

Cromwell would have laid desolate all Christendom. The royal family was ruined; his own was completely established: but for a small grain of sand, which entered the urethra, even Rome would have trembled before him; but when only this atom of gravel, which elsewhere was as nothing, was placed in that spot, behold he dies, his family is degraded, and the king restored!

It is not clear how the eminent French scholar, without any medical training, was able to make such a confident and precise clinical diagnosis. Perhaps on some social occasion he had met Dr Moleyns, the royalist surgeon, who had dined well and was gossiping indiscreetly about his illustrious patient.

1. M Ashley, The Greatness of Oliver Cromwell (London, 1957), p. 357; "Cromwell, Oliver" in Encyclopaedia Britannica 5 (1974), 295.
2. A Fraser, Cromwell, Our Chief of Men (London, 1973), pp. 671-2.
3. W Cooper, "The diseases and death of Oliver Cromwell", Dublin Quarterly Journal of Medical Science 5 (1848), 339-70.
4. G Bate, Elenchus Motuum Nuperorum in Anglia or, A Short Historical Account of the Rise and Progress of the Late Troubles in England (London, 1685).
5. G Peachey, "Thomas Trampham (Cromwell's surgeon) and others", Proceedings of the Royal Society of Medicine 24 (1931), 1441-9.
6. W Smith, "Malaria and the Thames", Lancet 2 (1956), 433-6.
7. W Wylde, "Report upon the tables of death in the census of Ireland for the year 1841", Edinburgh Medical Surgeons Journal 63 (1845), 249-85.
8. B Pascal, Thoughts on Religion and Other Subjects, ed. E Craig (Edinburgh, 1925), p. 17.

This paper was first published in The Proceedings of the Royal College of Physicians of Edinburgh, volume 18, number 3 (July 1988) pp. 295-99. The editor of Cromwelliana is indebted to the editor of The Proceedings and to Dr Davidson for permission to reprint it here, and to Mr Ralph Shirley for bringing the article to his attention.

## REVOLUTION AND RESTORATION: THE EFFECT ON THE LIVES OF ORDINARY WOMEN

by Sarah Jones

In the study of history the relationship between women and politics has been problematical, largely because most historians have been bounded by notions of public versus private, political versus domestic, with men active and all-powerful in the public sphere and women restricted to, but allowed to be the "queen" or "governor" of, the private sphere. Such separation is of course as we know inapplicable to the way most lower class people lived their lives in the seventeenth century; but breaking down the separation would also beg a redefinition of politics and political activity. When considering more specifically government legislation, the main question we have to ask ourselves here is, what was the relationship between laws about, or affecting, women and the power of the state and its hierarchies. Because women's history has been long association with social history, there is a general belief that it is impossible to study men and women of the lower classes separately. That obscures the fact that of however low a class a man might be, he could always obtain dominance by gender, whereas a woman could only obtain dominance by her class.

In the mid seventeenth century, as in all periods of warfare, there is an essentially female story to be found. A strong and familiar theme in history is the contradiction between the opportunities for freedom that war brings with revolutionary promises of change, and the continued subservience that peace or restoration brings, with post-restoration emphasis on social order and the family. There is also a further distinction between women in war and women in revolution: usually hidden and absent, women active and invaluable in the war effort are brought to the foreground; in revolution, too, their presence is often vital, but they rarely benefit from the human and civil rights that we associate with revolutions. In the mid seventeenth century we have a war, to all intents and purposes we have a revolution, and we certainly have a monarchical restoration. The 1650s may also provide us with a unique opportunity to look at women mid-way between revolution and restoration.

The political end of the civil wars did not stop the activities that women had been involved in throughout the 1640s; indeed it would be truer to see the civil wars as a catalyst to certain activities which continued at least as long as did the repercussions of the war, which was well into the 1660s.

One of the most specifically female of those activities was

petitioning parliament, ironically lobbying in the 1640s for an end to the war which was pushing women to lay some small claim to civil rights.

On 27 October 1651 "The Women's Petition" was presented to Oliver Cromwell on behalf of "many thousands of the poor, enslaved, oppressed and distressed men and women in this Land". They spoke against the practice of, and legislation about, imprisoning poor men and women for debt, and suggested that a new representative be called "from which Lawyers and all ill-affected persons be excluded". In 1653 a group of women led by Katherine Chidley attempted to secure the release of John Lilburne. One petition was said to have been "subscribed by above 6000 of that sex". They were "much saddened to see our undoubted Right of Petitioning withheld from us, having attended several days at your House door". The Commons had told the women after a previous petition on the same matter that "the House gave an answer to your husbands", so the women were told to "go home" and "meddle with your own huswifery". The women spoke of Esther, "that righteous woman being encouraged by the justness of the Cause", and "although women" they hoped the Commons would be as "that Heathen King was to Esther, who did not onely hear her Petition, but reversed that Decree or Act gone forth against the Jews". They argued that their petition should be heard "since God is ever ready and willing to receive the Petitions of all, making no difference of persons", and the "ancient laws of England are not contrary to the will of God". They reminded the Commons of "the readiness and willingness of the good women of this Nation, who did think neither their lives, nor their husbands and servants lives and estates to be too dear a price for the gaining of yours and the Nations ancient Rights and Liberties out of the hands of incroachers and oppressors". The idea of the very weakness of women being the reason why God used them to speak out was reiterated in a petition against tithes which was presented to parliament on 20 May 1659 from over 7000 Quaker women, "the Handmaids and Daughters of the Lord", their signatures and objections grouped by county. Mary Forster in her preamble to the printed version acknowledged that "it may seem strange to some that women should appear in so publick a manner, in a matter of so great concernment as this of Tithes" but it was the work of God.

Between 1653 and 1659, partly because parliament was no longer in constant session and partly because of the fortunes of the radical groups, women did not petition parliament as a pressure group, but petitioning itself did not stop. Elizabeth Lilburne for example turned her appeals to the Council and the Lord Protector, and even after her husband died in 1657 she requested the repeal of

the act which had heavily fined him and in effect his family. The petition remained very much a female mode of expression, and there are here three important points to make: women were speaking not just for themselves, but for relatives and male friends; not just as individuals, but often collectively; and they demonstrated a knowledge of the day-to-day workings of government. The Council was inundated with petitions from widows of soldiers and sailors who had died in service, stressing both their own and their husbands' loyalty: in 1655 one widow petitioned on behalf of herself and the eighty soldiers of the garrison which her husband had governed; one begged for a pension "to enable me to plant in Ireland"; another, illustrating that petitioning was not confined to metropolitan women, complained that she was "240 miles from home and [have] spent nine months last year and 3 months now in pursuance of the case". Widows also made claims to property and salaries, or arrears: the widow of a minister spoke of how her husband "had suffered much under the bishops"; and another, petitioning in December 1655 and again in March 1656 for the estate of her husband who had been "involved in the late guilt in the West", reassured the Council that her "husband had entered into the rebellion much against her will" for she had been "a servant to colonels Norton and Eliot during the troubles". In 1656 Deborah, widow of Stephen Love, minister of Haverfordwest, petitioned the Protector, acknowledging his "great tenderness to me and my poor helpless children, but till a manifestation of it, I cannot return to Wales to perform my necessary maternal duties; therefore I submit myself to you". In 1659 William Brassey told his wife that he hoped she would "do your utmost to get my release", and women were constantly petitioning on behalf of, or to speak to, male relatives in prison, often suggesting exchanges of prisoners - such women as Anne Nayler, whose husband caused such debate in parliament in 1656, or Alice Blackleech and eight other poor women whose husbands, the crew of a ship from London, had been captured near Dunkirk. Women also asked for the discharge of sons from impressment or husbands from service at sea.

At the Restoration legislation was passed severely limiting the right to petition, on the grounds that it had "been a great means of the late unhappy Wars, Confusions and Calamities". Widows of royalist soldiers petitioned for reparation, while the wives of Cromwellian or republican partisans pleaded for mercy, like Frances Lambert, Anne Scot, Anne Deane, Frances Vane and Anne Disbrowe. In March 1662 Mary Okey, Mary Barkstead and Mrs Corbett petitioned together for permission to be with or to visit their husbands who, having initially fled abroad, had been committed to the Tower. The Dutch wars brought, as they had done in the 1650s,

yet more distressed petitions of the wives and widows of sailors, often collectively, and necessitating, as ever, "many tedious journeys to London". A printer's wife told her husband that she would not present the petition for his release until she was sure "his only friend at Council", Lord Anglesey, was present. In 1670 one woman would still use her own and her husband's civil war loyalties in requesting a clerkship for a friend; another asked that her husband's job as flagmaker be officially passed on to her son "as there may be some who will endeavour to supplant us in it"; and the wives of shipwrights and ropers at Woolwich petitioned Lord Arlington, having already approached the navy commissioners, the Duke of York and the King, for the payment of arrears due to their husbands for "they cannot get food, and some of their goods are seized for hearth money". In short, women were still claiming the right to speak and act for themselves.

But the main opportunity given to women in the Interregnum for power and self-expression in a semi-public context was membership of the religious sects. While it is difficult to ascertain what proportion of the female population was involved, there can be no doubt that "women were numerically extremely prominent" among the sects themselves, whether as founders, preachers or audience. In principle the sects preached equality and, perhaps more dangerous to the fabric of society, they insisted that a woman's loyalty to the sect should be above her loyalty to her husband. However, there was a considerable gulf between theoretical equality and gender roles in practice. The equality the sects preached was, as in most religions, spiritual equality; but what was more of a hindrance to women was the sexism of the men in the sects themselves. Women had every right to be involved in the running of the congregation; what was problematic was authoritative public speaking, whether preaching, arguing or debating. Women were involved not just in the Quakers and radical sects, but in many separatist churches. In 1650, for example, a company of women assembled together to form the Bedford church which a little later Bunyan attended. If there had been any challenge to patriarchal order in the 1650s, it was certainly lost with the Restoration; not that the Protectorate had not seen parliament and local justices punish Quakers, mainly for breach of the peace, but in 1662 the government specifically legislated against Quakers and for uniformity. Women also of course featured largely in the lists of recusants brought to court during the Protectorate, as they did in post-Restoration lists of those who held conventicles and did not attend church. Religion could be seen as one public sphere that women of all classes were encouraged to be active in. However, three points need to be made: that the image of women as pious and

devout was a stereotype that reinforced patriarchy; that women were expected to keep the religion of their father or husband; and that sectarian action, such as going naked for a sign, was considered even more shocking when performed by a woman. A corollary of this last point is that active women would be accused not only of acting like men but the Quaker Ann Blayking was told that she was "no woman but a man", another stereotype. Despite such caveats, the important point here is that dynamic, courageous and political activism in religious organisations was not a male preserve - indeed in some groups it could be said to have been a female preserve - nor was it confined to the radicalism of the civil war and Interregnum.

In 1654 Eleanor Channel had a vision when, though

inwardly she be but a weak woman in expression, she was taught in brief how to express her message from God to your Highness [Oliver Cromwell]... being three times hindered by her Husband, who is a very poor man and hath many small children, three of them very young ones, her mind was sore troubled that her sleep went from her and at sometimes she was speechless... [but] seeing her restless condition, [her husband] consented to let her come to London.

When she arrived at court she was not able to see Cromwell as she had expected; after waiting two days, she went into the City to find a printer, which she eventually did; but there were rumours that she had been thrown into Bridewell and then disappeared. Her defender in print said that though her message, which included the advice to choose in the forthcoming parliamentary election "Men that neither acted for King or Parliament but stood Newters all this while", "be but short, yet you shall find more truth and substance in it, than in all Hana Trampenels songs or sayings". Anna Trapnel was, as Marchamont Needham told Cromwell, "much visited and does a world of mischief in London and would do in the country", and indeed Trapnel's words, as with those of a few other women, were taken seriously by the authorities. Eleanor Channel was not unusual in being moved to speak. She implied that she was in a trance - after the vision she had become speechless - and that was one of the few ways that women were, in principle, allowed to pronounce on law or doctrine. But there were other women who took it upon themselves simply to tell off priests and pastors in no uncertain terms. In 1658 Alice West was imprisoned in Sussex for "disturbing the minister of Wisborough in his publique exercise"; in Devon the same year a woman was gaoled for two months for disturbing the minister of Talaton on Sunday "contrary to the statute"; and in

disturbed Mr Alflatt the minister by speaking words of which he only heard 'deceiving the people'. Whereupon the informant took her out of the chapel. Joseph Phippen heard the said Edith say 'The day of the Lord is at hand' and she wished the minister to repent, with many other words he knoweth not. Mr Alflatt did give off and did not pray after his preaching, which he usually doth.

Other women used the defence that - as we saw the petitioners arguing - it was God's way. Elizabeth Calway told a minister at Taunton "that he was a deluding person, and 'I am sent from the Lord this day to witness against thy unrighteous deeds', therefore she did exhort the people to repent and fear the Lord". In 1653 Mary Nethway, the leading member of a "church of Christ" in Bristol, wrote to Cromwell asking him to remove ornaments in Whitehall garden for there "is much evel in it, for wils the grases and altars of the idels remayn'd untaken away in Jerusalem, the routh of God continued agaynst Israel. 'Tis some presumption for me to rite to you of such things", she wrote, "but its safth for you and me to folow God's word". So too in 1666 Ann Blow walked 150 miles to entreat the mayor and aldermen of Chester to repent before God's "fury breaks forth amongst them" and in 1668 Ralph Josselin was told by Mrs Martin that "if shee should see me preach a sermon in coat or cloake shee would run out of the church". These women were finding temporary release from the traditional hierarchy and in doing so were even challenging it. But they were also "unruly women" and unacceptable once they denounced or undermined authority. In general they were either punished by the courts or labelled mad. Similarly in 1653 Bedfordshire justices fined Margaret Pennyfather, "a widow, for speaking false and opprobrious words against the governors and government of England".

Let us now look briefly at other activities that women were involved in as a direct consequence of political events, particularly spying, nursing and making depositions. In 1650 Susan Bowen was paid £10 for giving intelligence to the state, and in 1652 Dorothy Virgo was to be rewarded with "any sum not exceeding £5". Throughout the 1660s there were many petitions from women claiming to have helped the king's cause, particularly immediately after the battle of Worcester, to have carried letters, sheltered royalists and been instrumental in the Restoration. Women providing intelligence to the government continued after 1660, most notably by Katherine Hurlston. How far, one wonders, were women useful to intelligence services specifically because they were

women? Elizabeth Alkin was known as "Parliament Joan", a word similarly used for the women who defended Lyme Regis in 1645 - they were called "Joanereidos" - possibly deriving from the slang use of "Joan" meaning a rustic or coarse ordinary woman. In 1653 Alkin petitioned the Council for the place of nurse to maimed seamen at Dover, stressing how she had "been faithful and serviceable to the State upon all occasions in the late wars". Employing other nurses, she also worked at Ipswich and Harwich, and had constantly to ask the navy commissioners for money. Alkin also acted against printers of seditious literature for rewards worth £13, and many women used discoveries of concealed land in the 1650s to earn money. Women themselves were accused of sedition: in 1650 Barbara Bagshaw was imprisoned for writings in her possession, and in 1656 Mrs Smyth, a grocer's wife in Uppingham, was accused of distributing scandalous books. But it was the Restoration government that came down particularly heavily on unlicensed printing. Elizabeth Evans was arrested several times; so too was Elizabeth Calvert who throughout the decade was in and out of the Gatehouse "for her usual practices", which included a pamphlet in 1661 calling for a change of regime and another in 1667 concerning the fire and popish recusants.

In all these examples of women coming into contact with the government, it is clear that they would have needed to have political awareness. Mary Ellis, a servant, had to know who "Major Wildman, Praise God Barebone, Colonel Bishop and others" were and what their meetings were about at her master's house in 1661; Mrs Philipps of Chancery Lane was told about a rising to have taken place on 12 October 1663; and Mary Roe said that "Mrs Palmer was the King's whore, but not that she could prove it...[but] when told she would be punished for it she said 'What, for speaking the truth? She would prove it'". Two essential points need to be made about the women's activism. Firstly, it largely arose out of their traditional roles as wives and mothers and as providers of food and services; indeed once women had preached or petitioned, they would have returned to the family, the shop, the master's house. This is not to denigrate the role of women; it is to suggest that historians abandon the common assumption that the traditional domestic role was necessarily separate from, or in conflict with, the non-traditional, political role. Secondly, this activism should be seen within the context of women's essential involvement throughout Europe at this time in the defence of their communities, most obviously in protests over grain and taxes.

In the 1650s there were just two pieces of legislation directly related to women. The first, to provide for the relief of widows, came out of the war situation; the second, the Act for the

Suppression of Incest, Adultery and Fornication, out of the revolutionary situation.

Legislation to ensure relief for soldiers maimed in action was not new, but with the civil war came a series of ordinances to make provision for their dependents. Initially awarded by parliament and according to merit, the responsibility for piecemeal grants and pensions soon fell onto the parishes. While money to maimed soldiers was based on an Elizabethan statute, it was emphasised that allocations to widows and orphans were "over and besides such relief as they shall gain by their work and labour and shall be allowed them by charity and benevolence of the parish". In 1647 there had been concern that justices had not been carrying out sufficient relief, and there were several petitions to the Commons, including one in 1650 from 3,000 soldiers and widows. In September 1651 an act was passed to make provision for maimed soldiers or the widows and orphans of soldiers in service in Ireland and Scotland, not exceeding four shillings a week "or else provide that such of the said Widows and Soldiers that are able to work, shall be set on work... And likewise take care of the setting of Children of such Widows to be Apprentices". Accommodation was also sometimes provided. It was also ordered that the Committee for the Army should consider the cases of widows and orphans of soldiers who had died at Worcester, as certified by Cromwell. Two years later in an Act for Adventurers in Ireland provision was made for maimed soldiers and "helpless or aged" widows of soldiers killed in Ireland. Concern for better relief continued through the Protectorate. The important points here however are that it was discretionary; and many widows, often collectively, appealed to the Council and local courts alike.

Forty petitions were recorded in the Essex order book between 1652 and 1661 from distressed widows, usually with small children. In 1658 Anne Larke told the court

that shee hath beene the wife of Two men who served the Parliament in the late warres and were soe wounded as pencons were granted unto them. And that her last husband Larke lately deceasing, his pencon is ended & prayeing the continuance of the same for the releife of her selfe & the Children left her by them.

Officially a widow would have to show the appointed assessors a certificate from the colonel of the regiment in which her husband had served. There was a market in counterfeiting certificates. Ellen Lovell, one so accused of forgery, spoke in her defence of how "many poor widows, who had only those papers for the loss of their

husbands to live on, are brought to death's door". However, in Essex at least the certificate rule was not strictly enforced where pensions granted were generally 40 shillings per year paid quarterly or occasionally £3. It was not unusual that one woman was given 30 shillings per annum "to continue [only] dureing her widdowhood". Often, however, widows were given single payments rather than a pension with the stipulation "that she trouble the Court no more". In 1652 the Somerset treasurer for maimed soldiers was ordered to pay Christian Marks 20s, but given that she was "of a competent ability to live of herselfe and the maymed souldiers desiringe releife [were] very numerous", she was "not to have or seek any further releife". Indeed, as with aid to widows generally, there was, reflecting parliamentary legislation, always a sense of the relief being a supplement or a last resort. In 1655 inhabitants of Wellington in Somerset petitioned on behalf of Maud Cape whose husband had been slain: "by her industry she had maintained herself and family, but now it hath pleased the Lord to visit her and child with sickness so that she can no longer work". In 1657 it was declared at the Devon quarter sessions that maimed soldiers' widows were no longer to be paid except by special order. Women of Tiverton who had themselves been wounded in the war were on the recommendation of Cromwell in 1653 given 40s "for present needs". Some provision was also made for mariners and their dependents, though when a widow, who had travelled from Milford Haven to London for relief, was granted money in 1650, the admiralty committee made the point that it was "not to be a precedent". In the Act for Better Preaching of the Gospel it was laid down that pensions should be given to wives and children of deceased godly ministers, not exceeding £30 per annum; and in the Ordinance for Ejecting Scandalous Ministers there was provision, though very limited, for the dependents of ejected ministers and schoolmasters. In short, widowhood has always been one of the starkest realities of war for women but one that does not make women into heroes.

The Adultery Act of May 1650 was one of the most distinctively "puritan" measures of the Rump, but it amply demonstrates the gulf between central government legislation and individual local government enforcement. It defined adultery, adjudged like incest a capital offence, as any married woman being "carnally known by any man" except where her husband had been absent for three or more years (a qualification relevant to the war situation); while adultery was then still being described as that done to the woman by the man, the Act did stress that "every person, as well the man as the woman, offending therein" should suffer death, with the proviso that it should not extend to any man who at the time

of the offence did not know the woman was married. Fornication, that if any man should "have carnal knowledge of the body of any Virgin, unmarried woman or widow", would be punishable by three months in the common gaol. The language here says a lot about not only the legal, but also the perceived, position of women in society.

In the localities in the 1650s there were in fact few accusations of, let alone punishments for, adultery, though virtually all the known cases are against women. On the other hand, while some justices were more active than others, there was generally considerable activity against fornication, though this became interchangeable with charges of bastardy, which had long been provided for by the law. Indeed justices in Essex, Leicestershire and Somerset, for example, continued to sentence women "to remain and be set at work" for one year in the house of correction, and sometimes whipped, rather than three months in the common gaol. In Hampshire however an allowance was made to the gaoler of five shillings a month for the support of every "queene" (slang for a woman with a bastard child) committed. In one case at least the mother was not to be sent away until "the Childe shalbe weanable". There was no imprisonment for the father of the child. Instead he, or occasionally a relative of the woman, would be ordered to pay maintenance until the child was seven years old.

Pregnancy, or indeed fornication, was normally seen as a prelude to marriage; so, as just one example, Dorothy Haytor told the court that she "asked Sanders if he would father the child if she was with child, and he said he would and would marry her" and "if he had kept his promise she would not have complained". But it is clear from reading the records that a single woman with a bastard child unprovided for, and therefore brought before the magistrate, presented two major problems. Firstly, women who bore bastards did not fit into the general familial, and therefore social, order for they were creating a family without a head of household. Secondly, if there was no man to pay and the mother was impoverished, the parish would be responsible for paying poor relief, and quarter session records are full of wrangles between two parishes over which one should pay for a certain child. There were also attempts to stop "foreign" pregnant women coming into a parish. The inhabitants of Cutcombe, near Taunton, complained in 1651 that:

one Mrs Mary Osbourne an Irishwoman and Traveller cominge to Luxburrow to repose herself beinge greate with child and ready to lye Downe was by...a Tithingman of Luxburrow forced to Cutcombe where shee fell in Travell assoone as shee came thither and was there delivered of twoe female children and is sithence deceased leavinge the

same twoe female children upon the charge of Cutcombe.

Hence the approach of justices was twofold: to provide for the child but also to correct the "evil course of life" of the mother. Thus in Northamptonshire in 1657 the jurors presented, in language reflecting the wording of the Adultery Act, that:

Elizabeth Harrodd wilfully and wickedly the said Robert Verney...to have the carnall knowledge of her body permitted and suffered to the evill and dangerous example of others and against the forme of a statute in that case made and alsoe against the publicke peace.

Women were also often accused of fleeing after the birth of their bastard children, and of infanticide. There was of course an essential difference between fornication and rape; and it was not unusual for a woman to name her master as the father of her bastard child. The Adultery Act also stiffened the penalties for keeping a brothel or bawdy-house, for after being whipped, pilloried and branded, the guilty man or woman would be imprisoned for three years. In Portsmouth in 1653 Eleanor Hewes, giving evidence in the case against a couple, said James "caught" Jane and kissed her "but she saw no harm"; then Hewes herself was accused of keeping a common bawdy house and one neighbour complained that she could not "sleep for what goes on" and said she heard Hewes call the mayor "an old grisle bearded rogue" because he had committed her to prison before her misdemeanours. Two years later Joan, wife of Thomas Wilks, was alleged to keep a brothel, to be "a notorious whore, an uncivil and ungodly woman, who curses and swears and is a great disturber to her neighbours". These are archetypes, who were seen ambiguously as both shameful and outrageous and yet dominant, vigorous and anti-establishment. Yet the common combination of alleged crimes and the generalised characterisations point to stereotypes rather than individual women. While not sticking specifically to the 1650 adultery legislation, both the action and language of the justices demonstrate their awareness of the Act, and in a number of counties it legitimised campaigns against fornicators. However, there were considerable county variations and, more importantly, illicit sex, sexual assault and the stigma attached to having a bastard child were hardly unique to the 1650s.

The Marriage Act of 1653 laid down that the only legal form of marriage was, after the couple had obtained a certificate from the registry, a civil ceremony conducted by a justice of the peace, in which "in the presence of God the searcher of all hearts" the man swore to be a "loving and faithful husband" and the woman to be a

"loving, faithful and obedient wife". Parliament had begun its consideration of matrimonial reform ten years previously; and concern at the 1653 Act's lack of success revived the matter in 1657 when parliament continued the Act but without the clause invalidating all other forms of marriage service. There is evidence that most couples were having both civil and church ceremonies. Most women's petitions to local magistrates in fact concerned desertion or neglect by their husbands and domestic violence, though some cases did involve marriage contracts or separation agreements. At Ilchester in 1655 Alice Wagge told of how her husband, they "now living asunder", had been ordered to keep their child but the child had been "much abused" and Alice, "out of motherly care", desired to have the child to live with her, with a contribution from the father; and so it was agreed. That year four women charged Capt Nicholas Foster with bigamy, begging the Council that "he may be checked, so that others may take warning". The Restoration saw a prudent Act which legalised all marriages "solemnised in England since 1 May 1642 before any JP or pretended JP", as well as the return of church weddings by the Book of Common Prayer.

Restoration after revolution, which in 1660 meant the return of monarchy, the House of Lords and the Anglican church, has generally been a restoration of tradition and of social and religious order. The family has long been frequently used as an analogy for the nation and its hierarchy, both in the economic sense of master and servant and in the political sense of sovereign and subject, and the implication of the Restoration Settlement was that women should return to their traditional roles and dependence. While this can be dismissed as a matter of theoretical debate (though it would be interesting to look at the sermons of the period as much as the literature), there is no doubt that the gentry elite also displayed their chauvinism at a local level. In the counties the "natural rulers" were truly restored.

Relief to maimed soldiers remained a pressing social problem. The 1662 Act for the Relief of Maimed Soldiers who had faithfully served Charles II and his father reiterated almost verbatim the Interregnum provisions for widows and orphans, with the additional clause that "the said reliefe shall be paid out of the Surplusage of such stock of maintenance as shall remaine in the hands of the said Treasurers". The Council received a petition in 1664 from 162 females, widows and orphans, for relief "to save them from perishing, as neither Act of Parliament had provided for them"; it was decided that "they shall have divided amongst them, according to rank, the profits resulting from their discoveries of arrears of rent, benefit of renewing leases, and moneys charged on

accountants in the Savoy and Whitefriars". But there was nothing like the local provision for war widows made in the previous decade.

Justices continued to act against bastardy but the records are less full of cases, partly because there was no longer the zeal of reformation of manners, but also because sentences to the common gaol were no longer permissible, so women would be sent straight to Bridewell without appearing in court, part of the Restoration "drift to petty sessions government and triumphant localism". The 1662 Act for the Better Relief of the Poor, which has been seen, along with the Clarendon Code, by at least one historian as a deliberate attempt to check the growth of a mobile and fluid society associated in the Interregnum with religious toleration, included a power given to churchwardens to seize the goods and chattels of the putative father and of the "lewd" mother deserting, to support their bastard child. The Somerset justices largely concentrated on orders touching the maintenance of illegitimate children, but they were also told of women who had had bastards but had never been punished; and one of them at least, whose offence had in fact been complained of because her child was "likely to become chargeable to the parish", was committed for a year "with such correction as is provided by the law". The Act of General Pardon and Indemnity (1660) excepted amongst others "all Rapes and carnall Ravishments of Women, And alsoe excepted all Ravishments and wilful taking away or marrying of any Maid, Widow or Damzell against her will, or without the assent or agreement of her parents". Patriarchy explains the clause providing for parental agreement, but why did the government legislate against rape and for women's right of consent? The reality of women's lives was that the Somerset justices received a complaint by Anne Trott in 1666 "that her husband ill-treats her and denies her sufficient maintenance" just as they had done ten years before in 1656 from Ann Bryant whose "husband John had put her in fear of her life by his threats and cruel behaviour".

Whether one sees the Restoration of 1660 as putting women back into subservience depends largely on whether the Interregnum had seen a liberation for the vast majority of women, let alone social disorder and mobility. For the majority of people it is doubtful that the family was undermined during the Interregnum, nor were parish hierarchies; and officially women were still denied a place in local governing bodies as much in the 1650s as in the 1660s. Grace Barnard who voted in 1654 in the Bristol election is a rare example of female franchise [1]. We should not ignore the opportunities during the revolution for women to challenge patriarchy, opportunities presented most obviously by the religious sects but also simply by women's involvement by necessity in the war effort,

since increased responsibility would imply increased independence. But we have to question how liberating those opportunities actually were and how far-reaching for how many women they were. We need to discover what the majority of women were doing in the 1650s and 1660s. Women's work did not isolate them for they were of the community - in the centre of Leicester, for example, there was an area called the "women's market". Nor did it mean that they did not have contact with local ruling officials - the Leicester corporation paid women to clean the castle, to keep the post horses, and to provide wine and beer. Nor did it mean that they were unaware of political events - a Hungerford constable paid widow Stace for firewood when Richard Cromwell was proclaimed Protector in 1658, just as the Bodmin mayor paid Mrs Bond for wine on coronation day three years later. These are the realities for women in both the 1650s and 1660s. I hope that I have not given the impression that women should be seen as simply the oppressed. Indeed marriage, for example, could be, and was often expounded as, a partnership between husband and wife. However, one cannot get away from the belief in the subservience of women, a belief underpinned by religious, legal and political dogma, and demonstrated in both the wording of government legislation and in the execution of that legislation by local authorities.

1 I am indebted to Bernard Capp drawing this to my attention.

## AFTER THE RESTORATION CULTURE BECAME POLITICS: JOHN MILTON AND PARADISE LOST

by John Newland

After 1660 and the restoration of Charles Stuart to the English throne, the forms in which political views as a whole were able to be expressed became severely limited. Instead of the freedom from censorship of the Commonwealth period, the Licensing Act of 1662 reimposed a check on views of which the government did not approve. Not repealed until 1695, this Act had the consequence of compelling those with social or political views critical of the renewed political order to put them in a coded and less overt form if they wished to have them published. It also enabled government supporters to advance their views without obviously involving their official patrons.

Apart from putting forward specifically political arguments, whether connected with the political situation as a whole or with contemporary events, the cultural forms of the Restoration era expressed the new emphasis on social order and public harmony in the state. This was encouraged quite deliberately by the King and court after 1660.

In part, this concern resulted from the years Charles and his circle had spent in France during their exile. There, they had assimilated the new movement towards classicism in French drama and architecture. In part, it was an attempt, to be pursued with great intent, to turn away from the seeming social turbulence of the past twenty years. Out of social sight, out of social mind and everything nice and calm was the policy Charles was to follow.

In the first few years after the Restoration, the attempt was made politically to restore the world as much as possible to what it had been before the civil war. Some measures were simple to enact. Executing the regicides settled the problem of the killers of Charles I. The various measures of legislation against the Presbyterians and other non-conformists, known as the Clarendon Code, were designed to exclude these groups from the exercise of any political power, even on a local level.

With the plague, Great Fire and Second Dutch War (especially with the shame of the Dutch attack up the Medway) all coming together in the middle part of the 1660s, a watershed was reached in the political landscape of the reign. Concern began to shift from the past to what was happening in the political present. Although, as a result, the nation became gradually repoliticised in the late 1660s and 1670s through suspicion of Charles's