

## ‘OUR HOUSE OF LORDS’: OLIVER CROMWELL, THE NOBILITY AND THE OTHER HOUSE

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It was perhaps inevitable that the House of Lords’ vote in October 2015 to delay controversial tax cuts prompted politicians and political commentators to deliberate over the upper chamber’s place in Britain’s ‘unwritten’ constitution. Most obviously, it begged the pertinent question of whether an unelected assembly can legitimately defy the will of an elected House of Commons. The matter is hardly a new one. For over a century the House of Lords has been the subject of sporadic debates concerning its constitutional role, leading to a number of reforms – including restrictions upon its legislative veto (Parliament Acts, 1911 and 1949), the admission of life peers and women (Life Peerages Act, 1958), and a significant reduction in its hereditary membership (House of Lords Act, 1999) resulting in a shift to a mostly appointed chamber. But recent controversies show that there remains a sense that more still needs to be done – that the House of Lords must either be reformed further or be abolished and replaced by a new chamber.

Perhaps those considering the future of the upper parliamentary chamber should pay more attention to its past. The turbulent period from 1640 to 1660, in particular, offers some striking parallels to contemporary constitutional debates: during the course of those two decades the House of Lords was reformed, abolished, and ultimately replaced by a new upper house under the terms of the *Humble Petition and Advice* of 1657. This ‘Other House’ as it was called, was to comprise a body of between forty and seventy members nominated by Lord Protector Oliver Cromwell.<sup>1</sup> In most accounts this new chamber is taken to be a symptom of a regression in political forms during the Protectorate, complementing Cromwell’s emergence as a ‘king in all but name’.<sup>2</sup> The Other House, it is claimed, demonstrates that the regime was backsliding its way towards the ancient constitution of King, Lords and Commons, an impression made all the stronger by the fact that Cromwell himself referred to it as ‘our House of Lords’.<sup>3</sup>

But appearances are deceptive. It is important to look deeper than the languages and images used to promote the Protectorate. As this article suggests, the Other House experiment was not as conservative as it seemed. Rather, it illuminates many important aspects of Cromwell’s politics – not

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least his relationship with parliament, his attitude towards the nobility, his views on hereditary office and, most importantly, his vision for settlement.

I

Ascertaining Cromwell’s attitude towards the nobility and the House of Lords is no easy task. So much of what we know comes from the bitter testimony of his critics. Particularly notorious are those accusations made against Cromwell during his quarrel with the earl of Manchester in late 1644. Manchester himself claimed that Cromwell’s ‘expressions were sometimes against the nobility; that he [Cromwell] hoped to live to see never a nobleman in England’.<sup>4</sup> Another deponent condemned Cromwell’s tendency to ‘make choice of his officers’ from ‘common men’ of ‘poor and... mean parentage’ rather than ‘men of estate’; he reportedly declared that ‘God would have no lording over his people’.<sup>5</sup>

Perhaps there was a grain of truth in these claims. We are reminded of Cromwell’s famous letter of September 1643 to the commissioners in Suffolk in which he stressed that he had ‘rather have a plain russet-coated captain that knows what he fights for, and loves what he knows, than that which you call a gentleman and is nothing else’.<sup>6</sup> It was too easy for Manchester and his allies to twist such sentiments into evidence of a programme for social levelling. In reality Cromwell merely wanted men of principle, the ‘godly precious men’ as Manchester’s allies derided them, to prosecute the war effort.<sup>7</sup> It was Manchester’s military incompetence combined with his Presbyterian sympathies that made him the target of Cromwell’s ire, not the fact that he was a nobleman.

That Cromwell bore no personal animosity towards the nobility is further demonstrated by his close friendship throughout the 1640s with those ‘Independent’ peers who shared his aims for the war and its outcome – most notably Viscount Saye and Sele and Lord Wharton. In 1647, as the army took the initiative in negotiating a settlement with Charles I, a number of ‘Leveller’ writers even accused Cromwell and other army ‘grandees’ of kowtowing to the peers, rather than securing the demands of the soldiers and the liberties of the people. John Wildman, for one, could hardly believe that this was the same ‘Cromwell who professed to Manchester’s face, that

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England would never flourish, until he was only Mr Mountagu, nor the public affairs be managed successfully, whilst a house of Peers are extant’.<sup>8</sup>

Again, perhaps there was some truth in the Levellers’ accusations. Cromwell clearly strived to placate those peers who had supported the New Model Army and was reluctant to see the House of Lords abolished. During the debates of the general council of the army at Putney in the autumn of 1647, both Cromwell and his son-in-law Ireton parried demands to divest the House of Lords of its negative voice.<sup>9</sup> Similarly, although Cromwell supported the trial of Charles I, and accepted the purged House of Commons’ right to act unilaterally without the Lords in order to pass the legislation establishing the High Court to try the king, he apparently did not believe it should spell the end for the upper house. According to one report, Cromwell was ‘very violent’ against suggestions that the ‘house of Peers might be wholly suppressed’ and believed that Commons were ‘mad’ to ‘take these course, to incense all the Peers of the whole kingdom against them, at such a time where they had more need to study a near union with them’.<sup>10</sup>

Ultimately, Cromwell probably had mixed feelings about the abolition of the House of Lords in 1649. While it was obvious that the circumstances of the coup in the winter of 1648–9 left the position of the upper chamber untenable, it seems that Cromwell’s preference was for retaining a second parliamentary chamber in an attenuated form, if only out of respect for his allies there. With time, however, Cromwell became even more convinced that the abolition of the upper chamber had been a mistake. His constant struggles with the unicameral parliaments of the 1650s only strengthened his conviction that an upper chamber of some sort was necessary to moderate the actions of the Commons.

## II

Indeed, Cromwell believed that the creation of an ‘Other House’ was the single most important aspect of the proposed parliamentary constitution of 1657. On 27 February 1657 he berated a meeting of around one hundred army officers who objected to the new constitution because of the offer of the Crown. Cromwell urged them to look beyond the kingly title; as far as he was concerned it was a mere ‘feather in a hat’.<sup>11</sup> Much more important

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for Cromwell was the fact that the proposed constitution offered a means by which parliamentary government could be secured and made to work.

The Protectorate, as settled under the *Instrument of Government*, had failed miserably. The *Instrument*, Cromwell argued, was an ‘imperfect thing which will neither preserve our religious or civil rights’. Rather, he told the officers that it was ‘time to come to a settlement and lay aside arbitrary proceedings, so unacceptable to the nation’.<sup>12</sup> Plainly, the constant routine of military-inspired purges and dissolutions of parliament was no basis for a lasting settlement. Pride’s Purge, the ‘Recognition’ forced upon the first Protectorate Parliament and the exclusion of around one hundred MPs before the sitting of the second Protectorate Parliament, were all desperate attempts to bend the will of the House of Commons to that of the army and their adherents. Even worse, despite this ‘garbling’, the parliaments still proved unmanageable.<sup>13</sup> A better way was needed to solve that fundamental problem facing Cromwell and his parliaments: how to secure the goals of a godly minority with an assembly that was representative of the nation at large.

This problem became all the more pressing for Cromwell in light of the case of James Nayler, a Quaker arrested for riding into Bristol in a manner that seemed to imitate Christ’s entry to Jerusalem. In December 1656, after protracted debate, the Presbyterian majority in the Commons resolved that Nayler’s crimes were ‘horrid blasphemy’ and voted a suitably savage punishment.<sup>14</sup> While Cromwell did not sympathize with Nayler’s crimes, he did worry about the single chamber parliament claiming a unilateral authority to judge and punish his crimes without proceeding upon any known law.<sup>15</sup> As he told the army officers in February 1657, it was painfully obvious that the Commons were ‘in need of a check, or balancing power... for the Case of James Naylor might happen to be your own case’.<sup>16</sup>

The Other House provided the perfect answer to all of Cromwell’s constitutional worries. It would remove the need for the army to tamper with the Commons while also ensuring that the Commons were not left with an unlimited power to ride roughshod over religious liberties. ‘Unless you have some such thing as a balance’, he warned the army officers, ‘either you will grow upon the civil liberties by secluding such as are elected to sit

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in Parliament (next time for ought I know you may exclude 400); or they will grow upon your liberty in religion’.<sup>17</sup>

That the Other House was essential to Cromwell’s constitutional plans is reinforced further by a comment he made in his speech at the dissolution of the second Protectorate Parliament on 4 February 1658. Recalling the genesis of the new constitution he reminded the Commons how ‘I did tell you, at a conference concerning it [ie the new constitution] that I would not undertake it, unless there might be some other Persons between me and the House of Commons... and it was granted I should name another House’.<sup>18</sup> What is unclear is when precisely this ‘conference’ took place. Given that the Other House had always been a part of the proposed constitution since it was presented to parliament on 23 February 1657, it seems that Cromwell’s ultimatum, that he ‘would not undertake’ the settlement unless it provided for an upper chamber, must have occurred *before* that date, at a time when the status of the new upper chamber was not part of the planned constitution or not assured. If true, it suggests not only that Cromwell knew rather more about the plan for a new constitution than he subsequently let on, but that the Other House was really his brainchild – its inclusion in the constitution was essentially a concession by MPs to him.

### III

To understand more clearly Cromwell’s aims for the Other House we must study its composition. Despite Cromwell’s refusal of the Crown and the subsequent revision of the *Humble Petition and Advice*, the Other House remained an integral part of the new constitution finally approved in June 1657. Under its provisions, Cromwell was instructed to nominate the members of the new upper chamber and summon them to sit at the next parliamentary session in January 1658.<sup>19</sup>

In all, Cromwell nominated sixty-two men.<sup>20</sup> He chose carefully and deliberately: as he told the Commons in February 1658, he wanted to ensure that the Other House be comprised of ‘men that should meet you wheresoever you go, and shake hands with you, and tell you it is not titles, nor Lords, nor party they value, but a Christian and an English interest’. He hoped that the Other House ‘would not only be a balance unto you, but to themselves while you love England and Religion’.<sup>21</sup>

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A closer inspection of those summoned bears out Cromwell’s comments. First and foremost, his assertion that he chose men not because they valued ‘titles, nor Lords’ seems true enough. Contrary to the expectations of many, he did not summon to the new chamber all the old members of the House of Lords who had remained faithful to the parliamentary cause. Rather, only seven English peers were sent writs of summons. These included five nobles who had previously sat in the House of Lords: the earls of Manchester, Mulgrave and Warwick, Viscount Saye and Sele and Lord Wharton. Also summoned were Lords Eure and Fauconberg, both of whom only succeeded to their titles in the early 1650s and had therefore never before sat in the upper chamber.

Perhaps Cromwell nominated these peers to give weight to the Other House – or to stress continuity with the House of Lords. But other explanations are also likely. Most obviously, the choice of Saye and Wharton was the latest in a string of attempts by Cromwell to coax his old allies out of their self-imposed political retirement since the regicide. Writing to Wharton from Ireland in early 1650 Cromwell lamented how his ‘friend’ had ‘withdraw his shoulder from the Lord’s work’. After all, Cromwell urged, Wharton had been ‘with us in the Form of things’, so ‘why not in the Power?’<sup>22</sup> The writ of summons to the Other House issued to Wharton and Saye might therefore be read as yet another olive branch to his former friends.

Others of the old lords summoned by Cromwell can also be explained less by their lordly titles and more by the fact that they were firmly established members of the Cromwellian establishment. For instance, Edmund Sheffield, second earl of Mulgrave, was one of the least experienced of the members of the defunct House of Lords – only succeeding to his title in October 1646. Yet, by 1654 he was evidently held in high esteem by Cromwell, having become a member of the Protectoral Privy Council. The same is true of George, sixth Baron Eure, an obscure Yorkshire nobleman mocked by one pamphleteer as ‘not very bulky or imperious for a Lord’, who had willingly engaged in politics since the regicide and had served as an MP in both the first and second Protectorate Parliaments.<sup>23</sup>

Even more obvious were the reasons behind Cromwell’s nomination of Thomas Belasyse, Lord Fauconberg. Although, like Eure, he was from a

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strongly royalist family, Fauconberg had married Cromwell’s daughter Mary in November 1657. Cromwell was evidently impressed with Fauconberg’s personal qualities; he reportedly considered him ‘a solid man... and not given to vanities’.<sup>24</sup> Also occupying a far more public role in the later Protectorate was Robert Rich, second earl of Warwick. At Cromwell’s second investiture as Lord Protector in June 1657, Warwick carried the sword of state and assisted the Speaker of the Commons in the investiture ceremonials.<sup>25</sup> Warwick’s emergence in support of the Cromwellian regime was doubtless galvanized by his ongoing attempts to broker a marriage settlement between his grandson and heir – also called Robert Rich – and another of Cromwell’s daughters, Frances, which finally went ahead in November 1657.

Less easy to explain is Cromwell’s nomination of his old adversary the earl of Manchester. Manchester had played no active part in politics since the regicide and had refused to take the oath of loyalty to the Commonwealth regime.<sup>26</sup> According to one report, however, Manchester – previously ‘a great stranger at Whitehall’ – had visited Cromwell in June 1657 to discuss the ongoing marriage negotiations between Frances Cromwell and Rich, who was Manchester’s nephew.<sup>27</sup> So perhaps Cromwell’s nomination was a sign of a rapprochement between the two men. It may also have reflected the fact that Manchester had valuable expertise in the workings of the upper chamber. From the time he lost his commission in the army in 1645 through to Pride’s Purge in December 1648, Manchester had routinely assumed the position of Speaker of the House of Lords.

Above all, Cromwell’s choice of only a handful of noblemen suggests that he did not envisage the Other House to be a straightforward restoration of the House of Lords. Perhaps he had no choice: there simply were not enough nobles willing to sit. But it seems more likely that Cromwell actually had in mind an upper chamber grounded upon principles very different to that abolished in 1649.

In particular, the membership of the Other House, unlike that of its predecessor, would not sit by hereditary right. Under the terms of the *Humble Petition and Advice* all members of the Other House would serve as life peers only – once they died the vacant places would be filled by nomination, not by hereditary succession. This arrangement pleased Cromwell exceedingly; as he told parliament in February 1658, he liked the

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new constitution precisely because it did not establish ‘Hereditary Lords, nor Hereditary Kings’.<sup>28</sup>

As was the case when selecting army officers during the 1640s, Cromwell as Lord Protector continued to stress that a man’s skills and principles, rather than birth alone, were the best qualifications for office. It was on these grounds that he repeatedly opposed agitation in both the first and second Protectorate Parliaments to make the Protectorate hereditary. In his speech at the dissolution of the first Protectorate Parliament on 22 January 1655 he claimed that had the *Instrument of Government* placed the Protectorate ‘in my family hereditarily’ he would have ‘rejected it’. It was much better to ‘have men chosen, for their love to God, and to Truth and Justice’. Hereditary government would not do: as Cromwell warned, in an allusion to *Ecclesiastes* 2:19 that hardly reflected favorably on his eldest son Richard, ‘Who knoweth whether he may beget a fool or wise?’ Under a hereditary Protectorate, whether the next in line was ‘honest or not’ mattered little, for ‘whatever they be, they must come in’.<sup>29</sup>

This is not to say that Cromwell objected to hereditary honours. As Lord Protector he conferred no less than 12 baronetcies.<sup>30</sup> He would also confer a viscounty on Charles Howard in July 1657 and a baronage on his cousin Edmund Dunch in April 1658. The letters patents issued by Cromwell to bestow these honours followed the traditional formula: they stressed that it was the greatest of those ‘Prerogatives which adorn the Imperial Crown’ to ‘be the fountain of honor’. The recipient and their ‘heirs males’ were to ‘hold and enjoy the same and the like priviledges, prehemineties, dignities and Immunities whatsoever with other Barons of England’.<sup>31</sup>

Yet, these Cromwellian honours were distinctive in that they did not confer the right to sit in the upper parliamentary chamber. Whereas Howard was eventually summoned to sit as a member of the Other House by writ of summons, Dunch was not.<sup>32</sup> This was a very definite break with established practice whereby the monarch’s letters patent conferring a peerage were understood to grant an automatic right to sit in the House of Lords to the recipient and their heirs. Famously, in 1626 this right was upheld in the clash between the Lords and Charles I over the latter’s refusal to issue a writ of summons to the recalcitrant earl of Bristol. In the case of the Cromwellian ‘Other House’, however, only a handful of those holding



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hereditary honours received writs of summons while the majority of those summoned – though often styled ‘lords’ – held no hereditary title at all.

IV

With so few old nobles chosen to sit in the Other House, it was easy for Cromwell’s critics to claim that the majority of the ‘new’ lords summoned were a body of low-born acolytes. As one satirical tract put it, they were nothing more than Cromwell’s ‘Sons and Kindred, Flattering Courtiers, corrupt Lawyers, degenerated Sword men, and... most of them self-interested Salary-men’.<sup>33</sup>

The charge of nepotism was a powerful one; no fewer than seventeen of the nominees, over a quarter of those summoned, had close ties of kinship to the Protector, including his two sons and three of his sons-in-law. But this is hardly surprising. It was only natural when nominating a body of members on whose fidelity the future security of the regime rested that Cromwell chose men he knew to be faithful to himself and the cause. Those who had served with Cromwell in the army, or under the various regimes of the 1650s – of which many also happened to be related to him – were therefore an obvious choice. Moreover, the fact that Cromwell failed to nominate his new son-in-law Robert Rich, a man about whose character he had some misgivings (having heard ‘reports of his being a vicious man, given to play, and such like things’) suggests that he was unwilling to promote those he considered inexperienced or unsound in their opinions just because they happened to be members of his family.<sup>34</sup>

Experience of both parliamentary politics and civil office were a distinguishing feature of the majority of those chosen. All but three of the members had sat in at least one English Parliament prior to 1657, with over half having sat in one of the two houses of parliament prior to the revolution of 1649. Also chosen were fifteen out of the sixteen active members of the Cromwellian Privy Council – Secretary John Thurloe being the only councillor left to manage the government’s affairs in the Commons. There were also a number of financial administrators, court officials and judicial office holders – including the Lord Chief Justices of both benches who were summoned to sit as fully-fledged members of the

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upper chamber rather than as their assistants as had previously been the case with the House of Lords.

The membership of the Other House chosen by Cromwell was also geographically diverse. Particularly well represented were the ‘dark corners’ of the land with many of the members having been born, or owning large estates, in Wales or the northern counties of England. There was also representation for Scotland and Ireland – including the Irish nobleman Lord Broghill and the Scottish earl of Cassillis and a number of others who had served as officers or administrators across the three kingdoms. As Peter Gaunt has observed, Cromwell’s experience of campaigning across Britain gave him an invaluable insight into the challenges of ruling a harmonized British state during the 1650s.<sup>35</sup> It is hardly surprising then that when choosing the members of the Other House, he recognized the importance of having a membership that included men who could speak not only for England but for the British Isles as a whole.

Even more revealing is an examination of the political and religious sympathies of the members of the Other House. As already noted, Cromwell professed that he wanted its members to be a ‘balance’ not just to the Commons but also to themselves.<sup>36</sup> But just how balanced was the membership nominated by Cromwell? Can it tell us anything about the sort of settlement he hoped to secure?

Most obviously, it is worth considering whether the membership of the Other House displayed any political bias: was it weighted in favour of either Cromwell’s military or civilian supporters? Certainly, there were a number of contemporary critics who suggested that the Other House was nothing more than a ‘council of officers’.<sup>37</sup> In reality, the number of soldiers nominated by Cromwell was sizeable but not overbearing, with fourteen serving army officers receiving writs of summons in December 1657. Simply counting the number of soldiers in the Other House, however, is not necessarily the best way to identify those with military sympathies. If we define the ‘military’ Cromwellians as those who opposed the offer of the Crown in 1657 then, somewhat paradoxically, many of the officers summoned to the Other House were not really ‘military’ men: such as Richard Ingoldsby, Charles Howard and William Lockhart who all voted in favour of kingship.<sup>38</sup> Conversely, there were other members who held no

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military office but, nevertheless, sympathized with the ‘military’ outlook, including William Sydenham and the brothers Walter and Sir William Strickland who all opposed the offer of the Crown.<sup>39</sup>

With these caveats in mind it appears that the advocates of the military interest only commanded a sizeable minority in the Other House as nominated by Cromwell. Far more numerous were men of politically conservative instincts. These included not only those civilian Cromwellians who led the ‘kingship’ party of 1657, such as Lord Broghill, Nathaniel Fiennes, Philip Jones and Bulstrode Whitelocke, but also the old peers and many prominent country gentlemen including Sir Richard Onslow, Sir John Hobart and others of their stamp.

As such, the political complexion of the Other House seems to have reflected Cromwell’s determination – expressed in his stormy exchanges with the hundred officers – to bring to an end ‘arbitrary proceedings’ of the army that had been ‘so unacceptable to the nation’. While the Other House institutionalized the role of a number of ‘military’ men within the constitutional settlement, it did not allow them an overbearing presence.

Of far greater importance to Cromwell was the capacity of the Other House to act as a bulwark for what he called the ‘Christian’ interest. There was more than an echo of the Nominated Assembly or Parliament of Saints of 1653 in Cromwell’s nominations to the Other House. Indeed, twenty of those summoned to the Other House, almost a third of its membership, had been members of the Nominated Assembly. In both 1653 and 1657 it seems Cromwell envisioned the creation of a body of godly men to help secure what he believed was the ‘natural right’ of ‘liberty of conscience’.<sup>40</sup> The definition of what this liberty entailed was neatly summed up in Cromwell’s plea to the second Protectorate Parliament that whatever ‘men will profess, – be they those under Baptism, be they those of the Independent judgment simply, and of the Presbyterian judgment, – in the name of God, encourage them, countenance them’.<sup>41</sup> While Cromwell hoped to see the day when there would be no such thing as ‘sects’, he accepted that the best he could hope for in the short term was a settlement whereby those who professed faith in God through Jesus Christ were free to worship as they wished, so long as they did it without disturbing others.

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To some extent the membership of the Other House reflected the different religious outlooks that Cromwell hoped to reconcile under the umbrella of liberty of conscience. On the one hand there were a number of conservative country gentlemen, like Onslow, Hobart and Sir William Strickland, who tended to favour a Presbyterian church settlement. On the other hand there were many members who had connections with, or were members of, Congregational churches. Charles Fleetwood, Charles Howard, Robert Tichborne and Bulstrode Whitelocke, for instance, were all closely associated with George Cokayne, the Independent minister of St Pancras, Soper Lane.

More importantly, however, the majority of those summoned to the Other House were sympathetic towards Cromwell’s vision for church settlement. It is notable that many of those nominated had previously worked the hardest to moderate the excesses of the Commons in the aftermath of the heated debates over the punishment of Nayler – again reaffirming the close connection in Cromwell’s mind between that incident and the creation of the new chamber. Bulstrode Whitelocke and William Sydenham, for instance, strongly opposed motions from the Presbyterian MPs for a general law against the Quakers for fear that ‘Quaker’ as ‘a word signifies nothing’ and could just as easily be applied to punish members of other sects.<sup>42</sup>

As this last example demonstrates – with the ‘civilian’ Cromwellian Whitelocke joining forces with the ‘military’ Cromwellian Sydenham – the issue of liberty of conscience bridged the political gulf that divided Cromwell’s supporters. It meant that even though the military Cromwellians were a minority in the Other House, those who advocated liberty of conscience – ie the military and civilian Cromwellians combined – were very much in the majority. The net result was an upper chamber that was relatively conservative in its politics but mostly radical in its religious outlook. It was a paradoxical blend that, in many ways, reflected the contradictory personality of Oliver Cromwell himself.

### V

Despite Cromwell’s careful work in nominating the Other House, the experiment ultimately proved abortive. When parliament reassembled on 20 January 1658 many in the Commons criticised the new chamber while few

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jumped to its defence. For the Commonwealthsmen, who had been excluded in the previous session and believed that there should be no check upon the people’s representatives, the Other House was an unwanted usurpation. For the majority of conservative MPs who had voted for the Other House in 1657, Cromwell’s choice of members and the lack of old peers left them cold. It seems the Other House pleased no one. As one satirical verse put it at the time:

Surely his highness was inspired,  
When he made that house, which no man desired.<sup>43</sup>

Cromwell wanted an upper chamber to bind the Commons and avert the use of direct force against parliaments. Yet the ultimate paradox was that it could only be an effective balance over the Commons so long as the Commons accepted it as such. With the Commons proving recalcitrant and questioning both the nature of the Other House and its membership, Cromwell was once again compelled to rely on ‘arbitrary’ tactics and dissolved the parliament abruptly on 4 February 1658 after it had sat for little over a fortnight.

Cromwell had tried his best to convince the Commons to own the Other House. Attempts were made to make it appear as familiar as possible – it met in the old House of Lords’ chamber, its members were styled ‘lords’, its members consulted the records of the House of Lords for precedents and Cromwell himself called it ‘our House of Lords’. Yet, few were convinced, not least the old peers. Conspicuously, of the seven old English peers summoned, only Fauconberg and Eure took their seats. The sentiments of those old lords who stayed away are best summed up in a letter from Viscount Saye to Lord Wharton in December 1657. Saye was adamant that the old peers must not sit in the Other House. To do so, he warned Wharton, would make them complicit in the ‘laying aside of the Peers of England who by birth are to sit’; they would ‘disown their own rights and the rights of all the Nobility of England’. To Saye’s mind the Other House was not a House of Lords but ‘a stalking horse and vizard to carry on the design of over-throwing the House of Peers’.<sup>44</sup>

In many ways, Saye was right. So much about the Other House was novel. Not only did it have a membership of nominated life peers fixed in number,

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but Cromwell’s nominees to that chamber were far more socially and geographically diverse, and arguably more ‘representative’ of the British Isles, than any House of Lords had ever been. Yet in a society that revered precedent and loathed the mere suggestion of change, the Other House was always going to be a hard sell. Try as he might, Cromwell could not convince the majority in the Commons that the Other House was a legitimate replacement for the House of Lords. The lack of old peers and the predominance of what many considered to be new ‘upstarts’, many of whom had just months earlier sat on the benches in the Commons, was simply too much for the majority of MPs to bear. As Cromwell himself conceded during the kingship debates of 1657 the ‘People do love what they know’ and it was a House of Lords grounded upon hereditary principles that they knew best.<sup>45</sup>

- <sup>1</sup> The constitutional provisions for the Other House are found in articles 2 and 5 of the *Humble Petition and Advice*: see S.R. Gardiner (ed.), *The Constitutional Documents of the Puritan Revolution, 1625-1660*, 3rd edn. rev. (Oxford, 1906), pp. 449, 452.
- <sup>2</sup> R. Sherwood, *Oliver Cromwell: King In All But Name, 1653-1658* (Stroud, 1997).
- <sup>3</sup> Museum of London, Tangye MS 11a, fols. 8r-v.
- <sup>4</sup> ‘A Letter from the Earl of Manchester to the House of Lords’, in *Miscellany, Vol. VIII* (Camden Society, 1883), pp. 1-3.
- <sup>5</sup> ‘Statement by an Opponent of Cromwell’ in *The quarrel between the earl of Manchester and Oliver Cromwell* (Camden Society, 1875), pp. 71-77.
- <sup>6</sup> T. Carlyle (ed.), *The Letters and Speeches of Oliver Cromwell*, rev. S.C. Lomas (3 vols., London, 1904) [hereafter Carlyle-Lomas] i. 154.
- <sup>7</sup> ‘Statement by an Opponent of Cromwell’, p. 72.
- <sup>8</sup> J. Wildman, *Putney Projects. Or the Old Serpent In a new Forme*. (London, 1647), p. 42.
- <sup>9</sup> C.H. Firth (ed.), *The Clarke Papers* (4 vols, Camden Society, 1891-1901), i. 378-83, 391-2, 396-7.
- <sup>10</sup> Bodleian Library, Oxford, Clarendon MS 34, fols. 73-4.
- <sup>11</sup> Carlyle-Lomas, iii. 487; *Clarke Papers*, iii. 92.
- <sup>12</sup> P. Gaunt (ed.), *The Correspondence of Henry Cromwell, 1655-1659* (Camden Society, 5th Series, 31, 2007) p. 215; Carlyle-Lomas, iii. 488.

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- <sup>13</sup> Gaunt, *Correspondence of Henry Cromwell*, p. 206.
- <sup>14</sup> For the Nayler debates see J.T. Rutt (ed.), *The Diary of Thomas Burton* (4 vols., 1828), i. 10-175, *passim*.
- <sup>15</sup> Carlyle-Lomas, iii. 20.
- <sup>16</sup> Carlyle-Lomas, iii. 488.
- <sup>17</sup> Gaunt, *Correspondence of Henry Cromwell*, p. 216.
- <sup>18</sup> Carlyle-Lomas, iii. 189; in another version of this speech (*Ibid.*, iii. 505), there is no mention of a ‘conference’ but Cromwell states that ‘one thing that I made a condition’ was that there should be an Other House.
- <sup>19</sup> Gardiner, *Constitutional Documents*, pp. 463-4.
- <sup>20</sup> A number of imperfect lists of the members of the Other House circulated in late 1657. A full list of those summoned, and the form of the writ of summons, is provided in British Library, Sloane MS 3246.
- <sup>21</sup> *Clarke Papers*, iii, 137.
- <sup>22</sup> Carlyle-Lomas, i, 521-3.
- <sup>23</sup> *A Second Narrative of the Late Parliament (so called.)* (1658), p. 20.
- <sup>24</sup> *Calendar of State Papers, Venetian: 1657-1659*, pp. 138-9.
- <sup>25</sup> *Mercurius Politicus*, 369 (25 Jun – 2 July 1657), pp. 7882-4.
- <sup>26</sup> I Gentles, ‘Montagu, Edward, second earl of Manchester (1602-1671)’, *Oxford Dictionary of National Biography*, online edn. [<http://www.oxforddnb.com/view/article/19009>].
- <sup>27</sup> *Correspondence of Henry Cromwell*, p. 288.
- <sup>28</sup> Carlyle-Lomas, iii, 190, 506.
- <sup>29</sup> Carlyle-Lomas, ii, 422-23. Cromwell’s comments cast further doubt on his supposed ‘nomination’ of his son Richard as his successor. See J. Fitzgibbons, “‘Not in any doubtfull dispute’? Reassessing the nomination of Richard Cromwell”, *Historical Research*, 83 (2010), pp. 281-300.
- <sup>30</sup> *The Perfect Politician Or, A Full View Of the Life and Action... of O. Cromwell...* (London, 1660), pp. 356-9.
- <sup>31</sup> A facsimile of Edmund Dunch’s writ of creation is printed in M Noble, *Memoirs of the Protectoral-House of Cromwell* (2 vols., London, 1787), ii. 162-3.
- <sup>32</sup> Of course, Dunch was created a baron only after the first sitting of the Other House, but Richard Cromwell did not issue him with a writ of summons to the third Protectorate Parliament of 1659.

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- <sup>33</sup> *Second Narrative*, pp. 23-4.
- <sup>34</sup> T. Birch (ed.), *Collection of the State Papers of John Thurloe* (7 vols., London, 1742), v. 146.
- <sup>35</sup> P. Gaunt, ‘A Cromwellian Landscape?’ in J.A. Mills (ed.), *Cromwell’s Legacy* (Manchester, 2012), p. 86.
- <sup>36</sup> *Clarke Papers*, iii. 137.
- <sup>37</sup> *Burton’s Diary*, iv. 35.
- <sup>38</sup> *A Narrative of the late Parliament (so called)* (London, 1657), pp. 22-3.
- <sup>39</sup> Gaunt, *Correspondence of Henry Cromwell*, pp. 205-6.
- <sup>40</sup> Carlyle-Lomas, ii. 382-3.
- <sup>41</sup> Carlyle-Lomas, ii. 535-6.
- <sup>42</sup> *Burton’s Diary*, i. 170, 172.
- <sup>43</sup> British Library, Microfilm 331/6, fol. 1.
- <sup>44</sup> C.H. Firth, ‘A Letter from Lord Saye and Sele to Lord Wharton, 29 Dec. 1657’, *English Historical Review* (1895), pp. 106-7.
- <sup>45</sup> Carlyle-Lomas, iii. 54.

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