

## OLIVER CROMWELL AND PARLIAMENT

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*By Prof Blair Worden*

If you write about the seventeenth century these days, the one thing you're told you mustn't be is Whiggish. To describe a historical interpretation as Whig is enough to condemn it. There has, we're led to believe, been a tradition of 'Whig history', which has distorted the past, and from which it is a duty of professional or academic history to deliver us. A great deal of modern historical research has been a conscious striving for emancipation from Whig history: research which tends to get called 'revisionist' or 'revisionism'. And on no subject has revisionism had more to say than seventeenth-century parliamentary history. It's true that, at least on the surface, the academic world has moved on: that we've had 'post-revisionism', in which revisionism has itself been revised. But it hasn't made the term Whig history less pejorative; and it will be an implication of what I say that revisionism hasn't been revised enough.

What is, or was, Whig history? The most obvious application of the term belongs to the period of the Whig party, from the late seventeenth century to the mid-nineteenth century. The Whig history of that era was party history. It proved, by historical illustration, the Whig political case. It showed that throughout English history, in Anglo-Saxon times or the high middle ages or in the seventeenth-century civil wars, the only legitimate authority of rulers was that which came from below. That authority rested on the consent of subjects and was accountable to them. The medium of consent was parliament, whose rights the Crown had sought to suppress or supplant. Whig history countered Tory views of history, which gave historical illustration to the divine right of kings or showed the extent of the royal prerogative.

In the nineteenth century, under the influence of Macaulay, a new strain entered Whig history: the idea of progress. The English constitution was shown to have evolved, for the better. It had gradually established principles and practices of liberty, and had curbed and regulated the arbitrary tendencies of rulers. The view of English history as progress towards constitutional freedom survived the death of the Whig party and its replacement, from the mid-nineteenth century, by the Liberal Party - even if by now purely party history had virtually disappeared. The seventeenth century seemed a decisive stage in that process. Progressive and reactionary

## OLIVER CROMWELL AND PARLIAMENT

---

forces had fought it out, first on the battlefields of the 1640s, then in the Revolution of 1688. Progress, and liberty with it, had won.

That view of the seventeenth century produced many distortions, which revisionism rightly disposed of. Whig history had muddled the practices and values of the past with those of the present. Seventeenth-century parliaments were in important ways very unlike eighteenth- or nineteenth- or twentieth-century ones. There was no large-scale organization of political parties. There was no such thing as ‘the opposition’, an anachronistic term that was still unblushingly used in accounts of 17<sup>th</sup>-century parliamentary history written in the middle third of the twentieth century. Rather, resistance to government policy at Westminster was normally organized not by people who were excluded from the arena of government, but from ministers and courtiers who had lost their battles at court and who took them to parliament and mobilised support there. Again, the House of Lords was a far more powerful body in the 17<sup>th</sup> century than it is now. It is the achievement of revisionism that these points no longer have to be laboured. There was another failing of Whig history. It was written for the winners. It found Roundheads more interesting and sympathetic than Cavaliers, so that only now is royalism earning anything like comparable attention.

And yet wherever our own sympathies lie, the basic premise of Whig interpretations of the seventeenth century, that the constitutional powers of parliament were a central, even the central issue of political conflict, seems to me true, and increasingly a forgotten truth. Admittedly if you look at parliament before 1640, the year first of the Short Parliament and then of the meeting of the Long Parliament, it looks an endangered species. Representative institutions were subsiding in continental Europe. If the English crown could only sort out its financial problems by getting the judges to back new initiatives for extra-parliamentary taxation (as it did) and by administrative reform (which it attempted), and if it could only avoid suicidal initiatives such as Charles I’s new Prayer Book for Scotland, what was to stop parliaments from going the way of their continental counterparts and to prevent the establishment of a continental style of absolute monarchy? Parliaments, after all, met only for short periods at long intervals. They were summoned and dissolved solely at the crown’s bidding and convenience; and by 1629 the crown had come to find them all too inconvenient.

## OLIVER CROMWELL AND PARLIAMENT

---

And yet when we turn from parliaments before 1640 to the Long Parliament, we find a body ready to make very bold claims for its authority and to act upon them. It acted as the sovereign body of the realm. The idea that parliament, 'the great council of the realm' as it was often called, was the highest authority in the land was not in itself a challenge to the Crown. As Henry VIII had said, the authority of monarchs never stood so high as in parliament. But that was because the king himself was one of the three estates of parliament. Parliamentary legislation commanded its authority because the will of Lords and Commons was added to that of the king, not because it was imposed on him. The idea of parliament acting as a body separate from the king, which is what happened in the 1640s, took some getting used to.

Yet happen it did. Even before the civil war had broken out, the Lords and Commons had asserted their right to act independently of the crown. They overrode the king's veto of legislation, his 'negative voice'. Instead of 'acts', which required the royal assent, they passed 'ordinances', for which they claimed no less authority; and after the abolition of the monarchy in 1649 parliament resumed the word 'act'. Before the Long Parliament, parliaments had been legislative, or law-making, bodies only. They had had nothing to do with the enforcement of law; nothing to do with the executive, the operation of government. Yet in 1642 Lords and Commons took over the government, and became the executive. They levied forces against the king and conquered him.

That, surely, was a political revolution. How could MPs justify it to themselves? Like all politicians they chose words to suit their political needs. There was a lot of special pleading and expediency in parliament's claims to be fighting for the king even as it fought against him: in the argument that the king had been seduced by wicked counsel into deserting his parliament, which in his absence had had, from necessity, to act without him. Yet to persuade even those who made them the arguments needed a basis of conviction. MPs had one. They saw themselves as fulfilling the historical role of parliaments in national emergencies: the role, fulfilled in 1640-2 as it had been in 1253 or 1327 or 1399 or 1422, of expressing and implementing the will of the nation. Appeals to historical precedents of that kind were critical in giving the MPs of that legalistic generation the sense that what they were doing was lawful: that parliament represented legality and Charles

## OLIVER CROMWELL AND PARLIAMENT

---

I's attack on it illegality. In the sixteenth century, during the conflicts of the Reformation, Protestant groups had claimed a right to rise in resistance to established Catholic rulers. The Long Parliament was in the main wary of that argument, which had been taken over by Catholics and was therefore now associated with popery. The Long Parliament, in its own eyes, was not resisting authority. It was the lawful authority, on which the king was which the king had waged war.

Members of the Long Parliament saw the 1640s as an exceptional decade. Though they wanted parliaments to meet regularly, and though they legislated to that effect, they did not think that parliaments should normally sit for long or that they should normally run the government. A 'Long Parliament', in almost constant session, was an unfamiliar notion. When the Long Parliament was over and Cromwell summoned the parliaments of the protectorate, they readily accepted a return to parliaments of brief duration and left the running of the executive to protector and council. Yet there was an important distinction in MPs' minds: a distinction between what it was wise or healthy for parliaments to do, and to be, in normal times, and what they were entitled to do, and to be, if abnormal times demanded it. In abnormal times they could do anything, ideally with the king but if necessary without him. They were sovereign bodies with sovereign rights.

Those notions were not a retrospective invention by Whig history. During the eighteenth century, the great Whig century, two books written by members of the Long Parliament were published in the service of the Whig political outlook. One, which had first appeared in two volumes in 1647-51 and had been reprinted during the exclusion crisis of Charles II's reign, was by the Suffolk lawyer Nathaniel Bacon. It was, in the words of its title, *A Vindication of the Way of Parliaments in England*. With resourceful scholarship it claimed that Saxon and medieval history showed the English monarchy to be properly elective and contractual and to be properly subject to parliamentary supervision. Admittedly, as Bacon regretted, arbitrary rule had over time obscured that principle, but it had not removed it. The other book, not published in the seventeenth century, was by another lawyer, Bulstrode Whitelocke. There was nothing extremist about either Bacon or Whitelocke. Both men opposed the execution of Charles I and the military coup which made it possible. Neither man was a republican. Under the protectorate both men wanted the restoration of the monarchy. They

## OLIVER CROMWELL AND PARLIAMENT

---

sought a Cromwellian monarchy because a Stuart one was impracticable. But they wanted that monarchy, whoever was the monarch, to be based on parliamentary consent. Whitelocke wrote, in manuscript, another work, a 'History of the Parliament of England', of 'our great, public, supreme council of the nation', which argued that 'the ancient constitution of the policy of our nation' was 'government' – that is, the setting up and supervision of government – 'by parliament'.

Those were not the perspectives of lawyers alone or of MPs alone. The Long Parliament could not have raised armies or won public backing had not the constitutional revolution it effected in 1640-2 been backed by a wide section of public sentiment. The royalist statesmen Edward Hyde, Earl of Clarendon, acknowledged the king's difficulty, even after the parliament had appropriated executive powers, in constructing a royalist case that would overcome the 'reverence' and 'veneration' that were 'generally entertained for parliament', that 'fatal disease' by which 'the whole kingdom was misled', and which, Hyde judged, gave Westminster an unassailable advantage in the recruitment and maintenance of regiments. Other royalists shared his assessment: parliament had become an 'idol'; it was 'a word that carried armies in it'. Of course, if royalists had shared the Roundhead view of parliaments there would have been no civil war. Some royalists cared little or nothing for parliament; others respected it but argued that what the Lords and Commons did, without the king, in the 1640s was a monstrously illegal perversion of the institution. But at least Charles I was brought, by Hyde, to understand the damage that his refusal to call parliament between 1629 and 1640 had done. In the royal declarations of 1642, drafted by Hyde, Charles implicitly renounced the personal rule. The king emphasised that his own actions in raising an army were not directed against 'the dignity, privilege and freedom of parliaments', 'whose freedom distinguishes the condition of his majesty's subjects from those of any monarchy in Europe'. It was obvious, Charles acknowledged, 'that it is impossible for him to subsist without the affections of his people, and that those affections cannot possibly be preserved or made use of but by parliaments'. Even at his trial and on the scaffold Charles remembered to insist on his respect for the 'privileges' of parliament.

In resisting and fighting Charles I, parliament claimed to be acting as 'the representative of the people'. The strength of that conviction in the popular

## OLIVER CROMWELL AND PARLIAMENT

---

mind is indicated by the protests which it provoked. For the protests were not against the principle of representative government: they were against the failure of parliament to live up to it. How, asked royalists, could the Lords and Commons claim to represent the nation when the expulsion of royalists from Westminster had left their constituencies unrepresented? More fundamental protests came from the Levellers, who complained of the geographical imbalance of the electoral map and – though the subject was far less important in their minds – of the limitations on the franchise. They got their way on the question of the electoral map, for Oliver Cromwell's parliaments on the basis of a fundamental overhaul of the constituencies, as radical a transformation as that achieved by the Great Reform Act of 1832.

The institution that was left most vulnerable by the doctrine of representation was the House of Lords. What was 'representative' about it? By 1649 the Lords had got in the Commons' way, or rather in the way of the remnant of the House of Commons, the Rump, which the army had allowed to sit after Pride's Purge, and which was preparing to bring the king to trial. So the Commons unilaterally abolished the Lords. In January 1649 the lower house declared that 'the people are, under God, the original of all just power'; that the Commons, 'being chosen by, and representing, the people, have the supreme power in this nation'; and that whatever the Commons enacts, or declares to be law, 'hath the force of law', even if 'the consent of king, or house of peers, be not had thereunto.' Thus a claim that had been made to bypass the king in 1642 was extended to bypass the Lords in 1649.<sup>1</sup> The Rump was laying up problems for itself, for, to put it mildly, Pride's Purge had made the idea that the Commons represented the people unpersuasive. Yet the abolition of the House of Lords was carried through with scarcely a murmur - and aroused nothing like the hostility brought by the abolition of monarchy at the same time. It was not only regicides who objected to the powers of the Lords. To Nathaniel Bacon the veto or 'negative voice' of the Lords was as indefensible as that of the king. For why should 'that which is by the representative of the people determined' be 'dis-determined by' either 'one [the king] or a few [the Lords], whose counsels are for the most part grounded upon private' interests?<sup>2</sup>

Yet in fighting the king, parliament – the Commons as well as the Lords - had claimed to be defending the ancient constitution of the three estates of king, lords and commons. It had saluted the notion of a 'mixed'

## OLIVER CROMWELL AND PARLIAMENT

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constitution, in which power was balanced between king and parliament and among the three estates; and it had repeatedly pledged to the nation its resolve to restore that ancient government once the war was over. The abolition of kingship and the House of Lords bluntly broke those pledges and was fundamentally inconsistent with them. How did those MPs who went along with the constitutional revolution of 1649 vindicate it? It was not only regicides who did so, or the small body, which had such difficulty in raising a quorum, that steered through the execution of the king and the abolition of king and Lords. There was the much larger number of MPs who returned to Westminster after the king's death and who, however horrified they had been by it, endorsed the change of government that it had produced.

Why did they do so? Those MPs, too, were not republicans. Few if any even of the regicides were republicans, at least at that time, though some of them became so later. Charles I was executed not for being a king but for being a tyrant and, as we would say, a war criminal: not for occupying the kingly office but for abusing and perverting it. Only two months after the regicide was the monarchy abolished, and even then in nervous, tentative, almost apologetic language; and it took a further two months to announce the introduction of the 'Commonwealth and Free State'. The Rump explained, as the Lords and Commons had done in 1642, that 'necessity' had left them no option but to set existing constitutional arrangements aside. The Rump did not say that kingship was to be abolished for all time, or that it was unsuitable to all countries at all times. It merely said, in so many words, that there was no other way out of the hole the nation had dug for itself. Charles I's intransigence and untrustworthiness had made a return to peace and stability impossible while he lived; and once he was dead there was no alternative candidate for the throne on whom the contending parties could have agreed. Since it was impossible to have a king, the nation would do without one.

The thesis used to justify the change of government was not republicanism. It was the sovereignty of parliaments. For however ancient the ancient constitution might be, it had always lived, explained MPs, on sufferance. It had been set up, in immemorial antiquity, by a national council or the national will, and if the nation's well-being demanded its removal the national will could remove it. In 1649 the Rump asserted the right of

## OLIVER CROMWELL AND PARLIAMENT

---

parliament ‘to alter or change any government’ ‘when they shall judge it to be no longer for the good and safety of the people’. They had a ‘natural right and inherent power to take up or lay down what form of government we think fit, and judge most convenient’. Having debated ‘what government the people of England shall choose’, they came down in favour of a sovereign House of Commons.

Most of the people who went along with those arguments did so with reluctance, and a majority of the MPs who had sat until 1648 opposed them. But it was not the principle of parliamentary sovereignty that antagonized them. It was the use of armed force and the rule of the sword, which violated the very principle of consent to which the new government appealed. MPs who refused to join the Rump could at least understand the decision of those of their colleagues who reluctantly sat in it. We see the point if we move forward from 1649 to 1657, when parliament offered Cromwell the crown under the new constitution, the Humble Petition and Advice. The argument that had been used to abolish monarchy in 1649 was now used to advocate its return. As the MP Nathaniel Fiennes, son of Lord Saye and Sele and a key figure in the protectoral government, put it in conference with the protector, in 1649 ‘one parliament thought the present state of affairs required the taking away the name and office of king’, and now ‘this parliament judgeth the present state of affairs requireth the restoring of it’. Fiennes was one of the MPs who had refused to sit in the Long Parliament after Pride’s Purge. He had played no part in the decision to abolish the monarchy. Yet he was ready to argue for the Humble Petition and Advice on the principle on which the monarchy had been abolished. His argument was echoed by the Anglo-Irish peer Lord Broghil, the architect of the Humble Petition and Advice: ‘what one supreme authority may suppress, another may erect.’

In April 1653 the Rump was forcibly expelled by Cromwell. Eight months later he became protector. The principal work of propaganda published on behalf of the new constitution, the Instrument of Government, Marchamont Nedham’s *A True State of the Case of the Commonwealth*, hailed it as a return to the principle of the mixed or balanced constitution. The Instrument announced in its opening clauses a return to the division between legislative power, which would be parliament’s job, and executive power, which would be the protector’s and council’s. In accordance with the



## OLIVER CROMWELL AND PARLIAMENT

---

terms of the Instrument, Cromwell called a parliament in September 1654. The Presbyterians, that is those parliamentarians who had been excluded from the Rump or refused to join it, were allowed back. When the parliament met, the new constitution immediately came under heavy attack. Cromwell had to resort once more to armed intervention, and forcibly purged the house. Yet even then he could not secure the house's agreement even to a modified version of the Instrument.

Yet it was not the content of the Instrument of Government that provoked the basic resistance to the Instrument in the parliament. As in 1649, it was the military basis of the government, rather than the form that the government took, that Presbyterians could not swallow. Although some clauses of the Instrument were unacceptable to MPs, on the whole the new constitution was close enough to the terms of the constitution proposed by the Long Parliament in 1642 (with Charles I rather than Cromwell as the single ruler). But it was the army, not the parliament itself, that had brought the constitution in. The Instrument had no basis in parliamentary consent. The parliament simply refused to recognise the constitution's existence. It regarded the period of rule between December 1653 and its own meeting simply as a military usurpation. Now the nation must start again, and provide its own, parliamentary constitution. The parliament of 1654 was perfectly prepared to produce its own constitutional bill, which silently took clauses over from the Instrument, and which recognized Cromwell as protector. But the passage of the bill would be conditional on Cromwell's acceptance of parliament's right to define the constitution for itself. He was to have such power as the parliament determined. In the parliament there were, it is true, former members of the Rump who would never have accepted Cromwell's rule on any terms; but the military purge eight days after the parliament met got rid of them. The MPs who survived the purge accepted the premise that the government should be by 'a single person' – Cromwell - 'and parliament'. But, they insisted, the single person was to be 'limited and restrained as the parliament should think fit'. Now as in Anglo-Saxon or medieval times, now as in 1649, now as would happen again in 1657, parliament would lay the foundation of future government.

In 1660 the king came back and parliament was taught, for a time, to lower its sites. And yet when we ask how the Restoration came about, we find that the same principle which animated parliament in 1649 and 1654 and 1657

## OLIVER CROMWELL AND PARLIAMENT

---

prevailed. The Restoration was the restoration of parliament before it was the restoration of the king. It arose from the petitioning movement early in the year in favour of a 'free parliament', that is, a parliament freely elected and free from the armed force which had purged or destroyed so many parliaments in the 1640s and 1650s. Naturally royalists and Presbyterians, the two groups which led the campaign, looked to a free parliament to secure different ends; but the great differences between them could be overcome, and an alliance between them formed to overthrow the army, only because of the prevailing sense that parliament alone could supply a mechanism for the resolution of the nation's differences. The petitioners looked, for the solution, to 'consent of the people in a free parliament', to 'the grand privilege' of the people of England 'of being represented in parliament, without which we are no better than vassals'. Lord Broghil, who had proclaimed parliament's right to lay down what constitution it pleased in 1657, in March 1660 looked again to parliament for the solution, even though he feared the return of the king. For men should 'obey whatever a free parliament shall enact.'

I have mentioned Bulstrode Whitelocke, the prominent politician of the revolution who wrote a treatise saluting the sovereignty of parliament. Whitelocke is best known to historians for the diary or record which was published in 1682 as his *Memorials*. Normally a staid document, it breaks into emotion when he recounts the forcible expulsion of the Long Parliament by force on 20 April 1653, when Oliver Cromwell, after a vituperative harangue against its remaining members, called in his musketeers, who cleared the chamber and ordered the mace to be carried away: 'Take away this bauble'. 'Thus', noted Whitelocke, 'was this great parliament, which had done so great things', 'this assembly famous through the world for its undertakings, actions and successes, wholly at this time routed.' From the later seventeenth century to the nineteenth – through the era of the Whig party and beyond it – writers queued to pay tribute to the 'great', the 'famous', the 'ever-memorable' parliament which had met in November 1640. Naturally there were differences of perspective among its admirers. The most daring and radical Whigs hailed the parliament's achievement in executing the king. More mainstream ones concentrated on its achievement in overthrowing the tyranny of the king by the legislation of 1640-1, and were embarrassed by the memory of the regicide.

## OLIVER CROMWELL AND PARLIAMENT

---

Even so the removal of the parliament by force in 1653, by the man who destroyed both sides, king and parliament, of the civil wars, was remembered as an epochal moment, in some eyes as an event comparable in significance to the regicide. Only in the past century or so, when the esteem of parliament in the public mind has declined, has the event lost its hold on the nation's imagination and its collective memory. Even people of Tory or royalist sympathy thrilled to the drama of it. Dr Johnson suggested that a painting of the moment when Cromwell 'ordered the bauble to be taken away' would make 'a picture of unexampled variety and irresistible instruction.' In 1783 the artist Benjamin West obliged with a painting, which acquired lasting fame and influence, of Cromwell ordering the mace to be removed. Macaulay wrote that watching the passage of the Great Reform Bill through the Commons in 1832 was 'like seeing Cromwell taking the mace from the table.' In 1845 Thomas Carlyle noted the 'shudder' with which the event was still recalled. Frederic Harrison, Cromwell's biographer in 1899, called the event 'one of the most famous scenes in our history'.<sup>2</sup>

For perceptions of Cromwell, down the ages, have been closely bound to perceptions of parliament. Harrison wrote that the dissolution was 'that which of all other things weighs most heavily on his fame' – some statement, given the notoriety of Cromwell's part in the regicide. Yet commentary on the expulsion of the Long Parliament has by no means been all hostile to Cromwell. I said that in the 1640s the Long Parliament's embrace of the principle of representation rebounded on it, when people asked how representative the parliament was. Whig salutes to the Long Parliament, and Whig denunciations of its expulsion, likewise rebounded. In the 1640s people claimed that the parliament, having made war on the royal tyranny, had created a tyranny of their own, the tyranny of a rich and corrupt oligarchy which swallowed up the offices of state and was bent on its own perpetuation in power. After the Revolution of 1688, when parliaments met every year and when an increasing proportion of MPs became paid members of the executive, parliaments came under attack on similar grounds. In histories of the civil war and its discussions of it, the Long Parliament was often presented in the same light, not only by Tories but by people who, like those who had demanded electoral reform in the 1640s, revered the ideal of parliament and were dismayed by the distance of the present-day reality from it.

## OLIVER CROMWELL AND PARLIAMENT

---

The sentiment has persisted ever since. Whenever some episode exposes failings or corruption among our representatives at Westminster someone writes a letter to *The Times* invoking words supposedly spoken by Cromwell when he expelled out the members, when he is said to have announced his determination to cleanse the Augean stables. In fact the words attributed to him were a forgery, composed in 1767 in aid of the protests against the parliamentary treatment of John Wilkes.<sup>3</sup> The forgery was written to show how parliamentary corruption and tyranny had been dealt with in a previous age and how they should be dealt with now. The speech was invoked in the famous debate of May 1940 which produced the fall of Neville Chamberlain, when Leo Amery, adding his own embellishment, quoted words supposedly said by Cromwell at the coup: 'You have sat long enough. In the name of God go.'

The forgery of 1767 played on a broad public sentiment. It was shared by Dissenters or Nonconformists whose faith was excluded from representation at Westminster. George Crabbe's poem 'The Frank Courtship' described a Dissenting congregation recalling the moment when Cromwell 'turned out the members and made fast the door, ridding the House of every knave and drone'. Nonconformist admiration for the coup would long endure. The historian John Walsh has told me that, when he used to visit his Methodist grandfather's terraced mill-house town in Lancashire between the wars, a Victorian print, 'Take away that Bauble', 'hit the eye immediately as one came through the front door.' There was working-class pleasure in the episode too. In 1811 the radical weaver Samuel Bamford was shocked, when he first visited the House of Commons, by the contrast between the ideal and the reality: 'And are these, I thought, the beings whose laws we must obey? This "the most illustrious assembly of free men in the world"? Oh for a stamp of stern old Oliver on the floor, and his voice to arise above this babel-howl: Take away this bauble. Begone; give place to honest men'. Twenty years later, in the crisis over the Reform Act, a notice appeared in the *Poor Man's Guardian* in these words: 'Wanted, a man of the most honest and most uncompromising activity, who will undertake to clear St Stephen's, and the whole country, of a host of vermin who are fattening themselves upon the productions of our poor starving and miserable fellow-countrymen. Any person of the name of Cromwell would be preferred.'

## OLIVER CROMWELL AND PARLIAMENT

---

Whether approving or disapproving, the wealth of commentary on the expulsion presents Cromwell in violent opposition to the institution which had overcome Charles I. Yet in 1899 parliament agreed to the erection of the statue at Westminster, at which this Association gathers each year. In championing the proposal for the statue, Lord Rosebery, the Liberal leader who was the driving force behind the scheme, had to acknowledge that Cromwell 'was not a parliamentarian in a strict sense'.<sup>4</sup> It was quite an understatement. Not only did Cromwell's army expel the Rump. It marched on London to cow parliament into submission in 1647. It carried out Pride's Purge in 1648. It fixed the dissolution of Barebone's Parliament in December 1653. It forcibly purged the parliament of 1654. It decreed the exclusion of a large batch of members elected to the parliament of 1657. What had become of a revolution that had been conducted in the name of the liberties and privileges of parliament? Think of the indignation when Charles I had entered the Commons and attempted to arrest the five members. Charles at least had not attempted the parliament's forcible expulsion.

For if parliament, as royalists complained, had become an 'idol', Cromwell did not share in the idolatry. The civil war was fought on two grounds: one political, the other religious. Parliamentarianism allied with Puritanism. The two movements were brought together by Charles I's attack on both of them, but there was no inherent connection between the two. Some parliamentarians, such as Henry Marten, disliked Puritanism. Many more brought parliamentarian and Puritan convictions together. But to Cromwell parliaments were but means to godly ends, to be used or disposed of as those ends demanded. When he thought about forms of government he adapted a verse of the Epistle to the Philippians and described them as but 'dross and dung in comparison of Christ'. His uses of force on parliaments illustrate the point. He knew that the will of the God of the Old Testament, of which Cromwell saw himself as the instrument, was not to be curbed or regulated by man-made constitutional conventions. To the Cromwellians the civil wars were an epic moment, perhaps an apocalyptic moment in the divine scheme of history, when all man-made institutions might be transformed or swept away.

Yet Cromwell's career is unintelligible unless we add, to that point, two others which qualify it. First, scratch the ideological pronouncements of

## OLIVER CROMWELL AND PARLIAMENT

---

revolutionary Puritanism and you often find, behind them, more conventional outlooks, about the ordering of politics and society, than you might expect. Cromwell had the mind of a country gentleman – however minor a county gentleman - as well as the mind of a Puritan. The doctrine of divine predestination was central to his spiritual life, but he never shared the Fifth Monarchist supposition that the elect are entitled, by virtue of their election, to rule on this earth at the expense of the unregenerate. Secondly, Cromwell was a politician, who did not think that the mission of divine providence with which he had been entrusted exempted him from political action and calculation. He knew that God, however transcendent his ends, wants his servants to work through political means. He understood the strength of parliamentarian feeling, and when he could he tried to make use of it to his own, and God's, ends. He knew how parliament mattered to key allies of his and to the whole movement that resisted Charles I. Although his speeches in the early debates of the Long Parliament were mainly on religious issues, he gave his backing to a bill for regular parliaments. After the war he knew what hostility the use of force on parliament would provoke, and he did what he could to avert it. 'That which you have by force', he told his fellow soldiers, 'I look upon as nothing'.

Yet everything he got thereafter he got by force. In the 1650s he repeatedly strove to undo the damage wrought by his military interventions. He knew how crucial parliamentary sanction would be if his rule were to establish roots in public opinion. He strove to re-create the parliamentarian unity – frail and bitter as the unity had been - which Pride's Purge had shattered. In the aftermath of the purge he sought for expedients that would allow the purged members back. He resisted the abolition of the Lords. Yet, then as at other times, he gave way in the cause of higher ends.

All the parliaments of the 1650s ended in wreckage. None of them met his needs, and they paid the price. The Rump did provide the army with the nearest thing it could hope for as a basis of legitimacy while he conquered the Irish and Scots in 1649-51; but when he returned to Westminster he could not control the assembly. He urged it to reform the law and the church and provide liberty of conscience, that abiding preoccupation of his career. He lost. Seventeenth-century parliaments were not friends of liberty of conscience. Cromwell, Charles II, James II all had to use extra-parliamentary means to secure liberty for dissenters.

## OLIVER CROMWELL AND PARLIAMENT

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The occasion of the expulsion of the Rump was its defiance of his and the officers' demands over the holding of fresh parliamentary elections. Why, he and they indignantly demanded, did the parliament cling to power? Why did it seek to 'perpetuate itself' and not confront the electorate? But once the parliament had been dissolved the truth came out. As his own words acknowledged, he had expelled the Rump not because it had refused to hold elections but because it had decided to hold them: not because it resisted the principles of representative government and rule by consent, but because it followed them. The 'bill for a new representative' which the Rump was about to pass when Cromwell dissolved the House would have provided for fresh elections in each constituency.<sup>5</sup> He knew what that would lead to. The bill laid down electoral qualifications that excluded royalists, but did not exclude the kinds of MPs – the Presbyterians – who had been purged in 1648. He knew from harsh experience their hostility to liberty of conscience and to the army which demanded it. The result would be even worse than the Rump.

The expulsion of the Rump drove the revolution into no man's land. Despite the various purges and despite the abolition of two of the three estates in 1649, the continuance of the Long Parliament for thirteen years had provided some thread, and some basis, of constitutional legitimacy. What would he do now? His answer was to call a parliament, but one chosen not by the electorate but by his friends in the army: a body, that is, with the advantage of the name of parliament but without the inconvenience of elections. He had not lost sight of the desirability of parliaments or the representative principle. The members of parliament were apportioned to the counties in line with the army's plans, which the Rump had endorsed, for the redistribution of constituencies. Barebone's was intended to sit for a limited period, after which it would choose its own successor, which in turn, Cromwell intimated, would make way for a return to elected parliaments. But that would plainly depend on the nation's willingness to accept the godly reformation that his army would impose on it.

After the fiasco of Barebone's Cromwell changed his tune about the Presbyterians. The Instrument of Government, the constitution of the protectorate, provided for a return to parliamentary elections, with qualifications of the kind the Rump had envisaged: that is, with royalists

## OLIVER CROMWELL AND PARLIAMENT

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excluded but with Presbyterians allowed back to Westminster. Rather than excluding the Presbyterian movement from power he would rely on persuasion and clerical patronage to steer it towards an acceptance of the principle of liberty of conscience. But the Instrument put an end to the permanent parliaments of the previous 13 years. Barebone's, like the Long Parliament before it, sat in permanent session and combined legislative power with executive power, which, like the Rump, it had entrusted to a council of state subordinate to parliament and accountable to it. Now parliaments were to meet every three years, and need last only five months.

We have only a little evidence about the framing of the Instrument, but almost all of it points in one direction.<sup>6</sup> When the document, having been drafted by John Lambert and a few others, was submitted to him it largely accepted the principle of parliamentary sovereignty on which the Long Parliament had proceeded. The executive power of the protector and council was not to be wholly independent. Much of it was entrusted to them by parliament in the intervals between parliament, and could be resumed by parliament, if parliament wished, when it met. Cromwell successfully pressed the drafters to eliminate that principle and secured a large degree of autonomy for the executive. He had had enough of parliamentary rule.

During the parliament which met in 1654 he had a choice. He could either back down to the parliament's demands for a parliamentary constitution, or hold out. If he followed the first course he could secure an incalculable advantage: he would get legislative or statutory endorsement for his rule, which hitherto had rested on a military decree. He would acquire constitutional legitimacy, or anyway as much constitutional legitimacy as the political legacy of the 1640s allowed. But there would be a price. He would hold power only by parliament's permission. His goals – religious reform and liberty of conscience above all – would be at parliament's mercy. It was a price he would not pay. He preferred to dissolve the parliament at the earliest moment – calculating the five months as lunar months – and to fall back on the rule of the sword. Angrily he told the parliament of 1654 that the protectorate had been legitimate from the outset and that the Commons had no right to replace its constitution with its own. He took his stand on the independence of the executive; on his control of the armed forces or the militia (the focus of conflict between Charles I and parliament in 1642); and on that cardinal principle of the Instrument, 'liberty of conscience', which



## OLIVER CROMWELL AND PARLIAMENT

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the parliament of 1654 assailed. The dissolution of the parliament was a critical moment in the protectorate. In the nine months before the meeting of the parliament, the protector and his council had passed interim legislation which was to be submitted to the parliament for its approval. That legislation had included crucial elements of Cromwellian policy, especially for reform of the church and the law. Cromwell had hoped that the parliament would quickly accept the Instrument and then proceed to the endorsement of the ordinances. In the event it endorsed none of them. After the parliament's dissolution Cromwell acted as if the ordinances remained in force. He had to raise money without parliamentary consent, and so provoked protests in the courts reminiscent of the ship money case of the 1630s. Having failed to get parliamentary sanction for his rule, he turned to the purely military rule of the Major-Generals to maintain public order and impose a godly reformation.

In 1656 he reluctantly accepted the argument of the Major-Generals themselves that another parliament would have to be called. It behaved differently from its predecessor, and Cromwell behaved differently towards it. Both sides had learnt something. Confrontation gave way for cooperation. Now he was determined to get a parliamentary constitution if he could, and the parliament was ready to offer him one: the Humble Petition and Advice. The document proposed a wide measure of freedom of conscience. That legislative sanction was, he said, 'the greatest provision that ever was made' for religious liberty: there had not been 'anything since Christ's time for such a catholic [that is, a broad and comprehensive] interest for the people of God.' He was right to be pleased. He had persuaded the gentry represented in parliament that there could be no return to stability so long as liberty of faith and worship were not granted to dissenting Puritan groups.

So the confrontations of 1654-5 made way for the conciliation and cooperation of 1656-7. In the negotiations Cromwell behaved with extreme deference to the principle of parliamentary authority. He was, he declared, 'obliged' to accept whatever parliament should impose upon him. Yet it turned out that he wasn't. The parliament offered him the Humble Petition either to accept, or to reject, in its entirety. Yet he found ways of bargaining and of getting its terms modified. And he rejected what to the framers of the constitution had been as essential an element as any: the offer of the

## OLIVER CROMWELL AND PARLIAMENT

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crown. There will always be disagreement about the reasons for his refusal, but whatever the cause – the claims of his conscience; pressure from the army and the congregations; the thought that it might be better to wait until the next parliament - he had put those reasons before the claims of parliamentary authority. His rejection of the title gravely weakened his following in parliament. The party which had framed the Humble Petition slunk despairingly away. When parliament reassembled in January 1658 he immediately lost control of it; and he had quickly to dissolve it in panic.

As protector Cromwell had a dual role, as leader both of the people of God and of the people of England; as a Christian and as an Englishman. In his speeches he fashioned a language which presented ‘civil liberty’ as the natural friend of ‘religious liberty’, the interest of God’s people as the same as the interest of all the people, his responsibilities to Christianity as inseparable from his duties to England.<sup>7</sup> He indeed yearned to reconcile the two sets of values, and so to be at once Cromwell the gentleman and Cromwell the Puritan. He longed to transform England, by the reform of the ministry and the magistracy and by liberty of conscience, so that God’s people would lead the nation, not be a minority scorned by the wicked and vulnerable to persecution. Civil forms, and respect for civil rights, were means to that end. Even so, they remained dross and dung in comparison of Christ. Westminster may seem an incongruous setting for Sir Hamo Thornycroft’s statue, but in its content, at least, the statue is appropriate. It shows Cromwell with a bible, the manual of his faith, in one hand, and a sword, the instrument through which he did God’s work in the world, in the other. If parliament was the nation’s ‘idol’, then Cromwell, the man who could describe the solemn instrument of parliamentary proceedings, the mace, as a ‘bauble’, was the iconoclast.

This article was presented as the Cromwell Collection Lecture in November 2013.

<sup>1</sup> For this and related points see my *God’s Instruments. Political Conduct in the England of Oliver Cromwell* (2012), chs 6, 7.

<sup>2</sup> For memories of the coup of 1653 see my *Roundhead Reputations. The English Civil Wars and the Passions of Posterity* (2001), pp. 243-7.

## OLIVER CROMWELL AND PARLIAMENT

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- <sup>3</sup> C.H. Firth, 'The Expulsion of the Long Parliament (continued)', *History* 1918.
- <sup>4</sup> The Victorian movement that led to the statue is described in my *Roundhead Reputations*, ch. 11.
- <sup>5</sup> See my *The Rump Parliament 1648-1653* (1974), pt. 5.
- <sup>6</sup> See my 'Oliver Cromwell and the Instrument of Government', in S. Taylor and G. Tapsell, eds, *The Nature of the English Revolution Revisited* (2013).
- <sup>7</sup> See my 'Oliver Cromwell and the Cause of Civil and Religious Liberty', in C.A. Prior and G. Burgess, eds, *England's Wars of Religion, Revisited* (2011).

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