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## OLIVER CROMWELL AND THE PROTECTORATE

By Blair Worden

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**ABSTRACT.** It is often said that if Oliver Cromwell had lived longer the Puritan Revolution could have survived. The monarchical component of protectoral rule, and the protector's endeavours to broaden the base of his regime, are taken to have signalled a return towards normality and thus towards stability. That mood has been contrasted with the self-destruction of the revolution in the two years after Cromwell's death, a period of twilight anarchy which only the restoration of the Stuarts could end. That interpretation has its points but is misleadingly one-sided. The protectorate had frailties which it never overcame. It failed to live down its origins in the military coups of 1653. Those episodes affronted principles of civilian rule and parliamentary supremacy which commanded widespread support but which have been obscured by the 'revisionist' trend of parliamentary history. Though he aimed at 'healing and settling', the protector healed little and settled nothing. His attempts to woo mainstream opinion were unsuccessful. In so far as he won its compliance or tolerance, the achievement was conditional upon his readiness to submit to the principles of rule which his seizure of power had broken. It was a condition he could not or would not meet. By the end of his life, military obstruction to civilian and parliamentary rule had reduced his regime to paralysis, and had deepened the divisions between civilian and military aspirations that would soon bring down his successor and would destroy each of the fleeting regimes that followed.

On 24 February 1657 John Thurloe, whom observers agreed to be the 'intimus' and 'right-hand man' of the lord protector,<sup>1</sup> wrote to George Monck, commander-in-chief of the occupying English forces in Scotland, to report the presentation to parliament, on the previous day, of the Remonstrance that offered to make Oliver Cromwell king. This was the document that, after modification by the Commons, would become the Humble Petition and Advice. Thurloe, that inveterate spinner of news, remembered the disaffection among the forces in Scotland that had followed Cromwell's elevation to the protectorate in December 1653, and he feared the renewal of discontent now. So he gave Monck information about the Remonstrance that would enable the general, on whose cooperation Thurloe could rely, to 'satisfie any . . . who may have scruples about this bussines'. One point Thurloe particularly wished to

<sup>1</sup> *Swedish Diplomats at Cromwell's Court, 1655–1656*, ed. Michael Roberts (Camden Society, fourth series, 36, 1988), 114, 127, 289; Blair Worden, 'Oliver Cromwell and the Council', in *The Cromwellian Protectorate*, ed. Patrick Little (Woodbridge, 2007), 97.

get across: that the move to crown Cromwell owed nothing to the personal ambition of which the protector was widely suspected. Thurloe 'assured' Monck that the Remonstrance 'arises from the parliament only; His Highness knew nothing of the particulars untill they were brought into the house'.<sup>2</sup>

Thurloe's claim is supported by a report of the Dutch ambassador in London, who was well informed about the Remonstrance: 'the whole business is so managed, that the protector is left out of it'.<sup>3</sup> The management must have been adroit. Four days before the presentation of the Remonstrance, a copy of it had been seen in the hands of Oliver's son and heir Richard.<sup>4</sup> Those who also saw the document in advance included that 'discontented and dangerous person', as Monck called him,<sup>5</sup> William Packer, the commander of the protector's own regiment of horse, whose hostility to the Humble Petition would result in his own dismissal a year later.<sup>6</sup>

Cromwell was practised at not knowing. He had achieved a larger feat of ignorance in December 1648. Having stayed in the north of England, in ruminative mood, while the revolution of which he had become the leading spirit neared its climax of Pride's Purge and the regicide, he travelled south so slowly as to reach the capital only on the evening of the day that Colonel Pride had had the army's leading opponents in the Commons arrested.<sup>7</sup> On his arrival he was able to declare – according to the admittedly garbled but, on such a point, essentially reliable source in which the statement has come down to us – 'that he had not been acquainted with this design'.<sup>8</sup> Five years after the purge there was a feat of ignorance more impressive still. On 12 December 1653 he succeeded, even as lord general of the army, in being unaware of the military coup that terminated the rule of Barebone's Parliament, the body which he had summoned – on his authority as lord general – five months earlier. In September 1654 he assured another parliament, 'in the presence of divers persons here, who do know whether I lie in that, that I did not know one tittle of the resignation of Barebone's',<sup>9</sup> even though the event was managed by his close advisers, who persuaded the assembly to return its power to him. Four days after its expiry he was installed as lord protector under the new constitution, the Instrument of Government. In the same speech of 1654 he told parliament that he had not been 'privy' to the

<sup>2</sup> *The Clarke Papers*, ed. C. H. Firth (Camden Society, 4 vols., 1891–1901), III, 89–90.

<sup>3</sup> *A Collection of the State Papers of John Thurloe*, ed. Thomas Birch (7 vols., 1742), VI, 85.

<sup>4</sup> C. H. Firth, *The Last Years of the Protectorate* (2 vols., 1909), I, 129n.

<sup>5</sup> *Collection*, ed. Birch, VI, 807.

<sup>6</sup> Firth, *Last Years of the Protectorate*, I, 129n.

<sup>7</sup> David Underdown, *Pride's Purge* (Oxford, 1971), 148–50.

<sup>8</sup> *Memoirs of Edmund Ludlow*, ed. C. H. Firth (2 vols., Oxford, 1894), I, 211.

<sup>9</sup> *Speeches of Oliver Cromwell*, ed. Ivan Roots (1989), 45.

‘counsels’ that led to the drawing up of the Instrument, and appealed to ‘the gentlemen that undertook to frame’ the constitution as witnesses.<sup>10</sup>

There is no more dextrous a political art than knowing how not to know. Equally there is none likelier to arouse mistrust. Cromwell was universally mistrusted. His elevation in 1653 had long been predicted, not only by royalists but by critics on his own side. Levellers, commonwealthmen and sectaries whom he courted or sounded were left to reflect, in rueful retrospect, on the duplicitous purpose they had come to detect in the advances of friendship he had made to them. The supposition that his avowals of godliness, and his commitment to liberty of conscience, were masks for his own advancement, or were means to it, was not only made by observers in whose minds we might suppose Puritan religious experience to have been a blind spot: Clarendon, Hobbes, foreign rulers and ambassadors. It was held by men who had been bound to him in spiritual exertion, among them Sir Henry Vane<sup>11</sup> and Cromwell’s brother-in-law Valentine Walton,<sup>12</sup> he whose son’s death by a cannon-shot at Marston Moor had prompted that memorable letter of consolation from Oliver.<sup>13</sup> Even people sympathetic to Cromwell remarked on the ‘temptations’ to which he had been vulnerable<sup>14</sup> (a weakness, admittedly, that Puritans commonly detected in each other). The sympathisers were outnumbered by the haters, and the hatred was most intense not among royalists but among his former allies.

The mistrust of Cromwell was largely inspired by his deployment of the beliefs and language of Puritanism to political ends. Over the past generation or so, historians have become more interested in the intensity or the content of his religion than most scholars were during the debates about the civil war that caught the headlines in the middle third of the twentieth century. In that earlier time a common assumption informed perspectives, Tory, Whig and Marxist, that clashed on other fronts: the assumption that religion was the seventeenth century’s way of talking about something else – about economic or political aspiration or disappointment, the subjects where the real historical interest was taken to lie. Nowadays, when more effort goes into the recovery than into the explanation of the Puritan movement, we are readier to study Cromwell’s religion on the terms on which he himself professed it. That religion,

<sup>10</sup> *Ibid.*, 46.

<sup>11</sup> Blair Worden, ‘Oliver Cromwell and the Sin of Achan’, reprinted in *Cromwell and the Interregnum*, ed. David L. Smith (Oxford, 2003), 52.

<sup>12</sup> *Collection*, ed. Birch, vii, 795.

<sup>13</sup> *Writings and Speeches of Oliver Cromwell*, ed. W. C. Abbott (4 vols., Cambridge, MA, 1937–47), I, 287.

<sup>14</sup> *Collection*, ed. Birch, II, 620, III, 294; *Diary of Thomas Burton*, ed. J. T. Rutt (4 vols., 1828), III, 211; *Writings and Speeches*, ed. Abbott, IV, 879; Peter Toon, *God’s Statesman. The Life and Work of John Owen* (Exeter, 1971), 100.

however, never turned away from the world it sought to transform, or shunned the manoeuvres and contrivances of power.

Puritan initiatives in public life tended to be accompanied by exercises in collective soul-searching. They always had a political dimension. Thus the prayer-meeting at Putney on 29 October 1647 that turned into the famous debate on the franchise was about a good deal other than prayer. The admonitions against betrayals of the divine spirit that were made during it, and in countless other prayer meetings or fasts held by soldiers or politicians during the revolution,<sup>15</sup> were instruments of political pressure. So was the monitoring of souls in Cromwell's own correspondence, as such recipients of his letters as Robert Hammond<sup>16</sup> and Lord Wharton<sup>17</sup> and Charles Fleetwood<sup>18</sup> could have testified. There is no mistaking Cromwell's sensitivity to imputations that he cloaked 'carnal' or 'politic' designs in providentialist rhetoric,<sup>19</sup> an interpretation which to his mind merely confirmed the blindness of his accusers to God's purposes.<sup>20</sup> Yet how congruent divine impulsion and political calculation could be. Who can doubt the place in Cromwell's heart of the cause of European Protestantism? A few hours before his death he 'was distracted and in those fits he would cry out, "What will they do with the poor Protestants in Piedmont, in Poland and other places?"', and such kinds of discourses.<sup>21</sup> Yet his Protestant diplomacy was also calculated, as Thurloe acknowledged, 'for the support of things at home'.<sup>22</sup> The termination of the Dutch war at the outset of the protectorate, and the decision to fight Spain instead, were challenges to Antichrist – and were simultaneously intended to widen the support for the government through a return to the traditional diplomatic objectives of Puritanism. Cromwell's programme of religious and moral reform at home was meant to create a commonwealth fit for God's eyes and to avert the divine wrath – and simultaneously to reconstruct, as the basis of his own rule, the Puritan consensus of 1640. It would be a mistake to suppose that the practitioners of ideologies which aspire to transcend the laws of political life are less likely to be animated or constrained by them than politicians of more mundane outlook. Today I shall look, from selected angles, at the terrestrial rather than the cosmic predicaments of the protectorate.<sup>23</sup>

<sup>15</sup> Worden, 'Oliver Cromwell and the Sin of Achan', 42–6, 50–1.

<sup>16</sup> *Writings and Speeches*, ed. Abbott, I, 577, 676–8, 696–9.

<sup>17</sup> *Ibid.*, I, 646, II, 189–90, 328–9, 453, 560–1.

<sup>18</sup> *Ibid.*, III, 88–9, 756.

<sup>19</sup> *Speeches of Oliver Cromwell*, ed. Roots, 7, 75.

<sup>20</sup> *Ibid.*, 74.

<sup>21</sup> *The Clarke Papers V*, ed. Frances Henderson (Camden Society, fifth series, 27, 2005), 272.

<sup>22</sup> *Swedish Diplomats at Cromwell's Court*, ed. Roberts, 28n.

<sup>23</sup> I have said something of the latter in my 'Oliver Cromwell and the Sin of Achan', and in my 'Providence and Politics in Cromwellian England', *Past and Present*, 109 (1985), 55–99.

At some point between the parliament of 1654 and that of 1656, an anonymous polemicist alleged that the protector had told the Scottish politician John Hay, second earl of Tweeddale,

that there was something amiss in the church and state, . . . and as for those things that were amiss in the church, [he] hoped to rectify by degrees, as opportunity presented itself; but before [he] could do this work, the anabaptists must be taken out of the army, and this [he] could not do with sharp corrosive measures, but it must be done by degrees.<sup>24</sup>

We cannot tell whether Cromwell said such a thing. Yet in Tweeddale's country, as Thurloe appreciatively observed, Monck successfully undertook the 'weeding out of the army troublesome and discontented spirits'.<sup>25</sup> Henry Cromwell confronted the anabaptists in Ireland and strove to 'keep them from power' there.<sup>26</sup> He and his followers were urged to be 'patient', 'for a while', until the protector's approval of his policies could be displayed.<sup>27</sup> Henry himself hoped that his father would 'at length' 'distinguish . . . true freinds from others', and that 'by degrees' he would 'wind out power and armes out of the hands of Henry's own enemies in England, to whom anabaptists looked for protection.

Over the course of the protectorate, most of the people who had rejoiced in the regicide or in the abolition of monarchy, or who wanted structural change in the church or the law or the universities, saw their cause in retreat. Leading figures – Fleetwood in Ireland, Robert Lilburne in Scotland, John Lawson in the fleet, John Owen at Oxford University – who, even though they had come on board the protectorate, retained sympathy for commonwealthmen who had not, lost their places or their influence. Presbyterian divines were welcomed to court, among them John Howe, a scourge of heresy who became chaplain to the protector;<sup>28</sup> and Thomas Manton, who had sided with the presbyterian majority in parliament against the new model army in 1647, but who conducted the prayers at Cromwell's installation under the Humble Petition,<sup>29</sup> and who prayed with him on the last day of the protector's life.<sup>30</sup> On the council the alliance of Thurloe and Philip Jones,<sup>31</sup> men eager for Cromwell to be king, gradually outreached the influence of civilian colleagues dismayed by that prospect. Among the regime's administrators and diplomats, such pragmatic figures as George Downing and William Lockhart, too young

<sup>24</sup> *Collection*, ed. Birch, III, 150.

<sup>25</sup> *Ibid.*, VI, 873.

<sup>26</sup> *Ibid.*, II, 149–50, 162–4; T. C. Barnard, *Cromwellian Ireland* (Oxford, 1975), 107.

<sup>27</sup> *The Correspondence of Henry Cromwell 1655–1659*, ed. Peter Gaunt (Camden Society, fifth series, 31, 2007), 168, 178.

<sup>28</sup> *Oxford Dictionary of National Biography (ODNB)*: 'Howe, John'; and see Lee Prosser, 'Writings and Sources XXII: The Palace of the Republic', *Cromwelliana* (2009), 82.

<sup>29</sup> *ODNB*: 'Manton, Thomas'.

<sup>30</sup> *Clarke Papers V*, ed. Henderson, 272.

<sup>31</sup> Worden, 'Oliver Cromwell and the Council', 103.

to have been shaped by those experiences of the 1620s which had forged the political Puritanism that destroyed Charles I, replaced superannuated ideologues.

And yet how slow was the shift, and how incomplete. Always Cromwell had one eye on the resistance it encountered. The opposition, like so much else in protectoral politics, turned on perceptions of his character. Had he not, it was asked, succumbed to allurements of the will or the self, or to the slipperiness of high places? Had he not, like King Jehu in the Second Book of Kings,<sup>32</sup> used a programme of godly reformation as the engine of his own advancement, and abandoned or fatally compromised it once the advancement had been achieved? Was it true, it was suspiciously asked early in the protectorate, that he was 'serv'd upon the knee' at table?<sup>33</sup> And if, as he sometimes indicated, he wanted to preserve the spirit of a commonwealth even as he suspended its forms – or if, as he liked to insist, he did not intend the government to pass to members of his own family<sup>34</sup> – then why did he not, as proof of his 'sincerity', make provision for the exclusion of his sons from the succession?<sup>35</sup> Not only was there hostility outside the regime, among saints and commonwealthmen whom he would have carried with him if he could. There was unease, and often more than unease, within it. Army officers who had been bound to Cromwell from dark and humble days – John Desborough, Edward Whalley, William Goffe, James Berry – were accustomed to a blunt egalitarianism in their dealings with him that the deferences of the new court seem to have done nothing to soften.<sup>36</sup> Those officers had close allies among the civilians on the council in William Sydenham (himself a former soldier), Walter Strickland, and Sir Gilbert Pickering,<sup>37</sup> who monitored no less closely the protector's contentions with temptation.

<sup>32</sup> *A Collection of Scarce and Valuable Tracts*, ed. Walter Scott (13 vols., 1809–15), VI, 474; Blair Worden, *Roundhead Reputations. The English Civil Wars and the Passions of Posterity* (2001), 58; and see W[illia]m S[heppard], *Sincerity and Hypocrisy* (1658), 24.

<sup>33</sup> *Collection*, ed. Birch, II, 163.

<sup>34</sup> *Correspondence of Henry Cromwell*, ed. Gaunt, 76; *Writings and Speeches*, ed. Abbott, III, 756.

<sup>35</sup> 'Johannes Cornubiensis', *The Grand Catastrophe* (1654), 13. As well as the familiar sources for the public roles given to Richard and Henry Cromwell, see the eminence accorded to Henry by the secretariat of the council of state in minutes of council meetings in the month before Oliver's assumption of the protectorate: The National Archives (TNA), SP25/4–6, 25/72.

<sup>36</sup> Desborough: Blair Worden, *Literature and Politics in Cromwellian England* (Oxford, 2007), 328; Whalley: 'The Correspondence of Henry Cromwell, 1655–1659', ed. Clyve Jones (M.Litt. thesis, University of Lancaster, 1969), 213; Goffe: *Writings and Speeches*, ed. Abbott, I, 541; *Conscience-Oppression* (1657), 52; Berry: *Collection*, ed. Birch, IV, 498 (cf. *ibid.*, VII, 365). I am most grateful to Mr Jones for enabling me to use a copy of his invaluable dissertation. On the officers see too *Correspondence of Henry Cromwell*, ed. Gaunt, 277.

<sup>37</sup> Worden, 'Oliver Cromwell and the Council', 101–2.



Historians may never agree whether it was from choice or necessity – whether from conscience and conviction or from a recognition of facts of power – that the protector restrained the counter-revolutionary trend which he simultaneously encouraged, and positioned himself mid-way between the two pressures. Either way, a pervasive and persistent ambiguity was worn on the face of power. Was the protector, or was he not, a kind of king? Earlier protectors had been, not kings, but temporary substitutes for them. The title was familiar to the nation as an interim expedient, suited to the rule of a minor or of a disqualified monarch. Cromwell told parliament in 1657 that he had expected his own tenure of the office to be ‘temporary, to supply the present emergency’. He had undertaken it ‘not so much out of hope of doing any good, as out of a desire to prevent mischief and evil, which I did see was imminent upon the nation’.<sup>38</sup> Unrelenting government propaganda justified the coup of December 1653 as the nation’s escape from the anarchy to which Barebone’s had almost reduced it, an argument which did give the regime initial appeal, though it became less effectual with time. Yet, whereas a time-limit had been set on the rule of Barebone’s,<sup>39</sup> the new constitution was apparently designed for posterity. The regime’s conduct in its early stages did nothing to discourage that perception. The Instrument entitled the government, during the first nine months of its existence, to pass ordinances ‘for the peace and welfare of these nations where it shall be necessary’, which would be subject to confirmation by parliament.<sup>40</sup> One might suppose that they, too, would have been emergency measures. Yet some of the ordinances went far beyond the immediate claims of ‘necessity’ and aimed to secure lasting changes in the church, in the law, in the universities.<sup>41</sup> There was nothing temporary, either, about the repair and refurbishment, on a regal scale, of the protector’s palaces from early in 1654.<sup>42</sup>

During Oliver’s rule there ran frequent rumours that the great offices of state that had accompanied the rule of kings would be revived, and that a lord chancellor or lord treasurer or lord high admiral or lord privy seal was about to be appointed.<sup>43</sup> Instead, his councillors preserved a collective anonymity. Thurloe, it is true, became *de facto* secretary of state. Visiting

<sup>38</sup> *Speeches of Oliver Cromwell*, ed. Roots, 132–3, 140.

<sup>39</sup> *Writings and Speeches*, ed. Abbott, III, 67.

<sup>40</sup> *Constitutional Documents of the Puritan Revolution*, ed. S. R. Gardiner (Oxford, 1899), 414.

<sup>41</sup> On them see Peter Gaunt, “‘To Create a Little World out of Chaos’: The Protectoral Ordinances of 1653–1654 Reconsidered”, in *Cromwellian Protectorate*, ed. Little, 105–26.

<sup>42</sup> On it see Paul Hunneyball, ‘Cromwellian Style: The Architectural Trappings of the Protectorate Regime’, in *Cromwellian Protectorate*, ed. Little, 53–81.

<sup>43</sup> *Clarke Papers*, ed. Firth, III, 42, 43; *Certain Passages of Every Dayes Intelligence*, 17–24 Aug. 1655, 52; *Collection*, ed. Birch, I, 645, III, 538; Ruth Spalding, *Contemporaries of Bulstrode Whitelocke 1605–1675: Biographies, Illustrated by Letters and Other Documents* (Oxford, 1990), 52; and the



ambassadors, and sometimes Englishmen, were invited to know him by that title, or even as 'principal secretary of state'.<sup>44</sup> Yet he seems never to have been formally appointed. He was secretary of state and he wasn't. In the status of Cromwell's 'intimus', indeed, ambiguity approached an art form. Until 1657, when he was made a member of the council, the only post Thurloe officially held was as its 'secretary'. Yet in December 1653 an ambiguously worded order of that body implied that he was a councillor in all but name.<sup>45</sup> Ambiguity extended, too, to Sir Gilbert Pickering. From August 1655, when he was informally reported to have been given the post of lord chamberlain,<sup>46</sup> until the winter of 1657–8, when he seems, through some protracted and to us invisible process, to have formally assumed it,<sup>47</sup> Pickering held the office and he didn't. Semantic uncertainty preserved ambiguity on other fronts. Sometimes Cromwell employed the royal 'we'; sometimes he eschewed it; sometimes he got muddled between the two. In official communications he referred to the government's executive body sometimes as 'his' or 'our' council, in the way that a monarch might do; sometimes as 'the council', a term more appropriate to the independent body of state envisaged by the Instrument; and sometimes as 'the council of state', which had been the official term for the executive bodies of the Rump and Barebone's, but which, while it was often used colloquially to describe the council of the protectorate, had no official meaning under it.<sup>48</sup> In 1657 the introduction of the Humble Petition brought some formalisation of nomenclature. Yet ambiguity had not lost its scope. It seems safe to infer, from Cromwell's complaisant silence on the subject during the negotiations over the new constitution, that its designers knew that he would find acceptable its original and ingeniously ambiguous solution to the dilemma over the succession: the office of

numerous reports in the newsbooks in May and June 1655. See too *Constitutional Documents*, ed. Gardiner, 413, 416.

<sup>44</sup> TNA, SP 18/67, no. 56, 25/75; 6 Aug. 1657, item 6; *Writings and Speeches*, ed. Abbott, III, 774, 784; *Calendar of State Papers Domestic (CSPD) 1655*, 128, 1656–7, 82; *Severall Proceedings of State Affaires*, 30 Mar. – 6 Apr. 1654, 3749; *Swedish Diplomats at Cromwell's Court*, ed. Roberts, 74; *Collection*, ed. Birch, II, 106, 245, VI, 428, VII, 64; F. P. G. Guizot, *History of Oliver Cromwell and the English Commonwealth*, trans. A. R. Scoble (2 vols., 1854), II, 436 (though cf. *ibid.*, II, 446–9). In the minutes of the protectoral council he was often called 'Mr. Secretary', the courtesy title that had customarily been given to secretaries of state.

<sup>45</sup> TNA, SP25/75, 10 (*CSPD 1653–4*, 309).

<sup>46</sup> *Clarke Papers*, ed. Firth, III, 47.

<sup>47</sup> *Ibid.*, III, 141; Bodleian Library, Carte MS 73, fo. 187v; *CSPD 1657–8*, 344.

<sup>48</sup> These inconsistencies and confusions can be glimpsed in *Collection*, ed. Birch, II, 285; *Writings and Speeches*, ed. Abbott, III, 296–7, 507, 809; and the references of petitions to the council by Cromwell (e.g. TNA, SP 18/69, no. 71, 18/76, no. 7, 18/99, no. 58). The suggestion in Peter Gaunt's admirable article, "'The Single Person's Confidants and Dependants'"? Oliver Cromwell and his Protectoral Councillors', *Historical Journal*, 32 (1991), 553, that Cromwell used the word 'we' to refer to decisions taken by him together with the council could explain only some of the cases.

protector was to be neither hereditary nor elective but nominative. He sustained the ambiguity unto his deathbed: he nominated Richard to succeed him, and he didn't.<sup>49</sup>

Ambiguity was the instrument of balance. In Ireland, even when, in 1657, two years of ambiguous, not to say contradictory command were ended by Henry Cromwell's appointment as lord deputy, his rival and counterweight Fleetwood retained his capacity to undermine him at Whitehall, while the membership of the Irish council, as Henry complained, was 'looked upon as a mere balance of three against three'.<sup>50</sup> In June 1658 the protector appointed a body of nine to decide on the next political move. On it the rival parties were so carefully poised that agreement was unattainable.<sup>51</sup> There was, urged Henry Cromwell and his allies, an answer to the paralysis that afflicted the regime in its later stages: an end to the 'bare balance or aequilibrium', which 'will not serve',<sup>52</sup> and a reconfiguration both of the English council and, more important, of the military high command.<sup>53</sup> Thus could the protector subdue the 'depraved appetites' of the 'sick minds'<sup>54</sup> – Fleetwood, Desborough and their friends – who obstructed the desire for a monarchical settlement, and by whom, as Henry's new brother-in-law Lord Fauconberg told him, Henry himself was 'so very much feared and hated'.<sup>55</sup> Instead, the shift towards monarchy halted; as Oliver's end approached, there were expectations within the regime of 'civill warres after his death';<sup>56</sup> and in that 'miserable posture' of affairs Fauconberg prepared to confront his and Henry Cromwell's enemies over control of the army.<sup>57</sup> Nine months after Richard's succession a regime that had awed Europe was destroyed from within when Oliver's son-in-law Fleetwood and his brother-in-law Desborough toppled his son.

Royalists, who had looked to Cromwell's death for a revival of their fortunes, were disappointed. Clarendon, perceiving only the external power of the government and unaware of its internal contentions, remembered that, 'contrary to all expectation at home and abroad', Richard succeeded with a smoothness that an established dynasty might

<sup>49</sup> Historians consequently cannot agree whether he did: *Complete Prose Works of John Milton*, ed. D. M. Wolfe *et al.* (8 vols., New Haven, 1953–82), VII, 4–5.

<sup>50</sup> *Collection*, ed. Birch, VI, 506.

<sup>51</sup> *Ibid.*, VII, 193, 269.

<sup>52</sup> *Ibid.*, VI, 858.

<sup>53</sup> Worden, 'Oliver Cromwell and the Council', 103.

<sup>54</sup> *Collection*, ed. Birch, VI, 93.

<sup>55</sup> *Ibid.*, VII, 451.

<sup>56</sup> *Ibid.*, VII, 348; cf. *ibid.*, VII, 269.

<sup>57</sup> *Ibid.*, VII, 365, 366.

have envied.<sup>58</sup> Sir Charles Firth, the master-historian of the protectorate, was likewise impressed by its standing in the last phase of Oliver's life. He noted the protector's continuing decisiveness and stressed the humbling of royalist conspiracy. He saw the protector's panic-stricken dissolution of parliament in February 1658, when Cromwell had to hail a hackney-carriage to get him to Westminster to forestall the presentation of a mass petition demanding the restoration of the 'supreme power' of the Commons, as a response to a merely temporary problem posed by the creation of the Other House. Firth regarded the feats of Blake's navy and the acquisition of Mardyke and Dunkirk as vindications of Oliver's diplomatic ambitions – even if the means had not been found to pay for them or sustain the army at home.<sup>59</sup>

I shall present a different view of the protectorate, and emphasise what seem to me the narrowness and shallowness of its base. Because the regime brought a return to government by a single ruler, and because it crushed the alien plant of republican rule, it has become customary to think of it as, in David Underdown's words, 'a half-way house on the road to 1660'.<sup>60</sup> From that perspective the restoration of the Rump in 1659 looks like a moment of twilight resistance to the tide. The protectorate, wrote Underdown, was 'a government closer to the hearts of the gentry than any since the Civil War',<sup>61</sup> though he emphasised that it was not as close as all that, and he anyway made a large exception for the period of the rule of the major-generals. Certainly the government strove from the outset to widen its support. It immediately withdrew the 'engagement' of loyalty to kingless rule that the Rump had divisively imposed.<sup>62</sup> It distanced itself from the memory of the regicide.<sup>63</sup> Parliamentary elections brought political presbyterians – men who, or whose allies or members of whose families, had been driven from parliament in 1648 – back to Westminster, first in 1654, then in 1656, then, under Richard Cromwell, in 1659. There were intermittent initiatives to conciliate royalists and Anglicans, and there was a frequent readiness to connive at their dissent, provided it was peaceable – though those concessions were unlikely to impress victims of the major-generals and the decimation tax. In some counties established families returned to the agencies of local government – though, if a single pattern emerges from the diversity of regional experience that

<sup>58</sup> Edward Hyde, earl of Clarendon, *The History of the Rebellion*, ed. W. D. Macray (6 vols., Oxford, repr. 1958), VI, 98.

<sup>59</sup> C. H. Firth, *Oliver Cromwell and the Rule of the Puritans in England* (1900), 425–6, 428; Firth, *Last Years of the Protectorate*, II, ch. 12.

<sup>60</sup> David Underdown, *Somerset in the Civil War and Interregnum* (Newton Abbot, 1973), 175.

<sup>61</sup> *Idem*, 'Settlement in the Counties', in *The Interregnum. The Quest for Settlement*, ed. G. E. Aylmer (1972), 174.

<sup>62</sup> *Acts and Ordinances of the Interregnum*, ed. C. H. Firth and R. S. Rait (3 vols., 1911), II, 830–1.

<sup>63</sup> Worden, *Literature and Politics in Cromwellian England*, 142.

modern studies of the shires in the 1650s have uncovered, it is that the more the leading families involved themselves in the running of the localities, the more the counties were able to put local priorities ahead of Whitehall's.

Yet there is, and was at the time, an alternative perspective. Within it, it is the protectorate, not the parliamentary rule on either side of it, that is the most fundamental aberration. Recent advances in the study of seventeenth-century parliaments are indebted to the challenge levelled by Conrad Russell and others at 'Whig' interpretations. Yet something has been lost by Russell's insistence that parliament was 'an event' rather than 'an institution'. It was both. The event mattered because the institution mattered. The politically inspired exploration of medieval parliamentary history by seventeenth-century lawyers and antiquaries involved the recovery not merely of tactically useful precedents but of a vision of parliament as the great council of the realm, where ultimate authority, and where emergency powers, lay: a council, that is, entitled in the last resort not merely to give advice to kings but to make decisions without them. How else can we explain the confidence of the Long Parliament in 1640–2, when it claimed to control the militia; by-passed the royal veto; asserted that, as the repository of the community's will, it was entitled to place necessity above the law; and in effect took over the executive? Whatever the theoretical or legal objections which those initiatives encountered, the breadth and depth of national sentiment behind them enabled them to prevail. Edward Hyde, earl of Clarendon, would time and again remember the king's difficulty, even after the Long Parliament had appropriated executive powers, in constructing a royalist case that would overcome the 'reverence' and 'veneration' and 'superstition' that were 'generally . . . entertained for parliament', that 'fatal disease' by which 'the whole kingdom was misled', and which, Hyde judged, gave Westminster an unassailable advantage in the recruitment and maintenance of armies.<sup>64</sup> At least Hyde managed to persuade the king, in royal declarations of 1642, implicitly to renounce his earlier non-parliamentary rule, and to explain that his own actions were directed not against 'the dignity, privilege and freedom of parliaments', 'whose freedom distinguishes the condition of his majesty's subjects from those of any monarchy in Europe',<sup>65</sup> but only against the 'seditious' ringleaders who had perverted the institution.<sup>66</sup> At his trial and on the scaffold, the king remembered to insist on his respect for the 'privileges' of parliament.<sup>67</sup>

<sup>64</sup> Clarendon, *History of the Rebellion*, I, 476–7, II, 82, 461, 479 (cf. II, 25), III, 117, 181, 259.

<sup>65</sup> *Ibid.*, II, 202, 279.

<sup>66</sup> *Ibid.*, II, 66, 149.

<sup>67</sup> *The Trial of Charles I*, ed. David Iagomarsino and Charles J. Wood (Dartmouth, NH, 1989), 81, 140.

Of course, no one among Charles's opponents in the Long Parliament aimed at what they inadvertently achieved: a parliament in permanent session, allegedly exercising a tyranny of its own. Parliaments were regarded as supreme in the sense that they were the source and sanction of legitimate rule. They were not meant, in normal circumstances, to administer it. Most of the time, it was universally assumed, there should not be a parliament in being. The one basic constitutional point about which the parliament of 1654–5 found it easy to agree with the protector was that parliaments should not be 'perpetual'.<sup>68</sup> Equally, MPs did not want new parliaments to be too frequent. When medieval precedents suggested to them that parliaments ought to be summoned annually, they shrank from the logic of their own antiquarianism. The supremacy attained by the Long Parliament was full of contradictions. The more the assembly claimed to be acting as the representative of the people, the less representative it became. The trial of the king was carried out on the authority of a House of Commons which invoked its own supremacy in vindication, but which had had to be forcibly purged of its majority for that purpose. The new regime struggled to justify not only the end of monarchy but the abolition of the House of Lords, a subject that, in the decade that followed the event, few people seem to have known how to tackle head-on, unless by resort to the sociology of James Harrington. MPs on the parliamentary side responded in varying ways to the dilemmas about constitutional authority with which the developments that followed the civil wars of the 1640s unexpectedly presented them. Some pronounced all the regimes of 1648 to 1659 to be illegal. Others aimed to steer Puritan rule back to constitutional legality. Some became republicans. Others converted to royalism. Some held to their positions obdurately: others altered or compromised them in the light of events. What in most cases cut across those positions was an assumption that without parliamentary consent there was no legitimate basis of law or government – even if disagreement often flared about how consent could or should be identified and achieved.

More than 200 MPs were willing to sit in the Rump.<sup>69</sup> The majority of them had been opposed to Pride's Purge and the execution of the king, the events that brought the Commonwealth to power. Yet in the circumstances of 1649 they accepted the unicameral rule of the House of Commons. In February a number of peers and commoners who refused to give retrospective endorsement to the regicide, but who now joined the council of state, declared themselves ready to 'live and die' with the

<sup>68</sup> *Speeches of Oliver Cromwell*, ed. Roots, 51; *Diary of Thomas Burton*, ed. Burton, I, xxxii, xl; *Journal of the House of Commons*, 14, 15 Nov. 1654.

<sup>69</sup> The conduct and motives of its members, and the composition of its membership, are described in my *The Rump Parliament 1648–1653* (Cambridge, 1974).

Commons as 'the supreme power of the nation', 'in whom the liberty and freedom of the people is so involved'.<sup>70</sup> They might prefer the ancient constitution to a republic, but they also knew that God permits mankind to alter forms of rule for reasons of prudence and circumstance; and in 1649 no less than in 1642 necessity pressed. They knew too that the army was irresistibly bent on the destruction of the ancient constitution. The Rump made clear its view of Pride's Purge by omitting Henry Ireton and Thomas Harrison, the MPs who as army officers bore most responsibility for it, from the council of state.<sup>71</sup> In December 1648 Ireton had wanted to go further and dissolve the Long Parliament.<sup>72</sup> MPs hoped that by prolonging it, even in a purged form, even under the shadow of military intervention, and even after the overthrow of the ancient constitution, they could preserve the principle of parliamentary supremacy. A decade after the regicide the prominent former rumper Sir Arthur Hesilrige would recall that in early 1649 'two of the three estates were . . . gone. Then, for the third estate, that, God knows!, had been much shattered and broken. Force was much upon us. What should we do? We turned ourselves into the Commonwealth.'<sup>73</sup> Another prominent rumper, Bulstrode Whitelocke, thus explained his readiness, even as he repudiated the regicide, to accept the supremacy of the Commons after it: 'Unavoidable necessity hath put us upon those courses, which otherwise perhaps we should not have taken.'<sup>74</sup>

During the Rump's rule Cromwell strove, in the face of opposition within the regime, to secure the return to active politics of MPs who had been excluded in December 1648 or had absented themselves thereafter.<sup>75</sup> We might think that as protector, eager as he remained to reconstruct the parliamentary party of the 1640s, he had his chance. Yet the permanently vacant seats, about a third of the whole, on the protectoral council, to which he hoped to appoint parliamentary grandees, signal his failure.<sup>76</sup> Scarcely any members of the Long Parliament who had ceased to sit in the Long Parliament in 1648, and only one of them who had achieved political stature in the 1640s, Cromwell's councillor Nathaniel Fiennes, can be found anywhere near the centre of his regime. Fiennes had belonged to the moderate or constitutionalist wing of the Independent party. Presbyterian survivors of the Long Parliament, who were to be

<sup>70</sup> TNA, SP25/62: 19 Feb. 1649, 3; Ann Hughes, *Politics and Civil War in Warwickshire, 1620–1660* (Cambridge, 1987), 223.

<sup>71</sup> Worden, *The Rump Parliament*, 180.

<sup>72</sup> Underdown, *Pride's Purge*, 140–1.

<sup>73</sup> *Diary of Thomas Burton*, ed. Burton, III, 97.

<sup>74</sup> Bulstrode Whitelocke, *Memorials of the English Affairs* (4 vols., Oxford, 1853), II, 526.

<sup>75</sup> Worden, *Rump Parliament*, 277.

<sup>76</sup> *Idem*, 'Oliver Cromwell and the Council', 85.

found in significant numbers at Westminster under the protectorate, were rarely glimpsed in Whitehall.

What, then, of the former members of the Rump? If, in 1649, its rule was a parliamentary alternative to military government, in December 1653 the protectorate replaced parliamentary rule by a military usurpation. In that sense the termination of Barebone's was a more profound alteration of the revolution's course than the expulsion of the Rump eight months earlier. Cromwell's instructions to Barebone's in July 1653 had honoured the principle of parliamentary supremacy. They pointed towards a return to the rule of a sovereign parliament by 1655.<sup>77</sup> In 1654, by contrast, Cromwell refused to honour the principle. Having submitted the Instrument of Government to parliament for approval, he would not take its refusal for an answer. If presbyterian MPs purged by Colonel Pride were absent from the centre of protectoral power, few former rumpers were to be found there either. It might be answered that a high number of rumpers, perhaps even a majority of them, had played little part in the executive machinery of the republic, and were the kind of country gentlemen whom we would sooner expect to find running their estates than occupying posts in Whitehall. Yet around a third of the Rump's members had been more often at Westminster than not,<sup>78</sup> and had played active parts in the government of the country. In 1653 most of them vanished from the political scene. That year was one of those occasions in politics when a generation leaves the stage (though in this case the generation would return, in 1659–60). It was not the Long Parliament but Barebone's, which in retrospect can be seen as the auditions for the protectorate, that supplied a large proportion of the officials – members of the army committee; admiralty commissioners; excise commissioners; and so on – at the centre of Cromwell's government.<sup>79</sup>

There were exceptions to the rule. Seven former rumpers served on the council of the protectorate: Philip Jones, Francis Rous, Philip Skippon, Walter Strickland, Sir Gilbert Pickering, William Sydenham, and Charles Fleetwood. Only the first of them, however, visibly supported the monarchical trend of the protectorate, and the last four opposed it. There were eleven professional lawyers who seem to have made the transition from parliamentary to protectoral service easily enough, and to whose identity and behaviour I shall come. But only three other rumpers seem to have held office in the central administration of the protectorate: Luke Hodges of Gloucestershire, who became an excise commissioner;<sup>80</sup>

<sup>77</sup> *Writings and Speeches*, ed. Abbott, III, 67.

<sup>78</sup> Worden, *Rump Parliament*, 26.

<sup>79</sup> Austin Woolrych, *Commonwealth to Protectorate* (Oxford, 1982), 384–5.

<sup>80</sup> *CSPD 1653–4*, 309.



William Masham of Essex, who was made a treasury commissioner;<sup>81</sup> and John Lowry, formerly Cromwell's fellow-MP for Cambridge, who was given a post in the customs.<sup>82</sup> For all we know there may have been a number who, like Robert Bennett of Cornwall,<sup>83</sup> would have been glad to be invited to serve in similar ways. In the provinces there was a handful of rumpers, beside Bennett, whom the protectorate may have thought of as friends. Perhaps John Bingham, the governor of the Isle of Wight,<sup>84</sup> Sir William Strickland of Yorkshire,<sup>85</sup> and Dennis Bond and John Trenchard of Dorset,<sup>86</sup> belonged to such a category. If so, however, the friendships are unlikely to have run deep.<sup>87</sup> Occasionally former members of the Rump can be seen addressing the regime with prudent politeness when they had petitions or private concerns to press in Whitehall.<sup>88</sup> Yet outward civility to rulers has never, on its own, been evidence of support for their rule.

Even rumpers who were drawn into public service do not always look like enthusiasts for the protectorate. Two of them served the regime abroad: Robert Blake, the great admiral of the fleet, and Richard Salwey, who was appointed ambassador to Constantinople. Yet it is probable that both men thought of themselves as acting for their country rather than for its present government. Blake showed no commitment to the regime, and Salwey's loyalty to it was doubtful.<sup>89</sup> The slippery John Jones became brother-in-law to the protector and gave practical support to the government in his native Wales,<sup>90</sup> but the favour bestowed on him was keenly opposed by Henry Cromwell, who remembered his republican past and thought him still 'dissatisfied'.<sup>91</sup> Some rumpers, though not many, were appointed as commissioners for the public faith, and a larger quantity, alongside a great number of other parliamentarians or Puritans, as commissioners for the ejection of ungodly ministers. At least six were named to

<sup>81</sup> *CSPD* 1654, 284; *Memoirs of Edmund Ludlow*, ed. Firth, 1, 372.

<sup>82</sup> Andrew Barclay, 'The Lord Protector and his Court', in *Oliver Cromwell: New Perspectives*, ed. Patrick Little (Basingstoke, 2009), 205.

<sup>83</sup> Woolrych, *Commonwealth to Protectorate*, 389–90.

<sup>84</sup> TNA, SP25/77, 311–12.

<sup>85</sup> *Collection*, ed. Birch, IV, 593.

<sup>86</sup> *CSPD* 1655–6, 354.

<sup>87</sup> Sir John Trevor of Surrey is another candidate (*CSPD* 1655–6, 354; see too SP25/153: 1 Jan. 1657, item 1), but the evidence does not always allow us to distinguish him from his son, John.

<sup>88</sup> *Collection*, ed. Birch, IV, 644 (William Masham's father and fellow-rumper Sir William Masham), V, 711 (Thomas Scot), VI, 624 (Dennis Bond); Bodleian Library, Rawlinson MS A24, 74 (James Ashe).

<sup>89</sup> *Collection*, ed. Birch, IV, 589.

<sup>90</sup> *Ibid.*, IV, 413.

<sup>91</sup> *Ibid.*, IV, 606.

the council of trade.<sup>92</sup> Yet it seems unlikely, at least in most cases, that the rumpers appointed to those bodies were consulted before their appointments or that they ever took them up. A number of rumpers did retain their customary involvement in local government. In the absence of other evidence, however, their willingness cannot be taken to betoken more than a determination to preserve the workings of local communities or their own places in them. Some, among them five MPs from Buckinghamshire who acted as militia commissioners in the county under the major-generals,<sup>93</sup> were willing to assist the government against the Cavaliers, the 'common enemy' as parliamentarians of various hues liked to call them.<sup>94</sup> Yet that attitude, too, is no indication of a liking for Cromwell's rule. It was shared by Matthew Alured, one of the 'three colonels' who mounted a conspiracy against the protectorate during the first of its parliaments.<sup>95</sup> Thomas Scot, a prominent rumper and zealous opponent of the protectorate, who had run the Commonwealth's intelligence system, was ready to pass information about royalist conspiracy to Thurloe, his successor in that post.<sup>96</sup> In Sussex another MP who had exerted great influence in the Rump, Herbert Morley, agreed to assist the major-general in the county 'to the utmost' as a JP, but not otherwise.<sup>97</sup> He was ready – readier than he wanted it to be known – to aid the government in the raising of seamen and in combating royalist conspiracy or piracy on the county's coast.<sup>98</sup> Nonetheless the council, which knew his underlying antipathy to the government, excluded him, as it did Scot, from the parliament of 1656.<sup>99</sup>

It is no surprise to find men whom, at least by 1653, it may be legitimate to think of as committed republicans – Scot, Hesilrige, Vane, Ludlow, John Weaver – in conflict with the protectorate. But the hostility of former rumpers was more widespread. At its heart was not republican

<sup>92</sup> *Writings and Speeches*, ed. Abbott, IV, 64 (Godfrey Bosville and William Purefoy), 97 (John Jones); *CSPD 1655*, 240 (Oliver St John, Dennis Bond and the republican Thomas Chaloner).

<sup>93</sup> *Collection*, ed. Birch, IV, 583: George Fleetwood, Richard Ingoldsby, Edmund West, Cornelius Holland and Simon Maine.

<sup>94</sup> The rumper John Dove, the sheriff of Wiltshire who was captured by the royalist insurrectionaries of March 1655, subsequently assisted the government in their suppression: *Collection*, ed. Birch, III, 318–19.

<sup>95</sup> *Ibid.*, IV, 359. An opponent of the protectorate in Cheshire, Robert Duckenfield (who like Alured was not an MP, but who like him had been happy to serve the Rump), offered to accept from Cromwell a 'handsome military command' to fight on the Continent, but was unwilling to accept a commission 'within this nation' (*ibid.*, III, 294).

<sup>96</sup> *Ibid.*, III, 350, V, 711.

<sup>97</sup> *Ibid.*, III, 161.

<sup>98</sup> *Ibid.*, III, 369, IV, 549, 573–4. On Morley, and the conduct of Sussex MPs associated with him, see Anthony Fletcher, *A County Community in Peace and War: Sussex 1600–1660* (1975).

<sup>99</sup> *Collection*, ed. Birch, V, 490.

but parliamentary sentiment, of which commitment to kingless rule was an extreme or eccentric form. The protectorate knew of the dislike of its own existence among prominent rumpers who as far as we can see had no principled objection to kingship: Valentine Walton,<sup>100</sup> Sir William Brereton of Cheshire,<sup>101</sup> Thomas Fell of Lancashire,<sup>102</sup> Robert Wallop, Nicholas Love and Robert Reynolds of Hampshire.<sup>103</sup> Opposition broadened from the time of the dissolution of the first protectorate parliament in January 1655. Until that point there was a chance that the regime could acquire parliamentary sanction. After it the government was cast back on the naked military power that had brought it into being. One rumper who now took his stand was the judge Francis Thorpe, who had opposed the regicide but had delighted the Rump, in March 1649, by declaring on its behalf that the people were 'the original of all just power'.<sup>104</sup> Now he broke ranks with most of the other rumpers who were professional lawyers and was dismissed after refusing to implement Cromwell's treason ordinance.<sup>105</sup> Another was Cromwell's former friend<sup>106</sup> Sir Peter Wentworth, who had collectors of non-parliamentary taxation arrested in his native Warwickshire, and who was summoned to Whitehall for his pains. There – according to our garbled but here again essentially reliable source, Ludlow's *Memoirs* – he told Cromwell to his face that 'by the law of England no money ought to be levied upon the people without their consent in parliament'.<sup>107</sup> How could John Hampden, had he still been alive, not have concurred? The rumper Lord Grey of Groby, who had stood at Colonel Pride's side during the purge of 1648, was now arrested for conspiring against the protectorate.<sup>108</sup> There was a more substantial figure – not a rumper – among the politicians disaffected under the protectorate. Sir Thomas Fairfax, who had viewed the revolution of 1648–9 with impotent unease, and who had resigned the leadership of the army in 1650, would nonetheless collude with the commonwealthmen in Richard Cromwell's parliament, where he conspicuously sat at the side of Sir Arthur Hesilrige.<sup>109</sup> In December

<sup>100</sup> Peter Gaunt, 'The Councils of the Protectorate' (Ph.D. thesis, Exeter University, 1983), 129; cf. *Collection*, ed. Birch, VII, 587.

<sup>101</sup> *Collection*, ed. Birch, V, 313.

<sup>102</sup> *Ibid.*, IV, 423.

<sup>103</sup> Andrew Coleby, *Central Government and the Localities: Hampshire 1649–1689* (Cambridge, 1987), 72, 78. In Coleby's account (p. 61) the rumper John Dunch was a supporter of the regime in Hampshire.

<sup>104</sup> *ODNB*: 'Thorpe, Francis'.

<sup>105</sup> S. R. Gardiner, *History of the Commonwealth and Protectorate* (4 vols., repr, New York, 1965), III, 298–9.

<sup>106</sup> *Writings and Speeches*, ed. Abbott, I, 346.

<sup>107</sup> *Memoirs of Edmund Ludlow*, ed. Firth, I, 414.

<sup>108</sup> *Ibid.*, I, 414; Gardiner, *History of the Commonwealth and Protectorate*, III, 226–7, 229, 269.

<sup>109</sup> *Diary of Thomas Burton*, ed. Burton, III, 48.

1657 Fairfax was reported to have declared that 'since the dissolving' of the Long Parliament in 1653, 'which was broke up wrongfully, there was nothing but shifting and a kind of confusion'.<sup>110</sup>

The military origins of the protectorate plagued its quest for settlement. On the ninth day of its first parliament, 12 September 1654, the protector, dismayed by the assembly's opposition to the Instrument of Government, forcibly purged it. Members who wished to resume their seats were required to subscribe to a loosely worded 'Recognition' that engaged them to fidelity to the protector and to acceptance of the government 'as it is settled in a single person and a Parliament'. In one sense the purge was successful. In the opening days of the parliament, Cromwell had been opposed by two formidable sets of politicians. There were the leading presbyterians, John Birch, John Bulkeley, and Sir Richard Onslow at their head, all of whom had been imprisoned at Pride's Purge. And there were the commonwealthmen, Hesilrige and Scot at *their* head, who had been forcibly expelled in 1653. In the initial sessions of the parliament the two groups joined forces against the Instrument. The purge of 12 September removed most of the commonwealthmen.<sup>111</sup> The event was the opposite of Pride's Purge, for this time it was the presbyterians who survived. The presbyterians were ready to negotiate with Cromwell, as in 1648 they had been willing to negotiate with Charles I.

Yet no more than the rumpers who had decided to return to parliament in February 1649 were they enthusiasts for their course. After the purge of September 1654 a number of them withdrew for a time and hesitated before resuming their seats. It was the presbyterians' turn to face the argument from necessity. Some of them, including John Birch and probably John Bulkeley, returned only after several weeks and after extensive debate among themselves, during which they at last resolved to 'give way to the present necessity'. The 'sin' of the pledge that was now required of them, decided one of the presbyterian MPs, lay with its 'imposers', not its 'subscribers'.<sup>112</sup> There was much in the Instrument of Government that the presbyterians would have wanted to revise even if it had been introduced through some constitutional and civilian mechanism. They contended strongly against the provisions of the document for liberty of conscience and concerning the control and pay of the armed forces. Yet their basic objection was not to the content

<sup>110</sup> *Collection*, ed. Birch, VI, 706, VII, 84. When parliamentary rule was restored in May 1659 Fairfax was appointed to the council of state, though he did not take his seat (*CSPD 1658-9*, xxiv, 349; *1659-60*, xxiii-xxv), and we cannot tell whether he agreed to the appointment.

<sup>111</sup> This can be deduced from the names of members which appear or do not appear in the *Journal of the House of Commons*. The only significant exception, if we count him as a commonwealthman, was Herbert Morley.

<sup>112</sup> 'Three Letters Illustrative of English History', ed. Henry Ellis, *Archaeologia*, 25 (1832), 139-40; and see *Diary of Thomas Burton*, ed. Burton, I, xxxv-xxxvi.

of the Instrument. It was to its genesis in armed force. The MPs were willing to sanction the general outline of the Instrument, but on one condition: that the authority of the constitution, and of the protector himself, be acknowledged to derive from parliament itself, not from the soldiers who had introduced it. On that premise his rule from December 1653 to September 1654 had been a usurpation. Only now, through the consent of parliament, would Cromwell's rule acquire legitimacy. No one in the assembly other than the court party seems to have been impressed by Cromwell's flimsy claim that since December 1653 the readiness of judges or justices to sit, or electors to vote, or political organisers in towns or counties to send him addresses, indicated that the nation had consented to his rule.<sup>113</sup> To make its point the parliament of 1654–5 adopted a fiction. Even as it went through the Instrument, revising its clauses, it affected to be drafting instead a bill entirely of its own devising. Only a month before the dissolution did the assembly give itself leave 'to consider of the printed document, intituled The Government of the Commonwealth' – the name under which the Instrument had been published.<sup>114</sup> Five years later John Bulkeley told the Commons that, 'in the bowels of it', the Instrument 'took away your rights'. That he had in mind the genesis rather than the content of the Instrument is indicated by his acknowledgement that the constitution itself 'had much good in it'. If only Cromwell and parliament could have agreed on its revision, he intimated, England would have acquired 'a happy government and foundation for posterity'.<sup>115</sup>

Uncompromising assertions of the sovereign rights of parliament were made in the debates of 1654–5. We might expect them to have been voiced solely by commonwealthmen. It is likely to have been commonwealthmen who, on the day before the purge of September 1654, described 'the former government, by King and Parliament,' as 'but an usurpation upon the common right'.<sup>116</sup> Perhaps it was they who, in the same debate, insisted that 'the supreme power was originally in the people'.<sup>117</sup> Yet when 'the more moderate men on both sides' turned the debate towards a search for common ground, 'the sense and opinion of the House ran generally' in favour of the principle of parliamentary supremacy. 'The Government', it was agreed, 'should be in the Parliament and a single person, limited and restrained as the Parliament should think fit'.<sup>118</sup> That view prevailed in the Commons after the withdrawal of the commonwealthmen, when the right of parliament to 'limit and restrict'

<sup>113</sup> *Speeches of Oliver Cromwell*, ed. Roots, 48–9; *Diary of Thomas Burton*, ed. Burton, I, xxix, xxx.

<sup>114</sup> *Journal of the House of Commons*, 19 Dec. 1654.

<sup>115</sup> *Diary of Thomas Burton*, ed. Burton, III, 107.

<sup>116</sup> *Ibid.*, I, xxx.

<sup>117</sup> *Ibid.*, I, xxix.

<sup>118</sup> *Ibid.*, I, xxxii.

the protector's powers continued to be asserted.<sup>119</sup> When the question arose whether Cromwell's successor should be chosen by parliament or by the executive council of the protectorate, it was 'agreed on all sides, that it was an original fundamental right, inherent in the Parliament, to choose their supreme officers'.<sup>120</sup> 'There is no Englishman', it was argued, 'but will rather part with his life, his liberty, his estate . . . than with the just rights and freedoms of the people'; and 'the legislature was ever in the people'.<sup>121</sup> The Commons decided that any power which the protector might hold to veto legislation would be bestowed as the 'gift' of parliament, though under pressure from the court 'the more moderate' members did persuade the Commons to 'change the word "give" into "declare"'.<sup>122</sup>

Between the parliament of 1654–5 and that of 1656–8 there are significant contrasts.<sup>123</sup> In 1654–5 court and council were more or less united in defence of the Instrument. In 1656–7, the time of the first session of the second protectorate parliament, court and council were split, and the rival parties took the battle to parliament. A number of courtiers and councillors joined the MPs who brought the Remonstrance into the house, and who commanded a strong majority for it. They commanded it because presbyterians who had opposed the Instrument in 1654 supported the new constitution of 1657, as they would support it again in 1659. Why that contrast? There were differences of content between the Humble Petition and the Instrument of Government, the constitution which the Humble Petition was meant to replace. Yet, like the differences in 1654 between the Instrument and the bill into which the parliament converted it, they were not the nub of the matter. In 1654 and 1657 alike, parliament adopted its own constitution. The contrast lay in the attitude not of MPs but of Cromwell, who was hostile to the first constitution but welcomed the second. In 1657 the negotiations between parliament and protector were consequently as courtly as in 1654 they had been confrontational. Yet the principle on which the presbyterians had taken their stand three years earlier was preserved. If, in 1654, MPs denied Cromwell's right to impose his rule on them, in 1657 they questioned, in their discussions with him over parliament's offer of kingship, his right to refuse a constitution which the people's representatives were pressing on him: pressing, moreover, not as a basis for negotiation, but to be accepted or rejected in its entirety – though he characteristically contrived to wriggle out of that stipulation.

<sup>119</sup> *Ibid.*, I, lvi.

<sup>120</sup> *Ibid.*, I, liii.

<sup>121</sup> *Ibid.*, I, lxxv; cf. *ibid.*, I, xxx–xxxI.

<sup>122</sup> *Ibid.*, I, lxxvi–vii; *Journal of the House of Commons*, 10, 11 Nov. 1654.

<sup>123</sup> The two assemblies are penetratingly analysed in Patrick Little and David L. Smith, *Parliaments and Politics during the Cromwellian Protectorate* (Cambridge, 2007).

During the talks between Cromwell and the parliamentary delegates, Nathaniel Fiennes, in his capacity as an MP, told Cromwell that the new constitution, while it was modestly called a 'petition', was 'in some sort a petition of right', which Cromwell had an 'obligation' to accept.<sup>124</sup> Sir Charles Wolseley concurred: the protector should 'give the people leave to choose their own servant; that is a due you cannot, you will not certainly deny them.'<sup>125</sup> There was, it is true, a tactical aspect to the suave wording of Fiennes and Wolseley, councillors of Cromwell who wanted him to accept the title. Their master, who in 1657 was as concerned not to alienate parliament as in 1654 he had been ready to take it on, was himself careful to endorse the notion that the house was entitled to do as it wanted with him<sup>126</sup> – though when it came to it he wriggled again. But the appropriateness of the tactic arose from the Commons' perception of its supreme role in the resolution of the nation's constitutional crisis.

Wide as the parliamentary backing for the Humble Petition was, it cannot properly be interpreted as support for the government. It was support for the party within the government that wanted not to entrench the protectorate but to change it: to turn it into a parliamentary, and civilian, monarchy. The presbyterians who had opposed the Instrument in 1654, and who backed the Humble Petition in 1657–9, had not, or mostly had not, become courtiers. Sir Richard Onslow, the veteran presbyterian MP who urged Cromwell to accept kingship, was fairly described by Henry Cromwell's agent Anthony Morgan as 'head of the country party for' the Humble Petition.<sup>127</sup> With presbyterian or country party support – for the two had become hard to distinguish – the Humble Petition secured parliament's consent, even after Cromwell had procured amendments to it. Yet his refusal of the crown, at the army's behest, showed how little security for civilian and parliamentary rule the new constitution gave. The group that had been behind the offer was broken by his decision.<sup>128</sup> In the months before his refusal, the opposing faction, led by Fleetwood and Desborough, had seemed in decline. Cromwell's rejection of the crown revived its fortunes and thus erected what proved to be a permanent block to the civilianisation of the regime. Two years later the two generals would bring down Richard Cromwell. Admittedly Richard, being, as MPs said, 'without guile or gall',<sup>129</sup> and being unlikely to lead military coups against parliament as his father had done, had much to be said for him

<sup>124</sup> *Collection of Scarce and Valuable Tracts*, ed. Scott, vi, 380.

<sup>125</sup> *Ibid.*, vi, 360.

<sup>126</sup> *Speeches of Oliver Cromwell*, ed. Roots, 116–17; cf. *ibid.*, 118, 130.

<sup>127</sup> *Correspondence of Henry Cromwell*, ed. Gaunt, 205. Cf. *Collection*, ed. Birch, iii, 161, and John Bulkeley's speech in *Diary of Thomas Burton*, ed. Burton, iv, 347.

<sup>128</sup> Firth, *Last Years of the Protectorate*, 1, 193–8; Fletcher, *County Community in Peace and War*, 315; cf. Little and Smith, *Parliaments and Politics*, 107–8.

<sup>129</sup> *Diary of Thomas Burton*, ed. Burton, iii, 132; Little and Smith, *Parliaments and Politics*, 160.



as a potential parliamentary monarch, if only – but it proved too big an ‘if’ – he could control the generals. The rumpier John Stephens, who had no love for the protectorate,<sup>130</sup> nonetheless saw in the Humble Petition and Advice, when it was debated in the parliament called by Richard Cromwell, a means to return to the ancient constitution.<sup>131</sup> He had found the ‘little fingers of the Major-generals . . . heavier than the loins of the greatest tyrant kings that went before’. Now he was ‘glad to find one in possession’ – Richard – ‘who will rule according to the law, and not the sword’.<sup>132</sup> It was because of such sentiments that support for the Humble Petition commanded a majority in Richard’s parliament. It was because the constitution commanded that support that the army destroyed the regime.<sup>133</sup>

Yet when the protectorate fell, who lamented its passing? In 1660, as the revolution disintegrated, there were stray, despairing thoughts of restoring Richard, but there is no sign that those who made the suggestion supposed that the Humble Petition, let alone the Instrument of Government, was recoverable. Thus the only two written constitutions to have been implemented in English history, the first created by the new model, the second aborted by it, fell to dust. On Richard’s fall and the restoration of the Rump, large numbers of rumpers who had boycotted the protectorate returned, bringing their portion of the displaced generation back with them. William Purefoy of Warwickshire, apparently aged nearly eighty, who had disliked the protectorate and had retreated into semi-retirement under it, returned ‘rejuvenated’ to Westminster.<sup>134</sup> The lawyer Oliver St John, Oliver’s Cromwell’s cousin and close friend, who had been Hampden’s counsel and then a parliamentary grandee of the 1640s and early 1650s, had subsequently given backstairs advice to both protectors. Yet, while he had hesitantly continued to sit as chief justice of the Common Pleas, he had evaded the exercise of political office. Cromwell got him appointed as a treasury commissioner,<sup>135</sup> but there is no sign that he took up the post. After the restoration of the Rump in May 1659, by contrast, he served on its council of state.<sup>136</sup>

Other professional lawyers had responded differently to Cromwell’s elevation. The MPs who had served as the Rump’s attorney-general and solicitor-general, Edmund Prideaux and William Ellys, remained in their posts. The rewards of office made Prideaux a rich man in the 1650s. He and Ellys were made baronets by Cromwell three weeks

<sup>130</sup> Andrew Warmington, *Civil War, Interregnum and Restoration in Gloucestershire 1640–1672* (Woodbridge, 1997), 118, 120.

<sup>131</sup> *Diary of Thomas Burton*, ed. Burton, III, 158, 357–8.

<sup>132</sup> *Ibid.*, IV, 11.

<sup>133</sup> The point is astutely conveyed by Little and Smith, *Parliaments and Politics*, esp. ch. 7.

<sup>134</sup> Hughes, *Politics and Civil War in Warwickshire*, 292.

<sup>135</sup> *CSPD* 1654, 284, 411; *CSPD* 1655, 173; *Journal of the House of Commons*, 24 Oct. 1654.

<sup>136</sup> *CSPD* 1658–9, xxiv, 349; *CSPD* 1659–60, xxiii–xxv.

before the protector's death.<sup>137</sup> Other rumpers in the profession proved equally pliable on Cromwell's elevation. Bulstrode Whitelocke and John Lisle remained commissioners of the Great Seal; Nicholas Lechmere of Worcestershire acquired a new legal office; William Lenthall, the former speaker of the Long Parliament, remained master of the rolls and would accept membership of Cromwell's 'other house', the protectorate's substitute for the House of Lords; his son John retained his post as one of the six clerks of Chancery and would be knighted by the protector. Lislibone Long and the brothers Nathaniel and Francis Bacon became the protectorate's masters of requests. Roger Hill served the protectoral judiciary. The compliance of all those lawyers might prompt us to cynical reflections on the careerist priorities of their profession in illegal times. Their adaptability was doubtless enhanced by the panic in the legal profession when Barebone's voted to abolish the Court of Chancery, and by the relief when Cromwell's elevation removed that threat. William Lenthall reflected after the protector's installation that on the eve of it the nation had stood 'upon the brincke . . . of Confusuo[n] and desolation'.

Yet if the legal profession and public order were preserved by the coup, there was another question for the lawyers. Would the rule of the protector be the rule of law? Lenthall hoped so. With others he saw Cromwell's elevation as a necessary military means towards the demilitarisation of politics. He told himself that the new government, under which 'Our Laws have ther freedom and countenance and property challenges her own without interruption', would 'produce much happinesse and safety to all . . . and as much settlement to our Lawes and Liberties'.<sup>138</sup> Thurloe hoped the same. He proclaimed at the outset of the protectorate that the regime would bring an end to 'arbitrariness' in government.<sup>139</sup> The claim was echoed by Cromwell,<sup>140</sup> and perhaps would have been vindicated had he reached agreement with the parliament of 1654 or taken the crown in 1657. There proved, however, to be narrow limits to the constitutionalism of the protectorate. Even before the parliament of 1654–5 had met, William Ellys, the solicitor-general, had to remonstrate against the council's readiness to bypass the legislative processes of parliament.<sup>141</sup> In Richard Cromwell's parliament he would urge the Commons to adhere to the Humble Petition, for 'If we lose this foundation we must go to Major-generals, and the Instrument of Government, that had no foundation in Parliament'.<sup>142</sup>

Then there is the Suffolk lawyer Nathaniel Bacon, who in the 1640s had been a prominent administrator in the Eastern Association. Bacon's *An*

<sup>137</sup> *Writings and Speeches*, ed. Abbott, IV, 866.

<sup>138</sup> Spalding, *Contemporaries of Bulstrode Whitelocke*, 166.

<sup>139</sup> *Ibid.*, 374.

<sup>140</sup> *Speeches of Oliver Cromwell*, ed. Roots, 30, 48; cf. *ibid.*, 44.

<sup>141</sup> Gaunt, "'To Create a Little World'", 121–2.

<sup>142</sup> *Diary of Thomas Burton*, ed. Burton, III, 567.

*Historicall Discourse of the Uniformity of the Government of England*, published in 1647 and continued in 1651, has been called ‘the English *Franco-Gallia*’.<sup>143</sup> It claimed that Saxon and medieval history showed the English monarchy to be elective and contractual and to be subject to parliamentary supervision. Richard Baxter declared the book one of the four most influential works to have been written on the parliamentarian side. It influenced posterity, too, being frequently reprinted, and invoked by politicians, in the later seventeenth century and the eighteenth.<sup>144</sup> Bacon had sat only fleetingly in the Rump and had evidently been uneasy about the republic.<sup>145</sup> After the protector’s purge of the parliament of 1654 he waited for a month before resuming his seat.<sup>146</sup> So it seems a surprise to find him acting, by July 1655, as a master of requests, though characteristically it is not clear whether he had been formally appointed. Except for those on the council, he became the only rumper to play a bigger part in the government of the protectorate than of the Commonwealth before it. But we can sense what he was up to: he was trying to help change the government from within. Through the crowning of Cromwell, he evidently thought, politics could be freed of military intervention, and a return to medievalist, civilian, constitutional principles of rule be achieved. From early 1656 we can watch him seeking to nudge the regime in a monarchical direction. When Cromwell referred petitions to the council which the Masters of Requests had brought before him, Bacon and his brother Francis, with surreptitious impropriety, directed the documents to ‘the’, or ‘his’, ‘privy council’;<sup>147</sup> the term that would be reintroduced to the constitution only in 1657, when the Humble Petition adopted it in order to give the body a regal flavour. Bacon supported the Humble Petition, which, he explained, was ‘not so much a new Constitution, as a reviving of the Old with taking off exorbitances’. It deserved acceptance because ‘the people of England have a right to the single person and two Houses of Parliament, and it cannot be taken away without their consent’.<sup>148</sup>

Or there is Bulstrode Whitelocke. Never have a politician’s autobiographical vindications backfired more disastrously. His readers might have more sympathy with his criticisms of the protectorate had he not disclosed to posterity how tickled he was by the attention and favour

<sup>143</sup> Glenn Burgess, *The Politics of the Ancient Constitution. An Introduction to English Political Thought 1603–1642* (1992), 96.

<sup>144</sup> ODNB: ‘Bacon, Nathaniel’.

<sup>145</sup> Worden, *Rump Parliament*, 73, 127.

<sup>146</sup> ‘Three Letters Illustrative of English History’, ed. Ellis, 140; *Journal of the House of Commons*, 10 Oct. 1654.

<sup>147</sup> TNA, SP18/126, no. 123, 125, 18/127, no. 19, 18/128, nos. 5–6, 56, 78–9, 82, 18/129, nos. 25, 57, 69–70, 110, 18/130, nos. 77–8.

<sup>148</sup> *Diary of Thomas Burton*, ed. Burton, III, 357.

Cromwell bestowed on him, and how resentful that he did not bestow more of them.<sup>149</sup> After the dissolution of parliament in 1655, Whitelocke was among the defectors. He resigned, with Sir Thomas Widdrington, as a commissioner of the Great Seal sooner than implement Cromwell's extra-parliamentary ordinance for the reform of the Court of Chancery. For 'to execute that as a law upon mens estates & rights which he knew to be no law, but an exorbitant power', 'when I knew that those who made it had no legal power to make a law, . . . would be a betraying of the rights of the people of England, and too much countenancing of an illegal authority'.<sup>150</sup> A month later he accepted a lucrative post as a treasury commissioner instead. There is an unmistakable dimension of self-serving retrospect in his accounts of his pleas to Cromwell to revert to parliamentary and legal courses, as in much else in his recollections of his conduct in the Interregnum. Even so, his dismay at the 'wholly illegal' rule of the major-generals, and at other breaches of constitutional methods by the protector, is plain enough.<sup>151</sup>

Like Nathaniel Bacon, Whitelocke studied medieval history in a book that would be put to Whiggish use in the eighteenth century.<sup>152</sup> He visited the subject again in a 'Historie of the Parlement of England', of 'our great, publique, supreame Generall Counsell of the Nation'.<sup>153</sup> Like Bacon he believed the English monarchy to have been elective and to have rested on consent. Like Bacon he preferred mixed forms of government, and regarded England's ancient constitution as one. He supported the Humble Petition, albeit with reservations, and urged Cromwell to become king. Yet in other circumstances his commitment to parliamentary supremacy, and to the principle of political consent, could assume non-monarchical forms. It could also lead him into anti-protectoral company, most strikingly that of the Leveller John Wildman, with whom he formed a devoted friendship. In 1655, after Cromwell's failure to win parliamentary sanction for the Instrument, Whitelocke received and transcribed a copy of the vituperative declaration in which Wildman sought to incite an armed rising against 'the tyrant Oliver Cromwell' in defence of 'native rights and freedoms': a document, remarked Whitelocke, wherein 'there was too much of truth'.<sup>154</sup> In late 1659 he and Wildman came together to draft 'the form of a free state', a document which proscribed the rule of a single person and adopted the

<sup>149</sup> Bulstrode Whitelocke, *A Journal of the Swedish Embassy* (2 vols., 1855), I, 5, 322; Whitelocke, *Memorials*, IV, 188; *The Diary of Bulstrode Whitelocke*, ed. Ruth Spalding (Oxford, 1990), 401–2, 414, 438, 464, 476, 477, 478.

<sup>150</sup> *Diary of Bulstrode Whitelocke*, ed. Spalding, 407; Whitelocke, *Memorials*, IV, 204.

<sup>151</sup> *Diary of Bulstrode Whitelocke*, ed. Spalding, 415, 417, 477, 485, 488, 489 (cf. *ibid.*, 400).

<sup>152</sup> *Whitelockes Notes upon the Kings Writt*, ed. Charles Morton (2 vols., 1766), I, xxii.

<sup>153</sup> British Library, Stowe MS. 333.

<sup>154</sup> Whitelocke, *Memorials*, IV, 187; *Diary of Bulstrode Whitelocke*, ed. Spalding, 401.

Leveller principle that the people may impose restraints on their delegates in parliament.<sup>155</sup>

Whitelocke was outraged by Cromwell's expulsion of the Rump in 1653, when 'this great parliament, which had done so great things', 'famous through the world for its undertakings, actions, and successes', was 'routed' by its 'servants'. He remembered that 'all honest and prudent indifferent men were highly distasted at' the coup,<sup>156</sup> and that in 1659 'many others' joined him in welcoming the return of the Rump 'for settling the peace and liberty of the nation, and the more because they were uppon the first right and foundation of that long Parliament, which had done so great things'.<sup>157</sup> Yet the army, the creator and destroyer of every regime of the Interregnum, soon expelled the Rump for the second time. If ever in the Puritan Revolution two bodies ought to have been able to find common ground of policy, it was the restored Rump and the army which had restored it. Yet they quarrelled irreparably over the issue of civilian command of the forces. For the principle of parliamentary supremacy, which in the civil war had been defended against the king, had since 1647 faced an alternative enemy in the new model, ironically a body that in its programme of political reform had done so much to champion it. In 1659–60 the conflict destroyed the revolution. A mortal blow was the second dismissal of the Rump in October 1659. The Sussex grandee Herbert Morley, the prominent rumper who had kept his distance from the protectorate, was moved to an outrage that no opponent of Charles I could have surpassed. The army, he and others who challenged its authority alleged, had revived an 'old court design, to affright Englishmen out of their . . . love to a parliament', and out of 'their hereditary and birthright privilege of making their own laws, by which they shall be governed'. In the present crisis there were 'many thousands of our mind who know no help, under God, like that of a parliament', a hope towards which 'the spirit of the free-born Englishmen' was aspiring.<sup>158</sup>

In 1659–60 accusations of 'sword-government', of rule by 'muskets' and 'red-coats', were hurled at the army by victims of its various purges of parliaments.<sup>159</sup> Now as in 1640–2, opponents of arbitrary rule looked to parliament as the nation's only saviour. In 1642 the cry thrown in Charles I's face in the streets of London, 'Privileges of parliament!', had announced the collapse of his authority in the capital: in 1659–60 it was the cry for 'a free parliament' that set the avalanche of the Restoration

<sup>155</sup> Longleat House, Whitelocke Papers, XXIV, 399–400; Spalding, *Contemporaries of Bulstrode Whitelocke*, 459–60.

<sup>156</sup> Whitelocke, *Memorials*, IV, 6.

<sup>157</sup> *Diary of Bulstrode Whitelocke*, ed. Spalding, 514.

<sup>158</sup> *Collection*, ed. Birch, VII, 772; cf. *ibid.*, VII, 794.

<sup>159</sup> See e.g. *ibid.*, VII, 772–3, 797.

in motion. When, in February 1660, George Monck resisted pressure to restore the members who had been purged in 1648, on the ground that if they were readmitted they would restore the king, among those who protested was the rumper Richard Norton of Hampshire, once a close friend of Oliver Cromwell. Under the protectorate he had been willing to 'keepe Portsmouth', where he was made governor of the garrison in 1655, 'safe' against a royalist invasion or insurrection,<sup>160</sup> but that was all. To Cromwell's dismay he refused to cooperate with the rule of the major-generals,<sup>161</sup> which permanently alienated him from Puritan rule. Now, in 1660, he told Monck that 'freedom of parliament was the just right and interest of the nation, and if they [parliament] thought it fitt to bring in the Turke they ought not to be imposed on to the contrary'.<sup>162</sup>

Everyone knew what a 'free parliament' would do. The term was often used as code for the return, in some form, of the monarchy, a goal which could not be openly proclaimed until shortly before the event. Yet the choice of code indicates the place of parliament in national esteem. The Restoration was the restoration of parliament before it was the restoration of the monarchy, which was restored through parliament's choice. Even the most entrenched republicans conceded that in 1660 the nation, however foolishly or wickedly, had consented to the king's return. Rumpers who had opposed the protectorate or distanced themselves from it – Norton, Morley, Alexander Popham – became at least half-royalists in the late stages of the revolution: parliamentary royalists, that is, who looked to parliament to reestablish the monarchy. The success of Monck, during the early months of 1660, in moving from apparent support for the commonwealthmen to insistence on the Restoration becomes the more explicable when we remember the common commitment to parliamentary authority that underlay those otherwise opposing positions.

The Restoration was the closest England had come to a unified political will since the first six months of the Long Parliament. In spite of it, both parliamentarian and Puritan ideals survived. In some quarters even republicanism, and even admiration for the regicide, clung on. Cromwell's name, and the memory of his deeds, endured too. What went mostly unlamented were the coup which had made him protector; the military basis of his rule; and the constitutions under which he had sought to cloak it.

<sup>160</sup> *Correspondence of Henry Cromwell*, ed. Gaunt, 202.

<sup>161</sup> *Collection*, ed. Birch, IV, 238.

<sup>162</sup> Coleby, *Central Government and the Localities*, 81; cf. *ibid.*, 21, 33, 71 (though also 79); *Collection*, ed. Birch, IV, 452; Jason Peacey, 'The Upbringing of Richard Cromwell', in *Oliver Cromwell. New Perspectives*, ed. Patrick Little (Basingstoke, 2009), 250–1.