND SOCIETY

In literature too this age is transitional. Its great figures (for us, but not for contemporaries) are Milton and Bunyan, who transmit to posterity
much that was noble in defeated Puritanism. Bunyan, with his vivid
characterisation, his psychological insight, and his perfect ear for
spoken prose, links the pamphlet literature of the forties with the
novels of Defoe. The Royal Society set the seal of its approval on the
Interregnum development of prose by ‘preferring the language of
artisans, countrymen and merchants before that of wits or scholars’.
The distinction between prose and poetry became sharper. Milton’s
exquisitely elevated and dignified style, perfect for his high purposes,
established the deplorable ‘poetic diction’ of the eighteenth-century
poetasters. Dryden and Waller perfected the rhymed couplet, whose
studied antitheses and balanced rhetoric reflected the greater stability
towards which society was moving, and its fear of ‘enthusiasm’. Their
flowing numbers contrast markedly, both in form and content, with
the earlier ‘metaphysical’ lyric of internal conflict. The theatres
reopened in 1660, but no dramatists were found to equal the great
tragedians of James I’s reign, whose plays had expressed the first stirr­
ings of the conflict of the epoch. Even drama abandoned blank verse
for the heroic couplet (tragedy) or prose (comedy). Tragedy and com­
edy, which Shakespeare had integrated in his plays, are now as sharply
distinguished as prose and poetry, as pure and applied science.

This tendency to subdivide, to label and pigeon-hole, is typical of
the age, which was very conscious of ‘the rules’, such as the dramatic
unities which Shakespeare had disregarded.

Late, very late, correctness grew our care,
When the tired nation breathed from civil war.

So Pope thought, looking back from the eighteenth century. Fear of the
vulgar, of the emotional, of anything extreme, was deeply rooted in the
social anxieties of Restoration England. Enthusiasm was associated with
lower-class revolution: the propertied classes had learned the dangers of
carrying things to extremes, and had learned the virtues of com­
promise. Halifax saw God Almighty as a Trimmer too, ‘divided
between his two great attributes, his mercy and his justice’. In this cult
of the golden mean something vital was repressed from poetry, which
was recaptured only a century later by the Romantic movement, when
political radicalism also revived.

Too often the Restoration attitude is regarded merely as a reaction
against Puritanism. It was that; but Restoration comedy, a comedy of
manners, also comments sceptically on a world in which aristocratic
standards were adjusting themselves to a society dominated by money.
Hence the dramatists’ obsession with the relation of the sexes. For in
England ‘the law of marriage . . . is almost the groundwork of the law
of property’. \(^4\) Paradise Lost (1667) is a great hymn to wedded love;
Restoration comedy discusses the relation of the sexes among those
classes whose marriages are property transactions and therefore
exclude love; and tilts against the potential hypocrisy in sentimental
idealisation of marriage.

All roads in our period have led to individualism. More rooms in
better-off peasant houses, use of glass in windows (common for copy­
holders and ordinary poor people only since the Civil War, Aubrey
says); use of coal in grates, replacement of benches by chairs – all this
made possible greater comfort and privacy for at least the upper half of
the population. Privacy contributed to the introspection and soul­
searching of radical Puritanism, to the keeping of diaries and spiritual
journals, to George Fox and Samuel Pepys. Possibly even the mirror
may have aided self-consciousness. The defeat of Puritan political
hopes turned men’s aspirations to seek a Paradise within. Bunyan’s
Christian abandoned even his family to save his soul. Earlier in the
century the popularity of portrait-painting, of the drama, of the ‘char­
acter’, had revealed a growing interest in individual psychology to
which Burton’s Anatomy of Melancholy and Samuel Cooper’s portraits bear
witness. Now through Bunyan this was to blossom into the novel, the
most individualistic of all literary forms. Bunyan, like Defoe and the
eighteenth-century novelists after him, appealed especially to the lower
middle class which had previously devoured Puritan sermons and
political pamphlets: only now life was a little easier, a little less
intense. Women of this class especially had more leisure and wanted
to be entertained. Addison and Steele would entertain them as soon as
the press was freer.
NOTES


2 For Newton, see below, pp. 260–1.

3 C. Wase, *Considerations concerning Free Schools* (1678). Wase did not accept the views he was reporting. Contrast Petty, above, p. 155.