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The Concept of Opposition in Early Stuart England*

Robert Zaller

To Clarendon, the English Civil War was an exercise in folly, pride, and the tragic corruption of the species. Since then, many a thesis has been advanced to explain the Great Rebellion, only to fall before fresh generations of skeptics, each demolishing a predecessor's orthodoxy to set up their own. But old notions die hard. They linger in the words and concepts that once expressed them, which remain impregnated with the old meaning even when the nominal definitions have changed. Such a concept is that of the "Opposition" in early Stuart England. Its history is virtually co-extensive with the historiography of the English Revolution, and it remains today at the center of the debate on the origins and meaning of the Revolution.

The concept of an Opposition in prerevolutionary England can be traced back to the eighteenth century. David Hume, writing of the 1620s, saw party conflict as an inherent and fundamentally progressive element in the clash between privilege and prerogative. The "wise and moderate," he asserted, "regarded the very rise of parties as a happy prognostic of the establishment of liberty."¹ Here already is the germ of the Whig interpretation, which emerges full-blown a century later in Macaulay:

*[W]hen, in October of 1641, the Parliament reassembled after a short recess, two hostile parties, essentially the same with those which, under different names, have ever since contended, and are still contending, for the direction of public affairs, appeared confronting each other. During some years they were designated as Cavaliers and Roundheads. They were subsequently called Tories and Whigs; nor does it seem that these appellations are likely soon to become obsolete.*²

A more judicious development of this thesis appeared in the works of Samuel Rawson Gardiner. In describing the parliamentary activities of the period as an opposition, Gardiner was applying a term which had only gained precise political meaning—the activity of the minority in a two-party

*An earlier version of this essay was read at the Southern Conference on British Studies, November, 1977.

¹David Hume, *The History of England from the Invasion of Julius Caesar to the Revolution in 1688*, 6 vols. (New York, 1880), 4: 315.

²Thomas Babington Macaulay, *The History of England from the Accession of James the Second*, 2 vols. (London, 1871), 1: 50.

system—in his own lifetime. Gardiner knew of course that an opposition in this sense did not exist in seventeenth-century England. He used the term, consciously, as an anachronism. But Gardiner did see seventeenth-century parliamentary government as the result of the seventeenth-century constitutional struggle, and though he stopped short of crediting Stuart politicians with the vision of an England in which every boy and gal alive was Liberal or Conservative, he could not forbear giving them some participation in that “deeper principle...which called upon rulers to guide, and not to force, the national will,” that tradition of liberty “handed down by father to son from the remotest days [and] guarded in the heart of the English nation.”³

It must be remembered too that the parliamentary leaders of the seventeenth century also saw themselves as the heirs and guardians of a great tradition; in the oft-quoted words of Sir Robert Phelips, “We are the last monarchy in Christendom that yet retain our ancient rights and liberties.”⁴ If, as Gardiner believed, the tradition of English liberty from Magna Carta on had culminated in the triumph of parliamentary democracy, was it not just to reward the heroes of the seventeenth century with a consoling mead of foresight? The Whig interpretation, thus consolidated, passed into the twentieth century with Trevelyan and Pollard, and informs the title as well as the thesis of Wallace Notestein’s *The Winning of the Initiative by the House of Commons*.

In the Whig interpretation, the Opposition refers to a group of men united by their adherence to the mainstream principles of English liberty, and thus “opposed” to the encroachments of Tudor and Stuart “despotism.” The strength of this notion lies in its very generality. The opposition is not a party or necessarily an organized group of any sort. It merely refers to those men who, whether acting in concert or not, held to a certain set of ideas about the English constitution which were ultimately to prevail (though not necessarily in ways they would have conceived or anticipated), and form the basis of modern English government. Thus Sir Robert Phelips, holding out in lonely isolation against ship money in the dark days of 1634 and 1635, was as fully an Opposition as the near-unanimous voice of Parliament protesting forced loans and billeting had been.

Gardiner never abused his anachronism. He does not conjure up a monolithic Opposition, and his treatment of Jacobean and Caroline

³S. R. Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War*, 10 vols. (London, 1883), 6: 120.

⁴S. R. Gardiner, ed., *Debates in the House of Commons in 1625* (Camden Society, 1873), p. 110.

parliaments shows a considerable sensitivity to the contingency and flux of day to day politics. Precisely *because* the figure of a Stuart Opposition was essentially metaphoric, however, it was never clearly defined, nor subjected to the normal tests and standards of historical verification. It passed into the literature as a free-floating concept, ready to entwine itself around the nearest piece of evidence. It remained so well into the twentieth century, like a sturdy Victorian armchair that was vaguely out of place but too well-worn and comfortable to throw out, subsisting in the limbo between fact and idea, and artfully avoiding proof as either. Its flexibility commended it to the hard-working historian who, intent on more topical matters, slipped it gratefully into his narrative, where it did its customary job of covering a multitude of sins with a few syllables of grace.

The Whig interpretation was displaced rather than refuted by the Marxist historiography of the 1930s. Instead of ending enshrined in Victorian liberalism, the Civil War was seen as a bourgeois revolution whose ultimate outcome, a socialist Britain, still lay in the future. The requirements of Marxist dialectic made it imperative to locate an Opposition within the Stuart social structure. The closest approximation to a "bourgeoisie" was the mercantile and banking elite of London. Unfortunately, the merchants and bankers turned out to be pillars of the establishment instead of a revolutionary vanguard. As the work of Professor Pearl has shown, the adherence of London to the revolution was by no means a foregone conclusion at any point, and was accomplished against rather than with the will of the City's money men.⁵

A more sophisticated variant of the Marxist formula was the Gentry thesis put forward by R. H. Tawney in 1941.⁶ The gentry were a real social entity in Stuart England, not a fictive proto-bourgeoisie; it was demonstrable that the revolutionary leadership was drawn almost exclusively from their ranks. Tawney argued that the gentry's influence, whether measured by gross wealth, local prestige, or the increasing assertiveness of Parliament, had been on the rise for a century or more. Yet their success in local and county government had not been commensurately translated into power on the national level. The Revolution was thus a kind of equilibration between local and national power.

Tawney's thesis had the virtue of clothing the Marxist panjandrum of a "rising middle class" in more appropriate period dress. But it ignored the most salient fact about the Revolution, namely, that the King's supporters

⁵Valerie Pearl, *London and the Outbreak of the Puritan Revolution* (London, 1961); cf. Robert Ashton, *The Crown and the Money Market* (Oxford, 1960) and, *The City and the Court 1603-1643* (Cambridge, 1979).

⁶R.H. Tawney, "The Rise of the Gentry, 1558-1640," *Economic History Review*, 11 (1941): 1-38.

no less than his opponents were drawn from the gentry; in other words, that it was a civil war between opposed halves of the same social class. The myth of a rising gentry was checked not by this obvious corrective, however, but by the countermyth of a declining one. J.H. Hexter, who had earlier debunked the pieties of the Thirties in his "The Myth of the Middle Class in Tudor England," administered the *coup de grâce* to this debate in "Storm Over the Gentry." Echoes of the controversy survive, however, in Lawrence Stone's *The Crisis of the Aristocracy* (1965), in which rising gentry fortunes are pitted against declining aristocratic ones. Such thinking continues to suffer from the dogmatic preconception that a "class" must rise or sink like a battleship. An artificial division between gentry and peers tends moreover to obscure the working relations and general community of interest between them, a fact clearly noted by Clarendon.⁸ The renewed emphasis on political patronage and the role of the House of Lords (no little stimulated by Professor Stone's own research) in recent historiography is welcome evidence that the essential homogeneity of the prerevolutionary Stuart ruling class is again being recognized.⁹

Perhaps the most artless statement of the unreconstructed Whig view is Williams M. Mitchell's *The Rise of the Revolutionary Party in the English House of Commons 1603-1629* (New York, 1957). While valueless to scholarship, Mitchell's work has the virtue of codifying an entire century of clichés. An example will suffice to convey its flavor:

Was James [I] an inept ruler with respect to parliamentary maneuver? Undoubtedly . . . Was the house of commons changing its position in government from the sham of Tudor days to the power it had long theoretically possessed? Professor Wallace Notestein's *The Winning of the Initiative by the House of Commons* has long since secured that point. Was all this a constitutional manifestation of the English middle class and a phase of renaissance and reformation thought? It is incontestable (p. xii).

The interest of Mitchell's book for our purposes lies in his single-minded pursuit of "Opposition" through the early Stuart parliaments. It is to his

⁷In J.H. Hexter, *Reappraisals in History* (Evanston, 1961), pp. 117-162.

⁸Clarendon, *The History of the Rebellion and Civil Wars in England*, ed. W.D. Macray, 6 vols. (London, 1888), I: 241ff.

⁹E.g., Elizabeth Read Foster, "Procedures in the House of Lords during the Early Stuart Periods," *Journal of British Studies*, 5 (1964-65): 64-68; Jess Stoddard Flemion, "The Struggle for the Petition of Right in the House of Lords: The Study of an Opposition Victory," *Journal of Modern History*, 45 (1973: 193-210); Paul Christianson, "The Peers, the People, and Parliamentary Management in the First Six Months of the Long Parliament," *Journal of Modern History*, 49 (1977): 575-99; Kevin Sharpe, "The Earl of Arundel, His Circle and the Opposition to the Duke of Buckingham, 1618-1628," in Kevin Sharpe, ed., *Faction and Parliament: Essays in Early Stuart History* (Oxford, 1978).

credit that he is the only modern scholar to take as his subject the problem of the Opposition. Unfortunately, he does not perceive that it is a problem, but takes it simply as an historical given whose existence, like that of the Tudor middle class, is "incontestable." This granted, the rest is easy. Thus, from the beginning of the Parliament of 1604, "a definite group of opposition members was emerging." Although "not yet well organized," "they were becoming consistent and increasingly fearless" (p. 26). This is ritually sounded at intervals: "The parliament of 1604... had a definite opposition group" (p. 38); "We are sure that there was a definite opposition in this parliament" (p. 41); "There was an opposition group in this parliament, without doubt" (p. 50); "Whatever new material may come to light, it seems extremely unlikely that the validity of this statement will be assailed: the opposition group in the parliament of 1604 was very important and increased its hold" (p. 45).

The Rise of the Revolutionary Party displays, with invaluable naivete, the unspoken assumption behind all discussions of the Opposition: if a revolution, *ergo* revolutionaries. If the model of Gardiner's Opposition was the parliamentary minority of Victorian England, that of Mitchell is the modern revolutionary cadre. From the standpoint of clarity if not of historical accuracy, this is a visible improvement. Parliamentary minorities may wobble from this position to that, but revolutionaries pursue a single goal: revolution. Discover a certifiable revolutionary, therefore, and you may discern, in all his past acts, the sources of revolution.

The manifest inadequacies of an approach such as Mitchell's and the deliquescence of both Whig and Marxist orthodoxy in the early 1960s led scholars to reformulate the Opposition hypothesis in a more plausible, or, at any rate, less obviously vulnerable manner. Perez Zagorin's *The Court and the Country* (New York, 1969) was one such attempt. Unlike Mitchell, Zagorin was sensitive to the complexity of the gentry question, and his aim was to describe the political breakdown of Caroline England in terms as faithful to the language and understanding of the original protagonists as possible. Accordingly, he resurrected the old dichotomy of "Court" and "Country" by which contemporaries themselves attempted to explain the conflict in the English ruling class. "The term 'Country,' " Zagorin wrote,

suggested that the men it designated were persons of public spirit, unmoved by private interest, untainted by court influence and corruption... Between men of this political tendency and the court only hostility could prevail (p. 37.)

Zagorin himself characterizes the Country as

a loose collaboration or alliance of men in the governing class, peers and gentlemen of assured position and often substantial fortune, alienated for a variety of reasons from the Court (p. 75).

As a minimum proposition then, the Country would appear to be a state of disaffection from the Crown (though not necessarily monarchy itself), and the minimum criterion for membership in it a more or less principled abstention from the Court or Court service. In Tudor times, as Zagorin notes, the norm of political contention was “a factional grouping ranged around rival ministers” who “held their adherents together by patronage and the prospect of reward” (p. 74). How and why did this system break down? We are not told, but by the 1620s “a new type of opposition arose” that was no longer a “system of dependency,” nearer to party than faction, “notwithstanding that it was yet far from having evolved into one. It lacked the consciousness of party and possessed none of the formalized mechanisms of leadership, organization, discipline, and propaganda which create such a body and keep it in being” (pp. 74, 75). This is the Country—not a faction, not really a party, no longer a social network, but still “a new type of opposition.”

The careful scholar in Zagorin is at war with the theorist. “Considered as a whole,” he writes, “the opposition engendered by the rule of Charles I was not an organized affair.” It consisted merely, on the evidence, of the acts of “hundreds of individuals, most of them personally unknown to each other. There was no coordination, no connection, no design...” (p. 99). But in the very next paragraph we are assured that the Country had a “definite organization,” characterized as “an informal alliance of like-minded men . . . the most resourceful and determined antagonists of the royal power.” Zagorin cites a “vague but illuminating” description of this opposition in action, which turns out to be Anthony Wood’s third-hand account of meetings at Lord Saye’s castle with persons unknown for purposes unspecified: certainly more vague than illuminating.

Zagorin’s Country thus fudges the question of opposition and leaves the etiology of the Civil War no clearer than before. The Gentry controversy, for all its inadequacy, had at least been an attempt to establish concrete factors that divided the English ruling class and led it to pro or anti-royalist positions. Zagorin fails to make any meaningful distinction between the Country and the social milieu of which it was part. At first he implicitly equates it with the whole ruling class: “The outstanding characteristic of the Country from a social-structural standpoint was its uniformity with the governing class” (p. 90). But a little further on it appears almost as a separate entity: “By its folly and blindness, the royal government had enabled the Country to attain political ascendancy over a great part of the dominant class and the kingdom as a whole . . . While the governing class stood largely united around the Country, royal authority would remain in eclipse” (p. 116).

The Country is thus a "definite organization," though nothing definite can be said about it; "uniform with" the ruling class but also "ascendant" over it. What it really amounts to is no more than a passive synonym for Opposition. Where the latter term suggests a hard group of men performing concrete acts—which is more than the evidence can deliver—the former is soft and flexible, as "definite" as an "organization" or as vague as a social attitude, a state of mind. For all the gulf that divides him from Mitchell, Zagorin is trapped in the same set of premises. A revolution occurred; someone must have made it. But who? That a Country opposition existed "is beyond question," though "It is impossible . . . to determine precisely how it came into being or to throw much inner light on its transactions" (p. 100). In the end, Zagorin is reduced to reifying Opposition into an historical force independent of all acts and actors:

Revolution is never a sudden birth. It must ripen through a considerable period of gestation. Before the decisive battle is joined, there are preliminary skirmishes and engagements. Usually the men in power repel the first challenges . . . But soon a new crisis erupts . . . Opposition revives with resurgent energy . . . and this time *fit is* victorious (p. 108).

Carlyle could scarcely have put it better.

An attempt to locate the Opposition in a different quarter was Michael Walzer's *The Revolution of the Saints*, a book widely hailed on its appearance in 1965. Walzer is unabashedly catholic in his approach. He agrees with Zagorin that "the revolution can be described in part as an encounter of court and country" (p. 242). He is indebted both to H. R. Trevor-Roper's original concept of "Country" and his idea of the obsolescent Renaissance court-state,¹⁰ and, as he remarks in his preface, "The 'rise' of the gentry, the 'crisis' of the old aristocracy, the 'winning of the initiative' by the proud Commoners" are all "presupposed throughout my book" (p. vii).

Despite this companionable attitude, however, the Civil War is for Walzer first and foremost the Puritan Revolution, and that in turn a "revolution of the saints." To be sure, Walzer's understanding of Puritanism is very broad. It is less a function of doctrine or party than an inner orientation toward worldly life and salvation, a sense of double exile from a sinning self and a sinful society. For the Puritan, passive doubt about one's inner worth was continually energized by anxiety into radical social critique; self-loathing turned outward (on those less critical and introspective than oneself) was moral superiority. In secular terms, the Puritans were the first

¹⁰Michael Walzer, *The Revolution of the Saints: A Study in the Origins of Radical Politics* (Cambridge, Mass., 1965); H.R. Trevor-Roper, "The General Crisis of the Seventeenth Century," in Trevor Aston, ed., *Crisis in Europe 1560-1660* (New York, 1967), pp. 62-102.

alienated intellectuals. Uneasy at best in the Anglican establishment or the households of the aristocracy, their supreme patron was the Bible itself. The Word that was their inner comfort and scourge was also their weapon against the world; preaching, prophesying, and disputing became for them sovereign political acts. Hence the enormous avidity of the Puritan laity for sermons, the profound rapport between preacher and congregation: under the spell of the Word, the assembled faithful enacted the new Jerusalem every Sunday in the midst of Babylon. "The English Revolution," Walzer asserts, "can only be explained in terms of the impact of the Puritan ministers and their ideology upon the gentry and the new merchant and professional classes. Had that impact, for whatever reason, never been made, social and economic forces might have produced many different forms of conflict and even of civil war in England; they would not have produced a revolution" (p. 114).

Here then is another "new type of opposition," but far more exalted in design, far more throughgoing in scope. Walzer sees "a close historical correlation between the political development of the English [House of] Commons and the spread of Puritan piety" (p. 256). Puritanism, he feels, undergirded those "serious men" who jostled with prerogative and looked increasingly askance at the moral and fiscal laxity of the Court. Walzer quotes approvingly Sir John Neale's contention that the Puritan activists of the 1580's radicalized Parliament: "They taught the House of Commons methods of concerted action and progaganda. Indeed, the art of opposition . . . was largely learnt from them or inspired by them."¹¹ The Commons imbibed not only technique from these activists, Walzer argues, but something far more crucial for revolutionary politics: "A peculiar certainty, a willfullness, almost a fanaticism" (p. 257). The Puritan laity "saw in the art of opposition an inescapable duty" (p. 258); the process of conversion "transformed them not only into saints but also into parliamentary intransigents, attacking the traditional hierarchy root and branch and experimenting with new forms of political association" (p. 312).

Walzer concedes there were few overt signs of this political radicalism before 1640; like Zagorin, he is struck by the apparent conservatism of the rebels. But while this remains a paradox for Zagorin ("Singular destiny that such men should become revolutionaries!"),¹² Walzer's thesis subsumes it handily. Puritanism was above all an "ideology of transition," a response to the breakdown of traditional order in the last two-thirds of the sixteenth century and the first two-thirds of the seventeenth. It was "functional to the

¹¹Quoted by Walzer, p. 257. The same passage is cited by Zagorin as well, (*Court and Country*, p. 77).

¹²Ibid, p. 90.

process of modernization," not, as the Marxists believed, because it rang the dialectical bell of progress, but because it provided a means of coping with anxiety and culture shock, of integrating rapid change into the framework of traditional piety. To do this, however, it was necessary to demolish the old order all the more quickly and thoroughly. Just as rebellion was implicit in the Puritan conscience, so revolution was foreshadowed in the rhetoric of salvation. The Puritans did not seek a secular utopia in itself; such a notion would have struck them as supremely blasphemous. But what they construed according to conventional piety, and we explain as a process of cultural adjustment, had momentous political consequences nonetheless.

For Walzer, opposition is a byproduct, a logical corollary of the Puritan mind. Once one envisions Puritanism as a psychological tropism toward revolution, every manifestation of opposition becomes a sign of it, and vice versa. The problem of proof is reduced to one of illustration. This leads, as might be expected, to a somewhat cavalier attitude toward the evidence. Thus, in speaking of "Puritan electioneering," Walzer tells us that "When John Pym rode through England in 1640 promoting the election of 'puritanical brethren' he was acting out a conception of political activity that had had a long development" (p. 260). But did John Pym do any such thing in 1640? Zagorin is not quite so sure: "Although Pym and his friends *must have* bent all their energies to secure the return to the House of Commons of members favourable to the Country, scarcely any evidence of their election preparations has survived" (*italics mine*).¹³ The sole evidence for Pym's alleged junket is in fact a bare statement to that effect whose ultimate provenance is *Mercurius Civicus*: hardly the most compelling source.¹⁴

Walzer's reading of the English Revolution is based on three assumptions: 1) that Calvinist ideology was "the major incentive" for "radical innovation in politics" (p. 259); 2) that Puritanism was the principal and unitary expression of that ideology in England; and 3) that the workings of Puritanism created a psychological imperative toward revolution which overrode all conflicting interests and loyalties. The first assumption is yet another statement of the Weber thesis, an idea whose time has surely gone. The second brushes aside important disparities in Puritanism itself, lumps together incompatible groups (pro and anti-Covenanters, Presbyterians and Independents), and wholly ignores its relation to what actually was the dominant form of Calvinism in prerevolutionary England, namely Anglicanism. The third posits a historical phenotype based on a monocausal theory of behavior, which seems especially implausible when expressed in

¹³Ibid, p. 105.

¹⁴Ibid, p. 100.

terms such as these: "Covenant and command turned men into instruments; calling and office took the place of birth and status" (p. 170). In sum, Walzer has failed to sustain a case for the saints no less than Zagorin for the gentry.

The failure to define an Opposition in terms of Court and Country or revolutionary Puritanism has led some recent historians to the opposite conclusion: that no opposition ever existed at all. As a reaction to the long reign of Whig historiography and its Marxist variant, this can only be called overdue; as an attack on our venerable scarecrow it is salutary enough. Unfortunately, the new revisionists have been unable to leave well enough alone. Having exorcised the phantom of Opposition, they proceed to minimize to the point of nonexistence any substantive conflict between Crown and Parliament before 1640, and finally to deny that an "English Revolution" took place at all. What happened, in the new exegesis, was simply a breakdown of administrative order which, confessedly, got a little out of hand.

The sire of this new school is G. R. Elton, from whom it takes both tone and tenet. Readers of Elton's excellent studies of Tudor administration will know of his own passion for order. Having brought it to the reign of Henry VIII, he has now set about to tidy up the seventeenth century as well. His brief but provocative essays, "The Stuart Century" (1965), "A High Road to Civil War?" (1965) and "The Unexplained Revolution" (1970) are all available in a single volume.¹⁵ Their drift is similar, and, together with later essays, may be read as a single connected argument.¹⁶

Elton suggests that, while Stuart history may no longer reach Whig conclusions, it remains based on Whig premises—a not uncommon case of teleology surviving ideology. Thus, while historians are no longer agreed on what the results of the upheavals of 1640 and 1688 were, they remain united in their assumption of the supreme importance of these dates as "turning-points" in English history. One might even say—carrying Elton's argument a bit further than he actually takes it—that as consensus about the meaning of the Stuart "rebellions" wanes, the search for their motivation waxes. Teleology is replaced by genealogy, the search for effects by the search for causes, and genealogy itself—in sterile regression—becomes at last mere taxonomy (Court and Country, Puritan and Anglican, rising, descending, or "mere" gentry, etc.). The result, says Elton, is that the Stuart century

¹⁵G.R. Elton, *Studies in Tudor and Stuart Politics and Government: Papers and Reviews 1946-1972*, 2 vols. (Cambridge, 1974), 2: 155-89.

¹⁶See G.R. Elton, "Tudor Government: The Points of Contact-I. Parliament," *Transactions of the Royal Historical Society*, Fifth Series, vol. 24 (1974): 183-200; "II. The Council," *ibid.* 25 (1975): 195-211; "III. The Court," *ibid.* 26 (1976): 211-28 (hereafter cited as *TRHS*).

has become “one of the most ossified sections of the English history,” and he calls for an agonizing reappraisal of its chief shibboleth—the centrality of the Great and Glorious rebellions themselves.

At first blush, this appears to be an enticing proposition; surely, any suggestion that there are still new worlds to conquer on old Stuart battlegrounds should be welcome. Nor can one quarrel with Elton’s broader diagnosis of the ills of Stuart scholarship. The tacit collapse of the old Whig tradition has left a vacuum of interpretation to which historians have responded by burrowing into an ever-deepening parochialism—local and regional history, biographies of secondary figures, and the like. These are not unworthy interests in themselves, and the renewal of interest in regional history has produced an excellent crop of studies which have deepened our understanding of county politics and the matrix of opposition.¹⁷ But the retreat from the macrocosmic problems of synthesis and interpretation, in short, of meaning, is not a sign of health. Without first principles second-order deductions are not likely to be very fruitful.

Unfortunately, Elton’s proffered solution has only exacerbated the problem. What we need, he suggests, is a “history of [Stuart] times which remembers that no one knew of the ultimate outcome. The whole search for ‘the beginning of the English Revolution’ in the previous forty years’ history rests on the supposition that 1640 was implied in 1628 and 1621—and further back still.”¹⁸ This endless regression can (and in the work of Sir John Neale in fact does) trench back on Elton’s own sixteenth century. This is unacceptable, so Elton constructs a firebreak designed to keep revolution back where it belongs. In “A High Road to Civil War?,” he sets out to prove that the Apology of 1604, that centerpiece of Whig historiography, was merely an obscure and negligible parliamentary committee draft whose importance has been inflated only by those concerned to use every bit and scrap of evidence available to show that the Civil War was “inevitable.” The strategy behind this becomes clear at the end when Elton concludes that “The system of parliamentary management perfected by Henry VIII and Thomas Cromwell, and further refined in the more difficult days of Queen

¹⁷A by no means exhaustive list must include T.G. Barnes, *Somerset 1625-1660* (Oxford, 1961); A. M. Everitt, *The Community of Kent and the Great Rebellion 1640-1660* (Leicester, 1966); J.T. Cliffe, *The Yorkshire Gentry* (London, 1969); A. Hassall Smith, *County and Court: Government and Politics in Elizabethan Norfolk* (Oxford, 1974); J.S. Morrill, *Cheshire 1630-1660: County Government and Society during the English Revolution* (Oxford, 1974); Anthony Fletcher, *A County Community in Peace and War: Sussex 1600-1660* (London, 1975); Derek Hirst, *The Representative of the People?* (Cambridge, 1975); Peter Clark, *English Provincial Society from the Reformation to the Revolution: Religion, Politics and Society in Kent 1500-1640* (Brighton, 1977).

¹⁸Elton, *Studies*, p. 188.

Elizabeth, would no doubt have required tactful and sensible adjustments as the seventeenth century developed; but there is nothing in the story of 1604 to suggest that it had already ceased to be practicable.”¹⁹. Hands off the Tudors!

The remainder of Elton’s strategy then appears. If the system was still viable in 1604, and for that matter 1621 and 1628, then its breakdown, far from being inevitable, was only a failure of adjustment, perhaps cumulative but never critical until the last moment, when the country was precipitated into a wholly unlooked-for (and universally regretted) civil war. But if the rebellion was so ultimately contingent and, almost to the last, avoidable, was it really so “great”? At this point Elton makes what he calls “a more radical suggestion,” namely that the Civil War period, far from being the turning-point of the English history, was merely a bump on the road, an aberration in the long-term development of modern institutions. “Have we perhaps, in a way, misconceived the exceptional character of the events to be explained?” asks Elton, with seductive hesitation. “We take it for granted that the rebellion and Civil War prove things to have been drastically amiss. But was this so? . . . Was this century in fact so manifestly dominated by revolution?”²⁰ Elton is even willing to make a concession from the Tudor side. The Civil War, he suggests, was different only in degree, not in kind, from the “several major and many minor risings” of the preceding century and a half, during which “real war had on occasion been barely averted.” Was it surprising that this pent-up violence had at last resulted in a more-than-major rising? “No Tudor ever made the mistake of supposing that physical violence between factions of Englishmen had ended for ever. The country carried arms and was trained to them.”²¹ Perhaps Stuart historians, also trained to carry arms and use them, had delighted excessively in battle too?

But what then to make of all the rhetoric, mostly emanating from Parliament, about liberty and fundamental right? Mostly, Elton suggests, it was rhetoric and no more; what often looked like an organized parliamentary whole was merely the sum of individually frustrated parts. Under Elizabeth, he argues, Parliament was a recognized stepping-stone to government service, but under the first two Stuarts such recruitment virtually ceased, leaving able and ambitious men with no scope for action but Parliament itself:

Men like these, given the opportunity, soon enough proved that their real purposes were to govern, to sit in the Privy Council. Left out in the cold, they could only agitate in a *species of opposition* [italics mine], in the hope of attracting attention that way . . . Thus the ineptitude of early Stuart rule produced a new politi-

¹⁹Ibid, p. 182.

²⁰Ibid, p. 189, 157.

²¹Ibid, p. 189.

cal sophistication: the ambitious politician who made the life of the government so difficult that it seemed best to solve the problem by giving him office.²²

Elton's thesis helps account for the otherwise inexplicable divagations of "Oppositionists" such as Wentworth and Noy.²³ But just as the concept of Opposition, if pushed to its logical extreme, issues in a mere conspiracy theory, so Elton's position ultimately suggests that the Civil War was primarily the result of an injudicious distribution of patronage. This surely ignores the evidence no less than Opposition historians ignore the lack of it. That personal ambition plays a part in public affairs does not mean that public affairs consist of nothing else.

Elton has remained an *agent provocateur* in Stuart history, challenging the old Whig premises without systematically confronting them. A more detailed application can be seen in the work of a disciple, Conrad Russell. Russell's essay, "Parliamentary History in Perspective, 1604-1629," published in 1976 and closely followed by a full-scale exegesis, *Parliaments and English Politics 1621-1629* (Oxford, 1979), presents us with a model specimen of the consequences of Elton's view.²⁴ I will follow both essay and book as a single line of argument, and quote interchangeably from each. (For purposes of citation, P will denote the former and *P* the latter.)

Russell's object is to demonstrate that Parliament, far from constituting a threat or rival to royal supremacy in the seventeenth century, was an endangered species rescued from extinction only by the intervention of the Scots in 1640 and the Dutch in 1688. Echoing Elton, he warns against the danger of reading history backwards:

[T]he study of English Parliamentary history of the years 1604-29 has been so dominated by the knowledge that it preceded a Civil War that it is dangerously easy to treat it as a mere preface, and not as a story in its own right. It is dangerously easy to believe, because the story ended with Parliament in a position to challenge the King for supremacy, that it was bound to end this way . . . In particular, the use of the word "opposition" to describe the type of criticism the Crown faced during these Parliaments can easily suggest that the criticisms uttered during these years were such as to lead on logically to Civil War against the Crown. (P, p. 1)

²²Elton, "Tudor Government . . . I," *TRHS*, p. 200.

²³J.N. Ball long ago suggested "a close tactical *liaison*" between Buckingham, Charles, and alleged oppositionists like Phelps, Sandys and Digges in the Parliament of 1624 ("Sir John Eliot at the Oxford Parliament, 1625," *Bulletin of the Institute of Historical Research*, (Nov. 1955): 113 (hereafter cited as *BIHR*). Royal overtures to individual MPs were in fact common, and one must presume elicited a certain degree of response from time to time.

²⁴*History*, 61 (February, 1976) : 1-27. See also Russell's "The Foreign Policy Debate in the House of Commons in 1621," *The Historical Journal*, 20 (1977): 289-309; "The Examination of Mr. Mallory after the Parliament of 1621," *BIHR*, 50 (1977): 125-32; and "The Parliamentary Career of John Pym, 1621-9," in Peter Clark, et al., eds., *The English Commonwealth, 1547-1640: Essays in Politics and Society* (New York, 1979).

In fact, Russell states flatly, “Before 1640, Parliament was not powerful, and it did not contain an ‘opposition’ ” (P, p. 3). He undertakes to demonstrate this by establishing the irrelevance or weakness of Parliament as 1) a competitor for royal power; 2) a source of revenue; and 3) a bastion of the Country interest or defender of the subject’s “liberties.” Russell disposes of Notestein’s argument that the House of Commons had won the legislative initiative by stating instead that the government had given it up: “From the late Elizabethan period onwards, the desire of the Crown and Council to legislate appears to have declined sharply” (P 5; cf. P 45-48). This is less surprising than Russell seems to find it. In Tudor times, treason legislation alone had been a flourishing cottage industry; with a settled succession and an established religion, the occasion for Crown-sponsored bills necessarily diminished.²⁵ The significance of this is less in the winning of a legislative initiative by the Commons than, as Notestein actually stressed, the winning of a procedural one. The less business the Crown gave the Commons to chew on, the more they generated on their own.

The other new power generally imputed to Parliament in this period is that of impeachment. Russell makes some use of Colin Tite’s argument against the novelty of impeachment in the 1620s by suggesting that actions against royal officers in Parliament were a good deal less clear-cut in their procedure and significance than has previously been assumed.²⁶ But the gravamen of his argument is that impeachment cannot be considered, either by intention or effect, as a constitutional advance by Parliament. Russell’s dismissal is summary: “At no time before 1640 did impeachment deprive the King of a minister whom he was determined to retain.” Therefore impeachment remained effective “only with the King’s consent” (P, p. 7). This is certainly a strange way to describe James I’s “willingness” to part with his Lord Chancellor, Sir Francis Bacon, in 1621, or his attitude toward the Cranfield impeachment in 1624. But do the attempts to impeach the Duke of Buckingham argue a significant parliamentary initiative? No. The Duke’s impeachment, it turns out was merely the by-product of a struggle between pro and anti-Buckingham factions in the Privy Council, “in which both sides enjoyed support within the Lords and the Commons, but the least influential group in the Council enjoyed majority in the Commons” (P., p. 18). The suggestion here is that the anti-Buckingham councillors took

²⁵See John Bellamy, *The Tudor Law of Treason: An Introduction* (Toronto, 1979).

²⁶In his *Impeachment and Parliamentary Judicature in Early Stuart England* (London, 1974), Tite contends that the term “impeachment” cannot properly be used to describe the proceedings against Bacon in 1621 and Cranfield in 1624. His argument is perhaps technically correct, but the very distinction he draws between impeachment and other forms of judicature—that it is politically motivated—seems to justify its use in these cases.

their case successfully to the Commons. That would, of course, imply a far more serious and advanced case of opposition than mere Country resentment in the Commons alone, and in his essay Russell prudently avoids these deeper waters. But further reflection has apparently emboldened him. In *Parliaments and English Politics* impeachments are seen as "first and foremost a tool used by one Councillor to attack another." Impeachments "tended to become confrontations between rival factions at court;" in deed, courtiers were now "finding Parliaments necessary to their own power struggles" (*P.*, p. 15). If this is the case, it must either suggest a far more conspiratorial view of events than the most ardent Oppositionist has yet dared contend, or else a king so impotent he could hardly keep a modicum of control over his own Council. Charles I has been accused of many things, but an inability to favor a chief minister has never yet been one of them.

The last area where parliamentary supremacy allegedly asserted itself was finance. Perfecting the Elizabethan tactic of grievance before supply, the Commons held the King's purse at ransom as it pursued a program of reform that brought it into conflict with prerogative on a wide front ranging from impositions to religion to the conduct of foreign affairs. Here, too, Russell claims, the facts belie the myth. The Commons did not successfully assert the principle of grievance before supply nor even consistently attempt to; and, far from being reduced to financial dependence on Parliament, by 1629 the Crown had made itself virtually independent and broken the Commons' power of the purse.

Combing the records, Russell concludes that the Commons breached their own "principle" of grievances before supply in 1606, 1610, and 1621; indeed, "The Parliament of 1621 presented the extraordinary spectacle of a session in which the subsidy bill was the only legislation passed" (*P.*, p. 7; cf. *P.*, pp. 89-91). It is only the Whiggish preoccupation with so-called constitutional issues, he asserts, which has "blinded us to a sharp fall, in 1621, in the bargaining power control of subsidy conferred on the House of Commons."

Since Russell sets such store on the events of 1621, they must be closely examined. It is quite true that a subsidy bill was the only legislation passed by the Parliament of 1621. Russell fails to add, however, that dozens of other bills were left hanging when Parliament was abruptly dissolved after a confrontation in which, as James said, the Commons had left no point of prerogative untouched but "the striking of Coin."²⁷ Doubtless, the King's view was partisan; but hardly more so than Russell's.

But what about that subsidy bill? James, in his opening speech to Parlia-

²⁷John Rushworth, ed., *Historical Collection . . .*, 7 vols. (London, 1721-22) 1: 46-52.

ment on January 30, had urgently called for money to support his, beleaguered son-in-law, the Elector Palatine Frederick V, whose lands had been invaded by Spanish troops. Councillors in the Commons followed this up by pressing for an immediate grant of £300,000 on the first day of business.²⁸ But the House pursued grievances first, particularly free speech, and not until James had mollified it by a statement “that wee neither have by any Acte or Speech of ours heretofore, nor intend by any hereafter, any way to lessen or diminish, the lawfull and free libertie of speech, which appertaines unto the howse of Commons, and hath been hertofore allowed unto them, by anie of our Noble Progenitours,” was a money bill passed. The amount provided, however, despite last-minute pleas by councillors, was only half what had been requested. As the MP Sir Edwin Sandys conceded, it was “no proportion for the regaining of the Palatinate and therefore instead of terrifying our enemies [would] but hearten them.” He suggested that it be presented “neither for Defence of the Palatinate, nor yet for relieving the King’s Wants, but only as a free gift and present of the Love and Duty of his Subjects.”²⁹ Far from capitulating, the Commons’ politicians had played a masterly game. By giving the King a token sum, they had robbed him of his tactical initiative, obligated him to make a good-faith show of removing grievances, and placed the Crown on the defensive in what was to be, over the next six weeks, the most sustained attack on royal abuses since the Merciless Parliament.

According to Russell, the Commons were “losing ” the power of the purse primarily because there was so little in it. He computes that the value of a subsidy had declined from £130,000 in mid-Elizabethan times to only £70,000 in 1621 and a mere £55,000 by 1628. Inflation had reduced the value of these sums even further. Thus the denial of supply had “little coercive force” on the Crown, while the Commons’ habit of attacking the King’s ordinary revenue from impositions and monopoly had made the calling of Parliament a financially dubious proposition at best.

Russell’s logic is less than persuasive, since obviously the Commons could have fattened the purse again by voting more subsidies. The significant question, however, is why the value of the subsidy had declined. The answer is simple: the commissioners of the subsidy consistently undervalued the property on which each man’s assessment was based. Since these commissioners were local gentry rather than regular government agents, their zeal in sparing their neighbors’ purses (and their own) is readily comprehensible. But the majority of MPs were also local gentry, many of them had served as

²⁸Wallace Notestein, Frances Relf, Hartley Simpson, eds., *Commons Debates 1621*, 7 vols. (New Haven, 1935), 4: 57.

²⁹Cf. Robert Zaller, *The Parliament of 1621* (Berkeley, 1971), pp. 47-8.

subsidy commissioners themselves, and to imagine them working at cross-purposes with the commissioners would be merely disingenuous. The implication is clear: the gentry, both in and out of Parliament, were giving the Crown fewer and fewer subsidies worth less and less. That this would in time diminish the bargaining power of the subsidy and lead the Crown to search elsewhere for revenue, and even suggest the dispensability of parliaments altogether as a financial resource, is true. But to imply that the Commons were helpless before some mysterious shrinkage in the pound is not.

The point is crucial, because Russell's explanation of the period hinges on a refinement of the Court and Country thesis by Alan Everitt which suggests that "a permanent tension [existed] between the centre and the localities" (*P.*, p. 25). According to Everitt's thesis, a successful career in post-Elizabethan England required not a choice between Court and Country but the maintenance of good ties with both. Parliament being, in Elton's phrase, "the point of contact" par excellence between Court and Country, it necessarily bore the brunt of the conflict between the two.

Stated in this fashion, the point seems unexceptionable, perhaps even obvious. But as Russell applies it to the study of parliaments (grimly refusing to address them in the institutional singular), all conflict becomes only consensus deferred. This not only leads him to gloss over manifest instances of conflict, but to berate and deplore them where they cannot be ignored. Even in the Parliament of 1628, Russell sees "all the members, court and country, official and unofficial," as "united" in their perception of a common threat to English liberties (*P.*, p. 343). This conjures up the intriguing notion of a *unanimous* opposition and leaves one to faintly wonder how the King was represented, but, as Russell explains, until Easter Charles and the Commons "appear to have been happily unaware that they were headed for a confrontation" over the issue of royal power (*P.*, p. 360). Only in the "crucible" of parliamentary debates did the stakes become clear. At this point "a fully formulated theory of Parliamentary sovereignty" emerged fullblown from the brow of John Selden (*P.*, p. 352). Russell admits that "Almost all the elements in the debates of 1628 can be found, in isolation, somewhere in earlier Parliaments" (*P.*, p. 359). But his method will not permit him to search them out, or accord them any significance or effect when they appear.

In Russell's hands, the story of the Petition of Right is a far cry from the Whig saga of liberty triumphant. Russell stubbornly resists seeing the Petition outside the context of the seventeenth-century polity into which it was born, and in that context, he suggests, it was not only a far more qualified proposition than conventional history has represented it, but perhaps even, in a larger sense, a mistake:

Taken as a whole, the Parliament of 1628 perhaps suggests that the Commons had been a little too successful in establishing themselves as representatives of the people. They had always had to strike a balance between doing the King's business and doing the country's business, and their survival had depended on their ability to combine the two. In 1628, they had succeeded in doing the country's businessBy establishing their usefulness to the country, members were coming to destroy their usefulness to the King The session of 1628 probably went a long way towards persuading the Charles that Parliaments were not worth continuing. (*P.*, pp. 388-89).

The overreachers of 1628 reaped their whirlwind in the session of 1629. “/B/y this time,” Russell instructs us, “Charles had very little use for Parliaments” (*P.*, p. 395). At any rate he had little further use for this one. With his wars almost ended and little likelihood of significant supply, the King recalled Parliament essentially because he had promised to. Conscious of their “redundancy,” says Russell, the MP’s were “negative and obstructionist” (*P.*, p. 397), while Selden and Eliot, their leaders, pursued a “kamikaze strategy” of confrontation with Charles (*P.*, p. 412). Oblivious to the consequences, they had forsaken the golden mean of consensus, and lashed out wilfully at the honest privy councillors who “were doing everything humanly possible to preserve Parliaments” (*P.*, p. 413). To no avail. By 1629, says Russell, Charles and the House of Commons “were living in two different worlds, speaking a different language about different things” (*P.*, p. 400). The clear inference is that it was up to the Commons to learn the King’s language:

In early Stuart England, a House of Commons with two sides could not function. When for the first time, two settled sides appeared, dissolution was the only procedural recourse leftHowever much the King and his Councillors might be attached to Parliamentary institutions, if a Parliament should turn into an opposition, it would lose its usefulness to all concerned. There was no room for a “formed opposition” in seventeenth-century England, and if a Parliament attempted to fill that role, it would have power to bring about nothing but its own demiseThe Parliament of 1629 brought about its own destruction. (*P.*, pp. 413-16).

What is the sum of the implications of the revisionist view? Whereas the Whigs tended to reify Parliament, seeing in it a historical force all but independent of the flesh and blood members who comprised it, in the Elton-Everitt-Russell view it becomes a mere sum of conflicting forces without any institutional character as such. This is accomplished by personifying “Court” and “Country” instead, at least for purposes of discussing Parliament. Such a tactic gives us two self-subsistent entities instead of one, and rather nebulous ones at that. Parliament is at least a fact; Court and Country are merely concepts. Moreover, to see Parliament as a mere outcome of contending forces flies in the face of clear testimony and common sense. To

enter Parliament was not to step into an empty hall or a cave of wind. It was to enter a body of rules and traditions, privileges and powers, the most prestigious club in the kingdom. It was a great deal more than that too: an assemblage of the ruling elite, the national synod of the gentry. If men came to Parliament to advance their fortunes, it was equally true they had to have them to get there in the first place.

But there was a further and deeper sense in which Parliament was more than the sum of its assembled parts. Russell suggests that Charles continued to call parliaments out of sentimental attachment to a doddering and archaic institution. But for Englishmen, of whom Charles was only one, the commonwealth of England was *dominium politicum et regale*, and as the Crown furnished one half of this equation, so Parliament, at least in considerable measure, represented the other. This was a large fact, far larger than whether parliaments represented a convenient way of levying tribute or promulgating edicts in an up-to-date seventeenth-century monarchy. Parliament stood, in the last analysis, for the rights of the governed, for those imperfectly defined and inequitably distributed privileges, franchises and exemptions which Englishmen called their "liberties." The liberties of the kingdom were the bedrock on which the commonwealth was built, and the defense of liberties was the ultimate responsibility and justification of Parliament. Seen in this light, we no longer require the sudden and inexplicable death wish which Russell imputes to the Parliament of 1629 to understand its behavior. The members of that Parliament were all too aware that the probable consequence of their actions was a cessation of parliaments for the foreseeable future. They felt—no doubt far from unanimously and with much soul-searching and trepidation—that "consensus" on Charles I's terms over imprisonment, taxation and religion was worse than the risk of no Parliament at all. They put their trust in the defense of their liberties and the resiliency of the constitution, and they were not mistaken.

These elementary points would not bear repeating if the anti-Oppositionists, in their enthusiasm to disprove the obvious, did not require it. The image of early Stuart England which they present us with is not so much Whiggery refuted as reversed. Together with an ineptly provocative Crown, we are offered (until the last rash leap) an ineptly passive Parliament: "[T]he beginning of Charles I's reign did not show a relationship between an advancing institution and a declining institution: [it] showed a relationship between two declining institutions, and the only question was which would reach the bottom first" (P., p. 17). It is a most unconvincing, not to say unappetizing portrait.

A number of scholars have recently rushed to plant the anti-Opposition standard on American shores, commandeering an entire issue of *The*

Journal of Modern History to do so.³⁰ It thus appears that Stuart historians are now prepared to spill as much ink demolishing the myth of Opposition as their predecessors did creating it, and in the process namierizing any notion of a deep-rooted political conflict in pre-Civil War England out of existence. In the words of J. H. Hexter, who has replied for the unconverted, "Enough already."³¹

Is there a case to be made for the Opposition, and if not, how are we to account for what *appears* (and has appeared to three centuries of historians) to be a substantive constitutional crisis in prerevolutionary England? Let us examine the evidence.

The term Opposition has been commonly applied by historians to imply the existence of a collective, organized dissent in early Stuart England. Various groups have been identified with (or within) this Opposition, e.g., the Puritans who opposed religious innovation in the 1620s and Laudian reform in the 1630s, the Country party which resisted forced loans and ship money, and the common lawyers who fought the encroachments of prerogative justice. Any attempt to validate a general concept of Opposition would have to begin with a systematic definition of these alleged groups, trace the lines of affiliation between them, and demonstrate how the fruits of their common activity were manifested.

Such an attempt might well be of value. It would doubtless reveal unsuspected alliances and establish interesting correlations. It might shed considerable light on parliamentary practice and maneuver. But it is highly unlikely that it would disclose the kind of organization that is suggested by Mitchell, Zagorin, and Walzer, and presumed by the Whig tradition.

The most immediate reason is the most obvious: if an underground organization of such magnitude had existed, historians would have discovered it long ago. Contemporaries would have hinted at it. Diarists and letter writers would have left traces of its activities. The Laudian thought police would have gotten on its trail. The regicides would have claimed credit for it. Restoration memoirists would have looked back on it. But there is virtually nothing of all this. The few scraps of proof that exist only makes more glaring the huge mound of evidence that doesn't.

Merely as an hypothesis, moreover, the concept of Opposition raises far more difficult questions than it answers. How should we account for the appearance of a new and unprecedented political form within the framework of a highly traditional society? Walzer offers to support one dubious theory by another—the psychology of the "saint." Zagorin argues that the breakdown of a Court-centered patronage system gave rise to the Country.

³⁰Vol. 49, no. 4 (Dec. 1977).

³¹*Journal of Modern History*, 50, no. 1 (March, 1978).

But the evidence points the other way. The regime of Buckingham was not a new system but an old one abused; what Country supplicants resented was not the distribution of favor by Court faction but the *suppression* of faction in the interests of a single individual. It is not accident that Buckingham was first attacked in Parliament as a monopolist.

If the organized and self-conscious Opposition envisioned by Zagorin and Walzer must finally be laid to rest, the business-as-usual picture offered by Elton and Russell fits the facts no better. If the former view collapses for lack of evidence, the latter fails for an embarrassment of it. It must constantly explain away: thus, Elton is led to disparage the Apology of 1604 and Russell to dismiss the Petition of Right as an ineffectual protest. But the question, surely, is not the fate of these documents but the fact of them, and the substantive political conflict to which they attest. The extreme unlikelihood of a vast cabal of incipient revolutionaries does not preclude a more generalized, but ultimately no less serious, disaffection from the Crown. Men did oppose and even resist the Stuart monarchy over such issues as impositions, monopoly, Arminianism, forced loans and ship money. What is in question is not the fact of this opposition, but its nature.

The most practical and proper arena for political dissent was Parliament. The frequency of sessions in the 1620s—eight between 1621 and 1629—not only magnified Parliament's impact, but provided an unusual continuity of leadership and personnel. Did leading Parliament men meet privately to discuss the worsening political climate, to plan goals for the session antithetical to the Crown and consider day by day strategy—in short, concert to oppose? We may reasonably assume that such meetings took place, and there is evidence to support it.³² It would be strange indeed if men of the same background and interests, working intimately on the public business for months at a time, were not to cooperate in such a fashion. Yet, at least until 1628, no general and broad-based opposition emerged, let alone a directorate capable of functioning, or even conceiving itself, along the lines of a political party.

Some of the reasons for this are obvious enough. "We think ourself very free and able to punish any man's misdemeanor in Parliament, as well during their sitting, as after," declared James I in 1621,³³ and, the Commons' frequent protests notwithstanding, the Crown inflicted imprisonment, diplomatic exile and other forms of harassment on dissenters. The carrot was employed as well as the stick: Sir Robert Phelips, a vehement foe of the

³²State Papers Domestic, P.R.O. 14/121/136 ; Robert C. Johnson, Mary Frear Keeler, Maija Jansson Cole, William B. Bidwell, eds., *Commons Debates 1628*, 4 vols. (New Haven, 1977-78), 4: 65-6. I am indebted to J.H. Hexter for this reference.

³³Rushworth, 1: 43-44.

Spanish match, was invited to accompany Buckingham and Charles to Madrid, and did so. But if the right amount of opposition could sometimes pay off, as Elton suggests, there was little to gain and much to lose by pushing things too far. As individuals, therefore, MPs were predisposed to compromise and accommodation, and not likely to carry dissent past the point of no return.

These considerations help explain what inhibited the formation of organized dissent, but not what prevented it. The question still remains why a situational opposition in Parliament and the Country “failed” to cohere into a structured and general Opposition in the nation at large. To our modern way of thinking this *should* have occurred, which is perhaps why for so many historians it did. No one can, of course, account definitively for a non-event. But in trying to understand why Opposition was an unlikely response for prerevolutionary Englishmen, we may perhaps arrive at a more plausible notion of the dynamics of loyalty, accommodation and dissent under the early Stuarts.

In the modern world, there are two basic forms of political antimony: opposition and resistance. Opposition, in parliamentary governments, usually takes the form of an institutionalized two-party system; in England, it is “Her Majesty’s loyal Opposition,” and the Opposition leader is a government functionary who draws a salary. Opposition is thus ritualized and made integral to the governing system. It is one’s *duty* to oppose; hence the “loyalty” of the Opposition.

In this way, the English have reconciled two conflicting traditions: the right to oppose, which was the whole gravamen of seventeenth-century politics, and the older tradition in which opposition to the Crown was always factious, potentially treasonable, but in any case illegitimate and unjustified by the canons of responsible government. In 1689, Parliament asserted that it was not disloyal to oppose; three hundred years later, it would be disloyal *not* to oppose.

What Englishmen were groping toward in the period before 1640 was a means to express political dissent within a legitimate framework. They sought this not as an abstract goal in itself, but in the context of their disaffection from the Stuart monarchy. The idea of a right to dissent (as opposed to the right to one’s legal due) was something no one would have thought of justifying: we see on what stony ground the *Areopagitica* fell. There was of course an ultimate right of resistance, i.e. rebellion, which the *politiques* in France had discussed extensively. But even the apologists of rebellion spoke of it only as a last resort. It might be necessary, but it was never desirable. The problem was that serious and sustained dissent led inevitably to rebellion; there was no other form to express it, no other way to make it effective. The seventeenth century dilemma was to find a way to change a pol-

icy without having to change the government.

Sir Edward Coke hit upon a method in 1621—impeachment. The technique of impeachment was to remove the policy by removing the person held to be responsible for it. But what if the policy were not attached to the person? Or if the person (ultimately) were the King, who was government itself incarnate? Charles I felt naturally that attacks on his ministers were attacks on himself, but it did not necessarily look that way from the other side. Sir John Eliot could thus passionately deny “that suggestion so often framed against us . . . [that] we have studied onlie an opposition to the K[ing] & the scandall of the government . . . when the verie contraries are evident.”³⁴ It was possible for an MP to feel he was being most loyal to the Crown when he attacked an evil minister.

But impeachment was a failure. Again and again, the evil counsellors were removed, yet evil counsel remained. The logical conclusion from this would have been that policy emanated from Charles himself. It would also have been the common sense of English public life. The king really ruled; he was the ultimate responsible party. Yet the king could do no wrong: more than a legal fiction, it was the article of faith on which the polity rested. To remove or even question it was virtually an act of rebellion.

The dilemma intensified. The ordinary imperatives of loyalty were clear. The subject obeyed his sovereign, the patriot supported his country, and the government of that country by law, custom, and God’s will established. But if the government seemed to be pursuing a policy that was illegal, immoral, or irrational (and by 1640 many men were convinced of all three), then Englishmen were in a quandary. According to the constitution, they could appeal (by petition of right or grace in the law courts); as a practical matter, Parliament could withhold funds. But these were passive actions which could not compel change. There was, of course, considerable doubt whether subjects could or should compel the sovereign. Pym and his colleagues had certainly advanced that far by 1640, and if “opposition” be defined as the willingness to use extraordinary pressure to bring the king around, then at this point (if not in 1628), it finally existed.

What was lacking, however, was a means to compel—except impeachment. After twenty years, it was still the only direct method Parliament had of forcing change on the government. It was ugly and Draconian, and it hadn’t worked. But there was no alternative. Moreover, impeachment served to project the stigma of disloyalty onto others. It was Bacon, Cranfield, Buckingham, Stafford. Laud who were in “opposition” to the constitution and the basic interests of the Crown, not the MPs at Westminster. By focusing on individuals, impeachment avoided the hard issues of sovereign-

³⁴Alexander B. Grosart, ed., *Negotium Posterorum*, 2 vols., (n.p., 1881), 1: 170.

ty. The ritual sacrifice of ministers became a game played—though with increasing stridency and bitterness—in lieu of the showdown feared on both sides.

Impeachment was thus not the weapon of a self-consciously aggrandizing Opposition. It was, in the inverted logic of those critical days, a last-ditch effort to save the throne. It is only in this way that we can understand the extraordinary passions that the trial of Strafford evoked. Strafford was the last scapegoat of impeachment. He stood for twenty years of frustration and deadlock, twenty years of mirage. His death was a final attempt to purify the temple, a blood sacrifice on the altar of the law.

Had it been possible to express legitimate dissent, to criticize the king directly, a solution to the English political crisis might have been found. But the fact that criticism could only be couched in terms of loyalty kept men from addressing the real issues with candor. Dissent could not ultimately be incorporated into the system; sovereignty was indivisible. In the end, the head of Charles Stuart had to be separated from the body of Charles I; there was no other way.