

“Houses and Families Continue by the Providence and Blessing of God”: Patriarchy and
Authority in the British Civil Wars

by

Sara Siona Régner-McKellar
B.A., University of Ottawa, 2007

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Supervisory Committee

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Abstract

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The British Civil Wars were not just physical battles but ideological battles as well. Legitimate authority was hotly contested and each faction vied for public support by invoking a mandate meaningful to a heterogeneous audience: the safeguarding of the family and the patriarchal order. In early modern England and Scotland, the family was understood as emblematic of the social and political order; thus, the protection of the family – both private and political - was presented as the surest way of assuaging God’s wrath and re-establishing order in the three kingdoms. This thesis demonstrates the ubiquity of the language of patriarchy in the Civil Wars and the extent to which political and ideological debates centred on questions of legitimate patriarchal authority.

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Introduction

In 1657, John Knight, an English silk weaver's apprentice, was savagely murdered by his fellow apprentice and "intimate bosom Friend," Nathaniel Butler.¹ Inordinately thorough, Butler cut Knight's mouth and throat and then strangled him, for which crime he was hanged at Cheapside in view of the site of his crime.² Edmund Calamy and fourteen other London ministers hoped that "some secure sinners may be a little startled and awakened by this terrible judicial hand of God" and took the opportunity to impress upon the citizens of London "the several duties, which do naturally result from this Providence." It was explained that magistrates and ministers had little power to curtail sin when it was encouraged, or at least not reproved, in the household. The reformation of society must, therefore, begin within the family, as the first and surest safeguard against sin. Calamy exhorted "governours of families" to "*Catechize* your children and servants; instruct them in the fundamentals of religion...keep them from error in the Head, from loosness in the life." It was the patriarch's responsibility to instil religion and godliness in his dependents and to protect them from their own potential villainy. Conversely, it was the duty of dependents to honour their office by obeying their masters. Proper household government was prescribed as the remedy to society's maladies. Had such orders been observed in

¹ *A Full and the Truest Narrative of the Most Horrid, Barbarous and Unpparalled Murder* (London, 1657), 2

² For more on murder pamphlets relaying Butler's crime and on conversion narratives see Peter Lake, "Popular Form, Puritan Content? Two Puritan Appropriations of the Murder Pamphlet from Mid-seventeenth-century London" in Anthony Fletcher and Peter Roberts (eds.), *Religion, Culture and Society in Early Modern Britain* (Cambridge, 1994), 313-334 .

Butler's household, he and his victim might have escaped the murderous consequences of vice and unrighteousness.³

Calamy's instructions to the citizens of London typify early modern views on the household, often referred to as a microcosm of the social and political order.⁴ Robert Cleaver and John Dod compared the household to "a little Commonwealth, by the good government whereof, Gods glorie may be advanced."⁵ Similarly William Gouge believed that "a familie is a little Church, and a little Commonwealth, at least a liuely representation thereof, whereby triall may be made of such as are fit for any place of authoritie, or of subjection in Church and Commonwealth."⁶ Thus, a clear parallel existed between the domestic and the social and political orders. It was within the family that individuals determined, practised and perfected their particular public callings and Christian duties. In 1653, Robert Abbot argued that "the first government that ever was in this was in a Family." The family was the embryo of civil society and the mainstay of patriarchal authority. Abbot continued by claiming that "if families had been better, Churches and commonwealths all along had prospered."⁷ A properly governed family repelled anarchy and formed the basis of an orderly Christian society.

During the British Civil Wars, society was anything but orderly. England, Scotland and Ireland were thrown into chaos as armies marched across these countries, plundering, vandalising property and spreading disease along the way. It is estimated that

³ Edmund Calamy, *A Serious Advice to Citizens* (London, 1657), 2, 3, [xii, xiv, xii]

⁴ For recent works that address the interconnectedness between the domestic and political order see, for example, Susan Dwyer Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford, 1988); Anthony Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (New Haven, 1995); Bernard Capp, *When Gossips Meet: Women, Family and Neighbourhood in Early Modern England* (Oxford, 2003)

⁵ Robert Cleaver and John Dod, *A Godlie Forme of Householde Government* (London, 1612), 13

⁶ William Gouge, *Of Domesticall Duties* (London, 1622), 18

⁷ Robert Abbot, *A Christian Family Builded by God* (London 1653), [vii]

a larger percentage of the population died during the Civil Wars than in the First World War.⁸ The insecurities born of this conflict were evidenced, in part, by the publication of tracts describing strange and frightening events plaguing the kingdom. In Cornwall, it was reported that flies rained down from the skies, covering the ground a foot high and assailing citizens. To prevent such horrific happenings, citizens were told to “repent, and sing Vive le Roy.”⁹ In Hadensworth, near Edinburgh, strange news was related of a woman who gave birth to a two-headed monster. The deformity of the newborn was blamed on the sins of the parents and the mother freely admitted that, “seduced by Hereticall factious followers,” she “vehemently desired...to see the utter ruine and subversion of all Church and State-Government.”¹⁰ For centuries printed accounts of God’s displeasure - manifesting itself in providential occurrences - had been used to spur people to reform their illicit behaviour.¹¹ During the Civil Wars, each side argued that it was combating anarchy by executing God’s orders and that its actions would restore stability.

Amidst the chaos of the Civil Wars, the family became an especially powerful symbol of order, and all camps – royalists, parliamentarians and covenanters – used patriarchy as an indispensable language of legitimation. Christopher Durston argues that the family “formed the basis of the social structure of western Europe throughout the last

⁸ Michael Braddick, *God’s Fury, England’s Fire: A New History of the English Civil Wars* (London, 2008), xxii

⁹ T. W., *Strange and True Newes of an Ocean of Flies Dropping Out of a Cloud* (London, 1647), 1

¹⁰ *Strange News from Scotland* (London, 1647), 3, 4

¹¹ For the definitive work on providence, see Alexandra Walsham, *Providence in Early Modern England* (Oxford, 1999)

millennium.”¹² Theories on familial structure were firmly anchored in ideas on religion and natural order, and patriarchal authority was therefore sanctified and venerated. In the words of Henry Ferne, Bishop of Chester and author for the royalist cause, “Houses and Families continue by the providence and blessing of God.”¹³ All factions argued that they were defending the kingdom against an enemy that, in its savagery and unrighteousness, failed to recognise sacred familial bonds. Thus, they portrayed themselves as the defenders of the kingdom’s familial fabric; and, since families were commonly understood as the root of civil society, they were by extension portraying themselves as the defenders of a natural and divinely ordained order. The task of defending patriarchy was inherent to the defence of a conservative societal structure and was a testament to that which is immemorial – not born of human tradition but divinely sanctioned. According to Gordon J. Schochet, the viability of patriarchal theory in seventeenth-century Britain was assured by the post-Reformation ‘genetic method,’ which favoured anti-innovation and was based on the belief that ‘the only viable standard and source of all political values is the beginning of the political order.’¹⁴ At its simplest, patriarchy can be defined as an unprogressive model of authority and subordination; such a model was applied to individual household as well as political structures. Indeed, the patriarchal order that each camp fought to preserve consisted both of a model of domestic and social order and a political theory of governance.

¹² Christopher Durston, *The Family in the English Revolution* (Oxford, 1989), 1

¹³ Henry Ferne, *The unlawfulness of the New Covenant* (Oxford, 1643), 5

¹⁴ Gordon J. Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-Century England* (Bristol, 1975), 58. For example, in his speech concluding his defence, the earl of Strafford said “Let us rest content with what our fathers left us”; *England’s Black Tribunall Set Forth in the Triall of K. Charles I at a High Court of Justice at Westminster-Hall* (London, 1660), 51

Since the efflorescence of gender and women's history in the 1970s, the study of patriarchy has accelerated.¹⁵ Being born of this specialised historical field, patriarchy was, for a long time, defined solely in gendered terms. As late as 1992, Patricia Crawford described a patriarchal society as one in which "fathers and men had social advantages."¹⁶ Domestic patriarchy was characterised by three household power relations: husbands and wives, parents and children, and masters and servants. More recently, recognising the multivalent power exercised within the household and within society, historians have revisited the definition of patriarchy and have expanded it beyond the male-female binary model. In *Meanings of Manhood in Early Modern England* (2003), Alexandra Shepard argues that not all early modern men had the same gender status and that historians have been mistaken in equating manhood and patriarchy. She claims that, "while there is no doubt that males were the primary beneficiaries of this [patriarchal] model, women were not wholly or unilaterally subordinate by it, and men's gains were by no means uniform."¹⁷ Patriarchy was defined as a specific phase in the life of men. It was the 'constant age' by which time men had shed the pride and impetuosity of youth but had not yet fallen victim to the physical and mental decay of old age.¹⁸ It was at this stage of their life that men were most likely to achieve self-command. But patriarchy further depended on economic independence and social and political authority. Linda Pollock

¹⁵ See for example, Lawrence Stone, *The Family, Sex and Marriage in England 1500-1700* (London, 1977); Amussen, *Ordered Society*; Fletcher, *Gender, Sex and Subordination*; Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford, 1996); Sara Mendelson and Patricia Crawford, *Women in Early Modern England, 1550-1720* (Oxford, 1998); Elizabeth Foyster, *Manhood in Early Modern England: Honour, Sex and Marriage* (Harlow, 1999); Capp, *When Gossips Meet*; Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2003)

¹⁶ Patricia Crawford, "The Challenge to Patriarchalism: How Did the Revolution Affect Women?" in John Morrill (ed.), *Revolution and Restoration England in the 1650s* (London, 1992), 112. Five years later, in 1998, Crawford again defined patriarchy as "a political system based on the dominion of a husband and father over his household;" Mendelson and Crawford, *Women in Early Modern England*, 6

¹⁷ Shepard, *Meaning of Manhood*, 3

¹⁸ Shepard, *Meaning of Manhood*, 21-46

recognises that “the consensus of recent scholarship is that masculinity was more of a burden, its power weaker than previously thought.”¹⁹

David Underdown asserts that patriarchal theories on governance stemmed from the already existing social patriarchal model, stating that “patriarchal authority within the family was the cornerstone of Elizabethan and Jacobean political theory, the ultimate ‘natural’ justification for obedience to the state: to reject either was to threaten the entire social and political order.”²⁰ Patriarchy was, therefore, an overarching ideological structure. Bernard Capp describes the congruency between domestic and political patriarchy as “a powerful reinforcement to authority at every level, combining domestic, national, and even divine sovereignty in a comprehensive and coherent system of order.”²¹ In defending their cause, all Civil War factions argued that they were defending a divinely ordained political patriarchal order. Royalists believed that God had vested absolute authority in the monarch – the kingdom’s political father - and that the patriarchal order was, therefore, best defended by obedience to the King. Conversely, parliamentarians tended to define patriarchal order in purely divine terms, viewing God as their Father and Master and endeavouring to become his instruments by purging the kingdom of false religion. Among parliamentarians, Independents came to believe that this was best achieved by eliminating the King, the source of God’s wrath, while Presbyterians,

¹⁹ Linda Pollock, “Rethinking Patriarchy and the Family in Seventeenth-century England,” *Journal of Family History*, 23: 1 (1998), 21

²⁰ David Underdown, “The Taming of the Scold: the Enforcement of Patriarchal Authority in Early Modern England” in A. Fletcher and J. Stevenson (eds), *Order and Disorder in Early Modern England* (Cambridge, 1985), 117. J.P. Sommerville similarly claims that “the strength of patriarchalist political theory lay in its appeal to the common social assumptions of contemporaries.” J.P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-1640* (New York, 1999), 29

²¹ Capp, *When Gossips Meet*, 3-4

including the Scottish Covenanters, believed that true religion could be upheld while the King's sanctity remained intact.

While the interconnectedness between domestic and political patriarchy has long been recognised by numerous historians, it has yet to be systematically studied. One of the aims of this thesis is to redress this gap in the historiography as well as to establish the ubiquity of the language of patriarchy during the Civil Wars. For the language of patriarchy to be pervasive it had to be accessible to an inclusive and heterogeneous audience. In the last few decades, historians have expanded the conceptual framework of popular cultures, arguing that shared values transcended rank and that written sources were often transmitted orally and were therefore consumed even by the illiterate lower orders.²² I have chosen to work exclusively with printed sources, which are particularly useful in studying the mid-seventeenth century since they “superseded manuscript as the principal medium through which written information and polemic were circulating.”²³ The types of sources my research is based upon – conduct literature, political tracts and execution pamphlets - reflect mainstream opinions circulating in England and Scotland during the Civil Wars and allow me to explore the ways in which the language of patriarchy functioned in a variety of fora. In the first chapter, conduct literature will be used to explore domestic theories on patriarchy, and I will argue that patriarchs were limited in their exercise of authority. While admittedly not all men were patriarchs, it will

²² See, for example, Peter Burke, *Popular Culture in Early Modern Europe* (Burlington, 1994, Revised edition); Martin Ingram, “Ridings, Rough Music and the ‘Reform of Popular Culture’ in Early Modern England,” *Past and Present*, 105 (Nov. 1984), 79-113; R. A. Houston, *Scottish Literacy and the Scottish Identity: Illiteracy and Society in Scotland and Northern England 1699-1800* (Cambridge, 1985); Tim Harris, “The Problem of ‘Popular Political Culture’ in Seventeenth Century London,” *History of European Ideas*, 10:1 (1989), 43-58; Bob Scribner, “Is a History of the Popular Culture Possible?,” *History of European Ideas*, 10: 2 (1989), 175-191; Barry Reay, *Popular Cultures in England, 1550-1750* (London, 1998); Adam Fox, *Oral and Literate Culture in England, 1500-1700* (Oxford, 2002)

²³ Fox, *Oral and Literate Culture in England*, 395

be shown that theories on patriarchal authority could be applied to all men and were indeed used to curb certain undesirable masculine behaviours in a variety of situations. The second chapter will examine patriarchal theories of governance and explore the congruity of domestic and patriarchal political theories copiously expounded upon in political tracts. I will demonstrate that theories on household governance were manipulated to conform to political philosophies. Finally, the third chapter moves away from the theoretical towards the practical and explores the ways the language of patriarchy functioned in the last dying speeches of royalists and regicides. This thesis will demonstrate the pervasiveness of the language of patriarchy during the British Civil Wars and explore the centrality of this language in legitimizing each faction's claim to authority.

“Gaine a Conquest Without Tyrannie”: Patriarchy and Self-Mastery

In 1653, Thomas Laret and Adam Sparkling were both executed for murdering their wives. Their cases resembled each other in numerous and significant ways. Both men lived unchristian lives, delighting in drinking, swearing, cursing and breaking the Sabbath. Conversely, their wives were described as the epitome of subjection and patience: Mrs Laret was “a very honest woman, and one that laboured and took great paines for her living;” Mrs Sparkling was “a woman of precious report for many vertues.”¹ Despite their exemplary behaviour both women were victims of domestic violence and eventually paid with their lives for their husbands’ unbridled passions. Their murders were described in gory detail, exposing and emphasising the villainy of the perpetrators. Adam Sparkling, after abusing his wife all night, “cut her wrist...so, that the bone was cut in sunder; her hand hung down by the sinews of skin.” He then “chopt her head in the midst in the brains,” killing her.² Thomas Laret struck his wife over the head with a stool until she fell to the ground and then used a knife-like tool to stab her and “give her many deadly wounds.” All the while she cried out and entreated her husband to spare her life and reminded him that she was with child, concluding that “if you will not spare me for my sake, yet spare me for your Childes sake which is in my wombe.”³

While his wife’s pleas did not discourage him from pursuing his murderous actions, Laret later claimed, on the scaffold, that “I desire all good people that hears me this day to take, warning by me, and to avoid the striking of their wives, either in heat of

¹ Laurence Price, *Bloody Action Performed* (London, 1653), 9; *The Bloody Husband and Crvell Neighbour* (London, 1653), 2

² *Bloody Husband and Crvell Neighbour*, 3, 4

³ Price, *Bloody Action Performed*, 11

bloud or out of passion.”⁴ Similarly Laurence Price, the author of an account of both murders, hoped that “all Desperate, Dangerous, and Hasty Spirited Men may take a speciall care by these Examples, that through the Temptations of the Divell, they fall not into the like relapse.”⁵ Domestic violence was presented as a slippery slope that led to the more serious crime of wife-murder. The extreme examples of Laret and Sparkling were used to discourage men from violently attacking their spouses. Popular literature on their crimes, then, attempted to circumscribe patriarchs’ exercise of excessive physical discipline. Cultural assumptions defined the ideal patriarch as rational, demonstrating self-control and practising moderation and restraint. Patriarchal authority - operating in a variety of fora - was limited by these cultural assumptions as well as by the belief that patriarchs were responsible for the wellbeing of their dependents and the maintenance of order. This chapter will explore the way that patriarchy was used to define all earthly authority, from local magistrates, to heads of household, to foot and horse soldiers, and demonstrate how institutions such as the state and the military simultaneously embodied and enforced patriarchal ideals, helping to shape and uphold the cultural assumptions that circumscribed their own authority.

The Patriarchal State

Both the early modern English and Scottish states were concerned with regulating morality and enforcing order. Recent scholarship describes these states as wielding patriarchal authority in their bid to discipline local populations. Michael Braddick defines patriarchy as “a pattern of hierarchy and subordination which subsumed class, status and

⁴ *The Speeches and Confessions of Arthur Knight and Thomas Laret* (London, 1653), 7

⁵ Price, *Bloody action performed*, [iii]

gender relations.”⁶ He argues that the early modern English state was patriarchal, first, because the state defended the patriarchal social order; and second, because officeholders performed a patriarchal role, disciplining, rewarding and protecting the local population. The state’s patriarchal role was rooted in the belief that “personal morality was a public matter” and that sin and crime were synonymous.⁷ According to Braddick, the patriarchal state did not simply impose prescribed behaviour but rather was sensitive to cultural norms and responded to social needs. For example, dearth programs – which ensured the retention of grain in England - were sensitive to both the desires of wealthy landowners and of the poorer sort. In times of plenty, parliament responded to the pressure exerted by grain producers by raising the floor price of their commodity. However, in times of high domestic demand, prices were checked and the poorer sort protected by the banning of exports. Furthermore, local justices of the peace were responsible for preventing hoarding and ensuring the availability and equal distribution of grain.⁸ The state “was useful to all sorts of people and far from having to penetrate the localities was frequently invited in.”⁹ The patriarchal state succeeded because it relied on the actions of independently minded local officeholders operating closely with the local populations and cognisant of their needs.

In her cultural history of Reformation Scotland, Margo Todd also recognises the important role played by local officeholders in the implementation of change and the maintenance of order. The Scottish Reformation, she claims, “put the English puritan

⁶ Michael Braddick, *State Formation in Early Modern England, c. 1550-1700* (Cambridge, 2000), 102

⁷ Braddick, *State Formation*, 101

⁸ Braddick, *State Formation*, 118-119

⁹ Braddick, *State Formation*, 93

agenda to shame in its thoroughgoing reform.”¹⁰ Its success was due, in part, to its local nature that allowed for a more flexible and comprehensive implementation. In regulating moral behaviour, the kirk sessions did much more than pursue offenders. They also provided social services such as marriage counselling and intervened in cases of marital violence. Again officeholders are being identified as protectors of the patriarchal order, involving themselves in family affairs and enforcing orderliness by protecting and disciplining local populations. Todd argues that kirk sessions “acquired a sufficiently good reputation as counsellors and reconcilers that parishioners willingly resorted to them in great numbers, either on behalf of neighbours or relatives, or to settle their own disputes.”¹¹ The kirk’s involvement in private family matters was motivated by the belief that, by providing a peaceful and physically secure family environment in which to learn the Word, they were helping to create a more godly society. The family was “the primary guard against error and sin, the first teacher of truth and guide to righteousness.”¹²

In his recent article on the republican reformation of manners, Bernard Capp similarly recognises that the impetus for regulating behaviour was the belief that morality was a public concern. He agrees that the state played an important role in this reformation, arguing that “the campaign for godly reformation in the 1650s thrust the state into the everyday lives of thousands of ordinary families.”¹³ The reason the republican reformation of manners succeeded is that the concerns of godly reformers coincided with those of the local population. For example, while the much-examined

¹⁰ Margo Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven, 2002), 15

¹¹ Todd, *Culture of Protestantism*, 275

¹² Todd, *Culture of Protestantism*, 313

¹³ Bernard Capp, “Republican Reformation: Family, Community and the State in Interregnum Middlesex, 1649-1660” in Helen Berry and Elizabeth Foyster (eds.), *The Family in Early Modern England* (Cambridge, 2007), 41

Adultery Act may not have led to many convictions, it did answer people's concerns and reflected people's willingness to police their neighbours. Capp writes that "the Adultery Act provided a weapon for family members as well as disapproving neighbours, and was indeed their only legal recourse following the abolition of the ecclesiastical courts."¹⁴ Thus, according to Capp's analysis, the magistrate's ability to reform behaviour was contingent on the population's support.

John R. Young also studies the state's attempt to regulate behaviour during the Civil Wars. In Scotland the Covenanted movement gained political control as a result of its victory over King Charles I in the Bishop's Wars. The religious radicals, who had lost their political clout by the end of the reign of James VI & I, began to regain it. Young identifies the Parliament of 1648-9 as especially radical. During the Second Session of the Second Triennial Parliament, officers of state and lords of session were purged from parliament so that only a core of radicals retained membership. Furthermore, the parliament fostered the church's radicalism by petitioning for the creation of a kirk committee that would lobby parliament for the enactment of "theocratic" legislation.¹⁵ The Parliamentary acts that resulted from these changes gave "an unprecedented degree of social control and moral conduct from central government to the Scottish localities."¹⁶

¹⁴ Capp, "Republican Reformation", 52; Tim Stretton, however, believes that the popularity of church courts was on the wane long before they were abolished in the mid-seventeenth century; see his "Marriage, Separation and the Common Law in England, 1540-1660" in Helen Berry and Elizabeth Foyster (eds.), *The Family in Early Modern England*, 18-39

¹⁵ John R. Young, "Scottish Covenanted Radicalism: the Commission of the Kirk and the Establishment of Parliamentary Radical Regime of 1648-1649," *Records of the Scottish Church History Society* 25:3 (1995), 357

¹⁶ Young, "Scottish Covenanted Radicalism," 359; Young has suggested that a fruitful avenue for future research would be the study of presbytery records of the Civil War period, arguing that "such an agenda would make a substantial contribution to our understanding of Scottish society under the Covenanters during the period of the British Civil Wars;" John R. Young, "The Scottish Covenanters and the Drive for a Godly Society, 1639-1651," *Recherches Anglaises et Nord-Américaines*, 4 (2007), 34. Such research would help ascertain the success of the Covenanters' program of reform.

According to recent scholarship, the ability to reform manners was contingent on states' – and, to a greater extent, local officeholders' - ability to conform to cultural norms and respond to social needs. Even at the state level, patriarchal authority was circumscribed by, and to a certain extent dependent upon, popular support for its efficacy. The state's authority was patriarchal as it monitored, limited and regulated the behaviour of subjects. In reforming masculine manners, states were also concerned with limiting the authority of individuals and sought to control semi-legitimate and illegitimate displays of violence. Michael Graham has examined the kirk's increasingly important role as an arbiter of conflict by the end of the sixteenth century. The Reformation, he argues, changed attitudes towards the blood feud by transforming collective mentalities and “putting the ideal of the Christian Family above the ties of blood, which pulled people into feud.”¹⁷ While Graham recognises that church courts were primarily interested in sexual offences he also identifies an increasing interest in regulating and punishing violent crimes. In the 1580s conflicts involving familiar and inter-familiar conflicts represented only 1% of the cases handled by kirk sessions. In the following two decades this percentage increased to 5% and 12% respectively. This trend, according to Graham, indicates “that ministers and elders made a conscious decision to devote more attention to mending rifts in the community.”¹⁸ Ministers and lay elders used the denial of

¹⁷ Michael F. Graham, “Conflict and Sacred Space in Reformation-Era Scotland,” *Albion*, 33: 3 (Autumn, 2001), 375

¹⁸ Graham, “Conflict and Sacred,” 383-4. The commitment to putting an end to blood feuds transcended Scottish borders. Douglas Catteral has studied the promulgation of anti-blood feud legislation in the Scottish church in Rotterdam. Like their counterparts in Scotland, the Scottish clergy in Rotterdam, in punishing blood feuds, were inspired by the belief that “the practioners of the blood feud assumed the pre-eminence of loyalties of kinship and even friendship over loyalty to God and promoted sinful bloodletting”; Douglas Catteral, “The Rituals of Reformed Discipline: Managing Honor and Conflict in the Scottish Church of Rotterdam, 1643-1665,” *Archiv für Reformationsgeschichte*, 94 (1993), 194-95. See also Jenny Wormald, “Bloodfeud, Kindred and Government in Early Modern England,” *Past and Present*, 87 (May 1980), 54-97 and Keith M. Brown, *Bloodfeud in Scotland, 1573-1625* (Edinburgh, 1986).

the sacrament, a symbol of community harmony, to encourage reconciliation between parties.¹⁹ The kirk's physical space was often used for public reconciliations, thus making the whole Christian community witnesses and, in a sense, participants in such reconciliations. Men's access to violence was constrained by the kirk as well as by a common desire to maintain communal unity.

Less interested in the authorities' punishment of violence, John Walter focuses instead on the *meaning* of violence to those who participated in riotous actions and argues that manhood had a role to play in the motivation of riots. He contends that historians' focus on the grievances of the crowd has obscured participants' other motives. Gender – especially conceptions of masculine gender - was a major impetus in motivating people to protest. First, riots were often caused by economic troubles. Men were popularly understood to be providers for their family, and the inability to meet this responsibility threatened a patriarch's essence; therefore, participation in riots could be a way of defending the ability to provide economically. Second, riots provided confirmation of manhood: “whatever the conduct book might advocate, violence in defence of vital interest was a corollary of the emphasis on strength as an essential aspect of masculinity, and of the need for males to be willing to use this to defend their ‘honour’.”²⁰ Crowd violence, then, allowed certain men, especially young men, to claim “compensatory masculinity.” It was a way to display their ability to defend their community and in so

¹⁹ In one case the authorities also attempted to prevent the child of an offender from being baptised. The threat was not effective. Only the guilty party was prevented from attending the baptism. The mother, therefore, had her child baptised without the father's presence; See Graham, “Conflict and Sacred Space in Reformation-Era Scotland”, 377. For more on early modern Scottish baptisms see Melissa Hollander “The Name of the Father: Baptism and the Social Construction of Fatherhood in Early Modern Edinburgh” in Elizabeth Ewan and Janay Nugent (eds.), *Finding the Family in Medieval and Early Modern Scotland* (Burlington, 2008), 63-73.

²⁰ John Walter, “Faces in the Crowd: Gender and Age in the Early Modern English Crowd” in Helen Berry and Elizabeth Foyster (eds.), *The Family in Early Modern England* (Cambridge, 2007), 101

doing to lay “claim to a political identity and authority otherwise restricted to married male adult householders.”²¹ While the state and local magnates were viewed as having failed in their duty to defend and protect local populations, riotous men stepped up as the defenders of their communities and proved that they were capable of wielding patriarchal authority. Those targeted by the riots also made use of gendered assumptions when condemning popular actions, emphasising the violence of the participants and depicting them as irrational and unable to govern themselves: essentially, as unmanly. The following sections will explore the ways in which cultural assumptions limited men’s acceptable uses of violence in the household and on the battlefield.

Domestic Violence and the Rational Man

In the early modern period, men and women were believed to be inherently unequal marriage partners. Natural predisposition meant that men and women’s prescriptive marital duties were very different. In the marital advice manual *Love and Fear: The inseperable Twins of Blest Matrimony* (1653), Nathaniel Hardy argued that the obligation of a married couple was “Love and Fear, that, the Sugar to sweeten all the duties of authority belonging to the man; this, the salt to season all the duties of subjections belonging to the wife.”²² Thomas William concurred, writing that “The nearest Family relation, and the dearest, is that of man and wife, wherein Love is the wifes due, and Subjection the husbands.”²³ Authors often used Scripture to justify women’s subjection. In *A Looking-glasse for good women* (1645) John Brinsley

²¹ Walter, “Faces in the Crowd,” 110. Susan Amussen argues that the violence of alehouse brawls and witchcraft was purposeful as it was “part of a strategy to impose one’s beliefs or perceptions on another, to claim authority, power, or rights that would not otherwise be accorded one;” Susan Amussen “Punishment, Discipline, and Power: The Social Meaning of Violence in Early Modern England,” *Journal of British Studies*, 34:1 (Jan., 1995), 31

²² Thomas Hardy, *Love and Fear: The Inseperable Twins of Blest Matrimony* (London, 1653), 5

²³ Thomas William, *Christian and Conjugal Counsell* (London, 1661), 58

identified Eve as woman's first parent. As she was "properly, primarily and immediately deceived" by Satan in Eden she "forfeit her own liberty...both for her self, and all her posterity."²⁴ Genesis taught that women were created from and for man and thus should learn to be subservient.

These authors, however, did not see women's innate weakness as reason to mistreat them; rather men must protect the 'weaker sex' by supervising and providing for women and by tolerating their weaknesses. Brinsley counselled men not to "disdain or undervalue the daughters of Eve."²⁵ According to Hardy, a Husband must learn how to use his authority "sparingly, mildely, and affectionately" for "It is too often seen that men because of their superiority insult over their Wives and why this? But for want of Love, nor marvell if Authority degenerate into Tyranny where this Moderator is absent."²⁶ A man's duty to love his wife was no less important to ensure proper household order than a wife's duty to submit to her husband's authority.

Authors of conduct books attempted to define the degrees of submission that existed within a household. John Brinsley qualified wives' subjection when he wrote that they were not to be treated as "slaves, or yet servants, but helps, yoakfellows."²⁷ Furthermore, wives were assumed to share their husband's responsibilities of maintaining order in Christian household by assisting in instructing and catechising children and servants.²⁸ Nathaniel Hardy saw in the story of Eve's creation proof of women's intended valuation. She was not made from Adam's head and therefore was not meant to rule; but neither was she made from his feet, and therefore was not meant to act as his servant.

²⁴ John Brinsley, *A Looking-glasse for Good Women* (London, 1645), 3, 39

²⁵ Brinsley, *Looking-glasse*, 42

²⁶ Hardy, *Love and Fear*, 6

²⁷ Brinsley, *Looking-glasse*, 48

²⁸ Brinsley, *Looking-glasse*, 33

Instead she was made from his rib so that “the right estimation then of a wife is to account her as next to himself, and so above either children or servants.”²⁹ The wife played an ambiguous role within the household, simultaneously expected to be submissive and authoritative.

In order to ensure domestic order, English law allowed patriarchs to use correction to ensure the proper behaviour of their household dependents; disciplinary action was warranted to maintain a state of order. For instance, Thomas Ivie, in an appeal to Oliver Cromwell, demonstrated that he was aware of his legal right to use physical correction, and invoked the common law, which sanctioned a husband’s “power of Correction upon the body of his Wife, and Servant, according to his own Judgement, so he doth not wound nor kill.”³⁰ However, the law was vague and did not concretely define legitimate or excessive uses of force leaving it open to flexible interpretation by contemporaries.

Beginning in the 1590s, marital violence began to be condemned outright by many conduct book authors. Anthony Fletcher claims that the writers who opposed marital violence were Puritans and followed the example set by John Calvin in Geneva, where wife-beating was made a criminal offence.³¹ Frances Dolan, however, has warned against trying to establish uniform doctrinal belief amongst conduct book writers. She instead identifies commonality in their self-portrayals as “morally authoritative but as culturally marginal.”³² Their works, however, were anything but marginal and their

²⁹ Hardy, *Love and Fear*, 7

³⁰ Thomas Ivie, *Alimony Arraign'd or the Remonstrance and Humble Appeal of Thomas Ivie Esq.* (London, 1654), 38

³¹ Anthony Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (New Haven, 1995), 198-99

³² Frances Dolan, *Marriage and Violence: The Early Modern Legacy*, (Philadelphia, 2008), 30

popularity led to the publication of numerous editions.³³ According to Gordon J. Schochet, deepened interest in the family and its proper ordering was due, in part, to the Protestant Reformation and its use of the family as a tool for the moral elevation of society. Fathers filled the vacuum created by priests' loss of authority and became intermediaries between their household dependents and God. As such, the role of domestic patriarchs was increasingly important and their behaviour was more stringently monitored.³⁴

Conduct book writers who opposed the use of correctional violence argued that men should be capable of achieving dominance through love and self-governance. Elizabeth Foyster argues that “the check on male power which was intended to prevent patriarchal rule becoming tyrannical was the use of the reason seen as the essence of manhood.”³⁵ William Gouge claimed that a wife whose husband is kind and gentle “hath her heart thereby the more firmly knit vnto him, as [she] is moued the more to respect him.”³⁶ William Heale argued that domestic violence only sullied the perpetrator's reputation since there was no virtue to be gained in a man beating a woman. “It is not *valour*, because that demands equalitie of combatants. It is not *wisdome*, because that

³³ Alexandra Shepard argues that the intended readership of conduct books were elite men, who were able to use their financial means and social connection to achieve the state of physical and mental balance required of patriarchs. Shepard, *Meanings of Manhood*, 68-69. Bernard Capp also believes that the intended audience of conduct books were the elite and middling sort; Capp *When Gossips Meet*, p.26. But the ideals contained in conduct books were accessible to the lower orders – as will be examined in the following section of this chapter. For recent works that have argued for a fluidity between elite and popular cultures and that this fluidity was encouraged by print culture see: Martin Ingram, “Ridings, Rough Music and the ‘Reform of Popular Culture’ in Early Modern England” in *Past and Present* No. 105 (Nov. 1984), Tim Harris, “The Problem of ‘Popular Political Culture’ in Seventeenth Century London” in *History of European Ideas*, 10: 1, Tessa Watt, *Cheap Print and Popular Piety, 1550-1640* (New York and Cambridge: Cambridge University Press, 1991), Alexandra Walsham, *Providence in Early Modern England* (New York: Oxford University Press, 1999).

³⁴ Gordon J. Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-Century England* (Bristol, 1975), 57-58

³⁵ Elizabeth Foyster “Male Honour, Social Control and Wife-Beating in Late Stuart England,” *Transactions of the Royal Historical Society*, Sixth Series, 6 (1996), 223

³⁶ William Gouge, *Of Domesticall Duties* (London, 1622), 387

depends on a staide carriage. It is not *justice*, because that requires serious deliberation: not *Temperance* because that wants unsettled Passion.”³⁷ Such behaviour was highly indicative of a man’s character; a husband who used violence against his wife was evidently unable to govern himself and therefore had no right to hold public office.³⁸

Many authors believed that marital violence threatened the already fragile household hierarchy. Violence jeopardised the domestic power structure, first, by encouraging women to stand up to their abusive husbands, and second, by compromising a wife’s authority over her children and servants. In the first instance, marital violence poisoned the “superlative union of marriage” and pushed women into assuming unnaturally assertive roles.³⁹ Dod and Cleaver believed that marriage should not only be patriarchal but also companionate.⁴⁰ Husbands who inspire fear “do afterwards piteously lament and complaine, that they can find no loue in their wives, whose loue and amitie through their own cruelties and hard dealings, they have turned into hatred.”⁴¹ More than any other author, Daniel Rogers blamed cruel husbands for their wives’ unruly behaviour. In *Matrimoniall Honour* (1642), the victims of domestic violence are described as cornered, without recourse: “A rough husband too much yielding to that which is corrupt, doth turne edge thereby his wife, and force her to that which seemes to be most disguised

³⁷ William Heale, *An Apologie for VVomen* (Oxford, 1609), 13

³⁸ Heale, *Apologie for VVomen*, 17

³⁹ Daniel Rogers, *Matrimoniall Honovr* (London, 1642), 237

⁴⁰ Lawrence Stone has argued that during the early modern period companionate marriage gradually replaced patriarchal marriage; see his *The Family, Sex and Marriage in England: 1500-1800* (New Year, 1977). More recently, historians have explored the inherent contradictions of early modern advice literature and have argued that the two marriage models co-existed. See, Capp, *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England* (Oxford, 2003), Frances E. Dolan, *Marriage and Violence the Early Modern Legacy* (Philadelphia, 2008), Anthony Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (New Haven, Conn, 1995), Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996)

⁴¹ Robert Cleaver and John Dod, *A Godly Forme of Houshold Gouernment* (London, 1612), 215

& against nature, that is, to be fierce against her husband.”⁴² In the opinion of these authors marital violence was not only morally dubious it was ineffective. It encouraged women to hate their husbands and resist their authority, threatening the patriarchal order.

Conduct books also argued that marital violence had the potential of compromising a wife’s already fragile position within the household hierarchy. Rogers reproached men who insulted their wives in public, asking “How shall the wife sustaine her repute or esteeme in the family, when he that should honour her, by his reproaches, withdrawes both her own children, servants and negihbors [sic], from their allegiance of duty?”⁴³ The violence described in this passage is not physical but verbal. Thus the limitations on violent correction extended further than corporal punishment. Gouge similarly recognised that violent correction came in many forms when he admonished husbands who used bitter words against their wives while in the presence of company.⁴⁴ He further agreed with Rogers in stating that marital violence endangered domestic hierarchy. He asked his readers: “What if Children or servants should know of [marital violence]? (As they must needs, for how can such a thing be done in the house and they of the house know it not?) Can they respect her as a mother, or as mistresse who is under correction as well as they?”⁴⁵

William Heale saw in violent husbands not only a threat to household power structures but to the Commonwealth as a whole. His primary fear was not so much that violence would undermine a wife’s position of authority but that it would set a bad example for witnesses: “For whatsoever in this kinde is committed within our own

⁴² Rogers, *Matrimoniall Honovr*, 239

⁴³ Rogers, *Matrimoniall Honovr*, 215

⁴⁴ Gouge, *Of Domesticall Duties*, 386. Conversely some men saw a wife’s scolding as justification for violent correction. See Gowing, *Domestic Dangers*, 198

⁴⁵ Gouge, *Of Domesticall Duties*, 391

family, is acted (as it were) on an open theatre, where we have a store of spectators: our children, our servants, our neighbours.”⁴⁶ Like Rogers, Heale writes of the negative effects marital violence will have on neighbours, demonstrating that these authors were concerned for a wife’s reputation both within the confines of the house and in larger society. Violent correction of wives was not only seen as unbecoming to a patriarch, it was also depicted as a threat to an ordered society.

Some conduct books also saw in the ideal of a married couple as one flesh a strong disincentive towards marital violence. This analogy was a recurring theme of conduct book literature. Hardy contended that a wife is “thine, yea, so much thine she is thy self.”⁴⁷ According to Hardy, man and wife are one, first, because of the origins of creation when Eve was made from Adam’s flesh, and second, because of law which makes them one person. Another author, in answer to Milton’s proposed doctrine of divorce, claimed that by the ordinance of God a married couple is “made into one flesh.”⁴⁸ Finally, in a more romantic turn of phrase, Daniel Rogers claimed that marriage represented a physical fusion of two entities: “two bodies may truly be said to be linked into one soule.”⁴⁹ Beating one’s wife was tantamount to beating one’s self, and was evidence of a lack of rational self-control. Gouge believed that “they two are but one flesh. No man but a franticke, furious desperat wretch will beat himself,” while Rogers

⁴⁶ Heale, *Apologie for VVomen*, 16

⁴⁷ Hardy, *Love and Fear*, 18

⁴⁸ *An Answer to a Book, Intituled, The Doctrine of Discipline of Divorce* (London, 1644), 7

⁴⁹ Rogers, *Matrimoniall Honovr*, 237; Frances Dolan argues that this ‘one flesh’ analogy represents marriage as a competition between two separate identities. Within marriage, identity becomes a scarcity: something to be won by one half of the couple and lost by the other half. Dolan states that “violence takes the form of one spouse annexing or eliminating the other, even if only metaphorically”; see her, *Marriage and Violence*, 52

stated that “He then that hates his wife, is an unnaturall monster, and devoures his own flesh.”⁵⁰ Irrational and unnatural, such men were the antithesis of patriarchs.

While condemning the use of violence itself, some authors of conduct books encouraged women to remain submissive towards their abuser. In *Looking-glass for married folk* (1619) the character of Eulaly gives advice to Xantip, a scold, on how to manage her unruly and violent husband. Eulaly says that when a wife reproaches her husband, she must do it in private and remain submissive, entreating rather than admonishing him.⁵¹ She tells Xantip the story of a wife who was able to reform her husband by her ‘good’ behaviour. After having been beaten, the wife retreated to her private closet to cry. When her husband found her and asked what she was doing, she replied: “is it not better to do thus, here to bewaile my grieffe where no body heares nor sees, then to runne and cry out in the streetes, and to exclaime on you, as others doe on their husbands?”⁵² Her husband was much affected and promised never to hurt her again. Similarly, Thomas William believed that a wife’s persistent submission will “be as profitable to the Wife, as commendable in her, the doing of what God requires of her, being the only way to change and modifie her hard Husband.”⁵³ William Whately, the only author studied in this chapter who sanctioned marital violence, did recognise that some husbands were unduly violent, attacking without cause. But even in such instances he advised women that “if God have made thine house thy dungeon, thine husband thy Taylor; yet thou must not seeke to make an escape, till he deliver thee out that thee [be]

⁵⁰ Gouge, *Of Domesticall Duties*, 391; Heale, *Apologie for VVomen*, 236

⁵¹ Robert Snawsel, *Looking-glass for married folk* (London, 1619), 59

⁵² Snawsel, *Looking-glass for married folk*, 68-69

⁵³ William, *Christian and Conjugal Counsell*, 67

in.”⁵⁴ Patience, Whately claimed, was the surest way for women to reform their husbands and ensure God’s favour. According to these authors, it was a wife’s duty to protect the patriarchal household, especially when her husband’s actions threatened it. While their husbands disgraced themselves by their unrighteous behaviour, wives could gain a sense of moral superiority by remaining true to their prescribed gendered nature.⁵⁵

While Whately did not believe that wives could be justified in running away from unduly violent husbands, he did concede that they could seek help from their kin to ameliorate their husbands’ behaviour. He further believed that magistrates were justified in arbitrating domestic disputes, stating that a woman “may craue aide of the Magistrate, and seek to them that must rule both in publike, to compell [her husband] (by fit meanes) to rule her better in private.”⁵⁶ Other conduct book writers also believed that resolutions to marital conflicts should be sought outside of the household. Robert Snawsel advised abused wives to “make a complaint to her husbands parents, or some of his kindred, rather than to her owne.”⁵⁷ Resorting to the husband’s family for assistance upheld the patriarchal hierarchy while allowing the wife to seek help. Friends, families and officeholders should be actively involved in policing and reforming undesirable behaviour. The regulation of a patriarch’s behaviour was, therefore, a community responsibility. William Heale also expressed the belief that immoral wives should be punished by public means. Women’s most serious marital crimes – adultery and threatening her husband’s life – “must be consummate in lawful manner: the fact proved

⁵⁴ William Whately, *A Bride-bush* (London, 1623), 213

⁵⁵ Sara Mendelson and Patricia Crawford, *Women in Early Modern England, 1550-1720* (Oxford, 1998), 137

⁵⁶ Whately, *Bride-bush*, 214

⁵⁷ Snawsel, *Looking-glass for married folk*, 60-61

by lawful witness: the verdict given by a lawful iudge.”⁵⁸ It was the cultural norms of a community that defined what behaviour was deemed acceptable, as family, friends and magistrate decided when to intervene. Anthony Fletcher argues that, for women living in towns and villages, “the best hope of relief from assault lay in assiduous cultivation of sympathy from friends, neighbours and relatives who might be ready, sometimes with the weight of local magistrates behind them, to mediate.”⁵⁹

Bernard Capp contends that, in the seventeenth century, “educated opinion was moving firmly against the right of husbands to administer physical correction.”⁶⁰ However, Capp recognises that, despite this important cultural shift, in practice domestic violence was not on the wane, and men from all social strata chose to ignore polite opinion. Laura Gowing also recognises a sustained problem with marital violence, and sees seventeenth-century church courts as increasingly unwilling to grant separation because of cruelty.⁶¹ Gowing suggests that this trend can be partly explained by the fact that, while there were biblical precedents and cultural models for action in cases of adultery, there existed no such cultural reference points for cases of excessive violence.⁶²

Tim Stretton’s recent study of marriage and separation in early modern England, however, “questions the extent of the church monopoly over marriage.”⁶³ He convincingly demonstrates that quarrelling couples often used secular courts, including (but not limited to) the court of Request, the Chancery, the Star Chamber, privy councils

⁵⁸ Heale, *Apologie for VVomen*, 33

⁵⁹ Fletcher, *Gender, Sex and Subordination in England*, 194. Bernard Capp argues that “female networks also played a key role in policing the boundaries of acceptable behaviour”; See his, *When Gossips Meet: Women, Family and Neighbourhood in Early Modern England* (Oxford, 2003), 59-60

⁶⁰ Capp, *When Gossips Meet*, 103

⁶¹ Gowing, *Domestic Dangers*, 184

⁶² Gowing, *Domestic Dangers*, 184, 206

⁶³ Stretton, “Marriage, Separation and the Common Law”, 19

and the justice of assizes, to help them resolve their disputes. Stretton argues that it is important for historians to explore the role of alternative jurisdictions - in particular, the common law courts - in regulating early modern marriages. He identifies a number of quarrelling couples that, long before the outbreak of the Civil Wars, consciously avoided ecclesiastical courts and concludes that “respect for these courts may have been waning.”⁶⁴ Considering the advice of conduct book writers to look for help amongst magistrates and local populations, it might be worth studying sources other than church court records to determine how local populations dealt with marital violence. The court’s unwillingness to prosecute violent husbands may have been influenced by the existence of other regulatory avenues, both formal and informal. Furthermore, considering the existence of these other avenues, the cases that made it to court must have been some of the most serious or contentious.

While early modern English historiography has benefited from recent attention on the family, the social and cultural histories of pre-industrial Scotland continue to receive insufficient consideration. In the introduction to their collection on medieval and early modern Scottish families, Elizabeth Ewan and Janay Nugent recognise this historiographical gap, quoting Scottish historian T. C. Smout who, in the 1970s, claimed that “the history on the family, and of child upbringing and the place of women within and without the home, is so neglected in Scotland as to verge on becoming a historiographical disgrace.”⁶⁵ Ewan and Nugent maintain that the subject has still not yet been adequately addressed.

⁶⁴ Stretton, “Marriage, separation and the common law in England, 1540-1660”, 37

⁶⁵ Quoted in Elizabeth Ewan and Janay Nugent (eds.), *Finding the Family in Medieval and Early Modern Scotland* (Burlington, 2008), 1

A lack of printed sources (such as conduct books) available for Scotland may, in part, explain this reality. However, Margo Todd, in her seminal work *The Culture of Protestantism* (2002), does briefly explore the relationship between the church and the family by using kirk session records. Like English historians, she identifies a sustained problem of marital violence during the early modern period. Todd writes that “charges of ‘dinging’, ‘striking’ and ‘misusing his wife’ – all too often ‘to the great effusion of her blood’ – recur with appalling frequency” in Scottish minute books.⁶⁶ However, in Scotland, the kirk actively punished domestic abuse. Todd has characterised their pursuit of verbal abusers as progressive, asking “where else in the sixteenth century do we find the church actively punishing injury ‘by *word* or deed’, or ‘misusing her *by word* against the duty of a loveing husband’?”⁶⁷ In an attempt to curb domestic violence the Scottish kirk punished offenders, tried to find grounds for reconciliation and oversaw compliance to its orders. Punishment could take the form of fines. If the abusive partner relapsed into violence he (or she) would have to pay a fine to the poor box, or, in the unusual case of Mr. Gordon, to the victim of his violence, his wife Bessie.⁶⁸ Oversight was often entrusted to a cautioner, therefore involving the community in the policing of the couple. While Todd recognises the difficulty of ascertaining the success of the kirk in putting a stop to domestic violence, the willingness of couples to voluntarily use the kirk to help resolve marital discord is surely indicative of some confidence in the session’s ability to provide solutions.⁶⁹ According to Todd, what was more important than the kirk’s success

⁶⁶ Todd, *Culture of Protestantism*, 284

⁶⁷ Todd, *Culture of Protestantism*, 287-8

⁶⁸ Todd, *Culture of Protestantism*, 289

⁶⁹ George Stene and his wife voluntarily brought their violent quarrelling to the attention of the kirk, using the session to protect one against the other; see Todd, *Culture of Protestantism*, 289

is its “ready assumption of responsibility for marital stability.”⁷⁰ Marriage was a divine institution and the kirk believed that it was responsible for its protection.

Military Violence and the Valiant Soldier

Authors of domestic conduct books made use of military comparisons when arguing for proper household order. Daniel Rogers claimed that, just as “each souldier fights merrily in his ranke,” so too should husbands and wives respect their offices.⁷¹ William Whately argued that battered wives were like soldiers and had to exhibit the same courage: “for as it is no warrant for a souldier to quit his standing, because the case falls out so, that hee must either die or leave it, so neither must a Christian in any place depart from his place for feare of death.”⁷² Soldiers, in these analogies - used to encourage couples to fulfil their marital duties even in life-threatening situations - were not depicted as powerful, but as obedient defenders of a patriarchal order.

By the same token, Civil War combatants portrayed themselves as defenders of the patriarchal order. Authors of royalist military sermons accused their enemies of sinning by violating the Fifth Commandment and rebelling against their political father. In engaging in battle, they were defending an anointed patriarchal order. Edward Symmons, whose *Militarie Sermon* (1644) has been described as epitomizing “grass-roots Anglican-Cavalierism,” contrasted the royalist cause to that of the parliamentarians, describing the latter as devoted to a kind of underworld patriarchy led by Satan.⁷³ The

⁷⁰ Todd, *Culture of Protestantism*, 290

⁷¹ Rogers, *Matrimoniall Honovr*, 203

⁷² Whately, *Bride-bush*, 214

⁷³ Robert Wilcher, ‘Symmons, Edward (c.1607–1649)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://www.oxforddnb.com.ezproxy.library.uvic.ca/view/article/68784>, accessed 21 June 2009]

Devil, he claimed, was the first rebel, and was therefore the natural father of all rebels.⁷⁴ Rebellion was the “Child of Hell, that Parent[s] and Nurse[s] all mischief.”⁷⁵ The royalist cause was therefore protecting England from this demonic and unnatural patriarchal order threatened by their enemies. More unusual, perhaps, was William Beech’s use of patriarchal language to defend the parliamentary cause. He used familial analogies to create an association between royalists and Catholicism. He claimed that a good Prince was a *Pater patria* (Father to his country). But Rome, a cruel and whorish step-mother, “hath robbed me of my Husband, my Father, widowed my sister Ireland and Germany, murdered my children.”⁷⁶ Both camps, then, accused their enemy of threatening the patriarchal order.

Moreover, if we accept Michael Braddick’s previously quoted definition of patriarchy as “a pattern of hierarchy and subordination which subsumed class, status and gender relations,” the army was a patriarchal institution.⁷⁷ It defended a patriarchal order, and its officers performed a patriarchal role, protecting and disciplining soldiers. In Scotland, the army was to take over the kirk’s responsibilities by providing for and regulating the behaviour of its members. The laws of war stated that “Kirke discipline shall be exercised, and the poore cared for in every Regiment, by the particular Eldership, or kirke Session to be appointed.”⁷⁸ In England, Henry Ferne criticised officers for commandeering spoils, instead arguing that they should be “appointed for the cloathing and relief of their own poor souldiers.”⁷⁹ In a proclamation issued by Oliver Cromwell,

⁷⁴ Edward Symmons, *A Militarie Sermon* (Oxford, 1644), 4-5

⁷⁵ Symmons, *Militarie Sermon*, 18

⁷⁶ William Beech, *More Sulphure for Basing* (London, 1645), 24

⁷⁷ Braddick, *State Formation*, 102

⁷⁸ *Articles and Ordinances of Warre* (Edinburgh, 1640), 4

⁷⁹ Henry Ferne, *The Camp at Gilgal* (Oxford, 1643), 45

colonels were instructed to put sick soldiers into warm quarters and appoint officers or surgeons to attend to them “with warm and fitting Diet, suteable to their respective Diseases.”⁸⁰ In theory, at least, the army assumed the responsibility of protecting the wellbeing of its soldiers.⁸¹ Other than caring for soldiers, commanders and officers were charged with regulating their illicit behaviour. Symmons asked them to be more diligent in punishing those soldiers under their command that violated the military orders.⁸² This included ensuring that soldiers not only respected their military duties but also their moral duties and their duties towards God. Officers had the same patriarchal responsibilities as officeholders who disciplined and protected local populations.

It is clear that authorities were concerned with the effect that arming citizens would have on social order, as an abundance of literature concerning the proper comportment of soldiers was produced during this period. Much of this literature was aimed at the common soldier. Military ordinances and laws were to be read by captains to their companies at least once a week.⁸³ In Scotland, articles of war were to be published in every regiment and “be openly read to every Companie of Horse and foot.”⁸⁴ Military sermons also addressed the common soldier, clearly differentiating between their responsibilities and those of their commanding officers.⁸⁵ Barbara Donagan argues that “we need to see parliament’s armies, including the New Model, as less different from

⁸⁰ Oliver Cromwell, *His Excellencies Order, to the Severall Colonels of the Army* (London, 1650), 1

⁸¹ The reality, however, was different as disbanded soldiers petitioned for pay; see, for example, *The Heads of Several Petitions delivered by many troopers against the Lord Generall* (London, 1641); *A Perfect and True Copy of the Severall Grievances of the Army under his Excellencie, Sir Thomas Fairfax* (London, 1647)

⁸² Symmons, *A Militarie Sermon*, 15

⁸³ *Military Orders and Articles, Established by His Majestie* (Oxford, 1642), title page

⁸⁴ *Articles and Ordinances of Warre*, 1

⁸⁵ Ferne, *Camp at Gilgal*, 15-16

other seventeenth-century armies including the royalists.”⁸⁶ Certainly, as we shall see, the parliamentary, royalist and Scottish covenanter armies defined the godly soldier in nearly identical terms.

According to Jordan Thomas, arms were wholly unlawful unless they were used in the protection of “Religion, defence against Heresy, maintenance of a Kings Right, in which consisteth the liberty of the Subject.”⁸⁷ The first characteristic of a good soldier, then, was the defence of a godly cause. Only then was the soldier’s violence legitimised. William Beech claimed that “a lawfull cause make the action lawfull and warrantable.”⁸⁸ Not only did a righteous cause justify a soldier’s actions, it also ensured divine favour. Henry Ferne claimed that “the Lord is no patron to an unjust cause, but will plead a just one.”⁸⁹ Securing divine favour was a central motive of the conduct literature aimed at soldiers. A godly army, it was believed, was more likely to be assisted by God.

However a soldier needed more than a good cause to please God; he also needed to respect the demands of his office and be submissive. The Scottish *Articles and Ordinances of Warre* provided an oath that was to be taken by soldiers in which they promised to “be true and faithfull in my service to the kingdom of *Scotland*, according to the heads sworne by me in the Covenant. To honour and obey my Lord Generall, and all my superior Officers...as I shall answeere to GOD, and as GOD shall helpe me.”⁹⁰ Subservience was due both to God and to military superiors. The first requirement,

⁸⁶ Barbara Donagan, “Did Ministers Matter? War and Religion in England, 1642-49,” *Journal of British Studies*, 33: 2 (April 1994), 155; Mark Stoyale, while not negating the argument that the royalist army was less concerned for the well-being of the soldiers than other armies, does soften the vitriolic image of the royalists by demonstrating that officers did try to help their soldiers at the end of the war; see his “‘Memories of the Maimed’: The Testimony of Charles I’s Former Soldiers, 1660-1730”, *History*, 88: 290 (2003), 220

⁸⁷ Jordan Thomas, *The Christian Soldier* (London, 1642), 2

⁸⁸ Beech, *More Sulphure for Basing*, 26

⁸⁹ Ferne, *Camp at Gilgal*, 6

⁹⁰ *Articles and Ordinances of Warre*, 3-4

obedience to God, helped ensure a triumphant outcome. The soldier was taught to trust in God and to “attempt nothing but by his power.”⁹¹ As historian J.C. Davis argues, God was perceived as a living and interventionist God, and the “civil wars were a prolonged struggle for sustained instrumentality under divine providence.”⁹² When an anonymous Scottish author printed a justification of a solemn fast and humiliation, he saw the army’s conceit as one of the causes of God’s recent anger. He claimed that when the army was weak, when soldiers were but “naked men without arme,” they were dependent on God and his salvation.⁹³ But, now that the army had gained in strength, it trusted only in its numbers and its weapons. The author saw, in the army’s insincere and coldly performed thanksgiving to God, the reason for the latter’s displeasure.⁹⁴ William Beech used the biblical examples of the Midianites, Sisera and Jabin to show that God’s enemies were vanquished “in the height of their security” by forces much weaker than themselves.⁹⁵ It is when forces were weakest that they were safest, for it was then that they trusted most in God. Soldiers must accept their dependence upon God and see in their servitude to him the only way of achieving “perfect freedom.”⁹⁶

Military orders, then, demanded strict observance of duties owed to God. Parliament and Royalist armies punished blasphemers by piercing their tongues with “a red-hot iron.”⁹⁷ In Scotland, blasphemy and cursing were punished by loss of pay,

⁹¹ *Certain Prayers Fitted to Severall Occasions* (London, 1648), 4

⁹² J.C. Davis “Living with the Living God: Radical Religion and the English Revolution” by Christopher Durston and Judith Matby (eds.), *Religion in Revolutionary England* (Manchester, 2006), 25

⁹³ *Causes of a Solemne Fast and Humiliation* (Edinburgh, 1644), 2

⁹⁴ *Causes of a Solemne Fast and Humiliation*, 2

⁹⁵ Beech, *More Sulphure for Basing*, 8

⁹⁶ Davis “Living with the Living God”, 21

⁹⁷ *Lawes and Ordinances of Warre, Established for the Better Conduct of the Army of His Excellency the Earl of Essex* (London, 1642),3; *Military Orders and Articles, Established by His Majestie*, 2

imprisonment and, in the case of recidivists, public penance.⁹⁸ All three armies also enforced attendance at religious services. But in order to please God, the soldier also had to perform moral duties. These generally consisted of the observance of the second table of commandments, calling for the avoidance of drunkenness, rape, adultery, theft and murder. In the Parliamentary laws and ordinances, these offences could be punished by death.⁹⁹ Henry Ferne wrote that drunkenness, blasphemy and whoredom “give you up to your ghostly enemies, but also cut you off from Gods protection and blessing, exposing you naked and unarmed to all the dangers of Warre.”¹⁰⁰ Furthermore, according to Edward Symmons, the Second Table of Commandments represented sins against nature. He claimed that

Every wicked man is a Rebell against God, and sinneth against grace and piety, yet being inbued with humanity and moral honesty, such may happily live in obedience to their Prince, and may fight for him, against those that doe resist him: But they that rebel against the King, sinne not onely against piety, but even against nature itself.¹⁰¹

In disobeying their political parent rebels were guilty of violating the Fifth Commandment and profaning natural law. Strict observance of the Second Table of Commandments was central to the royalists’ defence of their cause. This may also explain why they so rigidly upheld the soldiers’ moral duties.

In defining a soldier’s appropriate behaviour, authorities were careful to ensure that he was also submissive towards those of higher rank. Ferne instructed his listeners to restrain “the souldiers under you.”¹⁰² A soldier could not reproach his superior for his

⁹⁸ *Articles and Ordinances of Warre*, 5

⁹⁹ For the Scottish equivalent, see *Articles and ordinances of warre*, 9. No such laws are to be found in the royalist articles of war. However, royalist ministers warned against such behaviour.

¹⁰⁰ Ferne, *Camp at Gilgal*, 6. See also, Symmons, *Militarie Sermon*, 31-32; Beech, *More Sulphure for Basing*, 32

¹⁰¹ Symmons, *Militarie Sermon*, 2

¹⁰² Ferne, *Camp at Gilgal*, 16

behaviour – even though this behaviour was believed to be the cause of God’s anger and had the potential of spreading “like a contagion.”¹⁰³ Edward Symmons similarly exhorted commanders to “more strictlie punish sin in those that are under you.”¹⁰⁴ The policing and reforming of behaviour was a top-down endeavour. Commanders were to serve as examplars and enforcers of godly behaviour. In England, soldiers who resisted their officers’ disciplinary actions could be sentenced to death. Using virtually the same language, royalist and parliamentarians commanded that:

All officers...shall have power to part quarrels, and frayes, or sudden disorder betwixt the souldier, though it be in any other Regiment of Company; and to commit the disorder to prison for the present, until such officers as they belong unto are acquainted with it. And what souldier soever shall resist, disobey or draw his Sword against such an Officer, although he bee no officer of his Regiment or Company, shall be punished with death.¹⁰⁵

In Scotland, soldiers were also exhorted to revere their commanders. Brandishing a weapon at a superior was punishable by death, while lifting a hand against a superior could lead to the amputation of the said hand.¹⁰⁶

Violence against superiors was reprimanded especially severely, but it was not the only kind of violence that was condemned. Hence, while challenging an officer to a duel was punishable by death, challenging a soldier to a duel was also a punishable offence. Ferne described duels as a ‘false valour,’ consisting of “careless and rash darings” and called forth by “inordinate lusts and desires.”¹⁰⁷ Contrary to true valour - which was “grounded upon the assurance of a good Cause, in the maintenance where of, and in the confidence of Gods blessing” - false valour demonstrated a lack of rational self-control

¹⁰³ Ferne, *Camp at Gilgal*, 15

¹⁰⁴ Symmons, *Militarie Sermon*, 15

¹⁰⁵ *Military Orders and Articles, Established by His Majestie*, 9; *Lawes and Ordinances of Warre*, 23

¹⁰⁶ *Articles and Ordinances of Warre*, 8

¹⁰⁷ Ferne, *Camp at Gilgal*, 35

and endangered the soul.¹⁰⁸ Barbara Donagan further observes that royalists and parliamentarians alike “recognized the danger that violence readily became cruel and uncontrollable.”¹⁰⁹ The military depended - and still does - on a hierarchical order, a chain of command. It is important that soldiers be disciplined in order for them to develop the reflexes to follow orders in life-threatening situations. This discipline is believed to be central in achieving military goals and victories. But the regulation of violence during the Civil Wars was more than simply a way of ensuring military success: soldiers also had to behave appropriately towards civilian populations and their enemies.

The support of local populations was actively sought and was especially important, since civilians provided invaluable assistance to the army, such as housing soldiers. Symmons asked soldiers not to target the loyal subjects who “bed you, and board you, and give you house-rooms for yourselves and horses” and asked his civilian audience to provide spiritual and financial support to the royalist army.¹¹⁰ William Beech was even more explicit in his request for aid, exhorting country-men - to whom his sermon was primarily addressed - to “arise, arise in the name of God, let cursed neutralities go to Hell.” War ordinances and sermons also tried to prevent the soldier from alienating popular support by rowdy behaviour. The Scottish *Intentions of the Army of the Kingdome of Scotland* (1640) was addressed to an English audience and sought to reassure the population that the Scottish army meant them no harm. To prove their honourable intentions, they promised to take an oath before God to “intend no enimitie or rapine, and shall take no mans goods, nor ingage our selves in blood by fighting, unlesse

¹⁰⁸ Ferne, *Camp at Gilgal*, 36

¹⁰⁹ Donagan, “Did Ministers Matter?”, 132

¹¹⁰ Symmons, *Militarie Sermon*, 28, 30, 31

we be forced unto it.”¹¹¹ The importance of ordinances regulating relations between soldier and the local population is evidenced by the severity of punishments in cases of disobedience. The parliamentary laws of war stated that “none on Their march through the countries shall waste, spoile, or exort any victuals, monie, or pawne, from any subjects upon any pretence of want what soever upon paine of death.”¹¹²

Sermons were also careful to exhort soldiers to differentiate between enemies and civilians. Ferne, for example, spoke of the justice of taking spoils. Referring to Luke 11:22, he argued that it was lawful to take spoils from a lawful enemy. However there was a difference in how to divide spoils taken on the field and in towns. In the first instance, soldiers were permitted to individually collect spoils; in the second instance, spoils from a town should be divided in an orderly fashion and by command. Henry Ferne asked soldiers to consider “what disservice you doe His Majesty; if under colour of spoyling Rebellious enemies, his peacable Subjects be plundered by you.”¹¹³ Good behaviour, then, served to safeguard the reputation of the army and helped to foster support amongst the wider population. Thus, Fern exhorted the royalist soldiers not to give the enemy occasion to question the Christianity of the Cavalier, and William Beech asked, “was it not the cursed miscarriage of Officers and Souldiers, that brought a curse upon our former armies?...Did not the ill example of these persons bring *odium* upon the

¹¹¹ *The Intentions of the Army of the Kingdome of Scotland* (Edinburgh, 1640), 6

¹¹² *Lawes and Ordinances of Warre*, 12

¹¹³ Ferne, *The Camp at Gilgal*, 45; Such advice was not always heeded. For examples of soldiers' unruly behaviour, see *A Discovery of Many, Great, and Bloody Robberies* (London, 1641); *To the Kings Most Excellent Majestie the Humble Petition of the Knights, Gentlemen, and Freeholders of the County of York* (London, 1642); *The Copy of a Letter Written from Northampton* (London, 1646). See also Roger B. Manning, *An Apprenticeship in Arms: The Origins of the British Army, 1582-1702* (Oxford, 2006), esp. chapter 9.

Curses? (especially in the ignorant, who knew not how to discern between the equity of a Cause, and the Iniquity of the Instrument).”¹¹⁴

Extreme displays of violence against enemies were also condemned. Symmons commanded soldiers to “neither do, nor...suffer to be done, in coole blood, the most impious Rebels, any thing that favours of immodestie, barbarounesness, or inhumanitie.”¹¹⁵ He condemned the parliamentarians’ comportment in Ireland; their practice of stripping both men and women of their clothes and exposing their nakedness was, he argued, offensive. He further inveighed against the barbarous practice of torturing the living and mutilating the dead. Instead, soldiers were to be merciful, rather than cruel, to their enemies. Symmons argued that “’tis not true valour to set your foot to hand upon the neck of a fallen fow, that begs your mercy.”¹¹⁶ Jordan Thomas similarly instructed soldiers to “come on holy and cheerfully without desire of bloud” and “be mercifull to a couchant enemie, and not to kill where he may save with his owne safety.”¹¹⁷ Finally, the Scottish articles of war condemned the killing of a surrendering enemy.¹¹⁸ Unmerciful behaviour was contrary to Christian behaviour and could arouse God’s wrath.

Instructions on the exercise of mercy were coupled with descriptions of the horrors perpetrated by the enemy. Therefore, while exhorting moderation, authors also sought to fuel anger towards the opposing army. Casting the enemy in an unfavourable light - incapable of showing mercy or unwilling to do so - also served to contrast the enemy’s behaviour to their own. Strong negative imagery, combining visual references to

¹¹⁴ Ferne, *Camp at Gilgal*, 15; Beech, *More Sulphure for Basing*, 32.

¹¹⁵ Symmons, *Militarie Sermon*, 26

¹¹⁶ Symmons, *Militarie Sermon*, 24-25

¹¹⁷ Thomas, *Christian Soldier*, 5

¹¹⁸ *Articles and Ordinances of Warre*, 13. See also, *Lawes and Ordinances of Warre*, 20

blood and bodily functions, was used to create a monstrous ‘other’, unchristian and excessively violent. The royalist pamphlet, *Certain Prayers fitted for several occasions* (1648), accused the enemies’ swords of being “drunk with blood” and claimed that “the carcasses of the people have been cast as dung upon the face of the earth.”¹¹⁹ William Beech stated “the blood [the royalists] have drunk so greedily they shall be made to spue out againe.”¹²⁰ Irish soldiers - Catholic and therefore questionably Christian, according to contemporary Protestants - were in particular described as barbarous and savage. During the First Civil War, they were denounced for allegedly victimizing local populations, in particular women and children. James Salmon accused the Irish rebels of murdering Scotsmen and Englishmen along with their wives and children, “first deflowering many of the women, then cruelly murdering them, and pulling them about the streets by the haire of the head, and dashing their childrens brains out against the posts and stones in the streets, and tossing their children upon their pikes.”¹²¹ Similarly it was averred that when the Irish army retreated from Kilkany, seven of its soldiers entered Mr. Atkins’ house demanding money. Despite his assured cooperation, the “blood-thirsty Salvages” beat out his brains, ravished his pregnant wife and “ript open her wombe.”¹²² There was an uncomfortable tension between the soldier’s role of vanquishing a bloody enemy in battle and his prescribed merciful behaviour. But what was being criticised was not the use of violence *per se* – which was a reality of war and military campaigns - but rather the use of excessive violence, which indicated both a lack of rational self-control and the failure to show Christian mercy.

¹¹⁹ *Certain Prayers Fitted to Severall Occasions*, 22

¹²⁰ Beech, *More Sulphure for Basing*, 16

¹²¹ James Salmon, *Bloudy Nevvs from Ireland* (London, 1641), 4

¹²² *A Bloody Battel : or the Rebels Overthrow, and Protestant Victorie* (London, 1641), 4

To Edward Symmons, the Christian soldier's office was analogous to that of an "Angel"; both were "executioner[s] of Justice."¹²³ When a soldier behaved appropriately, his profession could be both honourable and holy. Symmons reminded his audience that David, Abraham and the centurion in the Gospel were all soldiers.¹²⁴ More importantly, in Exodus 15:3, God himself is described as a soldier: "The Lord is a man of Warre." Being a soldier was a divine profession, one to be proud of; when the cause was righteous, it could ennoble men. Symmons proclaimed that "the aimes of [a cavalier's] sword are onely to dissever the malignity of those forces that have conspired the ruine of Monarchy and Innocency...in a word, he is the onely Reserve of English Gentility and Ancient Valour."¹²⁵ Thomas similarly argued that "a perfect souldier is a perfect man, and shews most glorious in his civill valour: and such a one can kill without cruelty, and gaine a conquest without tyrannie."¹²⁶ In *The Honest Soldier* (1648), soldiers were described as "men of Honour and Gallantry."¹²⁷ Like the participants of riots described by Walter, soldiers could gain a "compensatory" patriarchy by their employment and actions. In acting the part of the godly soldier, men could lay claim to true manly valour. Soldiers, like young male rioters, became defenders of their communities - only, in the case of soldiers, this community was the whole Christian kingdom. While violence was an intrinsic characteristic of the soldier's employment, it was not used to characterise the soldier himself. Excessive violence was, in fact, negatively attributed to the enemy.

¹²³ Symmons, *Militarie Sermon*, 14

¹²⁴ Symmons, *Militarie Sermon*, 15

¹²⁵ Symmons, *Militarie Sermon*, 16

¹²⁶ Thomas, *Christian Soldier*, 4

¹²⁷ *The Honest Souldier* (London, 1648), 5

Both heads of households and soldiers were presumed to have lawful recourse to violence. However, the literature that attempted to regulate their behaviour saw excessive violence as a transgression of their ideal behaviour, a sign of intrinsic weakness, and threatened the legitimacy of their authority. Husbands, in resorting to violence, betrayed the love and rationality demanded of their office; soldiers betrayed the valour and mercy demanded of theirs. Therefore, while men could not all aspire to a position of patriarchal power, the characteristics that were inherent in such a status were demanded of all men. The conduct literature aimed at heads of household and soldiers provided different motivators for good behaviour. By acting irrationally, the violent head of household was threatening his own claim to patriarchy as well as the larger patriarchal order. Therefore, the stability ensured by his good behaviour was a guarantor of his continued claim to power. Conversely, the foot or horse soldier had no prerogative to authority. But, by being a Christian soldier and a defender of the kingdom, a man of war could gain a sense of compensatory patriarchy. Therefore, the soldier's good behaviour allowed him to improve his social status by temporarily laying claim to legitimate patriarchal authority. The actions and behaviours demanded of all men were said to actively contribute to the defence of patriarchy and to the restoration of social order.

As Braddick contends, state formation was a social process by which state authorities were constantly negotiating and reconciling social norms, as well as the needs of the population with those of the state.¹²⁸ In theory, both the state and the military disciplined, rewarded and protected their respective populations; in other words, they were patriarchal institutions. Susan Amussen states that the diffusion of power

¹²⁸ Braddick, *State, Formation*, 102

“undermined any conception of absolute power, except that of God.”¹²⁹ Indeed, states, like heads of household and soldiers, were restrained in their access to power. Their authority to discipline was contingent on local populations accepting their actions as legitimate and warranted. Amussen further argues that the analogical conception of power in early modern society meant that different forms of power impacted one another.¹³⁰ Certainly the nature of authority at every level was defined in patriarchal terms, making patriarchy truly ubiquitous but also unstable. The adaptable interpretation of the limits of patriarchal authority led to violent debates on its proper exercise and its characteristics were constantly being negotiated. This explains how and why it was appropriated so flexibly by all sides during the British Civil Wars.

¹²⁹ Amussen, “Punishment, Discipline, and Power,” 4

¹³⁰ Amussen, “Punishment, Discipline, and Power,” 4

“Was He Fit to Continue a Father of the People?”: Patriarchy and the Ideal Political Order

During the British Civil Wars, ideas about legitimate authority and proper governance inundated the country. Much attention was given to the biblical origins of kingship. According to scripture, the elders of Israel, displeased with the corruption of the judges Joel and Abiah, asked the prophet Samuel to give them a King. Samuel was much perturbed by this request, believing that it was proof of a weakening of God’s sovereignty in the hearts of Israelites. He warned the Israelites that the King that should reign over them would take their sons, daughters and lands and use them for his own personal gain, predicting that the people “shall cry out in that day because of your King which ye shall have chosen; and the Lord will not hear you in that day” (1 Samuel 8:18). Nonetheless, the people insisted they should have a King to rule them and lead them in battles. In answer to their request, God named Saul the first King of Israel.

Many political philosophers, both royalist and parliamentarian, used this example for their own polemical agenda. They referred to scripture extensively to prove that their political model represented God’s word, not human traditions. Royalists argued that Samuel’s warning to the Israelites was proof that obedience to the King was divinely ordained.¹ Parliamentarians - both Independents and Presbyterians - argued that Kings were created by request of the people, and that the people had the legitimate authority to

¹ See, for example: William Ball, *A Caveat for Svbjects Moderating the Observator Wherein his Chiefest Arguments are Confuted* (London, 1642), 11; King James VI & I, “The Trew Law of Free Monarchies” in Johann P. Sommerville (ed.), *King James VI and I Political Writings* (Cambridge, 1994), 66; Robert Filmer, “Patriarcha The Naturall Power of Kings Defended Against the Unnatural Liberty of the People” in Johann P. Sommerville (ed) *Sir Robert Filmer Patriarcha and Other Writings* (Cambridge, 1991), 35-38.

resist tyrannical rulers.² Patriarchal power, seen as a natural and stabilising force, was frequently invoked in debates on the nature of authority and obedience. Familial relationships were used to construct and justify the righteousness of political philosophies. Royalists often used the domestic patriarchal model inaccurately in the construction of their political philosophy; they dubiously likened the early patriarchs to contemporary rulers, claiming that their powers were identical and absolute. Parliamentarians, on the other hand, borrowed much more accurately from theories on domestic household governance. Before exploring the different uses of familial relationships in the construction of political models, let us assess the accessibility of political tracts.

The Public Sphere

Peter Lake and Steve Pincus suggest that the Habermasian model of the public sphere is in need of revision. Jürgen Habermas defined the public sphere as an eighteenth-century phenomenon that developed as a result of capitalism and was therefore free from formal state control.³ Lake and Pincus instead suggest that the history of the public sphere is one that begins during the Reformation and “that locates politico-religious conflict beyond as well as within the court,” appealing to “publics beyond the landed elite.”⁴ According to Lake and Pincus, the transitional moment in the development of the public sphere was the Civil Wars, a period which witnessed the breakdown of censorship and an explosion of printed material such as political tracts and pamphlets.

² See, for example, Henry Parker, *Jus Populi* (London, 1644), 46; John Cook, *King Charls, His Case* (London, 1649), 8-9

³ Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry Into a Category of Bourgeois Society*, trans. by Thomas Burger (Cambridge, Mass, 1989)

⁴ Peter Lake and Steve Pincus “Rethinking the Public Sphere in Early Modern England,” *Journal of British Studies*, 45 (April 2006), 287

During this time, the political nation was widened. Royalists and Parliamentarians agreed that victory should not only be military, it should also be ideological. Therefore “these were wars of words as well as of guns.”⁵ Print became the favoured medium through which to express political opinions and garner public support.

Most historians of popular and print culture, like Lake and Pincus, have recognised an increase of popular political consciousness during the seventeenth century. Michael Braddick argues that different coalitions used print to vie for local public support. The mobilization of this support was important because it could lead to control over institutions such as courts and the militia. Political print, used in the battle over local support, helped widen the range of subjects accessible to the public. “War had spawned,” argues Braddick, “arguments more profound and open-ended than who could have a negative voice in relation to legislation or control of the militia.”⁶ Once the royalists and parliamentarians made public their respective grievances they became unable to fully control the subjects of public debates. The importance of public opinion further increased when the Parliament introduced a new constitutional theory that emphasised the subject’s responsibilities and obligations to limit the powers of the monarch.⁷ Factions were increasingly dependent on public legitimation in their bid for power.⁸

⁵ Lake and Pincus, “Rethinking the Public Sphere”, 280

⁶ Michael Braddick, *God’s Fury, England’s Fire: A New History of the English Civil Wars* (London, 2008), 464

⁷ Braddick, *God’s Fury*, 188

⁸ Conversely, Jason Peacey argues that since politicians controlled the market for print throughout the Civil Wars pamphlets were used to fulfil politicians’ propagandist goals, with politicians controlling the messages that were allowed to reach the public. For Peacey, propaganda and the public sphere were mutually exclusive: “propaganda, and the engagement with the public through a broad range of literary forms, represents an attempt to restrict the boundaries of discussion and to control the terms of debate”; see Jason Peacey, *Politicians and Pamphleteers: Propaganda During the English Civil Wars and Interregnum* (Burlington, 2004), 331. However, politicians never fully controlled the “boundaries of discussion.” This is evidenced, amongst other things, by the impact of counter-propaganda, a topic that Peacey does not fully address.

Adam Fox similarly believes the seventeenth century to be formative in the creation of a public sphere, claiming that, by 1700, English society “had created the spaces and established the constituent parts for the emergence of what would later come to be known as “public opinion.””⁹ Nigel Smith also argues that the Civil Wars transformed literary genres and led to the emergence of public opinion. He contends that public opinion grew out of the perfection of modes of communication and circulations of ideas. Once public opinion had been brought into existence, “its consent had to be sought.”¹⁰ According to Smith, printed material was a prominent contributor to the development of public opinion. During the Civil Wars, newsbooks and reportage became “the measure of truth in all senses of the word.”¹¹

Tim Harris also argues that the seventeenth century saw the growth of popular political consciousness. He counters the claim that street politics belonged exclusively to the lower orders. As ordinary people became politically conscious it became increasingly common for politicians to seek public legitimization. The Lord Mayor’s show and the organised celebrations for victorious battles are but two examples of the elite making use of ‘street politics’ to garner popular support. Conversely, Londoners, and especially Londoners of the middling sort, resorted to mass petitioning and mass demonstrations to voice their political opinions and concerns.¹² The middling sort and elites operated within overlapping political realities, simultaneously making use of street politics and official political channels. The political participation of the middling sort has also been

⁹ Adam Fox, *Oral and Literate Culture in England, 1500-1700* (Oxford, 2002), 336

¹⁰ Nigel Smith, *Literature and Revolution in England 1640-1660* (New Haven, 1994), 2

¹¹ Smith, *Literature and Revolution in England*, 70

¹² Tim Harris, “The Problem of ‘Popular Political Culture’ in Seventeenth Century London,” *History of European Ideas*, 10: 1 (1989), esp. 48. See also Tim Harris, *London Crowds in the Reign of Charles II* (Cambridge, 1987)

recognised by Joad Raymond, who argues that the authors of seventeenth-century pamphlets were overwhelmingly from the middling sort.¹³ However, a socially diverse audience - that included the illiterate, who listened to pamphlets being read out loud – participated in print culture, and “pamphlets became a foundation of the influential moral and political communities that constitute a ‘public sphere’ of popular political opinion.”¹⁴

In studying the polemical aims of pamphlets, Raymond argues that Scotland’s role in the popularisation of print culture has been overlooked. Using a full-fledged print campaign, Scottish Presbyterians began courting English public opinion in the 1630s. According to Raymond, it is this campaign, more than the ensuing crisis and breakdown of censorship, that influenced the London book trade. Raymond also questions historians’ over-reliance on the Thomason tracts, which are often cited as the premier source of information on the Civil Wars. It “is by no means a complete collection, and modern views of the 1640s tends to emphasise its contents to the neglect of what it omits.”¹⁵ One of the most important of these omissions is Scottish covenanting pamphlets. Jason Peacey similarly recognises the important role of the Scots in moulding the print culture of the Civil Wars, claiming that “the polemical skill displayed by the Scots was matched by their organisational innovation, and their ability to integrate different aspects of the propaganda process.”¹⁶ In light of the recent emphasis on the British scope of the Civil Wars, this continued over-reliance on English print sources is problematic.¹⁷

¹³ Joad Raymond, *Pamphlets and Pamphleteering in Early Modern Britain* (Cambridge, 2003), 58

¹⁴ Raymond, *Pamphlets and Pamphleteering*, 26

¹⁵ Raymond, *Pamphlets and Pamphleteering*, 192

¹⁶ Peacey, *Politicians and Pamphleteers*, 308

¹⁷ John Morrill and Conrad Russell were some of the first historians to argue that the English Civil War should be studied in the British context. Many of the recent monographs on the Civil Wars have followed Morrill and Russell’s lead and focused on the British context of the wars. See, for instance, Alan MacInnes *The British Revolution 1629-1660* (New York, 2005); Braddick, *God’s Fury*; Austin H. Woolrych, *Britain in Revolution, 1625-1660* (Oxford, 2002)

Moreover, the Scottish print industry did not exist solely in relation to England; it was a vibrant industry in and of itself. According to John Morrill, at the beginning of the First Civil War, the Scots failed to see the conflict in British terms and considered it to be an exclusively Scottish affair.¹⁸ So while some Scottish works may have sought the support of an English public they were also (and principally) aimed at a Scottish audience. According to Margaret Steele, between 1600 and 1640 there was a four hundred per cent increase in the publication of Scottish monographs. Lay involvement in the public sphere is further discernable, first, by the “increasing number of prose works appearing on a variety and religious and moral themes” and second, by the active “canvassing of popular support amongst a broad base of the population.”¹⁹

Print culture contributed to the spread of political ideas and to the construction of a common political culture while simultaneously exacerbating social divisions.²⁰ As Braddick contends the public sphere was truly national as competing factions consciously brought political debates into the provinces.²¹ Adam Fox also argues that “the towns and villages of England were linked with London, and to some extent with each other, through a verbal web of woven travellers” comprised of tradespeople, chapmen, carriers and even vagrants.²² Exchange of news was further simplified by the creation of a public postal system in 1635. According to Edward Vallance, the taking of oaths and subscription to national covenants – practices accelerated during the Civil War years –

¹⁸ See John Morrill, “The National Covenant in its British Context,” in John Morrill (ed.), *The Scottish National Covenant in its British Context* (Edinburgh, 1990)

¹⁹ Margaret Steele “The ‘Politick Christian’: The Theological Background to the National Covenant” in Morrill (ed.), *Scottish National Covenant*, 50, 44

²⁰ Lake and Pincus have, in fact, argued that “during the 1640s and 1650s...factions within each camp appealed for popular support; unprompted by the great and the good, an increasingly varied range of dissident and radical groups intervened;” Lake and Pincus, “Rethinking the Public” 280

²¹ Braddick, *God’s Fury*, 182-208

²² Adam Fox, *Oral and Literate Culture in England, 1500-1700* (Oxford, 2002), 354

broadened the political nation by including “individuals whose wealth or sex excluded them from participating in elections.”²³ In light of recent scholarship on the public sphere, it can be assumed that a significant proportion of British society had familiarity with and access to political theories.

Royalists and the Patriarchal Political Theory

One of the central themes of political tracts, generally accessible to the public, was patriarchal theory on governance as expressed in domestic terms. Proponents of patriarchal political theory were interested in the nature of political society and political obligation. They argued that the authority of fathers and Kings were not merely similar, but identical. God had vested absolute authority in the earliest patriarchs, who had also been the first rulers; regal authority, then, was rooted in paternal authority. Patriarchal political theory was not a product of the British Civil Wars: James VI & I made use of the theory to justify his absolute and divinely ordained power. According to him, the duties of the King were to maintain religion and protect laws. These responsibilities had been articulated during Scottish coronations since the Reformation. Kings promised to protect “the trew religions of Christe, nou preached and professed within this realme” and to rule “according to the lawes and constitutions receaved within this realme.”²⁴ James believed that at his coronation a King became father to this people. In *The Trew Law of Free Monarchies* (1598), he stated that “by the Law of Nature the King becomes a naturall Father to all his Lieges at his Coronation: And as the Father of his fatherly duty is bound to care for the nourishing, education, and virtuous gouernment of his children; euen so is

²³ Edward Vallance, *Revolutionary England and the National Covenant: State Oaths, Protestantism and the Political Nation, 1553-1682* (Woodbridge, 2005), 4-5

²⁴ Morrill, “National Covenant,” 3

the King bound to care for all his subjects.”²⁵ As a father, the King had both responsibilities towards and dominion over his subjects. This idea is similarly expressed in *Basilikon Doron* (1598), in which James provided advice for his then eldest son and heir, Henry. The King claimed to be writing the book as a means of fulfilling his fatherly responsibilities: “I the author thereof, as your naturall Father, must be carefull for your godly and virtuous education.”²⁶ A good King, James argued, also felt a paternal responsibility towards his subjects, and “as their naturall father and kindly Master, thinketh his greatest contentment standeth in their prosperitie, and his greatest suretie in hauing their hearts, subiecting his owne priuate affections and appetites to the weale and standing of his Subjects.”²⁷ Rulers owed the same fatherly care and affection to their subjects as did biological fathers to their children.

The political ideas that circulated within James VI & I’s court continued to do so unabated during the reign of his son, Charles I. According to Austin Woolrych, Charles I “revered his father and in many ways took him as a model, accepting as dogma the doctrines of divine right.”²⁸ The King’s belief in the provenance of his authority is clearly outlined in *Eikon Basilike*, published in 1649 and purported to be Charles I’s own personal reflections and meditations. The authorship of the work is still being debated; it almost certainly was not written by Charles but by John Gauden. Michael Braddick, however, argues that Charles was probably active in editing the text and authorized its

²⁵ King James VI & I, “The Trew Law of Free Monarchies,” 65

²⁶ James VI & I, “Basilikon Doron” in Johann P. Sommerville (ed.), *King James VI and I Political Writings* (Cambridge, 1994), 2. In this work James further advised his son that if ever he became a father he should do the same for his own children: “If God send you succession, be carefull for their virtuous education: loue them as ye ought, but let them know as much of it, as the gentlenesse of their nature will deserue;” 42

²⁷ James VI & I “Basilikon Doron,” 20

²⁸ Woolrych, *Britain in Revolution*, 49

publication while captive in Newport.²⁹ In *Eikon Basilike*, divine right is the only form of authority which is considered legitimate: “Nor do I think my Kingdoms so considerable, as to preserve them with the forfeiture of that freedom which cannot be denied me as a King, because it belongs to me as a man, and a Christian, owing the dictates of none, by God above me, as obliging me to consent.”³⁰ Charles I’s power came from God, and he was subject to His will and judgement alone. According to this stance, in trying to depose of Charles his enemies were guilty of ‘innovation’, of going against the ‘ancient and universal practice of Christian Churches.’³¹

Robert Filmer’s *Patriarcha* (c.1630) is considered to be the most complete expression of patriarchal political theory.³² Filmer links familial origins to political obligation. He argues that paternal and regal authority were born simultaneously in Adam who governed by right of fatherhood over his wife and children. This authority was inherited as “not only Adam but the succeeding patriarchs had...royal authority over their children.”³³ After the Deluge, the rule of patriarchs continued uninterrupted, beginning with Noah and his three sons. These patriarchs possessed authority not just because of their fatherhood, but because they enjoyed a contract – a covenant – with God.

²⁹ Braddick, *God’s Fury*, 580

³⁰ *Eikon Basilike: The Pourtracture of His Sacred Majestie in His Solitudes and Sufferings* (London, 1649), 35

³¹ Conrad Russell, *The Causes of the English Civil War* (Oxford, 1990), 200; *Eikon Basilike*, 80

³² Gordon J. Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-century England* (Oxford, 1975), 1. According to J.P. Sommerville, *Patriarcha* was written about 1630 but not published until 1680; J.P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-1640* (New York, 1999), 29. For a historiographical discussion on the date *Patriarcha* was written see J.P. Sommerville (ed), *Patriarcha and Other Writings* (Cambridge, 1991), xxxii-xxxiv

³³ Robert Filmer, “Patriarcha”, 6-7

God tells Noah that “I establish my covenant with you, and with your seed after you.”

(Gen 9:9) The patriarchs’ power, then, was natural and divinely sanctioned.³⁴

During the Civil Wars, theories on governance and legitimate authority flourished. Henry Ferne believed that patriarchal rule began with Noah rather than Adam, but nonetheless argued that regal power was rooted in paternal power as the authority to govern first appeared “through the veine of nature in a paternal or Fatherly rule.”³⁵ He claimed that the earth was divided between Noah and his three sons, and as their families grew, their progeny were assigned new territories and spread across the face of the earth. Colonies were simultaneously families and kingdoms. Dudley Diggs, who also believed that “Regall power sprang first from Paternall,” characterised paternal rule as stable and orderly.³⁶ God, who “digested one chaos into order,” gave regal power to Adam so that he would not live in a state of confusion.³⁷ John Spelman claimed that natural kingdoms were ones in which Parents ruled over “their children, childrens children, and servants.”³⁸ Significantly, natural kingdoms were the dialectical opposite of violent kingdoms. Spelman’s imagined parcelling of kingdoms implied that natural kingdoms were not only divinely sanctioned – as their names clearly imply – but were also stable and secure, free from violence. He contended that the King was the head of the body politic, “so if you

³⁴ Divine power and natural law were not mutually exclusive in early modern thought. For example, the royalist author of *Christus Dei* argued that “God is the sole cause and author” of the Law and Nature; *Christus Dei* (Oxford, 1642), 6. Similarly George Buchanan, a contract theorist, defined nature as “That LIGHT infused by God into our Minds. this Light some call Nature, others the Law of Nature”; George Buchanan, *De Jure Regni Apud Scotos* (1680), 12-13

³⁵ Henry Ferne, *Conscience Satisfied* (Oxford, 1643), 8

³⁶ Dudley Diggs, *An Answer to a Printed Book Intituled, Observations Vpon Some of His Majesties Late Answers and Expresses* (London, 1642), 5. In a later work, Diggs claimed that while “paternall authority was regall” no modern King could claim that this was the basis of his authority; see Dudley Diggs, *The Vnlavvfulnessse of Subjects Ta King Up Armes Against their Sovereigne* (Oxford, 1643), 15

³⁷ Dudley Diggs, *An Answer to a Printed*, 4

³⁸ John Spelman, *Certain Considerations Upon the Duties Both Prince and People* (Oxford, 1642), 2

destroy the head or kingly power, you destroy the kingdome, and dissolve it into *Chaos* of confused multitude.”³⁹ Like Diggs and Ferne, Spelman saw in the defence of the King’s sovereignty the best way of ensuring stability. The King’s rule was ordained by God and was the most natural form of sovereignty, since “Domestical government is the very Image and model of Sovereignty in a Common-weale.”⁴⁰ These authors claimed that support for the King - England’s political father - was by extension a defence of the divinely ordained natural order and ensured social stability.

Yet regal power was not simply rooted in fatherhood. In justifying patriarchal authority, Filmer cited Adam’s divinely ordained authority over Eve (Genesis 3:16).⁴¹ Patriarchal authority was, therefore, interchangeably rooted in the matrimonial and paternal relation; patriarchs were husbands, fathers and masters.⁴² By invoking Genesis to justify obedience to a patriarch, Filmer was tapping into cultural norms on household government and was not unlike conduct book writers, such as John Brinsley and Nathaniel Hardy, who used this text to explain women’s subjugation. The King, as a husband to the kingdom, was responsible for the wellbeing of his subjects. They, in turn, owed him active obedience. John Spelman, in *A View of a Printed Book* (1642), also used conjugality to explain the King’s sovereignty, claiming that at his coronation he was “wedded with a ring unto the Kingdom.”⁴³ Spelman, in writing his pamphlet, was responding to Henry Parker who claimed that the King, being *singulis major* but *universes minor*, was wedded to his individual subjects rather than to the people taken as

³⁹ John Spelman, *A View of a Printed Book Intituled Observations upon His Majesties Late Answers and Expresses* (Oxford, 1642), 8

⁴⁰ Spelman, *View of a Printed Book*, 9

⁴¹ Robert Filmer, *The Anarchy of a Limited or Mixed Monarchy* (London, 1648), 6

⁴² See, for example, Samuel Rutherford, *Lex, Rex* (London, 1644), 84 ; Elizabeth Poole, *A Vision: Wherein is Manifested the Disease and Cure of the Kingdome* (London, 1648), 4.

⁴³ Spelman, *View of a Printed Book*, 8

a whole.⁴⁴ Spelman mocked this claim by asking: “But in sadnesse is the King wedded to the particular men and women within this kingdome with beards, and without, I pray how many wives will he so have?”⁴⁵ Polygamy was illegal and corrosive to the familial fabric, since “where there are many Wives there cannot but arise violent and deadly contention.”⁴⁶ To suggest that the King was a husband to every one of his subjects was certainly a contradiction of cultural norms.

In defining the King’s specific powers, patriarchal theorists looked to the earliest patriarchs. In a speech delivered to Parliament in 1610, King James VI & I said:

As for the Father of a familie, they had of olde vnder the Law of Nature *Patriam potestatem* (fatherly power), which was *potestatem vitae et necis* (the power of life and death), ouer their children or familie, (I mean such Fathers of families as were the lineall heires of those families whereof Kings did originally come).⁴⁷

The power over life and death, claimed James, has been inherited from the early patriarchs. People were therefore born subordinate – their lives subject to heads of households. This idea continued to enjoy currency during the Civil Wars, as Spelman claimed that God created Man, “after which the Elders, or Fathers of Families successively, had their Eldership, not only paternall, but Regall power, as appears by their making war and executing sentences of death upon offenders.”⁴⁸ According to Filmer, the Old Testament patriarchs possessed the same powers that belonged to

⁴⁴ See Parker, *Jus Populi*

⁴⁵ Spelman, *View of a Printed Book*, 8

⁴⁶ Hardy, *Love and Fear*, 4

⁴⁷ King James VI & I, “A Speach to the Lords and Commons of the Parliament at White-Hall, on Wednesday the XXI of March. Anno 1609” in Johann P. Sommerville (ed.), *King James VI an I Political Writings* (Cambrdige, 1994), 182

⁴⁸ Spelman, *View of a Printed Book*, 13

contemporary monarchs: Judah pronounced a sentence of death against his daughter-in-law; Esau commanded an army; and Abraham concluded a peace agreement.⁴⁹

In *A Discovery of the Rebel* (1643), the author uses Luke 19: 12-28 to justify the monarch's power over life and death.⁵⁰ In this parable, a ruler, hated by his subjects, leaves to receive a distant kingdom. In preparation for his departure he gives his ten servants a pound each and orders them to use the money for trade. Upon his return, his first servant informs him that he has gained ten pounds for which he is rewarded authority over ten cities. His second servant has gained five pounds and is rewarded with five cities. His third servant has gained nothing; out of fear of his Master, he has kept his pound in a napkin. Furious, his Master says: "*But those mine enemies which would not that I should reign over them, bring hither, and slay them before me.*"⁵¹ This parable is used to warn rebel subjects of the just consequences of their treachery – the forfeiture of their lives. Contrary to the other authors examined thus far, this author does not cite Scripture to liken fathers to rulers, but rather to justify a monarch's right over life and death. The parity between fathers and rulers is simply assumed and does not need any substantiation. A governor's authority is rooted in fatherhood and a King is "a father to the Countrey."⁵² As such, his subjects owe him active obedience. This pamphlet, therefore, suggests the currency and popularity of the patriarchal political theory within specific circles of the Royalist movement.

⁴⁹ Filmer, "Patriarcha", 7

⁵⁰ This pamphlet has been ascribed to John Vicars because of a special t.p. annotations on Thomason copy: "Vickars." However, in light of John Vicars body of work and the heavily royalist bent of this pamphlet it is probable that this attribution is erroneous.

⁵¹ *A Discovery of the Rebels* (London, 1643), 2

⁵² *Discovery of the Rebels*, 3

According to J. P. Sommerville, discussions of the power over life and death served to conflate domestic and civil power.⁵³ However, in conflating these powers, royalist authors manipulated theories on household governance. Nowhere in the English law was it permissible for a head of household to kill his wife or child. As we have seen in the previous chapter, the early modern patriarch was limited in his recourse to violence. The equivalency between a domestic and political patriarch's power was more imagined than real. When James VI & I counselled his son on how to choose a wife he defined the matrimonial relationship as both companionate and hierarchical:

Treat her as your own flesh, commande her as her Lord, cherish her as your helper, rule her as your pupil, and please her in all things reasonable; but teach her not to be curious in things that belong her not: Ye are the head, shee is your body; It is your office to command, her to obey; but yet with such a sweet harmonie, as shee should be as ready to obey, as ye to commande; as willing to follow, as ye to go before; your loue being wholly knit vnto her, and all her affections louingly bent to follow your will.⁵⁴

Husbands held power over their wives, but this power was not tyrannical: they were to treat their wives as their own flesh, please them in all things reasonable, and love them. Taken at face value, James' view on marriage did not wholly contradict his belief in absolute monarchical power as it primarily served to define absolute authority by contrasting it to tyrannical authority; the former benefiting the people, and the latter benefiting the holder of the power. However his model of marriage certainly tempered the severity of absolutism by representing the husband as working for the good of his wife; he was a servant to her needs. In this sense, there is a tension between James VI & I's conception of marriage and his conception of political authority. As we will see in the next chapter, the domestic model described by James was also embraced by leading

⁵³ Sommerville, *Royalists and Patriots*, 32

⁵⁴ James VI & I, "Basilicon Doron," 42

royalists during the Civil Wars. There was a problem of congruity between the absolute authority defined in patriarchal political theory and the domestic model. Patriarchal theorists, when they equated fatherly and regal powers, were therefore referring to the patriarchs of the Old Testament and were using a pseudo-historical approach, seeking to establish precedence for their political philosophy.

In defining the subject's political obligation, authors borrowed more accurately from contemporary cultural assumptions and models on household governance. In order to prove that man was born submissive, Filmer used familial examples and the principle of natural laws. He asked: if every single person had a say, how would children be accounted for? Would parents speak for them? If so, "the acts of Parents bind the Children, then farewell the doctrine of *natural freedom of mankind*, where subjection of Children to Parents is naturall, there can be no naturall freedome."⁵⁵ Filmer conflated freedom and equality, suggesting that because children did not have an equal say, they were necessarily born subjects. Most early modern men and women would have agreed that people were not born equal: gender, age, status, race and religion all influenced a person's individual status. Filmer was exploiting a basic assumption on inequality to garner support for his political model. Resisting kingly authority, he argued, was both a violation of God's will, who bestowed authority in the "supreame fatherhood," and unnatural.⁵⁶ Filmer concluded that "Here we have the originall grant of Government, and the fountain of all power placed in the father of all mankind, according we find the law for obedience to government given in the tearms of honor thy father."⁵⁷ The Fifth

⁵⁵ Robert Filmer, *The Anarchy of a Limited or Mixed Monarchy* (London, 1648), 10

⁵⁶ Filmer, *Anarchy of a limited or mixed monarchy*, 12

⁵⁷ Filmer, *Anarchy of a Limited or Mixed Monarchy*, 6

Commandment, instructing obedience to one's parents, applied to all parents, biological and political.

Royalist authors often invoked the Fifth Commandment to define the correct behaviour of political subjects. Henry Ferne argued that the King was a father, "as in the fifth commandment, and that people [were] as children in the same relation for obedience and coercion, as at first in the generation of Noah."⁵⁸ Just as children did not possess the right to resist their fathers, neither did the people have the right to resist their rulers. Similarly, the author of *A Discovery of the Rebels* (1643) argued that active obedience to the monarch is "plainly enjoined in the fifth Commandment, Honour thy Father, but the King is the Father of the Country."⁵⁹ John Spelman claimed that all subjects – taken individually or as a collective – owed reverence to the King.⁶⁰ He admitted that Kings could be tyrannical. In such instances, subjects should not "invade Gods peculiar right" by attempting to depose of the King, but rather should work towards their own reformation and pray for the King's.⁶¹ A tyrannical King was a test from God, and to resist his divinely ordained ruler was to "anteverte the glory that God seemed to seeke in our trial."⁶² Such advice precisely echoed that given by conduct book authors to abused wives, recommending that they remain patient and submissive towards their husbands.

Not all royalists used the patriarchal political theory to defend the King's absolute power. In *Christus Dei* (1642) the author argued that there were two principal aims of civil society: first, to worship God; and second, to preserve mankind. In order for humans

⁵⁸ Ferne, *Conscience Satisfied*, 9

⁵⁹ *Discovery of the Rebels*, 13

⁶⁰ Spelman was responding to Henry Parker's argument in *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), that Monarchs are *singulis major* but *universis minor*. In *Jus Populi*, Parker repeated this belief stating that "Princes are not to be called Fathers of their Subjects, except taken divisim: but are meer servants to the people taken collectim"; Parker, *Jus Populis*, 28.

⁶¹ Spelman, *Certain Considerations*, 10

⁶² Spelman, *Certain Considerations*, 18

to achieve the second aim, there must be free associations of private families who assist each other in order to provide food, clothes, help for women in labour, etc.⁶³ The roots of civil society were not to be found in the authority of fathers; rather, civil society was born from the conscious and free association of private families. This author did not use patriarchal theories to justify political obligation. He did, however, reach similar conclusions as other royalist pamphleteers, arguing that monarchs were divinely ordained and accountable only to God.⁶⁴ And, despite not identifying patriarchal power as the origins of monarchical power, the family structure was central to this author's political model as it was the root of civil society and government. The reliance on the family to corroborate political philosophy, however, was not only characteristic of royalists; it was also widely employed by parliamentarians.

Republicans and the Social Contract Theory

The belief that civil societies were formed by free association was a staple of republican thought and contract theories. John Milton, an English poet and writer for the parliamentary cause, believed, like the author of *Christus Dei*, that civil societies were born by free association. Milton argued that this association became necessary after the Fall of Man, at which point unchecked violence would have led to the destruction of all.⁶⁵ But other than this point, his reasoning diverged from that of our royalist author. It is the people, once assembled into civil society, that elected a King. He referred to Scripture to support this assertion, reminding his reader that, while the Lord chose David to be the ruler of the Israelites, it was the elders of Israel who made a covenant with David and

⁶³ *Christus Dei*, 4-5

⁶⁴ *Christus Dei*, 12

⁶⁵ John Milton, *The Tenure of Kings and Magistrates* (London, 1649), 8

anointed him King (2 Sam 5:3, I Chron 11:3). Furthermore, he invoked the story of Jehoash, who was made King of Israel by a covenant between “the Lord, and the King and the people, that they should be the Lord’s people; between the King also and the people” (2 Kings, 11:17). Therefore, the King’s power was granted both by God and the people. Monarchical authority was derivative, “committed to [Kings] in trust from the people,” and the people’s right of “choosing, yea of changing thir own Government is by the grant of God himself in the People.”⁶⁶

Milton used familial analogies to show that the King, as a willing member of the covenant, was subject to the law. He asked, “as the Law is between Brother and Brother, Father and Son, Maister and Servant, wherefore not between King or rather Tyrant and People?”⁶⁷ Milton compared Kings to fathers and masters and acknowledged the superiority of each. However, he argued that their authority was limited by law, which regulated natural familial bonds, and everyone, including the King, was subject to it. Milton’s argument for limited authority very much corresponded to cultural assumptions on limited domestic patriarchal power.

Henry Parker also argued that the law limited patriarchal authority. In *Jus Populi* (1644) he contended that marital and parental powers were lesser than and subject to the jurisdiction of the law. The first type of power that came into being, according to Parker, was marital. Conjugal love was of the strongest kind since “the Scripture saies that *the man, and the woman were made one flesh.*”⁶⁸ In such a union, coercive power was improper. Law, therefore, was created to prevent unnatural comportment. It regulated

⁶⁶ Milton, *Tenure of Kings and Magistrates*, 10, 15

⁶⁷ Milton, *Tenure of Kings and Magistrates*, 21

⁶⁸ Parker, *Jus Populi*, 31

men's behaviour by limiting their powers and preventing them from proceeding "to what degree of rigour they please, even to death itself."⁶⁹ Parker therefore recognised that patriarchs did not have the power over life and death. Still, domestic hierarchies were maintained, as law also regulated women's behaviour and ensured that they were not unnaturally domineering. The second type of power subject to the law's jurisdiction was parental. Parental power, Parker claimed, was neither sufficient nor appropriate for rendering judgement. Fathers could not judge their sons: if the offence was committed against the father, he could not judge his own case; and if the offence was committed against another, his judgement would be partial to his son. In arguing that law regulated and limited both marital and parental powers, Parker was denying that patriarchs naturally possessed absolute authority. This was true of even the earliest patriarchs, since Adam was not allowed to judge his son Cain for the murder of Abel. The people instead rendered the judgement.⁷⁰ Like royalists, then, republican theorists looked to Scripture to find precedence for their political philosophy.

Parker, in arguing for limited monarchical power, was not seeking to destabilise domestic order, and he indeed embraced gender hierarchy. He claimed that women were inferior to men, stating that "Man (saies the Apostle) was not made of the woman, but the woman of the man: and this is made an argument why the woman should pay a due subjection to man."⁷¹ Parker used domestic order to strengthen his political philosophy, comparing the assumed natural subjugation of women to men to the King's subjugation to

⁶⁹ Parker, *Jus Populi*, 31

⁷⁰ Parker, *Jus Populi*, 32-34

⁷¹ Parker, *Jus Populi*, 1

the people. Just as Eve was created from and for Adam, the King was created by and for the people. Parker claimed that:

In Matrimony there is something divine...but is this any ground to infer that there is no humane consent or concurrence in it? Does the divine institution of marriage take away freedom of choice before, or collude either party under an absolute degree of subjection after solemnization?...If men, for whose sake women were created, shall not lay hold upon the divine right of wedlock, to the disadvantage of women: must lesse shall Princes who were created for the peoples sake, challenge any thing from the sanctity of their offices, that may derogate from the people.⁷²

The covenant between husband and wife was likened to the covenant between the King and his subjects and was used to explain limits on authority. In borrowing from domestic theories, Parker turned patriarchal political theories on their head. Kings were not husbands, they were wives; Kings were not masters, they were “meer servants to the people taken *collectim*.”⁷³ Since he was created by and for the people, he was naturally inferior to them, ruling only by consent. The continuance of this consent was conditional on the King’s proper comportment.

Parker’s belief in domestic patriarchy is also evident in *Observations upon Some of His Majesties Late Answers and Expresses* (1642), in which he argued that wives and servants were inferior to patriarchs, and that “the father is more worthy than the son in nature, and the son is wholly a debtor to the father (and cannot) challenge anything as due from his father.”⁷⁴ However, household power relations did not necessarily translate into political obligation: “yet this holds not in the relation betwixt King and Subject.”⁷⁵ If obedience to a father did not translate into obedience to a monarch, resistance to an

⁷² Parker, *Jus Populi*, 4-5

⁷³ Parker, *Jus Populi*, 28

⁷⁴ Parker, *Observations*, 19, 18

⁷⁵ Parker, *Observations*, 18

“unnatural father, tyrannous husband, merciless master” was grounds for resistance to a bad King.⁷⁶ Parker, while denying that there was any equivalency between the authority of a father and of a ruler, accepted that there were similar limits to political and domestic patriarchal power and that unnatural patriarchs could and should be resisted.

While the contradictions in Parker’s argument suggest the problems inherent to using patriarchy to defend republicanism, his philosophy is not completely at variance with advice on household governance. While wives owed obedience to their husbands, both the husband’s authority and the wife’s subjection were circumscribed. A wife should submit to her husband only if what he required of her was godly. William Gouge was adamant that a wife should respect and fear God above her husband: “if an husband shall command his wife to goe to Masse, to a stage play, to play at dice, to prostitute her body to vncleannes, to goe garishly and whorishly attired, to sell by scant weights, short measures, or the like, she ought not to doe so.”⁷⁷ Similarly Thomas Taylor exhorted wives to obey their husbands in all things they could not “prove to be sinne.”⁷⁸ Like household dependents, the political subjects owed allegiance first and foremost to God. Since humans were naturally degenerate only God commanded absolute authority.

Republican theories of popular sovereignty were put into practice by the regicides in 1649 when Charles I was tried for treason. Participating parliamentarians claimed they were exercising their obligation to resist a tyrannical ruler. When the presiding judge, John Bradshaw, addressed Charles I on the first day of his trial, he declared that the court, “being sensible of the evils and calamities that have been brought upon this nation and of the innocent blood that hath shed in it, which is fixed upon you as the principal author of

⁷⁶ Parker, *Observations*, 19

⁷⁷ Gouge, *Domesticall Duties*, 329

⁷⁸ Thomas Taylor, *A Good Husband and a Good Wife* (London, 1625), 26-7

it...have resolved to bring you to trial and justice.”⁷⁹ One of the justifications for prosecuting the King was the accusation that he was a “Man of Blood” – that is, that he was tainted by blood guilt. Patricia Crawford has argued that blood guilt - the shedding of innocent blood - “could render null the discharge of a sacred function: a King polluted by blood could be a King no more.”⁸⁰ The Army and Rump Parliament were using these accusations to strip Charles I of his royal sanctity.

The idea of blood guilt was rooted in Christian belief. Genesis 9:6 proclaimed that “Whoever sheds the blood of man, by man shall his blood be shed.”⁸¹ Thus, according to his enemies, the King was guilty of shedding innocent blood, and it was their duty, as instruments of God, to seek vengeance for his actions. The King’s perceived bloodguilt was also understood as the cause of the national tumult. It was God’s punishment for unavenged deaths reaching back to the time of the Marian martyrs. There was an implied connection between King Charles and the Catholic monarch Mary I; both, by shedding innocent blood, polluted the nation and brought on the wrath of God. Charles’ perceived blood guilt made him not only unfit to be King but also a danger to his people. Therefore, the court that tried Charles defended its authority by claiming that it lay in the “Commons of England, assembled in Parliament, in the behalf of the People of England.”⁸²

Following the King’s execution, John Cook, leader of the prosecution against Charles, published a pamphlet entitled *King Charls, his case* (1649), in which he similarly accused the King of blood guilt. He did so by invoking Charles’ responsibility in destroying the English familial fabric. He claimed that “their [the victims’] wives and

⁷⁹ J. G. Muddiman, *The Trial of King Charles the First* (Edinburgh, 1928), 77

⁸⁰ Patricia Crawford, “Charles Stuart, That Man of Blood” in *The Journal of British Studies*, 16: 2 (Spring 1977), 42

⁸¹ Crawford, “Charles Stuart, That Man of Blood,” 43

⁸² Muddiman, *Trial of King Charles the First*, 82

children cry, Justice upon the murtherer, or else give us our fathers and husbands again.”⁸³ The war, of which Charles was guilty, had robbed families of their heads of household. Charles, by his actions, was menacing the domestic patriarchal order.

Cook also tried to explain the problematic fact that there were no legal provisions for executing a King. He argued that the absence of laws concerning the matter did not prevent the action but rather pointed to its extraordinary nature. He stated that, “as in the Common instance of *Paricide*, The *Romans* made no Law against him that should kill his Father, Thinking no child would be so unnatural to be the death of him who was the Author of his life.”⁸⁴ Not only was Charles guilty of spilling innocent blood, but he also attacked that which is the “Author of his life.” Cook, expanding on this motif, also accused Charles of participating in the popularly rumoured poisoning of his father, the former King James VI & I. Charles protected Buckingham, his alleged accomplice, from an inquest and, in so doing, demonstrated that he “hath no nature to do justice to his own Father.”⁸⁵ He was an unnatural son, usurping the natural authority of his father. Therefore, Cook asked his readers: “Was [Charles I] fit to continue a Father of the people, who was without natural affection to his own Father?”⁸⁶ To justify the King’s execution, regicides used familiar analogies that would have resonated with their audience; by threatening both biological and political families, Charles was a menace to the kingdom’s stability.

However, not all Charles I’s opponents believed that the King’s death was warranted. The prophet Elizabeth Poole appeared in December 1648 before the General

⁸³ John Cook, *King Charls his Case* (London, 1649), 36

⁸⁴ Cook, *King Charls his case*, 25

⁸⁵ Cook, *King Charls his Case*, 12

⁸⁶ Cook, *King Charls his Case*, 12

Council of the Army. On this occasion she presented herself as an army sympathiser, critical of the monarchy.⁸⁷ Her beliefs guaranteed her a warm reception, and she was asked to return in January 1649. On this occasion she surprised her audience by arguing against the regicide. She recounted a “vision” she had had, in which the kingdom of England presented itself as “a woman, crooked, sick, weak and imperfect in body.”⁸⁸ Gendered imagery was a key feature of Poole’s vision. During her second appearance before the General Council of the Army, she told her audience that the King was “father and husband of your bodies.”⁸⁹ In comparing the army to a wife, Poole was using domestic patriarchal theories to argue that the army should be subservient and submissive. She claimed that “you never heard that a wife might put away her husband, as he is the head of her body, but, for the Lords sake suffereth his terror to her flesh.”⁹⁰ The natural domestic order was used as a model for the natural political order. Marcus Nevitt has further argued that, by comparing the army to a wife, Poole was conflating “the general masculinist fear of the anarchy inherent in domestic rebellion with a broadly consensual political point that the King’s life ought to be spared.”⁹¹ Fears of gender and political anarchy were interconnected. Like Poole, many parliamentarians were opposed to the execution of the King, particularly those referred to loosely as Presbyterians. Not all Presbyterians were Scots, but that is where the movement originated, and it is to these Scottish Presbyterians that we shall now turn.

⁸⁷ For more on Elizabeth Poole see Marcus Nevitt, *Women and the Pamphlet Culture of Revolutionary England, 1640-1660* (Burlington, 2006), 70

⁸⁸ Poole, *Vision*, 1

⁸⁹ Poole, *Vision*, 4

⁹⁰ Poole, *Vision*, 5

⁹¹ Nevitt, *Women and the pamphlet culture of revolutionary England*, 79

Presbyterians and the National Covenant

As the earlier example of James VI & I makes clear, the debates over legitimate authority began long before the outbreak of the Civil Wars. John Knox, in the sixteenth century, was already advocating the right of resistance. Knox, a Scottish Calvinist who fled to Geneva to avoid persecution by Mary of Guise, the Catholic regent of Scotland, argued that resistance to a monarch was justified, and indeed morally required, if the monarch went against God's teachings.⁹² In *The Copie of a letter deliuered to the ladie Marie, Regent of Scotland* (1558), Knox outlined his belief in the right of resistance: "Against God it is, that for the comandement of any prince, be he neuer so potent, men shall commit idolatrie, embrace a religion which God hath not approved by his word."⁹³ Knox's also objected to the rules of Mary Queen of Scots and Mary Tudor, based on religion as well as gender. In his (in)famous *The First blast of the trumpet against the monstrous regiment of women* (1558), Knox argued that "to promote a woman to beare rule, superioritie, dominion or empire aboue any realme, nation or citie is repugnant to nature, cotumelie to God, a thing most contrarious to his revered will and approved ordinand and finalie it is the subersion of good order, of all quitie iustice."⁹⁴ Knox believed it was a subject's duty to resist an ungodly monarch and men's duty to resist being unnaturally governed by women. Resistance was warranted to protect religion and gender hierarchy.

⁹² The belief in the right of resistance also had strong European roots. Theodore Beza, a French Protestant and protégé of John Calvin, was the author of the theory on political covenants. According to him, government was formed by a covenant between God, the rulers and the people. The people had the duty to obey their rulers as long as they, in turn, obeyed God's law and protected their subjects. Such ideas were circulated amongst Calvinists, especially those exiled in Geneva (of which there were many Scots and English). See John Witte, Jr. "Rights, Resistance, and Revolution in the Western Tradition: Early Protestant Foundations," *Law and History Review*, 26: 3 (Fall 2008)

⁹³ John Knox *The Copie of a Lettre Deliuered to the Ladie Marie Regent of Scotland* (Geneva, 1558), 11

⁹⁴ John Knox, *The First Blast of the Trumpet Against the Monstruous Regiment of Women* (Geneva, 1558), 9

George Buchanan, James VI & I's tutor from 1570 to 1578, made more explicit use of patriarchal theory in his elaboration of the right of resistance. His work *De Jure Regni Apud Scotos* (1579) was dedicated to his former pupil. However, it was a defence of violent resistance to Mary Queen of Scots, James' mother. In this tract, Buchanan was interested in the origins of man. In their natural state, "men did dwell in cottages, yea and in caves as strangers did wander to and fro without lawes...and every one of them in high mountains ruleth his own house, wife and children."⁹⁵ Families were the origins of social authority and civil society. However patriarchal authority did not translate into political obligation. Instead Buchanan believed that the people requested the creation of Kings so that the latter could maintain equity. Kings were created by God for the people. Laws were subsequently created to protect the people from the King: "Kings [were] created as a response to discord amongst men; laws to minimise injuries done by kings."⁹⁶ Not only were rulers subject to the law, but since Kings were created for the people, the latter had the right to violently depose of tyrannical monarchs.

The theory of the right of resistance was put to the test in 1637, when a Prayer Book, which sought to introduce "proper" liturgy, ceremony and rituals, was imposed in Scotland by royal prerogative. The Prayer Book was understood as a product of human innovation, and it was rejected to defend the primacy of God's word and authority: the Scottish people were tapping into a tradition of presuming the subjects' right of resistance.⁹⁷ Following the initial manifestations against the Prayer Book, violence was

⁹⁵ Buchanan, *De Jure Regni Apud Scotos*, 11

⁹⁶ Buchanan, *De Jure Regni Apud Scotos*, 30

⁹⁷ This tradition was also influential in England. See, for example, Milton, *Tenure of Kings and Magistrates*, 26-29. Milton quotes from Buchanan's *Rerum Scoticarum Historia* and uses the example of the Scots taking up arms against the Queen Regent in 1559 as precedent for resisting a monarch. He also favourably refers to Knox, writing that "In the year 1564, *John Knox*...at a General Assembly maintained...that

momentarily checked. Discontent took the form of petitioning (primarily from the West and Fife) and orderly demonstrations by the Scottish nobility.⁹⁸ The King, however, remained intransigent concerning the Prayer Book. His behaviour suggested disconnectedness from his Scottish kingdom and insensitivity to the intensity of the crisis.

The introduction of the National Covenant in 1638 gave rise to a new phase in Scottish resistance. Edward Vallance has defined a national covenant as

The notion of a nation or nations in a covenanted relationship with God, in which the faithfulness of the people in keeping their covenant (by defending the Gospel, praying, fasting, supporting good ministers and their co-religionists abroad) corresponds to the nation's temporal success, and the fortunes (earthly and spiritual) of individuals within the covenant.⁹⁹

Loyalty came to be understood in religious terms. The idea of a covenanting nation was neither new nor specific to Scotland.¹⁰⁰ However, according to Margaret Steele, the Scottish National Covenant was unique in that it redefined the political nation by soliciting an unprecedented level of popular participation and revisiting ideas on obedience.¹⁰¹ In essence, the ideas of the covenanting nation and of the right of resistance were melded into a single movement. Allegiance was owed first and foremost to God, so that “with all society bound by a covenant in subordination to God, conventional social

Subjects might and ought execute Gods judgement against the King;” Milton, *Tenure of Kings and Magistrates*, 29

⁹⁸ For more on the Scottish reaction to the Prayer Book see David Stevenson, *The Scottish Revolution, 1637-1644: The Triumph of the Covenanters* (Newton Abbot, 1973), 69

⁹⁹ Vallance, *Revolutionary England*, 1

¹⁰⁰ Edward Vallance argues that “attempting to determine which nation exerted the greatest influence overall in this understanding of national covenant, Scotland or England, is pointless given the degree to which it was part of a shared Anglo-Scottish Protestant culture;” Vallance, *Revolutionary England*, 6

¹⁰¹ Margaret Steele, “The ‘Politick Christian’: The Theological Background to the National Covenant” in John Morrill (ed.), *The Scottish National Covenant in its British Context* (Edinburgh, 1990), 44-45

and political allegiance...took a back seat to faith and the ‘Politick Christian’ was created.”¹⁰²

At the height of growing agitation, many higher officials, despite rejecting the Prayer Book and taking the National Covenant, maintained their loyalty to the King. The purpose of the Covenanters was to defend the “true religion.” This, however, was to be done while doing the “uttermost of our power with out means and lives, [to] stand [for] the defence of our dread Sovereigne, the King Majesty.”¹⁰³ The Bishop of St Andrews, who, as a bishop, admittedly had a particular investment in the King’s defence of episcopacy, echoed this sentiment, writing to the King in 1638 explaining:

We the Noblemen, Barons, Burgesses, Ministers, and other that have joined in a late Bond or Covenant for the maintaining of true Religion and purity of Gods Worship in this Kingdom, having understood that Our Sovereign Lord the King Majesty is with our doing highly offended, as if we had thereby usurped His Majesties Authority, and shaken off all Obedience to His Majesty and to his Law; for clearing our selves of that Imputation do thereby declare and in the presence of God Almighty solemnly protest, that it did never as much as enter into our thoughts, to derogate anything from His Majesties Power and Authority Royal, or to disobey and rebel against His Majesties Laws.¹⁰⁴

It remained unclear what Covenanters should do if the protection of religion and the King’s authority conflicted. John Morrill wonders whether Covenanters were “trying to avoid alienating their more timid supporters, avoiding giving the King an easy opportunity to call them traitors, or were they unable to recognise that they might have to choose?”¹⁰⁵ He concludes that the third option is the most likely. When the Scots created the National Covenant, they saw their problem in exclusively Scottish terms. They believed that their resistance would force the Scottish King to reform his ways, and truly

¹⁰² Steele, “The ‘Politick Christian’,” 58

¹⁰³ As quoted in Stevenson, *The Scottish revolution*, 84

¹⁰⁴ Gilbert Burnet, *The memoires of the lives and actions of James and William, Dukes of Hamilton and Castleherald*, (London, 1677), 58

¹⁰⁵ Morrill, “The Covenant in its British Context,” 12

believed that they could simultaneously protect true religion and respect the monarch's sanctity. What they did not foresee was that Charles would use English and Irish forces to attempt to quash Scottish resistance.¹⁰⁶

Furthermore, the Covenanters understood the King's infraction as being of a purely religious nature. His Prayer Book was innovative and violated scriptural tradition and the First Table of Commandments which instructs proper religious duties. For Presbyterians, the interaction between religion and state was governed by the 'two-kingdom model' that envisioned the country as divided into two separate kingdoms: one secular, ruled by the King; and the other sacred, ruled by God. This model did not provide for an earthly head of the sacred kingdom. The General Assembly, who managed sacred matters, possessed ascendant power granted from the people rather than from God. As Julian Goodare has remarked, there were many conceptual problems with this model, and it was never fully realised.¹⁰⁷ By the end of James VI & I's reign, the state had clearly imposed its supremacy over the church. Religious radicals became acutely aware that "they had to *capture* the state, and could not bypass it."¹⁰⁸ The system of moral discipline generally encouraged consensus amongst the governing elite, lessening internal struggle for power, but "even when moral discipline was a matter, not merely of order, but of 'divyne lawis', these were not the exclusive property of the church but could be

¹⁰⁶ While these original goals do not in themselves explain the position the Scots adopted vis-à-vis the King's execution they do contribute to our understanding of the ideologies at play. For more on power dynamics concerning the Presbyterian party in relation to other Parliamentary groups see Jason Peacey, *Politicians and Pamphleteers: Propaganda During the English Civil Wars and Interregnum* (Burlington, 2004), esp. chapter 7

¹⁰⁷ Julian Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999), 198-99

¹⁰⁸ Goodare, *State and Society*, 212

invoked by the civil authorities also.”¹⁰⁹ It is the King’s interference in matters of religion that the Covenanters most objected to, not his political power.

The Scottish debate on legitimate authority changed after the King decided to invade the country. No longer were Covenanters simply protecting the reformed religion; in resisting the King, they were acting in self-defence. This is clearly expressed by Alexander Henderson in *Some Speciall Arguments for the Scottish Subiects Lawfull Defence of their Religion and Liberty* (1642). Henderson had assumed a leading role in organising the 1637 demonstrations against the new Prayer Book and was one of the first people to sign the National Covenant. According to Henderson, by 1642 the question concerning the Scots was no longer whether an evil King should be obeyed: “The question is merely and simply about our own just defence and safetie.”¹¹⁰

Henderson argued that a subject’s primary allegiance was to God. If a ruler violated God’s teachings, it was the subject’s duty to rebel. Henderson compared the subject’s right to safety (both physical and moral) to the right of subordinate members of society. A chaste woman had the right to disobey a man if the man was trying to force her to commit adultery; “children may resist the violent invasion of parents against themselves, their Mother, or The Family (not withstanding the great obligation betwixt Parents and Children) and servants may hold hands of their Parents seeking to kill them in their rage.”¹¹¹ Henderson was invoking a higher morality that people were obliged to defend. His examples also recognise that domestic patriarchs were limited in their use of power and, more specifically, in their use of violence. Like contract theorists in England,

¹⁰⁹ Goodare, *State and Society*, 210

¹¹⁰ Alexander Henderson, *Some Speciall Arguments for the Scottish Subiects Lawfull Defence of their Religion and Liberty* (London, 1642), 3

¹¹¹ Henderson, *Some Speciall Arguments*, 5

he argued that domestic and political patriarchs were equally circumscribed in their exercise of authority, but believed that their authority was trumped by divine rather than human law.

Samuel Rutherford, a Church of Scotland minister, argued that people were born free from subjection. Like Henderson, he used familial analogy to describe the extent of people's liberties. Rutherford recognised a father's authority over his son but denied that this authority translated into political obligation: "because the liberty of the sonne being born with the sonne, (all men being borne free from all civill subjection) the father hath no more power to resign the liberty of his children, then their lives."¹¹² A father did not have authority over his son's freedom or life. Rutherford also doubted that "the relation of a father, as a father, doth necessarily infer a Royall or Kingly authority of the father over the sonne."¹¹³ There existed a clear distinction between the authority of a father and of a King. A child's subjection to his father was natural; but although a child born into civil society must obey laws, he was neither naturally nor definitively subject to the King. Despite these arguments, Rutherford did not wholly reject monarchical power. He affirmed that a lawful King could not justly be dethroned and that "we [Presbyterians] hold that the King, by office, is the Churches nurse Father."¹¹⁴

Not all Scots were Covenanters. Rutherford's *Lex Rex* (1644) was written in response to the John Maxwell's *Sacro-Sancta Regum Majestas* (1644). A Scottish royalist forced into exile in 1638, Maxwell argued that absolute monarchy was the most divine form of government. God created Adam and gave him absolute power to govern. Subsequently, God created Eve. According to Maxwell, the fact that Adam possessed his

¹¹² Rutherford, *Lex, Rex*, 86

¹¹³ Rutherford, *Lex, Rex*, 89

¹¹⁴ Rutherford, *Lex, Rex*, 87, preface 3

authority before Eve was created was proof that God believed the best form of government was monarchical: “God in his wisdom did not think it fit...to make two independents and liked best of all governments of mankind, The Sovereignty of one.”¹¹⁵ Adam first ruled over his wife and children; paternal sovereignty was therefore understood as the foundation of regal power. People were naturally born subordinate. There were three forms of subjection: matrimonial, parental and political. “As the man to have power over his wife, a father to have power over the sonne, A King to rule, and Subjects to obey.”¹¹⁶ Again, domestic hierarchies were being used to justify obligation to a monarch. Maxwell further used assumptions on domestic patriarchy to ridicule contract theorists. He wrote that a woman’s right to choose a husband did not imply “her choice and consent giveth...him marital power” rather the “right and prerogative of the husband is from the Almighty God.”¹¹⁷ Similarly, even if the people had requested a King, God alone granted a ruler’s power. So, just as it was inconceivable to believe that a wife conferred marital power unto her husband, so too was it inconceivable to believe that people conferred sovereign power unto a ruler.

Furthermore, Maxwell argued that according to Moses’ Law of Divorce, men may give their wives a bill of divorce, but the opposite was not true. The subjected party cannot divorce itself from the superior party. In using this example, Maxwell, like his English counterparts, can be accused of using a pseudo-historical approach and of seeking biblical precedence for his political philosophy. Mosaic Law of divorce was never implemented in England, and the topic of divorce was in fact highly

¹¹⁵ John Maxwell, *Sacro-sancta Regum Majestas* (Oxford, 1644), 84

¹¹⁶ Maxwell, *Sacro-sancta Regum Majestas*, 86

¹¹⁷ Maxwell, *Sacro-sancta Regum Majestas*, 87

controversial.¹¹⁸ Like English Royalists, Maxwell used Old Testament examples of domesticity to prove the King's absolute authority. These examples did not always correspond to contemporary realities.

The English and Scots both used patriarchal discourse to legitimise their authority. Thus, the language of patriarchy was far-reaching and significant in more than one of Charles' kingdoms. The inclusion of Scotland in the narrative of the development of Civil War political cultures is crucial. Theories on absolute power and on the right of resistance were, in part, nurtured in Scotland during the sixteenth century, thanks to authors such as King James VI & I, John Knox and George Buchanan. To overlook the impact of Scotland in the development of these political traditions is to do disservice to the history of the country.¹¹⁹ Furthermore, there are significant differences in the way political theories, notably the right of resistance, matured in England and Scotland. Both Independents and Presbyterians denied that there was any equivalency between a king's authority and a father's, believing that they had the right to resist an ungodly or tyrannical monarch. However, they acted differently upon these beliefs during the Civil Wars. In England, Independents saw the right of resistance as legitimising the removal of the monarch, and supported Charles' execution and the introduction of a new form of government. Furthermore, the court that prosecuted the king claimed that its power derived from the people. Independents embraced the contract theory, contending that a ruler could be deposed of if he ceased upholding the general interest. Conversely, the two-kingdom model promoted by Presbyterians - predominantly, but not exclusively,

¹¹⁸ See, for example, John Milton, *The Doctrine and Discipline of Divorce* (London, 1643); *An Answer to a Book Intituled, The Doctrine and Discipline of Divorce* (London, 1644)

¹¹⁹ For a discussion of political patriarchy in sixteenth century England see Schochet, *Patriarchalism in Political Thought*, 37-53

Scottish - defined the king's power as solely secular. While they argued that they were obliged, as Christians, to resist his religious innovations, they maintained their intent to protect his sovereignty.¹²⁰ They defended their actions by claiming that were a covenanted nation obligated to obey God, rather than by claiming that they entered a social contract with their ruler.

Royalists and parliamentarians on both sides of the border relied heavily on the language of patriarchy to construct their political philosophies. Royalists believed all governors, from the heads of household to the rulers of kingdoms, held absolute power. They manipulated theories on household governance to argue that fathers and Kings shared identical duties: making war and peace; judging their dependents; and by extension, holding power over life and death. These duties had been imparted to patriarchs by God, with whom they made a covenant. Since the covenant had been concluded exclusively between these two parties, only God could depose of bad governors. The people, being excluded from this agreement, owed active and unconditional obedience to their ruler. Conversely, parliamentarians believed that the covenant existed between themselves, the King and God. All subjects had the obligation to resist authority when it violated divine law or when it threatened the greater good. Despite arguing that fathers and monarchs did not share the same rights and responsibilities, republican and Presbyterian authors identified similar limitations on their power. Furthermore, they exhorted subjects to resist ungodly rulers, mirroring conduct book authors' advice to wives with ungodly husbands. Their political philosophy was

¹²⁰ see footnote 105 of this chapter.

more sensitive to the cultural norms governing theories on patriarchal authority as they argued that all earthly authority was by nature limited.

“I Die, I Take it, for Maintaining the Fifth Commandment”: Patriarchy, Authority and Obedience in the Last Dying Speeches of Royalists and Regicides

In January 1649 King Charles I was tried and found guilty of high treason and condemned to be “put to death, by the severing of his Head from his Body.”¹ On the morning of his execution Charles I was attended by Dr. Juxon, Bishop of London, who prayed with the King and read from Matthew 27, which describes the Passion of Christ. The King, once the service was complete, thanked the Bishop for his choice of texts, stating that it was especially applicable to his own situation. The Bishop replied: “‘May it please your gracious Majesty, it is the proper Lesson for the day, as appear by the Calender.’ Upon hearing this reply, the King “was much affected and thought it a providential Preparation for his Death.”² The event simultaneously suggested Charles’ own election and divine sanction for the Book of Prayer, proving the justice of his cause. The King was being portrayed as martyr: a man soon to die a witness to the truth and a champion of God’s cause.

The practice of depicting oneself or one’s ally as a martyr was not restricted to the King and his supporters. The regicides also used scripture to suggest their righteousness and forthcoming salvation. Royalists and regicides were working within the same systems of beliefs. This is most clearly illustrated in the accounts of their trials and executions; regardless of their allegiance, condemned men were primarily concerned with ‘dying well.’ This meant the same thing for all concerned: dying “calmly, bravely, and

¹ Thomas Bayly Howell, William Cobbett, David Jardine (eds.), *A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors: From the Earliest Period to the Year 1783, with Notes and Othe*, (London, 1816), Vol. IV, 1128

² Howell, *State Trials*, Vol. IV, 1132

without passion, or rancour.”³ Cheerfulness in the face of death was proof of divine intervention. These conventions were shaped in part by sixteenth-century martyrologies. Brad Gregory has argued that Protestant martyrologists, such as John Foxe, were primarily concerned with delineating “a community of Protestant martyrs broader than the martyr’s respective confessional groups” who would testify to the “unity characteristic” of “God’s restored truth.”⁴ This ideal proved unattainable as conflict between confessional groups remained a reality. While royalists and regicides all claimed to be Protestants, there were disagreements amongst them. This is often reflected in the different emphases of their last dying speeches. Royalists tended to focus on charity to others, while the “hotter sort” of parliamentarian (in the case of this chapter, the regicides) focused instead on their own election. Such differences influenced the way the nature of authority was viewed and contributed to the construction of the patriarchal and political philosophies espoused by each camp.

In the last few decades, the dichotomy between Puritans and Anglicans as an explanation for the Civil Wars has fallen out of favour amongst historians. Patrick Collinson has argued that it is a mistake to write “the history of [the Protestant Church] in the anachronistically dichotomous terms of an Anglicanism not yet conceived and an alien puritanism not yet clearly disowned.”⁵ In focusing on religious disparity among Protestants, I do not wish to resurrect the Anglican vs. Puritan binary model, nor do I necessarily wish to argue, as John Morrill has, that the “English Civil War...was the last

³ Andrea McKenzie, *Tyburn’s Martyrs: Executions in England 1675-1775* (London, 2007), 36

⁴ Brad Gregory, *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (Cambridge, Mass, 1999), 183, 184, 184

⁵ Patrick Collinson, *The Religion of Protestants: The Church in English Society 1559-1625* (Oxford, 1982), ix

of the Wars of Religion.”⁶ Religion was not the only factor that influenced people’s allegiance; it is undeniable, however, that religion played a profound role in shaping the Civil Wars.

Recent works have stressed the plurality that existed within each Civil War faction. In his study of royalist identities, Jerome de Groot argues that the term ‘royalism’ signifies an “amorphous collection of attitudes.”⁷ The royalists discussed in this chapter are exceptional in that they demonstrated their political allegiance via public execution. Similarly, parliamentarians cannot be described as a uniform group, and the regicides represent an extremist element of this camp. They were charged with and executed for the ill-defined crime of “being instrumental in taking away the pretious life of our late souveraigne Lord Charles the first of glorious memory.”⁸ The prosecution and execution of Charles I was a highly contentious subject amongst parliamentarians. Those referred to loosely in this chapter as “regicides” were the ten men executed as the result of the 1660 trials that followed the restoration of the monarchy. Of these men, six – Thomas Harrison, Adrian Scroop, John Jones, John Carew, Gregory Clement and Thomas Scot - were members of the high court and signed the King’s death warrant. At their trial, they refused to express any feelings of remorse for their actions. Another four - Hugh Peters, Francis Hacker, John Cook and Daniel Axtell - were not directly involved in the King’s trial, and thus not technically regicides, but their actions were deemed to have contributed to his sentencing.

⁶ John Morrill, *The Nature of the English Revolution* (Harlow, 1993), 68

⁷ Jerome de Groot, *Royalist Identities* (New York, 2004), 2

⁸ As quoted in Howard Nenner, ‘Regicides (*act.* 1649)’, *Oxford Dictionary of National Biography*, (Oxford, 2004) [<http://www.oxforddnb.com.ezproxy.library.uvic.ca/view/article/70599>, accessed 10 May 2009]

Dying Well

During the Civil Wars, the supporters of royalists and regicides developed a distinctive discourse that testified to the justice of their cause and the falsehood of that of their enemies. One of the media available for the articulation of these discourses was public execution. Lake and Questier argue that public executions and last dying speeches should be viewed as a “dialectic between several competitive ideologies.”⁹ Both Catholics and Protestants used public executions to challenge the social order. Hence, the discourse of martyrdom was open to appropriation and dispute by various groups. Freeman similarly argues that the scaffold was the site of multivalent power.¹⁰ Public executions and execution pamphlets, then, played an important role in reinforcing and spreading social values.

Thomas S. Freeman argues that, despite being executed for political reasons, Charles I and the regicides “successfully wore the mantle of Christ” at their execution.¹¹ By the end of the sixteenth century, the Christocentric model of martyrdom had become England’s predominant one.¹² At their executions, the condemned consciously tried to imitate the Passion of Christ because “the closer the similarity between the details of the death of Christ and the details of the death of the martyr, the more difficult it was to

⁹ Peter Lake and Michael Questier “Agency, Appropriation and Rhetoric under the Gallows: Puritans, Romanists and the State in Early Modern England,” *Past and Present*, 153 (Nov., 1996), 65. For a competing view see J. A. Sharpe “‘Last Dying Speeches’: Religion, Ideology and Public Execution in Seventeenth-Century England,” *Past and Present*, 107 (May, 1985)

¹⁰ Thomas S. Freeman “‘Imitatio Christi with a Vengeance’: The Politicisation of Martyrdom in Early-Modern England” in Thomas S. Freeman and Thomas F. Mayer (eds.), *Martyrs and Martyrdom in England, c. 1400-1700* (Rochester, 2007), 55. See also, Andrea McKenzie, “Martyrs in low life? Dying ‘game’ in Augustan England” *Journal of British Studies* 42:2 (2003), 167-205

¹¹ Freeman “Imitatio Christi with a Vengeance,” 62

¹² For a discussion of other models of martyrdom, see Danna Pirovansky, “‘Thus may a man be a martyr’: The Notion, Language and Experiences of Martyrdom in Late-Medieval England” in Thomas S. Freeman and Thomas F. Mayer (eds.), *Martyrs and Martyrdom in England, c. 1400-1700* (Rochester, 2007), 70-87

dismiss the martyr as a criminal or a heretic.”¹³ The supporters of royalists and regicides, in short, exploited the similarities between the degradation of the condemned and the humiliation inflicted upon Christ to bestow upon their allies the mantle of martyrdom.

The late seventeenth-century crowd who came to witness the executions of ordinary criminals was largely composed of members of the lower orders. However, the public for printed accounts of these executions was drawn primarily from the middling sorts.¹⁴ Therefore it can be assumed that the messages promulgated by the condemned reached a large and socially heterogeneous audience. Andrea McKenzie argues that the size of the audience made undetected forgeries of the last dying speech and comportment of the condemned highly unlikely. Nonetheless, the accounts “were, by definition, partisan and scripted documents, mediated by the conventions of the genre and the expectations of their audience.”¹⁵ The authors of execution pamphlets exploited these conventions to glorify or vilify the condemned.

According to Lake and Questier, the “smallest outward gesture on the gallows [was invested] with a heightened spiritual significance, a fact which both sides tried to exploit to their own polemical advantage.”¹⁶ A person’s countenance was of crucial importance: it could work for or against the condemned person. Execution pamphlets often described the condemned’s comportment on the journey to his execution. John Cook, a regicide, was carried to his execution with the severed head of the previously executed regicide, General Thomas Harrison. Despite this horrific scene, Cook is said to have “passed rejoicingly through the Streets, as one borne up by that Spirit which man

¹³ Freeman, “Imitatio Christi with a Vengeance”, 39

¹⁴ McKenzie, *Tyburn’s Martyrs*, 26

¹⁵ McKenzie, *Tyburn’s Martyrs*, 46

¹⁶ Lake and Questier “Agency, Appropriation and Rhetoric under the Gallows”, 75

could not cast down.”¹⁷ Similarly, when the regicide Daniel Axtel was brought to the scaffold “he seemed to be penitent, but yet retained a cheerful Countenance.”¹⁸ The Marquis of Montrose, a Scottish royalist, told the ministers and magistrates interrogating him in prison that his journey thence was honourable and joyful because God had “all the while most comfortably manifested His presence to him and furnish[ed] Him with resolution to over looke the reproches of men, and to behold him, for whose cause He suffered.”¹⁹ His countenance on the cart much impressed the crowds who had gathered to see him. “Common-women” had planned on throwing stones at him but were moved by his “Majestie, Courage and Modestie” so that “their intended curses, were turned, into Tears and Prayers.”²⁰

A cheerful and brave countenance was identified, by the supporters of these men, as a sign of election and divine grace. Their exemplary behaviour was corroboration of divine favour for “the true martyr, fortified by the Holy Spirit, would be able to withstand the pains of execution, no matter how agonising, with supernaturally conferred constancy.”²¹ The behaviours of the regicides Daniel Axtell and Francis Hacker were described as divinely inspired. They were cheerful “and ready to receive a sentence which Nature would have sunk under, if Grace had not supported [it].”²² Lord Capel, a royalist, was also believed to have enjoyed ‘divine assistance.’ In his last meeting with

¹⁷ W. S., *A Compleat Collection of the Lives, Speeches, Private Passages, Letters and Prayers of those Persons Lately Executed* (London, 1661), 54. For a recent study on the authorship of *Compleat Collection* see, Matthew T. Jenkinson, “A New Author for the ‘observation’ in *Rebels no Saints* (1661)” in *Notes and Queries* (September 2005), 311-14

¹⁸ W. S., *Compleat Collection*, 158

¹⁹ *A True and Perfect Relation of the Most Remarkable Passages and Speeches at and Before the Death of His Excellence James Marqves of Montrose* (Edinburgh, 1650), 4

²⁰ *True and Perfect Relation*, 3

²¹ Freeman, “Imitatio Christi with a Vengeance,” 37. For more on ‘false’ and ‘Christian’ courage, see McKenzie, *Tyburn’s Martyrs*, 205-219

²² W. S., *Compleat Collection*, 170

his family and friends, Capel was said to have been assaulted with “sweet and tender expressions of love, sorrow and pity.” Bishop Morley, witness to the scene, concluded that “the greatest natural courage in the world must needs have been shaken with it, had it not been supported, (as his was) with more than human strength.”²³

The condemned were acutely aware of the importance of their outward behaviour, and took the necessary measure to avoid appearing weak or fearful in their last moments. The day before his execution, Adrian Scrope told his cellmate and fellow regicide John Jones: “I intend to take a little sleep, for I slept not well last night; and my countenance is not fresh as I would have it.”²⁴ His calmness and bravery were demonstrated by the soundness of his sleep - he is said to have slept so well “that he snored very loud.”²⁵ The nap not only helped prepare him for the crowd of onlookers but also reflected the clearness of his conscience. The King was similarly careful to ensure that he possessed a favourable countenance on the day of his execution. He wore an extra shirt “by reason the season is so sharp as probably may make me shake: which some observers will imagine proceeds from fear.”²⁶ He claimed he did not fear death and made sure that his outward behaviour did not belie his inward composure.

Just as the condemned men were conscious of the importance of their outward behaviour, so too were their opponents. Thus, Lord Capel was not allowed to have a minister with him on the scaffold. Bishop Morley, who would have accompanied Capel had he not been prevented from doing so, believed that his enemies were hoping to

²³ Howell, *State Trials*, Vol. IV, 1237-38

²⁴ W. S., *Compleat Collection*, 130

²⁵ W. S., *Compleat Collection*, 130

²⁶ Howell, *State Trials*, Vol. IV, 1131

influence the audience against Capel.²⁷ Not having a minister could be (and was) interpreted as a sign of his possessing ‘false courage’ – courage that was not divinely inspired. It was written that Capel was “brought to the Scaffold, much after the manner of stout Roman: he had no minister with him, nor showed any sense of death approaching.”²⁸ Capel’s courage was also unfavourably described by Dr Sibbald, who said that he faced “death with a great deal of carelessness” and that he “strutted about the Scaffold in a careless posture.”²⁹ Similarly, fearing that “his countenance and carriage might gaine him some favour,” the Scottish Covenanting Parliament passed the Marquis of Montrose’s sentence before the latter could reach Edinburgh.³⁰ He was met at the city gates by a magistrate and a hangman and led directly to prison so as to limit the number who would witness his brave countenance. Royalists also tried to expose their opponents’ courage as ‘false.’ As has previously been stated, John Cook was made to ride to execution with the severed head of General Thomas Harrison. Similarly, Hugh Peters was forced to witness the execution of John Cook. Peters further had to withstand an abusive hangman who “came to him all besmeared in blood, and rubbing his bloody hands together (tauntingly) asked, Come how do you like this Mr. Peters, how do you like this work?”³¹ These measures, however, appear to have been largely unsuccessful, at least according to partisan accounts. The supporters of Capel, Montrose, Cook and Peters saw in their ability to endure such trials further proof of their election.

While much more could be said about the similarities between the execution and dying speeches of the regicides and royalists (some of which will be alluded to briefly in

²⁷ Howell, *State Trials*, Vol. IV , 1240

²⁸ Howell, *State Trials*, Vol. IV, 1219; see also McKenzie, *Tyburn’s Martyrs*, 209

²⁹ James Sibbald, *The Maner of the Beheading* (London, 1649), 5

³⁰ *True and perfect Relation*, 3

³¹ *The Speeches and Prayers of Some of the Late King's Judges* (London, 1660), 62.

the following sections), this brief survey demonstrates that both worked within the same systems of belief and social conventions. It is because they shared a common language and culture that these men were able to use execution sites as religious and political theatre. Audiences would have been able to interpret the signs used to suggest martyrdom and would have been conscious of the ways in which the execution of royalists and regicides differed in emphasis and were used to distinguish the two groups.

Royalists, Charity and the Political Father

In early modern England, ‘charity’ was understood as a state of Christian love and harmony. Jesus commanded that: “Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself” (Matt 22: 37-39). Scripture further defined charity, stating that it “envieth not; charity vaunteth not itself, is not puffed up...is not easily provoked, thinketh no evil; Rejoiceth not in iniquity, but rejoiceth in the truth; Beareth all things, hopeth all things, believeth all things, hopeth all things, endureth all things” (I Cor 13:4-7).³² All royalists were anxious to be seen as faithful to this divine commandment and as dying in a state of Christian harmony. They forgave ‘all the world’, including the authors of their death, before their execution.³³ At

³² "charity, *I.b.*" *The Oxford English Dictionary, 2nd ed. 1989, OED Online*. Oxford University Press. (April 12th 2009). According to Keith Wrightson, during the early modern period ‘charity’ was reinterpreted in the context of the politics of subordination. The definition of ‘charity’ evolved from describing a state of Christian harmony to describing an act of kindness towards the poor; Keith Wrightson “The Politics of the Parish in Early Modern England” in Paul Griffiths, Adam Fox and Steve Hindle (eds.), *The Experience of Authority in Early Modern England* (New York, 1996), 33. See also John Bossy, *Christianity in the West* (Oxford, 1985), 168-69

³³ See Howell, *State Trials*, Vol. IV, 601 (Laud), 1138 (Charles I), 1190 (Hamilton), 1193 (Holland), 1239-1240 (Capel); Howell, *State Trials*, Vol. III, 1517, 1522 (Strafford); *The Chiefe Heads of Mr. John Sares Speech and Other Passages at the Time of his Execution at West-Chester; He Being the Portliest Man the Three Kingdomes Afforded, Whose Coffin Was Two Yards and a Halfe in Length, Yet Too Short to Containe His Corps; He Suffered the 20th Day of October* (London, 1652), 1

his execution, Montrose stated that, “in regard to man’ I may say they are but instruments, God forgive them, I forgive them.”³⁴ He further asked the crowd to “consider me as a Christian in relation to the justice of the quarell; as a Subject in relation to my Royal Masters Command; and as a your Neighbour in relation to the manie of your Lives, I have preserved in bataille.”³⁵ He was a man who died having faithfully obeyed his duties to God, the King and his neighbours and as such had fulfilled Christ’s commandments concerning charity. Royalists were also careful to instruct their families to be charitable and forgive those responsible for their deaths. The earl of Strafford told his son “to bear no private grudge, or revenge toward any man concerning me,”³⁶ while Lord Capel commanded his son “never to revenge his death, though it should be in his power, the like he said unto his wife.”³⁷ Similarly, Charles I had, on many occasions, charged Bishop Juxon to exhort his heir to forgiveness.³⁸

Not only was charity central to royalists’ dying speeches, it was also used to characterise their lives. The King exhibited great charity during his trial. Once his sentence had been read, he was escorted out of the courtroom; it was reported that “as he passed down the stairs, the insolent Soldiers scoffed at him, casting the smoke of their tobacco...in his face...and one more insolent than the rest, spitting in his face.”³⁹ The comparison with Christ was none too subtle. Like Jesus, who had withstood the abuse of soldiers “who spit on him, and took the reed, and smote him on the head” (Matthew 27:30), the King reacted calmly and with great charity, forgiving the soldiers who “for a

³⁴ *True and Perfet Relation*, 6

³⁵ *True and Perfet Relation*, 5

³⁶ Howell, *State Trials*, Vol. III, 1523

³⁷ Howell, *State Trials*, Vol. IV, 1231

³⁸ Howell, *State Trials*, Vol. IV, 1140

³⁹ Howell, *State Trials*, Vol. IV, 1130

piece of Money...would do so for their commanders.”⁴⁰ James, the Duke of Hamilton, one of the King’s greatest Scottish allies, was also described as charitable. Gilbert Burnet, who wrote a biography of Hamilton, described two altercations that took place between the Duke and unnamed women. The first involved a woman who stole food from Hamilton’s plate. When asked what should be done with her, Hamilton replied that “it seemed she wanted money wherefore he ordered to give her a Piece, and send her on her way.”⁴¹ In 1648 Hamilton was again embroiled with an anonymous woman who, this time, threw a rock at him. It was ordered that her hand should be cut off, but Hamilton “procured her Pardon, and said, The Stone has missed him, therefore he was to take care that their Sentence might miss her.”⁴² These stories were used to show the royalists’ charity - their ability to forgive those who had injured them.

The King’s charity was understood by his supporters as an indication of his true royal authority. The assumed congruity between domestic and political patriarchy led to the publication of an abundance of printed material glorifying the King’s family life. His ability to successfully govern his household was offered as proof of his ability to govern his kingdom. Charles himself equated his capacity for fatherly affection with a capability to rule. In a letter to his eldest son, dated November 29th 1648, the King expressed both his paternal affection for his son and for his subjects: “You are the Son of Our love... We do not more affectionately pray for you (to whom we are natural Parent) then We doe...that all our Subjects (to whom we are a Politick Parent) may have such sober

⁴⁰ Howell, *State Trials*, Vol. IV, 1130

⁴¹ Gilbert Burnet, *The memoirs of the Lives and Actions of James and William, Dukes of Hamilton and Castleherald*, (London, 1677), 413

⁴² Burnet, *Memoires of...James and William, Dukes of Hamilton*, 413

thoughts as to seek their Peace.”⁴³ He further told his son that, if he used his power wisely, he “will never want means to be a Father to all.”⁴⁴ Charles expressed the belief that, for a ruler to be politically successful, he must also be a good father. This orthodox royalist belief explains why so much space was devoted to idealising the family life of the King.

Charles I was especially commended for his relationship to his wife. Clarendon wrote that “he was so great an example of *Conjugal Affection*, that they who did not imitate him in that particular durst not brag of their liberty.”⁴⁵ *Eikon Basilike* - a whole chapter of which is devoted to the Queen’s departure from England - greatly contributed to Charles’ image as a good husband. The love and happiness that is shared by Charles and Henrietta Maria is explicitly expressed: “Her sympathie with Me in my afflictions, will make her vertue shine with greater lustre, as starrs in the darkest nights; and assure the envious world, that she loves me, not my fortunes.”⁴⁶ Shortly before his execution, Charles asked his daughter, Elizabeth, to tell his wife that “his thoughts never strayed from her, and that his love should be the same to the last.”⁴⁷ This further attests to the conjugal affections shared by the royal couple. It also shows that Charles’ children were witness to this love and, in a sense, participated in it.

Charles was also portrayed as a good father. His last meeting with his youngest son, Henry, and his daughter, Elizabeth, is related in a way that conveys a sense of domestic happiness. He addresses both his children as ‘sweetheart’ and takes his son

⁴³ *England's Black Tribunall*, 43

⁴⁴ *England's Black Tribunall*, 42

⁴⁵ Edward Hyde, Earl of Clarendon, *Memoirs of Kings Charles I and the loyalists who suffered in his cause* (London, 1795), 4

⁴⁶ *Eikon Basilike*, 43-44

⁴⁷ *Eikon Basilike*, 282

upon his knee, demonstrating the affection he holds for him. Elizabeth makes show of her love for her father when she pours “forth abundance of Tears” at the thought of his impending death.⁴⁸ Charles, in this last meeting, is concerned for his children’s future safety. He instructs his youngest son to refuse the crown even if it is offered to him, for if he does “they will cut off your Brothers heads...and cut off thy head too at the last.”⁴⁹ His depiction as “virtuous, chaste, pious, a good father, husband and master” made him an “example of holy living.”⁵⁰

As military leaders, other executed royalists also commanded obedience, and their family life similarly demonstrated their capacity to rule. James, Duke of Hamilton, was portrayed as a loving husband and father.⁵¹ His relationship to his wife is said to have started in a less than ideal way when he was fourteen and she seven, but “her excellent qualities did afterwards overcome that Aversion into as much Affection as he was capable.”⁵² The Hamiltons’ matrimonial relationship was described as one that epitomised the ideals of the time. Hamilton’s character and behaviour as a husband ensured his wife’s continued love and obedience: “She was a most affectionate and dutiful wife... she had the greatest reason to bless God, for having given her such a Husband, whom as she loved perfectly, so she was not ashamed to obey.”⁵³ As Alexandra Shepard has argued, “the self-government expected of manhood was the basis of men’s

⁴⁸ *Eikon Basilike*, 280

⁴⁹ *Eikon Basilike*, 280-81

⁵⁰ Andrew Lacey, “‘Charles the First, and Christ the Second’: The Creation of a Political Martyr” in Thomas S. Freeman and Thomas F. Mayer (eds.), *Martyrs and Martyrdom in England* (Woodbridge, 2007), 208. According to Andrew Lacey, the King’s cult of martyrdom began being formed in 1645, years before his execution.

⁵¹ During the Civil Wars, Hamilton’s opponents tried to put in doubt his loyalty to the King. Marchamont Nedham, writing for Independent Parliamentarians, accused Hamilton of attempting to usurp royal power. See Marchamont Nedham, *Digitus Dei: or, God's Justice upon Treachery and Treason; Exemplified in the Life and Death of the Late James Duke of Hamilton* (London, 1649).

⁵² Burnet, *Memoires of...James and William, Dukes of Hamilton*, 406

⁵³ Burnet, *Memoires of...James and William, Dukes of Hamilton*, 407

claims to authority.”⁵⁴ Hamilton’s capacity to so perfectly govern his household implied that he was a patriarch who, because he could govern himself, was fit to command.

Lord Capel’s parting with his friends and family, and especially with his wife, is also indicative of the way royalists and their families were depicted. His farewells were described as the “saddest spectacle that could be.” On this occasion Capel “could not choose but shew and confess a little human frailty, yet even then, he did not forget both to comfort and counsel.”⁵⁵ Once his family and friends had left him, he turned to the minister that was with him and said “the hardest part of my work in this world is now past.”⁵⁶ Royalists also showed concern for the prosperity of their families after their deaths. The Duke of Hamilton asked his brother to “be a Father to my poor Children.”⁵⁷ The search for patriarchal surrogates was a common theme amongst executed royalists; the Earl of Strafford advised his wife to take another husband, stating “I speake, God knows, not to disswade you from marrying, againe, for that will be the best for you, both in respect of God, and of the world.”⁵⁸ The condemned royalists were seeking earthly replacements to help their families after their deaths.

Seventeenth-century conduct literature claimed that love was man’s primary marital duty.⁵⁹ As has been demonstrated in previous chapters, authority was to be exercised with restraint.⁶⁰ A patriarch ensured the obedience of his dependents - his wife,

⁵⁴ Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2003), 70

⁵⁵ Howell, *State Trials*, Vol. IV, 1231

⁵⁶ Howell, *State Trials*, Vol. IV, 1231

⁵⁷ Burnet, *Memoires of...James and William, Dukes of Hamilton*, 397

⁵⁸ Thomas Wentworth, Earl of Strafford, *A Letter Sent From the Earle of Strafford to His Lady in Ireland a Little Before His Death May 11. 1641*. (London, 1641), 3

⁵⁹ See, for example, Thomas Hardy, *Love and Fear: The inseperable Twins of Blest Matrimony* (London, 1653); Thomas William *Christian and Conjugal Counsell* (London, 1661)

⁶⁰ Alexandra Shepard has observed that, while conduct books “sought to maintain men’s authority over women, [they] paradoxically emphasized that their position of dominance was best achieved without

children and servants – by his gentleness of character. The royalists’ capacity to successfully (and lovingly) exercise authority over their household was taken as proof of their ability to govern. Most notably, the supporters of the King used his family life to reinforce his image as a caring political patriarch and to justify obedience to him. Lord Clarendon described Charles as “the worthiest Gentelman, the best Master, the best Friend, the best Husband, the best Father, and the best Christian that the age in which we liv’d produc’d.”⁶¹ The attributes used to describe him simultaneously conveyed the idea of a Christian gentleman and of a man capable of exercising civic and domestic sovereignty.

The political patriarchal model described by royalists at their execution was also informed by ideas concerning domestic household governance. Before his execution, Capel addressed the crowd, stating : “I die, I take it, for maintaining the fifth commandment, enjoyn’d by God himself, which enjoins Reverence and Obedience to Parents.”⁶² Like Capel, other royalists expressed the belief that they were dying for their loyalty to England’s political patriarch - the divinely ordained Charles I. The Earl of Strafford instructed his son that, if the King requested his service, “he should carefully undertake it, to testify his obedience, and withal to be faithful and sincere to his Master, though he should come to the same end that himself did.”⁶³ John Morris, in his dying speech, declared:

if I had a thousand lives I would willingly lay them down for the cause of my King, the Lord *Anointed*: the Scripture commands us to fear God and honour the

dominance;” Shepard, *Meanings of Manhood*, 82. See also Bernard Capp, *When Gossips Meet: Women, Family, and Neighbourhood in Early Modern England* (Oxford, 2003), 31-32

⁶¹ Clarendon, *Memoirs of Kings Charles I*, 6

⁶² *The Several Speeches of Duke Hamilton Earl of Cambridge, Henry Earl of Holland, and Arthur Lord Capel, upon the Scaffold Immediately Before their Execution, on Friday the 9 of March* (London, 1649), 38

⁶³ *England's Black Tribunall*, 57-58

King, to be subjects to every ordinance of man for the Lords sake, whether to the King as supreme, or to those that are in authority under him.”⁶⁴

The King was a father and a master; he was the ‘Lord Anointed.’ The executed royalists maintained their loyalty to the King right to the moment of death – their death itself was a powerful reminder of their loyalty to his person and to his cause.

Loyalty to the King was also manifested in the defence of Charles I’s character and religion. Archbishop Laud, executed in 1645, tried to clear the King’s name by stating that he “hath been much traduced also for bringing in Popery, but in my conscience...I know him to be as free from the charge as any man living, and I hold him to be as sound a Protestant ...as any man in this Kingdom.”⁶⁵ Even after the King was executed, his supporters continued to defend his reputation. John Sares, in 1651, stated that the King “stood for the Protestant Religion” and Montrose was proud to die in the same manner as his King, who “Lived a Saint, and Died a Martyr.”⁶⁶ Montrose further stated that he was honoured that his limbs would be exposed in four Scottish cities bearing “up his memorial to all posterities,” claiming to be chagrined that he did not “have flesh enough, to have sent a peece to Every Citie in Christendome to witness his Loyaltie to his King and Countrie.”⁶⁷ The death of these royalists was the ultimate act of subordination towards a political patriarch.

⁶⁴ *England's Black Tribunall*, 122-123

⁶⁵ Howell, *State Trials*, Vol. IV, 601

⁶⁶ *Chiefe Heads of Mr. John Sares*, 1; H. P., *A Relation of the Execution of James Graham Late Marquesse of Montrosse* (London, 1650); *True and Perfect Relation*, 7

⁶⁷ *True and Perfect Relation*, 6

Regicides, Election and the Divine Father

While Charles I's supporters portrayed him as a good patriarch, his enemies tried to deny this powerful claim. In 1646, Parliament (not yet controlled by those who would become regicides) published a pamphlet entitled *The Kings Cabinet Opened*, a selection of Charles I's personal correspondence captured from the King's coach when royalist forces broke rank at the Battle of Naseby. The affection between Charles I and Henrietta Maria was tangible in this correspondence. Charles wrote to his wife that, without the hope of her future company, "nothing can be a contentment unto me;" that she was "the only cure to his disease" and that her "kindness is as necessary to comfort my heart as thy assistance is for my affairs."⁶⁸ Henrietta-Maria warned her husband to "be kinde to me or you kill me."⁶⁹ However, in *Kings Cabinet Opened* the conjugal affection of the royal couple was depicted as something unnatural and dangerous.

Henrietta Maria was portrayed as a domineering wife. She exercised authority over her husband and exercised undue influence in matters of state. This was evidenced, according to the editors of the pamphlet, by a letter written by Charles in May 1645. In this letter, the King related to his wife that his eldest son (the future Charles II) had asked him to swear Sir John Greenfield as Gentleman of his Bedchamber. The King wrote to the Queen that he had "refused the admitting of him until I shall heare from thee."⁷⁰ Thus, the King was portrayed as unable to make decisions, even on seemingly unimportant matters, without first having consulted his wife. A second letter, written by Charles in 1626 and complaining of his then new wife's behaviour, was further provided as

⁶⁸ *The Kings Cabinet Opened: or, Certain Packets of Secret Letters & Papers, Written with the Kings Own Hand, and Taken in His Cabinet at Nasby-Field, June 14. 1645* (London, 1645), 3, 8, 8

⁶⁹ *Kings Cabinet Opened*, 32

⁷⁰ *Kings Cabinet Opened*, 11

evidence of Henrietta-Maria's unsuitably domineering character. In this letter, Charles described his wife's anger at his unwillingness to allow her to bestow land and titles of importance upon her own countrymen: "then she badd plainly take my lands to myselfe, for if she had no power to put in whome she would in those places, shee would have neither Lands nor House of me, but bad me give her what I thought fit in pension."⁷¹ The first conclusion the reader should draw from this personal correspondence was that "the Kings Councils are wholly managed by the Queen; though she be of the weaker sexe, born an Alian, bred up in a contrary Religion, yet nothing great or small is transacted without her privy consent."⁷² The King's submission vis-à-vis his wife was proof of his inability to govern. Although it was not stated explicitly, conjugal love could, in this case, be interpreted as a threat. The love Charles expresses towards his wife was accepted as sincere but dangerous.⁷³ The royal household was accused of violating cultural norms; Charles' love for his wife induced him into unnatural submission. More dangerous, however, was the fact that Charles I was dominated by a papist.

The parliamentarians' criticism of Charles reflected their own concern with proper domestic order. While also concerned with household order, the regicides, in preparing for death, focused on that which is eternal versus that which is temporal.⁷⁴ They cast aside their families in order to concentrate on their forthcoming salvation. John Cooke defined love as something that was aimed exclusively at God. "A husband, wife, child,

⁷¹ *Kings Cabinet Opened*, 34-35

⁷² *Kings Cabinet Opened*, 42

⁷³ Alexandra Shepard has described the innate contradictions of early modern marital advice, arguing that "conduct manuals emphasized that love was a potential hazard to manhood while nonetheless being one of the husband's fundamental duties, suggesting that the nature of patriarchal authority itself was contradictory and inherently problematic;" Shepard, *Meanings of Manhood*, 77-78

⁷⁴ For an example of a regicides' concern with proper household governance, see Hugh Peters, *A dying fathers last legacy to an onely child* (London, 1660), esp. 43-45. For a similar example concerning a Scottish Covenanter, see Archibald Campbell Argyle, *Instructions to a Son* (London 1661), esp 1-28, 39-48

friends, and all creature-comforts are to be loved so far as we see God in them; so our affections and desires must not be fixed upon them, but terminate in God...our loves must only pass by the Creatures, and settle in God.”⁷⁵ In jail, Hugh Peters preached on the causes of despondency. He argued that, by “over valuing our comforts, putting too much upon wife, children, estate or Life it self, a man is apt to be cast down when he thinks of parting with them.”⁷⁶ It was better not to get attached to earthly things, for these attachments detracted one from the glories of the afterlife. Furthermore, despondency was proof of a lack of faith. To hold earthly goods in high esteem distracted a person from the essence of worship and piety and could even be taken as a sign of reprobation. Similarly, while in jail, John Jones attempted to comfort a relation by advising him to “remove all Creature-Comforts from us, that our souls might have nor resting place to delight in.”⁷⁷ Family and friends were depicted as potential obstacles in the regicide’s final search for salvation and eternal happiness.

In their dying speeches, regicides were primarily concerned with salvation: “the saving of the soul; the deliverance from sin and its consequences, and admission to eternal bliss, wrought for man by the atonement of Christ.”⁷⁸ They believed in the Calvinist doctrine of double predestination - that God exercised his prerogative in electing a select few for eternal salvation and others for reprobation.⁷⁹ Atonement was limited, as Christ had only died to save the elect. In their final moments, regicides endeavoured to identify signs of their own election. Faith was what distinguished the

⁷⁵ *Speeches and Prayers of Some of the Late King’s Judges*, 50-51

⁷⁶ W. S., *Compleat Collection*, 114

⁷⁷ *Speeches and Prayers of Some of the Late King’s Judges*, 76

⁷⁸ "salvation, *l.a.*" *The Oxford English Dictionary*, 2nd ed. 1989, *OED Online*. Oxford University Press. (April 12th 2009).

⁷⁹ The Westminster Assembly imposed the doctrine of double predestination in 1647.

elect from the rest of humanity; it was the gift of grace. However, predestination was understood differently amongst Protestants. Arminianism, said to have been embraced by some prominent royalists, most notably King Charles I, rejected the Calvinist doctrine of limited atonement, arguing instead that Christ has died for all, not just the elect. David R. Como argues that the concern in the 1630s with predestination was climacteric to later debates on the nature of politics and governance. To Arminians, the Calvinist doctrine of election was worrisome, as it seduced “Calvinist divines into assurance of their own elect status,” which lulled them “into a dangerous state of security which absolved them from all moral obligations to God, King, and neighbour.”⁸⁰ So not only did Arminians disagree with the Calvinist doctrine of predestination, they also believed that it engendered treachery. Furthermore, the doctrine of election was accorded varying levels of importance amongst Calvinists. For example, Peter Marshall has identified two types of Calvinist. The first type, ‘experimental Calvinists’, made predestination the ‘centre of their piety’ and continuously searched for signs of election. The second, ‘creedal Calvinists’, believed in predestination, but since the identity of the elect was impossible to determine, they preferred to avoid the topic. It was seen as socially disruptive, as the search for proof of election could be divisive.⁸¹ Therefore a more temperate approach to predestination existed in mainstream English Protestantism.

The regicides’ approach to election was anything but temperate. They embraced the doctrine of total depravity that contended that fallen man was, on his own, incapable of good and that salvation was, therefore, entirely dependent on God. By focusing on their own degeneracy, the regicides were arguing for God’s goodness as made manifest in

⁸⁰ David R. Como, “Predestination and Political Conflict in Laud’s London,” *The Historical Journal* 46:2 (2003), 272

⁸¹ Peter Marshall, *Reformation England, 1480-1642* (London, 2003), 129

His elect. John Carew “much admired the Depths of love of God to such an unworthy Worme.”⁸² Thomas Harrison shared in this sentiment, saying “Oh what am I poor worm that I should be accounted worthy to suffer anything for the sake of my Lord and Saviour Jesus Christ.”⁸³ A just God could reasonably have condemned all men, but God was merciful and with the blood of his only son, he saved the elect. John Carew, in his dying prayers, declared that “the most holy and righteous God, that had but one onely begotten sonne that was the delight of his soul and should take pleasure to bruise him that we might be healed.”⁸⁴ It was the wickedness of man that made their salvation so merciful – it was proof of God’s love.

Although regicides insisted on their own depravity, they refused to admit any feelings of guilt.⁸⁵ Their clear conscience was proof of the divinity of their cause. At his execution Thomas Harrison stated that “as to the bloud of the King, I have not in the least any Guilt lying upon me...the thing was more of God then of Men.”⁸⁶ There was no reason to be troubled by his actions towards the King since God had commanded them. Man was powerless to shape destiny and could only hope to be a passive instrument of God’s providence. According to historian J.C. Davis, “to deny God’s control of political and military events was to risk not only rebuke or temporary anger but being cast permanently into outer darkness, bereft of hope.”⁸⁷ Unsurprisingly, then, absence of guilt also manifested itself in an unwillingness to repent. A man came to visit Adrian Scrope in jail and beseeched him to repent. Scrope “put forth his hand, and thrust him from him,

⁸² *Speeches and Prayers of Some of the Late King’s Judges*, 14

⁸³ *Speeches and Prayers of Some of the Late King’s Judges*, 10

⁸⁴ W. S., *Compleat Collection*, 50

⁸⁵ All royalists identified their execution as a divine punishment for their sins. Notably, the King was convinced that his execution was punishment for signing the earl of Strafford’s death warrant. See Howell, *State Trials*, and *Eikon Basilike*, 6-12

⁸⁶ *Speeches and Prayers of Some of the Late King’s Judges*, 2

⁸⁷ Davis, “Living with the Living God,” 20

using these words AVOID SATAN.”⁸⁸ Hugh Peters was approached by two Episcopalian clergymen who asked Peters to repent so that he might be pardoned by King Charles II. The clergymen were interpreted as trying to take advantage of Peters’ fragile state. Despite his fragility “the Lord did help him bear up with much courage...and [he] told them that he had no cause in the least to repent of Adhering to that interest.”⁸⁹ Regicides equated repentance with a denial of their cause – God’s cause.

The regicides’ lack of penitence can also be explained by their dismissal of the patriarchal political theory. They believed that a Covenant existed between the people and God, and every person had the obligation of protecting the law and true religion. The King, having failed to do so, menaced the kingdom’s safety. Significantly, in his last dying speech, the Marquis of Argyll, a Scottish Covenanter, denied having conspired at the King’s demise, stating that he “entered not upon the work of reformation with any design of advantage to myself, or prejudice to the King and his government.”⁹⁰ This stance corresponds to the Covenanters’ ambition of simultaneously safeguarding true religion and maintaining the King’s sanctity. Regicides, on the other hand, believed that the King was at the source of the kingdom’s woes. By his blood guilt he destroyed traditional family structures and was the author of chaos and insecurity. The King’s personal morality and conscience were suspect, and he was unfit to “to continue a Father of the people.”⁹¹ Regicides, in their dying speeches, spoke of their duty to obey their Master and their Father. Such language was used not to refer to the King of England,

⁸⁸ *Speeches and Prayers of Some of the Late King’s Judges*, 74

⁸⁹ *Speeches and Prayers of Some of the Late King’s Judges*, 62

⁹⁰ Howell, *State Trials*, Vol. V, 1505. See also *My Lord Marquis of Argyle His Speech upon the Scaffold* (1661), 2

⁹¹ John Cook, *King Charls, His Case* (London, 1649), 12

however, but rather to God, the King of Kings. God acted simultaneously as a master, a husband and a father. The patriarchal order they described was not earthly but divine.

It was God, not an earthly (and therefore degenerate) surrogate, who was called upon to act as a patriarch to the regicides' families after their deaths. John Carew told his wife, "I resigne thee up to Jesus Christ to be thee Husband, to whom also I am going to be married in glory this day."⁹² In a last conversation with his family, John Cook referred to Jeremiah 49:11, in which God tells the inhabitants of Dedan: "Leave thy fatherless children, I will preserve *them* alive; and let thy widows trust in me." Later, in his last dying speech, Cook asked that Isaiah 54:4-5, 10 be remembered to his wife and child; verse five of this passage contends that "thy Maker is thine husband." Carew and Cook both exhorted their wives - soon to be widows - to take God as a husband and to put their unrestrained trust in him. Axtel similarly told his daughter that "he had left Jesus Christ an Executor in trust of her" and recommended that she "get an interest in Christ, and keep close to him, he will be a better Father to thee then I."⁹³ After their deaths, God was to be a husband to their widow and a father to their orphans. In believing this they did not differ from royalists, who also believed that God was the ultimate patriarch.⁹⁴ However, unlike royalists, regicides were content with having God as sole patriarch, seeking no earthly intermediaries to replace them. Indeed, such an attitude was necessary to justify the regicide and congruent to their views on church government, which saw churches administered locally and autonomously, each member acting as God's priest.

⁹² W. S., *Compleat Collection*, 53

⁹³ W. S., *Compleat Collection*, 165, 168

⁹⁴ Before his execution Lord Capel told his family: "God will be unto thee better than a husband and to my children better than a father"; see Howell, *State Trials*, Vol. IV, 1231

This does not mean, however, that regicides believed they had no patriarchal duties. They understood their primary responsibility as providing religious instruction. J. Sears McGee has argued that Puritans, while they believed in the importance of living in a state of Christian harmony, also believed that this state could be achieved by even the most unregenerate person.⁹⁵ Therefore Puritans' acts of charity tended to target the soul, especially the souls of their co-religionists. They saw it as their duty to "to do all [they could] to help [their] fellow saints stay on the narrow path which leads to heaven."⁹⁶ But such an attitude was not exclusive to the English Puritan. Theodore Beza, one of John Calvin's disciples and the author of the influential *Tabula Praedestinationis* (1555), believed that predestination should be preached. In particular, he believed that, in teaching reprobation, the elect would learn to "hold God in greater fear and awe, and in learning that it is not in the power of every man to repent, would become more receptive to the special gift of faith."⁹⁷ In accordance with these beliefs, the regicides (who were for the most part Puritans) provided lessons for the crowds who gathered to see them in prison and at their execution. John Carew tried to instill in all the glories of immortality and eternal happiness, while Hugh Peter preached in jail on the dangers of despondency."⁹⁸

Most of their instructions, however, were aimed at their friends and family who would, most likely, have been members of their godly community. They wished their families not to mourn their death but rather to trust in God's grace. Daniel Axtel told his

⁹⁵ J. Sears McGee, *The Godly Man in Stuart England: Anglicans Puritans, and the Two Tables, 1620-1670* (New Haven, 1976), 193

⁹⁶ McGee, *Godly Man in Stuart England*, 194

⁹⁷ Peter White, *Predestination, Policy and Polemic Conflict and Consensus in the English Church from the Reformation to the Civil War* (Cambridge, 2002), 15

⁹⁸ *Speeches and Prayers of Some of the Late King's Judges*, 74, 58-59

daughter: “Where hast thou been all this while? I thought thou hadst been ashamed of my Chains, but they that will not bear the cross, shall not wear the Crown.”⁹⁹ John Cook desired his wife “not to withhold him by an unwillingnesse to part with him.” After a pause, she accepted his wish. But at the last moment she began to cry and attempted to hold him back, to which he answered: “O doe not hinder me from to Jesus Christ.”¹⁰⁰ It was an honour that God had chosen them to suffer for His cause. It was therefore considered an affront to God to mourn their deaths.¹⁰¹

Not everyone, however, believed in the regicides’ election and martyrdom. Those who believed them to be traitors questioned their competence as patriarchs. “W.S.”, the compiler of *A Compleat collection of the lives, speeches, private passages, letters and prayers of these persons lately executed* (1661), accused John Cook of besmirching his family’s reputation. He claimed that Cook left “the sad names of Traytor entayled to all posterity on his neglected Family.”¹⁰² Not only did he dishonour his family in death, he was also accused of neglecting them in life. Similarly, after his trial, three ministers tried to encourage Harrison to repent. They charged him with five offences; the fourth of these charges was that he was “loose in Family duties, and the Observation of the Lords

⁹⁹ W. S., *Compleat Collection*, 164. While exhorting relatives not to mourn might be a particularly characteristic of Calvinists, it was also part of a Catholic martyrological tradition, see, for example, John Hoddesdon, *The History of the Life and Death of Sr. Thomas More* (London, 1662), 164, 170-171

¹⁰⁰ *Speeches and Prayers of Some of the Late King’s Judges*, 28

¹⁰¹ Such grief was perceived as a questioning of God’s providence and thus a kind of disobedience. This was a characteristic of puritan piety and was not simply restricted to the execution of state prisoners. Nehemiah Wallington, a puritan artisan, wrote in his diary that “great is the grief of an husband that loseth a kind and virtuous wife, and who can express the sorrow of a father or mother for the death of their dear and only child. But yet the sorrow in the world is not like the sorrow and grief of heart for sin.” Despite this assertion Wallingford became inconsolable after the death of his daughter, Elizabeth. Finally his wife, Grace, told him “Husband, I am persuaded you offend God in grieving for this child so much...it is your daughter’s wedding day and will you grieve to see your daughter go home to her husband Jesus Christ”; see Paul Seaver, *Wallington’s World : A Puritan Artisan in Seventeenth-Century London* (Stanford, 1985), 85, 87

¹⁰² W. S., *Compleat Collection*, 78

day.”¹⁰³ Harrison refused to personally answer this charge and asked his servant to speak for him. His servant stated that “those reports were very false, for his Master was a man in a manner wholly devoted to Religious Exercise...to the great comfort and consolation of his whole Family.”¹⁰⁴ Whether or not the charge was true, it was clear that rumours of his incompetence as a patriarch were circulating and considered politically relevant. In questioning his actions as head of household, his enemies were questioning his righteousness.¹⁰⁵

Those who opposed the regicides also criticised the actions that had brought them to the scaffold.

Rex est Patria Pater, the Father of his Country; and sure the better the Father is, the greater is the children loss; Mr. Scoopes children were seen weeping for their Father were comforted by a Friend. But when England lost a Father, and by his means too with others joined in the hellish Design, we the poor Subjects and Children of our Murdered Prince and Father, had no Comforter.”¹⁰⁶

It is not Scrope’s actions as a father that were being criticised but his actions as a son. The implication was that he was guilty of parricide. He had conspired to destroy the kingdom’s stability by dismantling the patriarchal order and participating in the murder of England’s father. He was, by reason of his crime, an unnatural son. His children’s loss was less than that of England. In 1649 parliament was also accused of destroying England’s familial fabric. Its crimes included

Killing the Father, carelesse of th’ Infant
 Making poore Widowes comfortlesse abroad
 To Wander with their Children t’ seek abroad
 In forraigne Lands, being bereft of goods,
 Lands, houses, rent yes and their Husbands bloods

¹⁰³ W. S., *Compleat Collection*, 8

¹⁰⁴ W. S., *Compleat Collection*, 10

¹⁰⁵ The servant’s answer is also telling: he interprets Harrison’s family duties as consisting solely of religious instruction.

¹⁰⁶ W. S., *Compleat Collection*, 134

Spilt by base Traytours to inebriate
 Their thirsty soules.¹⁰⁷

The Parliament – now led by the regicides - was guilty not only of the King's death but of the war and its consequences: death, widowhood and fatherless children. They had no regard for familial bonds.

Daniel Axtell's actions were also used to tarnish his reputation. During the King's trial, a woman in the gallery (said to be Lady Fairfax) criticised the proceedings by accusing the court of representing less than half of the House of Commons. Axtell, who was Captain of the Parliamentary Guard, "said to his Souldier, Shoot the Whore, Pull her down."¹⁰⁸ This incident served to contrast the behaviour of regicides to that of their opponents. Charles I had famously shown clemency to the crowd during his trial, and James, Duke of Hamilton, showed compassion for two women who tried to abuse him. This depiction of Axtell exposed him as being brutish and unnecessarily violent. He lacked both self-control and charity.

In many ways these criticisms are similar to the ones levied against the royalists by the parliamentarians. Each accused the other of creating chaos and threatening the kingdom's familial fabric. This demonstrates a common concern for the social patriarchal order. And yet there were significant differences that distinguished the patriarchal models of the two camps. Royalists believed in earthly intermediaries, while regicides preferred a direct connection to their divine patriarch. An interesting parallel can be drawn between these patriarchal models and royalist Episcopalianism, on the one hand, and parliamentary Presbyterianism or Congregationalism on the other. However, these

¹⁰⁷ *A Mournfull Elegy upon the Three Renowned VVorthies Duke Hamilton, the Earle of Holland, and the Ever to Be Honoured Lord Capel, Who Were Tyranically Murthered by a Usurped Illegall Power of the Wicked Court of Injustice* (London, 1649), 1

¹⁰⁸ W. S., *Compleat Collection*, 154

similarities should not be overdrawn. Not all royalists were Episcopalians, and not all Presbyterians and Congregationalists were parliamentarians. The Duke of Hamilton is a case in point. He was a Presbyterian but also a Royalist. However, his wish for his brother to become a father to his children after his death resembled his desire for a national Presbyterian church – a national church that was not directly under state control but that was run by popularly elected ministers and elders. The Duke of Hamilton's beliefs concerning church government may have influenced his beliefs concerning family government. Furthermore, each side's respective discourse on religion and patriarchy may have influenced the way authors chose to portray him.

Royalists and regicides shared common values and conventions. At their executions, they used similar language and signs to suggest election and martyrdom. Similarly, each camp, in justifying the righteousness of its cause, self-consciously invoked the legitimising language of patriarchy. However, there were differences in emphasis: royalists, in their dying speeches, gave primary importance to charity. In either rejecting or taking a moderate approach to the doctrine of election, royalists defined their social networks in relatively inclusive terms. They embraced a patriarchal model that was based on maintaining a state of Christian harmony in both their private and public lives. Royalists used their domestic patriarchal model to corroborate their political philosophy. Since the responsibilities of a father were likened to those of a ruler, a successful family life was offered as proof of an ability to govern. Conversely, regicides enthusiastically embraced the doctrine of election and searched for signs of their forthcoming salvation. In their last moments they were, therefore, most concerned with that which is other-

worldly. Congruently, the patriarchal order they described was divine. Regicides sought to become their divine father's passive instruments and instructed their families to emulate them. As patriarchs, they saw it as their responsibility to provide religious instruction and preserve the spiritual wellbeing of their families and co-religionists.

Conclusion

During the British Civil Wars, the language of patriarchy was pervasive. It was used to define the soldier's ideal comportment, to justify political obedience, and to legitimise the cause of traitors. Recent scholarship has defined a patriarch in narrow and exclusive terms as a man of a certain age, social standing and political influence, but patriarchy itself was much more broadly understood by early modern men and women and encompassed all social, political and religious relations. According to Christopher Durston, the family "helped to shape the social and cultural experiences of our less exalted ancestors," and patriarchal authority subsumed large institutions such as the state and the military.¹ The proponents of domestic and political patriarchal models relied heavily on scripture, which was used to authenticate these models by corroborating their primeval nature. Since God had created the natural order and infused the Laws of Nature into humanity, the original ordering of society could be nothing less than divine. And if divine, nature was necessarily ordered, since God "is not the author of confusion" (I Cor 14:33).² Therefore, the defence of the patriarchal order was a guarantor of peace and harmony. The idea that fatherly authority was natural and must be obeyed was readily embraced by even some of the most radical members of early modern English society. Thus, at the height of the Putney Debates, Leveller Maximilian Petty admitted that "servants and apprentices...are included in their masters."³

¹ Christopher Durston, *The Family in the English Revolution* (Oxford, 1989), 1

² As quoted in John Spelman, *Certain Considerations Upon the Duties Both Prince and People* (Oxford, 1642), 7

³ As quoted in J.P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-1640* (New York, 1999), 31

During the Civil Wars, the traditional family unit was perturbed; fatalities, exiles, imprisonments and competing loyalties all contributed to this disruption. Each camp invoked a patriarchal mandate and portrayed themselves as the defenders of a sacred familial and societal order. Their godly cause aimed to reinstate stability in the chaotic kingdoms of Britain. This could be achieved by behaving righteously and by averting God's wrath by eliminating those threatening true religion. By contrast, the enemy was portrayed as disregarding proper domestic governance and, by extension, threatening social stability: the King was accused of being a weak husband, and John Cook and Thomas Harrison were charged with neglecting their family duties. Such accusations were not only levied against individuals but against whole factions who were said to barbarously attack women, children and aged persons. An unsophisticated dichotomy distinguished the good and godly, who stood for the family, from the bad and sinful, who worked towards its destruction.

While there existed general consensus about the sanctity of patriarchal authority, whether and how this authority translated into political obligation was a source of violent disagreement. Royalist proponents of the patriarchal political theory claimed that the authority of fathers and kings were identical. By equating domestic and civil power, these theorists argued that a monarch's authority was derived directly from God and that the earliest societies were absolute monarchies, ruled by single patriarchs.⁴ However, in seeking to impute political obligation from domestic patriarchy, royalists were forced to manipulate theories on household governance. Contrary to what they argued, early modern fathers did not possess absolute and unlimited power over their dependents. Their definition of the subject's proper comportment, however, replicated more faithfully

⁴ Sommerville, *Royalists and Patriots*, 31

particular domestic duties. The subject's submission was similar to a wife's who was advised to stay loyal even to an abusive spouse. The execution pamphlets of leading royalists tempered the domestic model advanced in political tracts. While the condemned royalists believed in absolute authority, such authority was not practised tyrannically. Their behaviour towards their family demonstrated a predilection for harmonious relations, and they were portrayed as ruling lovingly.

Parliamentarians - both Independents and Presbyterians - despite denying any equivalency between the authority of rulers and fathers, more closely borrowed from contemporary theories on domestic order in constructing their political philosophy. They argued that, as in the private sphere, public authority was contingent on the justice and godliness of its cause and that subjects owed allegiance to God above any earthly and degenerate authority figure. Despite parliamentarians' political philosophy providing a certain degree of freedom to dissatisfied subjects, Calvinists, notably the regicides, envisioned freedom as passive obedience to an active God - the ultimate patriarch. Yet, sectarian Protestantism could degenerate into unintended radicalism and antinomianism, destabilising domestic patriarchal authority. For example, in their spiritual autobiographies, Agnes Beaumont, a member of John Bunyan's congregation, and Lawrence Clarkson, a self-proclaimed Ranter, both rejected paternal authority in order to follow God.⁵

The differences that existed within each faction have been alluded to throughout this thesis. While society was certainly ideologically polarisation, a complex medley of

⁵ See Agnes Beaumont, "The Narrative of the Persecution of Agnes Beaumont" in John Stachniewski and Anita Pacheco (eds.) *Grace Abounding with Other Spiritual Autobiographies* (Oxford, 1998), 191-224; Lawrence Clarkson, "The Lost Sheep Found" in John Stachniewski and Anita Pacheco (eds.) *Grace Abounding with Other Spiritual Autobiographies* (Oxford, 1998), 171-190

personal preferences and public pressures influenced allegiances, and no simple marker - such as religion, social status or geography - determined a person's loyalties. Each camp had a heterogenous (and inconsistent) membership. Thus, not all royalists subscribed to Filmer's political philosophy, and not all parliamentarians agreed with Cook's zealous call for the King's execution. Despite the complexity of alliances, patriarchal models helped to provide a language within which opposing arguments coalesced. For patriarchal political theorists and republican theorists, for executed royalists and executed regicides, patriarchy was pivotal to the construction of an integral worldview. Patriarchal models were informed by ideas on natural law, divine order and anointed authority and were prominently invoked in a number of debates that divided the country during the Civil Wars.

All Civil War factions defended domestic patriarchal authority and the gendered and social hierarchies that were subsumed by this authority. Some historians have recognised an evolution in thinking about household power in the aftermath of the war.⁶ However, it certainly was not the intention of any faction to question traditional household hierarchies. Political theory, on the other hand, was much more hotly contested, and progressively transformed after the wars. Authors increasingly distinguished between the Commonwealth and the family. William Thomas, in 1661, drew out the differences between conjugal and political relations, stating that "familiarity may breed contempt in a political and civil distance, but not in a conjugal."⁷ John Locke's *Two Treatise of Government* (1689) was a self-proclaimed rebuttal of Robert

⁶ Patricia Crawford, "The Challenge to Patriarchalism: How Did the Revolution Affect Women?" in John Morrill (ed.), *Revolution and Restoration England in the 1650s* (London, 1992); Frances Dolan, *Dangerous Familiars: Representations of Domestic Crimes in England, 1550-1700* (Ithaca, 1994), esp. chapter 3

⁷ William Thomas, *Christian and Conjugal Counsell* (London, 1661), 62

Filmer's *Patriarcha* (1680).⁸ Schochet contends that "the very logic and structure of the whole of *Two Treatises* were responses to Filmer."⁹ Locke refuted the existence of any equivalency between domestic and political authority, stating that "the power of Magistrates over a Subject, may be distinguished from that of a Father over his Children, a Master over his Servant, a Husband over his Wife, and a Lord over his Slave."¹⁰ He further argued that paternal power was not inheritable and therefore did not form the basis of civil society: "Paternal Power, being a natural Right, arising only from the relation of Father and Son, is as impossible to be Inherited as the relation it self."¹¹

While Locke's ideas were not immediately embraced, his political imaginings signalled the tides of change. The belief that kings and fathers shared identical authority fell out of fashion as Parliament's authority grew in importance and theories on absolute authority became harder to uphold. Yet patriarchal power continues, even today, to hold currency in western political discourse. A leader's competence as a husband and father is still considered to be relevant to his ability to govern – one need only think of the numerous family scandals that have threatened politicians' careers; a notable example is Bill Clinton's infidelity, which nearly cost him his presidency. Today being a good patriarch is taken as proof of morality and shared value with constituents rather than proof of divine authority. While patriarchal discourse has certainly evolved in the last four hundred years, its legacy persists as it continues to be used as a legitimising discourse authenticating authority in western political culture.

⁸ The full title of Locke's tract is *Two treatises of government in the former, the false principles and foundation of Sir Robert Filmer and his followers are detected and overthrown, the latter is an essay concerning the true original, extent, and end of civil government*.

⁹ Gordon J. Schochet, *Patriarchalism in Political Thought: The Authoritarian Family and Political Speculation and Attitudes Especially in Seventeenth-century England* (Oxford, 1975), 244

¹⁰ John Locke, *Two Treatises of Government* (London, 1690), 218-219

¹¹ Locke, *Two Treatises of Government*, 126

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