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# THE PROTESTATION PROTESTED, 1641 AND 1642

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ABSTRACT. *Parliament's Protestation of May 1641 pledged subscribers to defend the protestant doctrine of the Church of England against all popery and popish innovations, while upholding the honour of the king, the privileges of parliament, and the liberties of the subject. The following twelve months saw contentious debate about the ambiguity of these phrases and the conflicting obligations they entailed. Leaders of the political nation subscribed the Protestation voluntarily in the summer of 1641, emulated in some places by ordinary parishioners. In the more polarized political circumstances of early 1642, parliament ordered the Protestation to be taken nationwide by all men aged eighteen and above. Women, too, occasionally subscribed. This article traces the tendering and reception of the Protestation on both occasions, and examines some of its local consequences. The circulation of the Protestation significantly widened the arena for political and religious involvement in the opening stages of the English revolution.*

The Protestation made by members of parliament in May 1641 is both familiar and enigmatic. Though often mentioned and occasionally discussed in works of political history, it plays little part in accounts of early modern state formation, religious culture, social history, and political thought. Surprisingly little attention has been paid to the religious controversies attached to the Protestation, the local debates it engendered, or the administrative processes by which it was subscribed. As John Walter has recently argued, with reference to popular disturbances in Essex, the role and impact of the Protestation deserves to be better acknowledged.[1]

It will be argued here that the Protestation significantly widened the arena for political and religious involvement in the opening stages of the English revolution. Bringing sensitive topics to popular attention, linking centre and locality, it served both to sharpen and to complicate the issues. Though designed to secure national unity, the Protestation also revealed divisions in allegiance and opinion. It pledged subscribers to defend 'the true reformed protestant religion, expressed in the doctrine of the Church of England, against all popery and popish innovations', while at the same time upholding the 'person, honour and estate' of the king, 'the power and privileges of parliaments', and 'the lawful rights and liberties of the subjects'.[2] Arguments about the meaning and significance of these words, and the strains and

[1] John Walter, *Understanding popular violence in the English revolution: the Colchester plunderers* (Cambridge, 1999), p. 292.

[2] *Commons' Journals* (*CJ*), 2 (1640–2), p. 132; Public Record Office (PRO), SP16/480/6.



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contradictions between them, lay at the heart of the crisis that eventuated in civil war.

Initially a project of the House of Commons, the Protestation spread quickly among magistrates and officeholders in the summer of 1641, and was then extended nationwide in the following year. Its importance lay not only in its words and the obligations they carried, but also in the scale, scope, and manner of its application. The attempt to tender the Protestation to the entire adult male population of England early in 1642 was the most ambitious political mobilization heretofore attempted. Promoted by parliament, urged on by press and pulpit, administered through local government, and attended by vigorous discussion, the Protestation played a crucial part in the expansion of the so-called 'public sphere'.[3] It brought discussion of the constitution, politics, religion, and law from Westminster, to county assemblies, and into every church and parish.

The Protestation returns are well known to social and demographic historians, who have used them to estimate local populations and levels of literacy. Genealogists too have exploited the Protestation's long lists of names. Returns from more than 3,200 parishes from thirty English counties survive in the House of Lords Record Office, and dozens more have been found in local archives.[4]

Political historians have examined the circumstances which produced the Protestation, and have pondered its place in the kingdom's distractions. Most now follow Conrad Russell in identifying the Protestation as 'a reaction to the army plot' at the beginning of May 1641 and 'a declaration of readiness to resist a royal coup d'etat'. Several have quoted Russell's observation that by the outbreak of war in the summer of 1642, 'many Parliamentarians regarded it as supplying their title to be in arms'. But few have looked beyond the initial purposes of the Protestation to consider its subsequent applications.[5]

Anthony Fletcher has made the most of the Protestation, seeing it as a House of Commons project to create 'a national political test' and as a controversial and ambiguous instrument in matters of religion. Fletcher makes the important point that 'the Protestation arose from a yearning for unity, yet paradoxically it was immediately divisive'. He links the Protestation in parliament to the

[3] David Zaret, *Origins of democratic culture: printing, petitions, and the public sphere in early modern England* (Princeton, NJ, 2000); Joad Raymond, 'The newspaper, public opinion, and the public sphere in the seventeenth century', in Joad Raymond, ed., *News, newspapers, and society in early modern Britain* (London, 1999), pp. 109–40. The proliferating bibliography on this topic begins with Jürgen Habermas, *The structural transformation of the public sphere* (Cambridge, MA, 1989).

[4] David Cressy, *Literacy and the social order: reading and writing in Tudor and Stuart England* (Cambridge, 1980), pp. 62–103, 191–20, 215–21; W. F. Webster, ed., *Protestation returns 1641/2 Lincolnshire* (Mapperly, Nottingham, 1984); Jeremy Gibson and Alan Dell, *The Protestation returns 1641–1642 and other contemporary listings* (Federation of Family History Societies, Birmingham, 1995); Royal Commission on Historical Manuscripts (HMC), *Fifth report*, Part 1 (London, 1876), pp. 120–34.

[5] Conrad Russell, *Unrevolutionary England, 1603–1642* (London, 1990), p. 300; Conrad Russell, *The fall of the British monarchies, 1637–1642* (Oxford, 1991), pp. 294–5, 452, 464.

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Protestation in the parishes, following it from Westminster to the provinces in the summer of 1641 and again in the spring of 1642. He shows how parliament attempted to orchestrate the Protestation, eventually tendering it to all adult males. Fletcher captures some of the drama surrounding this contentious document and provides useful examples of local accord and resistance. But his large-scale inquiry into the outbreak of the civil war leaves no room for more sustained analysis.[6]

John Walter has renewed interest in the reception and appropriation of the Protestation. It was, he finds, 'a covenant, a touchstone', 'a talisman', 'an act of both inclusion and exclusion', and 'a shibboleth'. Despite the intentions of its framers and apologists, the Protestation served in practice to legitimate popular iconoclasm, to stimulate radical reform, and to justify local action against papists. According to Walter, 'the Protestation played a major role in promoting popular Parliamentarianism that has yet to be acknowledged … it was of major significance in fashioning a pro-Parliamentary popular political culture'. These are sophisticated suggestions, that begin to open an area about which, Walter acknowledges, 'still too little is known'.[7]

## I

The Protestation, a declaration of just over 200 words, originated in the political crisis at the beginning of May 1641. It was drafted in an atmosphere of panic and intimidation, and taken, so Clarendon said, amidst scenes of 'insolence and sedition'.[8] After six weeks of tumultuous trial, the earl of Strafford's fate lay unresolved. Many in the House of Commons, and their supporters beyond Westminster, feared that the work of the previous six months was about to be overthrown. Rumour had it that the papists, the army, the king and the queen, in various combinations, were plotting to extinguish parliamentary liberties and to subvert the reformed religion. King Charles had intimated on 1 May that he would not let Strafford die. Many feared, not without reason, that the king was about to dissolve parliament, reprieve the earl, and turn against his tormenters. The French, some said, were preparing to invade on the monarch's behalf. 'A bad understanding of the Parliament' was thought to have been 'bred in our English army', and its officers were rumoured to be ready to rise in arms to secure Strafford's release, set fire to the

[6] Anthony Fletcher, *The outbreak of the English civil war* (London, 1981), pp. 14–15, 75–79, 113–14, 152, 184, 194, 209, 290–1, 405. The discussion of the Protestation in David Martin Jones, *Conscience and allegiance in seventeenth century England: the political significance of oaths and engagements* (Rochester, NY, 1999), pp. 116–19, is based entirely on Russell and Fletcher. Zaret, *Origins of democratic culture*, does not mention it at all.

[7] Walter, *Understanding popular violence*, pp. 292–6, 304–5. See also John Walter, 'Confessional politics in pre-civil war Essex: prayer books, profanations, and petitions', *Historical Journal*, 44 (2001), pp. 688–9.

[8] John Bruce, ed., *Verney papers: notes of proceedings in the Long Parliament* (Camden Society, 1845), pp. 66–71; [Edward Hyde, earl of Clarendon], *The history of the rebellion and civil wars in England begun in the year 1641*, ed. W. Dunn Macray (6 vols., Oxford 1888), I, pp. 337, 340.

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city, and employ force against the House of Commons.[9] Fuelled by these rumours, citizens thronged Whitehall and Westminster, calling for 'justice' and seeking both to pressure and to protect the members of parliament.[10]

It was not unreasonable, in such a moment of danger, to recall the emergency Bond of Association drawn up by Elizabethan protestants in 1584. The Scottish Covenant of 1637 may also have provided an inspiration. William Drake recorded in his parliamentary notebook for 1 May 1641, 'Mr. Peard is ready for an oath of association.'[11] After a sabbath of prayer and reflection, the Protestation was introduced in the House of Commons on Monday, 3 May 1641, and subscribed by everyone present. On the following day it was tendered to the House of Lords and subscribed by most of those in attendance, including, uneasily, the bishops.[12] On 5 May the Commons ordered the Protestation to be printed, and the ink was barely dry before copies were distributed through the land. This was the first item ever printed by parliamentary instruction, marking the beginning of an era of administration from Westminster. Unauthorized copies also went into circulation in manuscript and in print, not all of them completely accurate.[13]

A preamble, which was actually drafted after the main text was written, became the first of many attempts to gloss the Protestation and explain its context.

We the knights, citizens and burgesses of the Commons House in Parliament, finding, to the great grief of our hearts, that the designs of the priests and Jesuits, and other adherents to the see of Rome, have of late been more boldly and frequently put in practice than formerly, to the undermining and danger of the ruin of the true reformed protestant religion in his majesty's dominions established; and finding also that there have been, and having just cause to suspect that there still are, even during this sitting in Parliament, endeavours to subvert the fundamental laws of England and Ireland, and to introduce the exercise of an arbitrary and tyrannical government, by most

[9] 'A diary of ye lords in Parliament' [Bishop Warner], Hertfordshire Record Office, XII.B.37, fo. 68; Conrad Russell, 'The first army plot of 1641', *Transactions of the Royal Historical Society*, 38 (1988), pp. 85–106.

[10] HMC, *Report on the manuscripts of Lord Montague of Beaulieu* (London, 1900), pp. 129–30; HMC, *Report on the manuscripts of the earl of Egmont* (vol. 1, part 1, London, 1905), p. 134; earl of Monmouth to earl of Middlesex, HMC, *4th report* (London, 1874), appendix, p. 295; Bodleian Library, Nalson MS 13/19–20.

[11] Maiija Jansson, ed., *Two diaries of the Long Parliament* (Gloucester and New York, 1984), p. 40; David Cressy, 'Binding the nation: the Association of 1584 and 1696', in DeLloyd J. Guth and John W. McKenna, eds., *Tudor rule and revolution: essays for G.R. Elton from his American friends* (Cambridge, 1982), pp. 217–34; Patrick Collinson, 'The Elizabethan exclusion crisis and the Elizabethan polity', *Proceedings of the British Academy*, 84 (1094), pp. 51–92, esp. 64–71.

[12] Denzil Holles, *Densell Hollis Esq.: his speech at the delivery of the Protestation to the Lords of the Upper House of parliament* (1641).

[13] Sheila Lambert, *Printing for parliament, 1641–1700* (List and Index Society, Special Series, 20, 1984), p. 1. 100 copies were delivered on 5 May, 1,100 copies on 30 July. A version printed for John Aston upheld 'the power of privilege of Parliament' instead of 'the power and privileges of Parliament', and made 'the subject' 'the subjects', *A preamble with the Protestation made by the whole House of Commons the 3 of May, 1641: and assented vnto by the Lords of the Vpper House on the 4 of May* (1641). For this he was rebuked by the House of Commons, *CJ*, 2 (1640–2), p. 36.

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pernicious and wicked counsels, practices, plots, and conspiracies; and that the long intermission and unhappy breach of Parliaments hath occasioned many illegal taxations, whereupon the subject hath been prosecuted and grieved; and that divers innovations and superstitions have been brought into the church, multitudes driven out of his majesty's dominions, jealousies raised and fomented betwixt the king and people, a popish army levied in Ireland, and two armies brought into the bowels of this kingdom, to the hazard of his majesty's royal person, the consumption of the revenue of the crown and treasure of this kingdom; and lastly, finding great cause of jealousy, that endeavours have been and are used to bring the English army into misunderstanding of this Parliament, thereby to incline that army, with force to bring to pass those wicked counsels, have therefore thought good to join ourselves in a declaration of our united affections and resolutions, and to make this ensuing Protestation.[14]

Then came the words of the solemn pledge that subscribers were supposed to repeat aloud:

I, A.B., do in the presence of Almighty God, promise, vow and protest, to maintain and defend, as far as lawfully I may, with my life, power and estate, the true reformed protestant religion, expressed in the doctrine of the Church of England, against all popery and popish innovations within this realm, contrary to the same doctrine, and according to the duty of my allegiance, his majesty's royal person, honour and estate; as also the power and privileges of Parliament, the lawful rights and liberties of the subject, and every person that maketh this Protestation, in whatsoever he shall do in the lawful pursuance of the same. And to my power, and as far as lawfully I may, I will oppose and by all good ways and means endeavour to bring to condign punishment, all such as shall either by force, practice, counsels, plots, conspiracies, or otherwise, do any thing to the contrary of any thing in this present Protestation contained. And further, that I shall in all just and honourable ways endeavour to preserve the union and peace between the three kingdoms of England, Scotland, and Ireland; and neither for hope, fear, nor other respect, shall relinquish this promise, vow and Protestation.[15]

The Protestation was not strictly an oath, though historians have often described it as one. Contemporaries too sometimes spoke as if the Protestation was an oath, reporting that 'the oath … was given and taken'. The confusion is understandable, since the committee responsible for drafting the Protestation was charged with finding suitable words, 'be it by oath or any other way, and in such manner as they shall think fit'.[16] But oaths were out of favour in 1641, with the 'etcetera' oath of the Laudian canons dubbed 'a strange mis-shapen monster' and an aspect of Antichrist.[17] Conventional political oaths, like the oaths of allegiance and supremacy, began with the words, 'I swear', but the

[14] *Die Mercurii 5 Maii. 1641: it is this day ordered* (Protestation and Preamble, 1641; Thomason Tracts, 669.f.3 (5)); *CJ*, 2 (1640–2), p. 132; PRO SP16/480/6; *A preamble with the Protestation* (1641); John Rushworth, ed., *Historical collections* (8 vols., 1680–1701), IV, pp. 241, 244–8.

[15] Sources as in previous note.

[16] East Sussex Record Office, Lewes, Rye letters 47/133, 8 May 1641; Bruce, ed., *Verney papers*, p. 67; *CJ*, 2, p. 132. The churchwardens of North Tawton, Devon, noted their expenses 'when we took the oath of Protestation', Devon Record Office, Exeter, 2914A/PW1.

[17] Mary Anne Everett Green, ed., *The diary of John Rous … 1625 to 1642* (Camden Society, 1856), p. 102; Durham University Library, Special Collections, Mickleton-Spearman MS MSP/9, vol. II, p. 192.

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Protestation only bound subscribers to promise, vow, and protest. Legally and casuistically, this was important. An oath was a solemn engagement with God that pledged the subscriber's soul. The Protestation, though performed in the presence of God, was more of a collective public engagement, binding subscribers with each other. It operated initially as a bond of solidarity among members of parliament, and later became an instrument of fellowship and citizenship among parish congregations. Under pressure, it could even be taken by Catholics, who might have scrupled against a binding religious oath.[18]

The Protestation circulated widely during the summer of 1641. After taking it themselves, members of parliament endeavoured to promote it 'as general and universal through the kingdom as we could'.[19] Members sent copies and comments to their constituents, 'to the sheriffs and justices of peace of the several shires, and to the citizens and burgesses of the several cities, boroughs and cinque ports', indicating 'with what willingness the members of this House made this Protestation; and further to signify that, as they justify the taking of it in themselves, so they cannot but approve it in all such as shall take it'.[20] Sir John Coke was quick to send the Protestation to Derbyshire.[21] Edward Mainwaring sent printed copies to Sir Richard Leveson in Staffordshire.[22] Oliver Cromwell and John Lowry recommended the Protestation to the aldermen of Cambridge as 'a right honourable and necessary act, not unworthy your imitation', with the notable admonition, 'combination carries strength'.[23] Edward Mountague advised his father in Northamptonshire, 'I have sent your lordship the Protestation which we have all taken, and likewise the Lords, except those which are papists, and now I believe they will be kept out of the Lords' house. Every knight and burgess is to send this Protestation to the place for which they serve, to be taken by those that will.'[24] Sir Robert Harley and Francis Coningsby informed the high sheriff and justices of Herefordshire that 'the enclosed Protestation will represent unto you the zeal and prudent care of the House of Commons in asserting the truth of our religion … and our fundamental laws and liberties'.[25]

These were welcome words, if they promised to safeguard religion and peace.

[18] Johann P. Sommerville, 'The "new art of lying": equivocation, mental reservation, and casuistry', in Edmund Leites, ed., *Conscience and casuistry in early modern Europe* (Cambridge, 1988), pp. 159–84; Keith Thomas, 'Cases of conscience in seventeenth-century England', in John Morrill, Paul Slack, and Daniel Woolf, eds., *Public duty and private conscience in seventeenth-century England* (Oxford, 1993), pp. 29–56; Edmund Vallance, 'Oaths, casuistry and equivocation: Anglican responses to the Engagement controversy', *Historical Journal*, 44 (2001), pp. 59–77. See also Edward Vallance, 'State oaths and political casuistry in England, 1640–1702' (DPhil thesis, Oxford, 2000).

[19] Jansson, ed., *Two diaries of the Long Parliament*, p. 43.

[20] British Library, MS 669, fo. 3 (5, 6); East Sussex Record Office, Lewes, Rye letters 47/133, 8 May 1641; R. Garraway Rice, ed., *West Sussex Protestation returns, 1641–1642* (Sussex Record Society, 5, 1906), p. 1.

[21] HMC, *Manuscripts of the Earl Cowper, K.G., preserved at Melbourne Hall* (London, 1888), p. 281.

[22] Staffordshire Record Office, Stafford, Leveson letter book, D.868/2/30.

[23] Charles Henry Cooper, *Annals of Cambridge* (4 vols., Cambridge, 1842–52), III, p. 311. Cambridge aldermen and councillors took the Protestation on 11 May 1641.

[24] HMC, *Montague*, p. 130.

[25] British Library, Additional MS 70003, fo. 94.

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But they were also controversial and contentious. The Protestation was not quite all things to all men, but it nourished a wide range of hopes and was susceptible to a variety of interpretations. Ambiguities in its drafting prompted recurrent debate. On its very first appearance William Drake recorded the comment in the House of Commons that 'it cannot stand with any man's honour or discretion to take an oath and not know what it means'.[26]

What, exactly, was meant by 'the true reformed protestant religion, expressed in the doctrine of the Church of England'? Did that mean the Calvinist elements of the Thirty-Nine Articles but not the book of common prayer or the ecclesiastical canons? Or did the 'doctrine' of the Church of England entail adherence to its ecclesiastical polity and discipline? Even more problematic was the pledge against 'all popery and popish innovations'. What did this extraordinary phrase encompass? Was it intended to put England on guard against a Catholic invasion or insurrection, or to deal with Jesuits and Capuchin friars at court? Did it allude to recent ceremonial innovations, like the altarwise rearrangement of communion tables and attendant cringing and bowing that many puritans deemed 'popish'? Was it a synonym for Laudianism or Arminianism? Or could it be construed to challenge the entire episcopal hierarchy and ceremonies of liturgical worship, left over from an incomplete Reformation? The phrase 'as far as lawfully I may' was equally problematic. How selective or how constructive could one be in one's reading and subscription?

The constitutional components of the Protestation were as ambiguous as its phrases about religion. Who, in 1641, knew the limits of 'the power and privileges of Parliament', or how the Protestation might affect the subject's allegiance to the king? William Davie, who took the Protestation in May, thought 'we cannot better perform our vows than by keeping peace' between king and parliament, but he was perplexed how that might be achieved.[27] Variant phrasing in corrupt copies and unauthorized editions also caused confusion.

Further questions fuelled the controversy, whipped up by a newly emboldened press:

> Whether the Protestation be clearer than the oath of the sixth canon? Whether subjects may impose an oath upon their fellow-subjects without the king? Whether it may not be expected that the Protestation will raise a sedition in pure zeal? Whether we go not about to pull down church and state in the fear of God? Whether we have as much skill in building up as pulling down?[28]

By way of answer, one supporter of the Protestation distinguished the 'vow, promise and protest' of 1641 from the hated canonical 'oath' of 1640, and

[26] Jansson, ed., *Two diaries of the Long Parliament*, p. 40.

[27] W. C. Trevelyan and C. E. Trevelyan, eds., *The Trevelyan papers, part III* (Camden Society, 105, 1872), p. 210.

[28] *Calendar of State Papers Domestic, Charles I* (*CSPD*) (23 vols., London, 1858–97), XVIII, 1641–3, p. 113.

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insisted that the Protestation might be subscribed 'cheerfully and without doubt'.[29] Another thanked God for 'that strong, high and thick wall of the late parliamentary national Protestation' that frustrated both popish and Arminian designs.[30]

To its makers and supporters, the Protestation was an armoury against popery, a defence against Rome, a bulwark against superstition, and a pledge for a godly Church of England. It was solid for the ancient constitution, a guarantee of the rights of the subject, the parliament, and the king. Northamptonshire justices who subscribed the Protestation in June 1641 esteemed it 'a proof of men's loyalty to the king and fidelity to the commonwealth', though others feared it might mean exactly the opposite.[31]

Though promoted by anti-Laudians, the Protestation was not a puritan text. Robert Baillie, the Scottish commissioner, observed that some of the scrupulous godly took exception to a document that appeared to give comfort to the established church. From the Presbyterian point of view, the fact that 'the bishops has put their hand to it' meant that 'we like it all the worse'. Baillie described some of the casuistry and cajolery involved in getting signatures.

> In the doctrine of the Church of England, in the articles of their conclusion, both bishops and ceremonies are expressed; for which cause divers of the best refuse to subscribe in the city. Many commentators are fetched to elude this; but the most satisfactory is, that at swearing and subscribing in the lower House it was declared expressly, by the doctrine they meaned not the government and ceremonies, and that quickly they shall declare this by ingiving of bills against both.[32]

Clarification of a sort arrived on 13 May when the Commons resolved,

> that whereas some doubts have been raised concerning the meaning of these words in the Protestation, 'the true reformed protestant religion, expressed in the doctrine of the Church of England, against all popery and popish innovations in this realm', the House doth declare, that by these words was and is to be intended and meant only the public doctrine professed in the said church; and that the words are not to be extended to the maintaining of any form of worship, discipline or government, nor of rites or ceremonies.[33]

It is not clear whether this helped those justices and county officials who claimed not to understand 'the power and privilege of parliaments and the lawfulness to take or make any new oaths'.[34] But it was music to the ears of John Geree, the 'preacher of God's word' at Tewksbury. For Geree the Protestation was a cause of joy that signalled 'the restoration of religion', a renewal of the

[29] John Ley, *A comparison of the parliamentary Protestation with the canonical oath* (1641), pp. 3, 5, 29.
[30] *The Arminian Nvnnery* (1641), p. 10.
[31] Bedfordshire and Luton Archives, Bedford, St John papers, J. 1385.
[32] David Laing, ed., *The letters and journals of Robert Baillie* (3 vols., Edinburgh, 1841), I, p. 352.
[33] Rushworth, ed., *Historical collections*, IV, p. 273; Denzil Holles, *A true copie of the speech, made by the honourable Denzell Holles … concerning the Protestation … with an explanation upon some doubts made upon the said Protestation* (1641), p. 8. This clarification was repeated in the bill 'for the securing of the true religion' read on 24 July, HMC, *House of Lords*, Addenda 1517–1714, p. 278.
[34] British Library, Additional MS 70,003, fo. 227.

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Covenant, 'an healing of our backslidings', and 'the regeneration of a nation'. All doubts about its legitimacy dissolved, said Geree, because 'the whole nation hath taken it' (at least virtually) through the hands of the Lords and Commons. Its legitimacy was further demonstrated by it being printed by the king's printer.[35] Preaching later in 1641, Stephen Marshall declared the Protestation one of the wonders and mercies of that remarkable year.[36]

Throughout the country, at quarter sessions and borough assemblies, the governing class met to subscribe the Protestation. The text was passed from magistrates to chief constables, to ministers and parochial officials, across the local matrix of command.[37] It was not yet intended for ordinary people, though occasionally there was pressure to tender it lower down the social scale. Quick off the mark, the Cinque Port of Rye took the Protestation on 11 May, 'at an assembly where almost all of the inhabitants of our town appeared and willingly took it'. The mayor and jurats claimed that 200 men subscribed, though the surviving list has only 114 names.[38] At Newcastle, Staffordshire, 'the whole borough' assembled on 20 May 1641, 'all ready to make the Protestation. Whereupon the mayor, the minister, the aldermen, the schoolmaster, capital burgesses and common burgesses, in all above one hundred, did publicly and solemnly pronounce it.' Edward Mainwaring, who described these proceedings in a letter to Sir Richard Leveson, asserted that he 'observed no want of alacrity'.[39] At Tewksbury 'above four hundred of the inhabitants' took the Protestation, urged on by the enthusiastic preaching of John Geree.[40] The mayor and burgesses of Okehampton subscribed on 22 May, with 'divers others of the inhabitants'.[41] At Salisbury the leading citizens assembled on 24 May, 'and upon the reading of the said Protestation, every person present at this council did freely at the same time make the said Protestation and subscribe their names to a paper annexed to the said Protestation'.[42]

Thomas Stockdale, Lord Fairfax's agent in Yorkshire, wrote on 27 May that he received the Protestation 'with much joy … and do heartily join myself in it as a matter mainly conducing to the preservation of our religion and state'. He told Ferdinando Fairfax that he had long believed 'that such an association must be made, both to prevent the breach of the Parliament and also to distinguish the subjects' affections; and now I am full of hope that we shall enjoy our religion and laws inviolate'. The use of the word 'association', already heard in parliament, evoked earlier Bonds of Association and pledges to defend the church with protestant blood. Stockdale believed, as did many

[35] John Geree, *Iudahs ioy at the oath* (1641), sigs. B2v, B3, B3v, B4, B4v, Cv.
[36] Stephen Marshall, *A peace-offering to God* (1641), p. 46.
[37] Bedfordshire and Luton Archives, St John papers, J. 1385.
[38] East Sussex Record Office, Rye letters 47/133, 18 May 1641.
[39] HMC, *Fifth report*, p. 141; Staffordshire Record Office, Leveson letter book, D.868/2/30.
[40] Geree, *Iudahs ioy at the oath*, sig. A3.
[41] Devon Record Office, Okehampton sessions minute book 1639–48, MS 3248A/3/4.
[42] Wiltshire Record Office, Trowbridge, Salisbury borough ledger book D, MS G23/1/4, fo. 3v; HMC, *Reports on manuscripts in various collections* (7 vols., London, 1903–14), IV, p. 240.

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others, that the very act of subscription would enhance mutuality and public security. By tendering the Protestation to 'all manner of people' and by listing the names of refusers, 'the strength of the adverse faction might appear'.[43] But a full month would pass before the aldermen and councillors of York took the Protestation on 28 June, and another eight months would pass before it was tendered to ordinary townsmen and villagers.[44]

The Protestation reached Leicester on 19 May 1641, with a note from three members of parliament recommending it as 'the best means to advance a work which tends so much to the peace and preservation of king and kingdom'.[45] But it took almost two months before the townsmen decided what to do with it. Only on 7 July was it 'thought fit' that the Protestation

> should be administered to the inhabitants of this borough by the ministers of the several parishes; and to that end the ministers were sent for, and some of them came to the town hall, and so many as came, viz: Mr. Angel, lecturer, Mr. White, Mr. Ward, and Mr. John Angel, was there requested to undertake that service in obedience to the House.

And yet another month passed before the Leicester authorities ordered on 6 August that 'the Protestation be copied out and a copy thereof presented to every of the ministers of the several parishes of this borough to be by them published to their several parishes and societies'.[46] These delays may indicate resistance or reservations, but they could just as well reflect the inertia of small town life in the summer. Instructions at the Manchester midsummer sessions advised clergy in Salford Hundred that taking the Protestation would be pleasing to parliament, but did not say how that should be accomplished.[47] The Nottingham Hall Book lists eighteen columns of subscribers who took the Protestation between 4 June and 23 August 1641.[48]

In London the authorities devised a procedure that would ultimately provide a model for the rest of the kingdom. Under clerical and magisterial auspices, the Protestation was supposed to be taken by all adult males, pledging subscribers to uphold the security of church and state. The lord mayor issued instructions on 25 May for the Protestation to be tendered throughout the City and Liberties on the following Sunday. Aided by churchwardens and 'other meet persons', each minister was supposed 'to acquaint his parish in his sermon either forenoon or afternoon with the nature of the business, more or less as he shall think fit, for the better and more solemn taking of the said Protestation'. And in case any cleric proved unsympathetic or unwilling, the mayor authorized 'some well affected to the business to stay the parish and communicate the matter to them'. The Protestation was then to be taken 'in

[43] G. W. Johnson, ed., *The Fairfax correspondence, memoirs of the reign of Charles the first* (2 vols., London, 1848), II, pp. 2, 106, 107.

[44] York City Archives, Corporation House book 1638–50, MS B/36, fo. 58v.

[45] Helen Stocks and W. H. Stevenson, eds., *Records of the borough of Leicester … 1603–1688* (Cambridge, 1923), p. 307.

[46] Ibid.

[47] Lancashire Record Office, Preston, QSB/1/251/62.

[48] Nottinghamshire Archives, Nottingham, CA 3415, 64–9.

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the afternoon of some Lord's day, after sermon, before the congregation be dissolved, by all masters of families, their sons and men-servants'. The solemnity of the occasion was underscored by the exclusion of 'all whom it doth not immediately concern' – presumably women and children – who were 'earnestly requested to depart'. The minister was to subscribe first, 'reading the said Protestation in so distinct a voice that all present may conveniently hear it'. Then the men of the parish would follow, 'every man taking this Protestation into his hand'. Finally, to provide a permanent record, it was ordered 'that there be a register book wherein every man taking this vow or Protestation subscribe his name, with his own hand or mark, and that the names be taken of such as do refuse the same'.[49]

Several London parishes took the Protestation on Sunday, 30 May 1641, tendering it as instructed to every adult male in the congregation. To speed the process they sometimes adopted a streamlined procedure as well as a condensed interpretation, as in the parish of St Martin Orgar where 184 parishioners made what they called 'their Protestation for maintenance of religion and the liberty of the subject'. At St Katherine Creechurch, 'because it would take up more time and indeed was impossible for everyone to express the same words, for more brevity the people expressed themselves after this manner … I, A.B., do in the presence of almighty God freely and heartily promise, vow and protest the same which the leading person Mr. George Rush did.' No less than 462 names were subscribed in the vestry minute book.[50] Some parishes decided the matter could not be dealt with on Sunday, but instead called a meeting later in the week. A few recorded only the names of subscribers, not refusers, for otherwise, as Thomas Jenyson reported to Sir Rowland St John, 'it was not free but compulsory'.[51]

Churchwardens' accounts often record the cost of these activities. At St Botolph without Bishopsgate they purchased 'a register book for the Protestation' for 3*s* on 5 June 1641, and then spent more 'for a direction how to take the Protestation' and on expenses for 'Mr. Boules and others when he preached the first day the Protestation was taken'. St Mary Aldermary paid 2*s* 6*d* 'for the Protestation and directions about it', and a further 9*d* for a register book to record the names. St Dunstan's in the West paid 1 *s* 'to Mr. Meade for three books concerning the Protestation and for paper'. The parish of St Antholin bought thirty-five copies of the Protestation for 2*s* 10*d*, a bulk-buy bargain at less than a penny a copy.[52] In the suburban Middlesex parish of St Giles in the Fields, the Laudian minister William Heywood 'caused the Protestation to be read' as directed, but in a 'ridiculous, absurd and disdainful manner, with much scorn and jeering'. Rather than encouraging parishioners

[49] Northamptonshire Record Office, Northampton, Finch Hatton MSS FH 3824; Denzil Holles, *A true copie of the speech, made by the honourable Denzell Holles … concerning the Protestation … with an explanation upon some doubts made upon the said Protestation* (1641), pp. 9–10.

[50] Guildhall Library, London, MS 959/1, MS 1196/1.

[51] Bedfordshire and Luton Archives, St John papers, J. 1382, Jenyson to St John, 3 June 1641.

[52] Guildhall Library, MS 4524/1, MS 6574/1, MS 2968/3, MS 1046/1.

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to take the Protestation, his enemies alleged, he did 'much to the contrary'.[53] But this did not prevent the parishioners of St Giles from subscribing en masse, or from paying 4*s* 'for copying and ingrossing the names of those that took the late Protestation'.[54]

A few Essex parishes with strong puritan traditions emulated London in tendering the Protestation to adult male inhabitants. Little Baddow and Wanstead took it on 27 June 1641, Hadleigh on 4 July, Barnston on 11 July, Great Stambridge on 1 August, and Wormingford on 8 August. Most of these parishes had nonconformist evangelical incumbents and enjoyed the patronage of the Mildmay family or the puritan earl of Warwick. While associating themselves with the parliamentary leadership, they went beyond the official instructions. Their long lists of marks and signatures suggest that barely more than a third of the subscribers were fully literate.[55]

## II

Though designed for solidarity, the Protestation also produced discord and division. The leaders of the Commons sought concurrence, not conversation, but the circulation of the Protestation in the summer of 1641 triggered hundreds of rancorous debates. By enjoining laymen to defend 'the true reformed protestant religion' and to set their hands against 'popish innovations', without limiting what those words encompassed, the Protestation served to legitimate the critical questioning of worship and discipline. Words led to arguments and arguments led to action. Zealots in dozens of parishes attempted to put their vow against popery into immediate effect, sometimes with violent consequences.

In the London parish of St Thomas the Apostle the reading of the Protestation on 11 June led to the immediate destruction and burning of the altar rails.[56] John Blackwell, grocer to the king, told fellow parishioners, 'Gentlemen, we have here made a Protestation before almighty God against all popery and popish innovations, and these rails (laying his hand upon the rails about the communion table) are popish innovations, and therefore it is fit they be pulled down, and shall be pulled down.'[57] The churchwardens' accounts

[53] *The petition and articles exhibited in parliament against doctor Heywood, late chaplain to the bishop of Canterburie* (1641), pp. 8–9. See also the rebuttal in R. M., *An answer to a lawless pamphlet … against doctor Heywood* (1641).

[54] Holborn Central Library, London, P/GF/CW/1.

[55] Protestations in parish registers. Little Baddow was a Mildmay parish and had John Newton as vicar; Wanstead was a Warwick living alienated to Sir Henry Mildmay and served by Humphrey Maddison; Hadleigh was held by the earl of Warwick and served by the puritan William Wells; Barnston was served by the nonconformist John Beadle. Sources include Philip Morant, *The history and antiquities of the county of Essex* (1768); T. W. Davids, *Annals of evangelical nonconformity in the county of Essex* (London, 1863); and Harold Smith, *The ecclesiastical history of Essex under the Long Parliament and Commonwealth* (Colchester, 1932). See also William Hunt, *The puritan moment: the coming of revolution in an English county* (Cambridge, MA, 1983); Cressy, *Literacy and the social order*, pp. 77–96.

[56] House of Lords Record Office, Main Papers, 30 June 1641, 1 July 1641.

[57] House of Lords Record Office, Main Papers, Petitions of 30 June and 1 July 1641.

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show 3*s* spent on the Protestation and a book for the names of subscribers, followed by an entry of 9*s* 9*d* 'for mending the church windows'.[58]

Robert Abbot, the vicar of Cranbrook, Kent, complained to Sir Edward Dering on 5 July 1641 that it 'toucheth me to the quick' that 'since I and my people made the Protestation' his parishioners had turned against the prayer book 'with much bitterness'. Abbot continued, 'a friend hath forewarned me this day that tomorrow will forty come unto me to persuade me to lay down the common prayer book, or else they will not come to the church; and these are the middle sort of the parish'. The Protestation had given authority to these protests and orderly parish services had ceased. It would not be long, Abbot wrote, 'lest I be driven through tumult to leave my station'.[59]

At St Olave's, Southwark, the minister also had a rough time around the reading of the Protestation when unruly parishioners disturbed his administration of the sacrament, 'put on their hats, some crying lay hands on him, kick him out of the church, pull him by the ears, Baal's priest, bald pate, carry home your consecrated bread and your pottage'.[60] The reading of the Protestation caused 'unreverent tumult' at Fen Ditton, Cambridge, and somebody stole the minister's surplice on the day after the document appeared in the parish.[61] At Radwinter, Essex, a blacksmith cited the Protestation to justify opposition to the sign of the cross in baptism.[62] Thomas Harvey, a weaver of Earl's Colne, Essex, claimed that having taken the Protestation in August 1641 'he could not sleep quietly' until he had destroyed the book of common prayer by mutilation, water, and fire.[63]

The authors of the Protestation did not intend it to lead to insults, iconoclasm, or parochial disorder. They intended, rather, that subscribers should uphold the law. The preacher Thomas Mocket strongly supported the Protestation but warned, 'God needs no tumultuous carriages and unwarrantable ways and means to effect his work of Reformation.'[64] Others blamed disorders attendant on the Protestation on 'simplicity, ignorance or worse'.[65]

## III

Renewed controversy broke out with the anonymous publication of *The Protestation protested* in June 1641. Hiding the identity of its author, printer, and publisher, this explosive tract set forth a 'remonstrance, showing what is

[58] Guildhall Library, MS 662/1.
[59] British Library, Stowe MS 184, fos. 43v–4.
[60] House of Lords Record Office, Main Papers, 11 June 1641, 22 July 1641.
[61] British Library, Additional MS 15,672, fos. 52v–3v.
[62] Bodleian Library, MS Rawlinson D.8, fo. 17v.
[63] Essex Record Office, Quarter Sessions Bundles, Q/Sba 2/43; Walter, 'Confessional politics', pp. 688–9.
[64] Thomas Mocket, *The National Covenant: or, a discourse on the Covenant, wherein also the severall parts of the late Protestation are proved to be grounded on religion and reason* (1642), p. 20.
[65] I.W., *Certain affirmations in defence of the pulling down of communion rails, by divers rash and misguided people, judiciously and religiously answered* (1641), p. 4.

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principally required of all those that have or do take the last parliamentary Protestation'. What the Protestation entailed, by this account, was no less than the complete dismantling of the Church of England in favour of congregational independency. Subscribers had vowed 'to maintain the doctrine of our church, so far as it is opposite to popery'. But the Protestation remained unfulfilled so long as any trace of popery remained in the liturgy, discipline, government, or ceremonies of the church. All the 'trinkets and baggage' of popery had to be sent packing, along with 'her pompous equipage'. This would justify exactly the kind of iconoclasm attempted at St Thomas's. By strict construction or devious glossing, the Protestation could be used to justify not just the elimination of altar rails and surplices but the elimination of bishops and the book of common prayer. The gap would then be filled by gathered churches, worshipping in accord with God's holy word.[66]

It did not take long for readers to identify Henry Burton, the celebrated puritan martyr, as the author of *The Protestation protested*. Sidney Bere reported to Sir John Pennington on 24 June 1641 that 'the appearances of confusion are very great, as you will see by the seditious pamphlet entitled *The Protestation protested*, which I send you herewith. It is said Burton preached of late much to that sense, inveighing against the common prayer book, and hence some conceive him the author.'[67]

Indeed, in a sermon entitled 'England's bondage and hope of deliverance', preached at St Margaret's, Westminster, on 20 June 1641, Burton had insisted on a revolutionary interpretation of 'that noble Protestation' of the previous month. 'Your Protestation', he told the assembled members of the House of Commons, 'is not made as thorns under a pot, to give a crack and away; or like a bee without a sting; or a leaden dagger in a golden sheath, having a show and yet is nothing'. It was rather a weapon 'against all popery and popish innovations'. And lest anyone think that the only innovations in question were those just recently introduced by Laudians, Burton explained that the Protestation, in his view, also embraced 'those that have been in the church of God ever since the apostles; whatsoever any man hath set up … that are in the sight of God idolatrous and against the scripture, that is popish innovation'.[68]

Burton's parliamentary auditors, we are told, 'much disliked' his sermon, finding it 'satirical, and most against organs, bishops and the liturgy'. The members were further displeased, and their sympathies further alienated, when a group of Brownist protesters made a disturbance and had to be hustled from the church.[69] Not surprisingly, *The Protestation protested* generated a fire-storm of opposition. Criticism came not only from conformist defenders of the

[66] [Henry Burton], *The Protestation protested: or, a short remonstrance, shewing what is principally required of all those that have or doe take the last parliamentary Protestation* (1641), sigs. A2v, A3.

[67] *CSPD*, 1641–3, p. 24.

[68] Henry Burton, *Englands bondage and hope of deliverance* (1641), pp. 30–1.

[69] Thomas Jenyson to Sir Roland St John, 24 June 1641, Bedfordshire and Luton Archives, St John papers, J.1386.

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established church but also from alarmed Presbyterians. It was an early sign of the split within the godly community that would frustrate all hopes of a puritan religious settlement.

In the months that followed the Presbyterian Thomas Edwards cited *The Protestation protested* to expose the errors of congregational independency, while the radical Katherine Chidley invoked the same text to justify separation.[70] John Geree excoriated *The Protestation protested* as irrational sophistry, a 'glosing' rather than a glossing of the parliamentary covenant, and a 'snare' to entice the foolhardy into 'independent separating churches'.[71] Thomas Cheshire, who described himself as 'minister of God's word and sacraments', characterized Burton's text as 'a most viperous, proditorious [sic] piece of knavery', espousing the 'doctrines of devils'. The Protestation itself was acceptable because it upheld the doctrine of the Church of England; but *The Protestation protested* was 'blasphemy, heresy, schism, and damnable treason' that gave encouragement to 'anabaptists and separatists, Burtonists and Brownists'.[72]

Sir Francis Wortley thought Presbyterians and schismatics equally in error, and fulminated against 'that dangerous and seditious pamphlet concerning the late Protestation'.[73] Joseph Hall (a future bishop) likewise attacked *The Protestation protested* as 'foolish, seditious, scandalous [and] profane', and ridiculed its argument as 'naked as an Adamite … a froth of words … an empty noise' that would lead to 'schism and democracy'.[74] Edward Hyde (a future earl), understood *The Protestation protested* to argue 'that all men were obliged by their late Protestation, by what means soever, to remove both bishops and the common prayer book out of the Church of England as impious and papistical'.[75] Its publication was a landmark in the radicalization of the religious revolution.

On 24 July 1641 proponents of 'the true religion' introduced a bill into the House of Commons which attempted to write the Protestation into law. This bill buttressed the Protestation with a holy oath, and required every member of the clergy, all peers of the realm, and every holder of public office to take it or else be disabled or removed. It further proposed extending the Protestation to every man aged eighteen and above, and set forth procedures for ministers and churchwardens to administer the oath every year in every parish. This

[70] Thomas Edwards, *Reasons against independent government of particular congregations* (1641), introduction, pp. 49, 50; Katherine Chidley, *The ivstification of the independent chvrches of Christ* (1641), pp. 22, 36, 65, 66.

[71] John Geree, *Vindiciae voti: or a vindicatioin of the true sense of the nationall covenant, in a brief and moderate answer to the Protestation protested* (1641), sigs. A2, B, Bv, D2v.

[72] Thomas Cheshire, *A true copy of the sermon which was preached at St Pauls the tenth day of October last* (1641), pp. 12, 13.

[73] Sir Francis Wortley, ΕΛΕΥΘΕΡΩΣΙΣ … *truth asserted … viz. that episcopacie is iure divino* (1641), p. 28.

[74] [Joseph Hall], *A survay of that foolish, seditious, scandalous, prophane libel, the Protestation protested* (1641), pp. 2, 4, 9.

[75] Clarendon, *History*, ed. Macray, I, p. 449.

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would be a Protestation with teeth, to serve as a universal test of religious orthodoxy, but the provisions were too ambitious and on 29 July the Lords rejected the bill.[76] Defiantly, the following day, the House of Commons asserted that the Protestation was 'fit to be taken by every person that is well-affected in religion and to the good of the commonwealth', with the corollary 'that what persons soever shall not take the Protestation is unfit to bear office in the church or commonwealth'.[77] To speed the process hundreds more copies were rushed through the press.[78]

Though they could not impose subscription by force of statute, nor make it a binding oath, 'true protestants' could none the less use the Protestation as a test of religious and political reliability. It was, they claimed, a 'Shibboleth to discover a true Israelite' and was 'useful likewise for trial whether we be true Jews, true friends to religion, yea or no'. It would be 'a touch-stone to discover … who be of us, who against us, who of Israel, who of Amalek', thought the preacher John Geree. But it was not enough simply to subscribe; Geree insisted that subscription to the Protestation be done with joy. 'Never did Shibboleth better distinguish an Ephraimite than this joy an hypocritical professor of our religion; he may offer to take the Protestation, but he will say but ''siboleth'', he will lisp, he will not speak out cordially rejoicing at the oath.'[79] Disdainful and supercilious readings, like that by William Heywood at St Giles, would then be exposed and punished.

## IV

The dramatic escalation of the crisis in January 1642, following the king's attempt to arrest the five members, led to a renewed circulation of the Protestation. The document drafted the previous May took on new urgency after the privileges of parliament were clumsily violated. Preaching on the very day of the king's failed coup (4 January 1642), Simeon Ash proclaimed that 'our solemn Protestation' was 'a support for the sinking heart … in this day of our deep danger and exceeding great fear'.[80] An anonymous pamphleteer averred that 'the case of the five accused gentlemen … both gives a pregnant meaning of the Protestation, and a testimony and a seal of God's preventive providence in it'.[81]

Street protesters had already adopted the Protestation as a symbol as well as a text. An accessory to political theatre, it was waved and displayed as well as read and subscribed. John Turberville reported in January 1642 that 'the

[76] HMC, *House of Lords*, Addenda 1517–1714, pp. 277–80.
[77] *CJ*, 2, p. 230; Rice, ed., *West Sussex Protestation returns*, p. ii; Fletcher, *Outbreak*, pp. 75, 79.
[78] Lambert, *Printing for parliament*, p. 1.
[79] Geree, *Iudahs ioy at the oath*, sig. C4v.
[80] *A plott against the citie of London discovered* (1641); Simeon Ash, *A support for the sinking heart in times of distress* (1642), pp. 11, 30.
[81] *Annotations upon certaine quaeries of (as they call it) tender conscienced Christians concerning the late Protestation* (1642), p. 5.

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roundhead apprentices flock in troops to the Parliament house with the Protestation on the top of their swords'.[82] Sir John Bramston recalled 'the trained bands with Protestation fastened to their pikes or hats'.[83] The citizens escorting members of parliament back to Westminster displayed copies of the Protestation 'like a little square banner' on the top of their pikes. City militiamen and country petitioners rode to Westminster with the Protestation in their hats or arrayed like heraldic penons.[84] Brandished on poles and pikes, muskets and swords, coats and hats, the Protestation became an instantly recognizable textual totem.

Amidst fears of a violent reaction, and renewed rumours of popish designs, the Protestation was quickly reprinted, repackaged, and recirculated. The overworked official printer delivered 11,000 copies to the clerk of the House of Commons.[85] Taking seriously the Cromwellian injunction that 'combination carries strength', parliament now attempted a universal collection of hands. Previously piecemeal and voluntary efforts were replaced by a systematic attempt to obtain subscriptions from every adult male in the kingdom. An order of 20 January 1642 required local officials to tender the Protestation to 'the inhabitants of their several parishes, both householders and others, being of eighteen years of age and upwards'.[86] The voluntary petitioning movement never had such potency, ambition, or centralized direction.

The Speaker reminded the sheriffs and justices of each county that months had passed since the Protestation was first sent down 'with an expectation that it should be generally taken, throughout the kingdom, for a testimony of their good concurrence with the Parliament'. Now, with the discovery of 'many dangerous designs plotted against Parliament', the Protestation was more urgent than ever. Dispersed to their several divisions, the magistrates were to tender the Protestation to all ministers, constables, churchwardens, and overseers of the poor, and to see that they in turn took it to the men of their parishes. Parliament wanted the names of both subscribers and refusers. Counties within sixty miles of London were to report back by 20 February, and the rest allowed until 12 March to submit their returns.[87] Hundreds of thousands of subscriptions were collected, and a Commons committee was set up to receive the return. The process became something of a nightmare of logistics and storage, for, as Thomas Stockdale observed in his part of Yorkshire, 'if all the parties names must be transcribed, two or three quire of paper will not contain them'.[88]

The recirculation of the Protestation prompted renewed debate. Though the words remained the same a transformed political environment gave them new

[82] Trevelyan and Trevelyan, eds., *Trevelyan papers*, *part III*, p. 217.

[83] [John Bramston], *The autobiography of Sir John Bramston*, *K.B.*, *of Skreens*, *in the Hundred of Chelmsford* (Camden Society, 32, 1845), p. 82.

[84] Russell, *Fall of the British monarchies*, p. 452; Clarendon, *History*, ed. Macray, I, p. 510.

[85] Lambert, *Printing for parliament*, p. 7.

[86] *CJ*, 2, p. 389.

[87] Durham University Library, Special Collections, Mickleton-Spearman MS MSP 9, vol. II, p. 236.

[88] Johnson, ed., *Fairfax correspondence*, II, p. 378.

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meaning. What had earlier been taken as an expression of protestant unity and a bond of association against popery within a broadly consensual elite could now be construed to endorse a partisan political position. Traditionalists could cite the Protestation in support of the status quo, while radicals could brandish it on behalf of fundamental reformation. By one construction it justified the dismantling of the Anglican establishment, by another it supported the office and authority of bishops. The king's party could point to the Protestation's defence of 'his majesty's royal person, honour and estate', while Parliamentarians insisted on 'the power and privileges of Parliaments'. These had been relatively anodyne phrases in 1641 but they gathered extra valency in the crisis of 1642.

Petitioners from Buckinghamshire expressed 'amazement' and 'grief' that one of their members of parliament, John Hampden, should be accused of treason, claiming that his impeachment 'doth so oppugn the rights of parliaments, to the maintenance whereof our Protestation binds us'.[89] Anti-episcopal petitioners from Essex resolved 'in all just and honourable ways, according to our late Protestation, to assist [the House of Commons] in your rights and privileges with our estates and lives against the enemies of God, the king and state'. The Protestation likewise justified Hertfordshire petitioners in pledging support for

> the king's majesty and high court of Parliament, with all their power and privileges of the same, and all your honourable proceedings for the common good, against all popish and other malignant opposers who endeavour either by evil council, secret plots, or open force to hurt or prejudice the same, or to make divisions between his majesty and the Parliament.[90]

Other petitioners urged, perhaps redundantly, 'that the Protestation may be generally taken'.[91]

Conservative petitioners also cited the Protestation, in support of the established episcopal church. By allowing the abolition of episcopacy 'we should suddenly recede from our great and solemn Protestation', argued gentlemen and ministers from Rutland.[92] Devon petitioners argued that 'the unity of king and Parliament, unity in religion, unity in loyal affections to his majesty will, according to our Protestation, by God's mercy keep us still in peace and charity'.[93] To countenance the rupture between king and parliament was itself a violation of the Protestation. Writing from London to Devon in May 1642, William Davie expressed alarm at the deteriorating situation. 'I hope under colour of preserving the king's prerogative we shall not destroy one another, whilst we all protest on all sides to make the king glorious

[89] Bodleian Library, MS Carte 90, fo. 50.

[90] Rushworth, *Historical collections*, IV, pp. 506–7; John Vicars, *A sight of ye transactions of these latter yeares* (1646), pp. 18–19.

[91] HMC, *Fifth report*, p. 8.

[92] The Rutland petition, in Sir Thomas Aston, ed., *A collection of sundry petitions presented to the king's most excellent majestie: as also to the two most honourable Houses, now assembled in parliament* (1642), sigs. D2–D2v (pagination out of order).

[93] Devon Record Office, Q/S 1/8, 12 July 1642.

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and the kingdom happy. We have all protested to maintain the king and privileges of Parliament, and we cannot better perform our vows than by keeping peace between them.'[94] But a Devonshire yeoman, who had earlier taken the Protestation, said in June 1642 that 'if it were to doing again, he would never do it, and said further the puritans should be the first he would fight against'.[95]

A 'gentleman of worth', identified only by the initials I.W., cited the Protestation to justify his refusal to subscribe an anti-episcopal petition. Far from authorizing the exclusion of bishops from parliament, the Protestation, in his view, stood for traditional episcopacy. To defend the doctrine of the Church of England was to defend bishops, for article 36 of the Thirty-Nine Articles confirmed their office. And to defend the parliament was also to defend bishops, for they were a part of that body. To I.W. the surge of anti-episcopal sentiment reflected 'the distempers of the people', and threatened 'the disturbance of our happy peace, the subversion of our Protestation, and our religion'. The Protestation, by his reading, was a conservative document, though many of those promoting it were revolutionaries.[96]

Another lay author reminded everyone that the Protestation was a vow 'touching amity and peace in this our kingdom'. All sides were obligated to recall their vow, he recommended, in order to avoid the descent into war. Like the familiar marriage vows in the prayer book, the Protestation was taken 'for better for worse, for richer for poorer', and all subscribers were bound 'to stand fast and to stick in honour each to other, till life shall depart'. This applied as much to Cavaliers as to Roundheads, for 'his majesty and the Parliament hath tied themselves each to other in an Abraham-like covenant, not to pass the limits of their own bounds'. But even this moderate appeal for accommodation favoured the authority of Parliament against 'the blood-thirsty Cavaliers'.[97]

The plan to impose the Protestation on all ministers prompted 'a learned divine' (who remained cautiously anonymous) to publish *Certaine queries of some tender conscienced Christians: about the late Protestation*. His questions readdressed the authority of the Protestation, its ambiguity, its necessity, the danger of it, and whether it could be taken in good faith. The author was quick to point out the irony 'that those who have complained of subscription and oaths these eighty years, though of such things only as were established by Parliament, should now be so forward to promote this, and press it upon others'. Any implication that the parliament might rightfully take up arms against the king was especially troubling. Were 'his sacred majesty and his lawful successors'

[94] Trevelyan and Trevelyan eds., *Trevelyan papers*, *part III*, p. 210, misdated to May 1641.

[95] Devon Record Office, Q/SB Box 46, 23 June 1642.

[96] J.W., *Petitions against bishops and their votes in parliament … proved to be both contrary to our late taken Protestation, as also utterly unlawfull* (1642), pp. 2–3; I.W., *Certain reasons why the booke of common prayer being corrected should continue* (1641), sig. A2. See also I.W., *Certain affirmations*, p. 4.

[97] T.L., *Annotations upon the late Protestation: or, a true character of an affectionate minde to king and parliament* (1642), pp. 5–8, 11.

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excepted, or could they too be brought 'to condign punishment' if at some future date 'they should attempt some innovation in religion, or infringe the liberty of Parliaments or the rights of subjects?'. The Protestation might only be taken with safety, the author suggested, if it were glossed with reservations and understandings that upheld the Thirty-Nine Articles of the Church of England and specifically protected the king. Regarding the clauses relating to condign punishment, 'I expressly except his sacred majesty and his lawful successors, according to my oath of allegiance, not daring to think a disloyal thought, much less to lift my hand against the Lord's annointed.'[98]

A response eventually appeared in print, but the *Annotations upon certaine quaeries* side-stepped most of the objections. Concerning the 'necessity' of the Protestation, for example, it merely asserted that any who doubt it 'have not their eyes open to see reason, neither have they ears open to hear it'. The main thrust of this pamphlet was to support 'the chosen representative body of all the commons of England' against 'the malignant and popish party' who were 'intestine vipers bred in the bosom of this church and nation'. Similar arguments appeared in Thomas Mocket's tract, *The National Covenant* and in hundreds of parish conversations.[99]

## V

The second circulation of the Protestation can be tracked through local records and correspondence as well as the voluminous returns in the House of Lords Record Office. General subscription began in late January, gained pace in mid-February, and continued in some places almost to the outbreak of the civil war.

John Coke wrote to his family in Derbyshire on 1 February 1642, 'from the sheriff you will hear that the Protestation is to be taken over all counties'.[100] Richard Fitch told Sir John Pennington on 3 February that parliament 'has sent down the Protestation to be taken by all persons within the kingdom, from the age of 18 to 80, and to return as well the [names] of those that shall take it as of those that refuse it'.[101] The sheriff of Gloucestershire called 'a general meeting' at the sign of the Ram in Cirencester for 15 February, 'to take and publish the Protestation and petition therewith sent' from the Speaker of the House of Commons and the two knights of the county.[102] A similar letter came to the borough of Yarmouth.[103] Thomas Stockdale promoted the tendering of the Protestation in Yorkshire throughout February and into March.[104]

[98] *Certaine queries of some tender conscienced Christians: about the late Protestation* (1641), pp. 4, 6, 810. Oxford royalists explicitly amended the Protestation in these terms in February 1642, see below.

[99] *Annotations upon certaine quaeries*, pp. 1–2; Mocket, *National Covenant*, pp. 9–11.

[100] HMC, *Cowper*, p. 306.

[101] *CSPD*, 1641–3, p. 273.

[102] Gloucestershire Record Office, Gloucester, D2510/15, letters of John Smyth of Nibley; HMC, *Fifth report*, p. 345.

[103] Norwich and Norfolk Record Office, Norwich, Great Yarmouth assembly book 1625–42, Y/C16/6, fo. 499v.

[104] Johnson, ed., *Fairfax correspondence*, II, pp. 362, 365, 375, 381.

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Constables, churchwardens, and overseers of the poor assembled to subscribe the Protestation at York on 21 February before taking it to their respective parishes.[105] The men of Manchester subscribed on 28 February. Nottingham filled more columns of names on 1 March.[106] Mobilised by justices, ministers, churchwardens, and overseers of the poor, the townsmen of Kettering, Northamptonshire, gathered 'at the sign of the Red Lion to take the said Protestation' on 11 March.[107]

Undertakings of such significance could not be performed without cost, and records of payments again appeared in churchwardens' records. At Bere Ferrers, Devon, the churchwardens paid 4*s* 8*d* 'for a dinner at Tavistock for the constables, overseers of the poor and ourselves, about directions for the Protestation'. The wardens of Marbury, Cheshire, spent the same sum 'at Acton when the minister, we, the overseers of the poor and constables went about the Protestation'. The wardens of Waltham Holy Cross, Essex, accounted for 8*s* 6*d* 'for our dinners and charges when we went to Epping about the Protestation' and purchased 'three Protestations' for 6*d*.[108] The constables and wardens of Upton, Nottinghamshire, recorded expenditures of 3*s* 2*d* 'for our charges and a copy of the warrant of Protestation when we was before the justices of Southwell' on 28 February 1642.[109] The parish accounts of Fenstanton, Huntingdonshire, note 6*s* 8*d* 'spent at St. Ives when we took the Protestation'.[110] As carriers of the Protestation between parishioners and magistrates, the churchwardens treated the occasion, and themselves, with ceremony and solemnity.

Many parishes employed scriveners to write out the text of the Protestation along with the names of subscribers. Though required to submit lists of names to Westminster, many chose also to retain local copies. Crediton, Devon, for example, spent 11*d* on parchment and paid John Tucker 5*s* 'for writing the names of divers of the parishioners as appear in the Protestation'.[111] In February 1642 the churchwardens of Minehead, Somerset, paid 1*s* for a copy of the Protestation and 2*s* to engross the names of subscribers.[112] At Whalley, Lancashire, they wrote the names 'thrice over'.[113] Several parishes paid not only for fair copies of the Protestation but also for frames to display it. The churchwardens of St John Ousebridge, York, for example, spent 1*s* 6*d* for a wooden frame for the Protestation. In the Exeter parish of St Petrock they had

[105] York City Archives, Corporation House book 1638–50, MS B/36, fo. 65v.

[106] William E. A. Axon, *The annals of Manchester* (Manchester, 1886), p. 53; Nottinghamshire Archives, CA 3416, 38.

[107] Bedfordshire and Luton Archives, St John papers, J. 1389.

[108] Devon Record Office, 1237A/PW37; Cheshire Record Office, P39/8/1; Essex Record Office, D/P75/5/1.

[109] Nottinghamshire Archives, PR 1709; Martyn Bennett, ed., *A Nottinghamshire village in war and peeace: the aacounts of the constables of Upton, 1640–1666* (Thoroton Society Record Series, 39, Nottingham, 1995), p. 7.

[110] County Record Office, Huntingdon, Fenstanton MS 2668/5/3.

[111] Devon Record Office, 1060A/95.

[112] Somerset Record Office, Taunton, DP.m.st.m 4/1/1.

[113] Lancashire Record Office, Whalley accounts, 1636–1709.

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the text copied twice on parchment and paid 'for two frames to hang the Protestation in the church and for gilding of them'.[114] An object as well as a text, the Protestation was displayed in church in company with the Ten Commandments and the royal coat of arms. The lists of subscribers' names became a permanent public record.

The preacher Thomas Mocket went further and wished 'that every good subject would have and set up a copy of the Protestation in his own house, to mind himself so often as he goes in and out of his solemn vow and covenant'. Others similarly urged householders to keep a copy of the text to remember 'what a solemn vow, promise and Protestation they have taken'. The Protestation could join those other placarded documents and stories for walls made familiar to us by Tessa Watt.[115]

County by county the high sheriff, knights, esquires, gentlemen, ministers, and freeholders joined with the curates and constables, overseers and churchwardens, to tender the Protestation to every man aged eighteen and above. Lodgers, servants, and dependants would be included as well as householders, a distinction some returns made by listing the names in separate columns.[116]

A few went even further and tendered the Protestation to women. At Middleton, Essex, it was noted, 'not one of the parish abovesaid refused to join in this act; as well women and youth of both sexes gave their full consent, though they put not hereunto their hands because they could not write'.[117] Though irregular and unwarranted, female subscription occurred occasionally in more than half a dozen counties.[118] In the Berkshire parish of West Shefford and the Cornish parishes of St Mabyn and St Tudy almost as many women subscribed as men.[119] It was thought worth recording at Lettcomb Bassett, Berkshire, that two women 'did absolutely refuse to make the Protestation', while two more, 'professing themselves to be but simple unlearned maidens, desired longer time to consider of the point of religion'.[120] The novelty of the event encouraged many parishes to adopt procedures of their own making for discussing and subscribing the Protestation.

Officials in Lincolnshire claimed nigh-universal compliance, noting parish by parish that 'all the householders with their sons and servants' subscribed 'willingly and cheerfully' or 'voluntarily and freely' with 'none refusing'.

[114] Borthwick Institute, York, PR Y/J17; Devon Record Office, G13 (V) PW4.

[115] Mocket, *National Covenant*, p. 23; T.L., *Annotations upon the late Protestation*, p. 13; Tessa Watt, *Cheap print and popular piety, 1550–1640* (Cambridge, 1991).

[116] For example, the return for Appleford, Berkshire, was divided between 'householders' and 'children and servants', House of Lords Record Office, Main Papers.

[117] House of Lords Record Office, Main Papers.

[118] Gibson and Dell, *Protestation returns*, pp. 8, 20, 25, 44, 46, 59, 63.

[119] 70 men and 67 women subscribed the Protestation at West Shefford, Berkshire, House of Lords Record Office, Main Papers; at St Mabyn 164 women and 195 men subscribed; at St Tudy 146 men and 149 women took the Protestation, directed by the rector, Obadiah Gossip, T. L. Stoate, ed., *The Cornwall Protestation returns* (Almondsbury, Bristol, 1974), pp. 195–6, 189–91, 279–80.

[120] House of Lords Record Office, Main Papers.

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Their returns include 37,000 names. In rare cases, where necessary, they took pains to explain absentees. At Aswardby, Ferdinando Phythian, a convicted recusant, was conveniently away from home when the Protestation was tendered on 13 March. His servant, George Barrett, also a recusant, 'refused to make the Protestation but said he would be true to God and the country'. Two missing men at Roxby were noted as 'the one out of the county, the other under the physician's hands, both good protestants and would not refuse it if they had been at home'. William Pennythorne, a lone Anabaptist at Scotter, 'refused to take the Protestation', but Peter Finch, an Anabaptist in St Swithin's parish, Lincoln, who balked when the Protestation was first tendered to him on 8 February, reconsidered and subscribed five days later.[121]

Similarly in West Sussex, where some 13,000 men took the Protestation between 12 and 17 February, local officials were conscientious in noting absences. At Thakenham, Sussex, for example, there were three non-subscribers who were 'sick, but all good protestants' and four more absent 'from home, but no papists'. Boxgrove had three men who were 'very sick', while several of the maritime parishes had men away at sea who for that reason could not subscribe. At Chichester they noted the absence of 'Edward Aylin, yeoman, both old and feeble and not able to come forth.'[122]

Aware that one of the principal reasons for the Protestation was to identify malignants, several incumbents wrote emphatically on their document that, 'concerning popish or Romish recusants, we have none dwelling or abiding with us', or 'there is no recusant papist or any other in this parish that refused to make this Protestation'. Close scrutiny of the names, however, shows that even known Catholics occasionally subscribed, no doubt after making due casuistical exceptions. At Midhurst fifty-four Catholics originally refused to subscribe, but two days later thirty-five of them took the Protestation. Recusants at Easebourne, a village just to the north, similarly accommodated themselves to the Protestation by subscribing a modified form.[123] In Lancashire the Protestation was said to have driven some recusants to 'resort to the church, who had absented themselves for many years'.[124] In Essex the fact that Nathaniel Tunbridge and his wife of Great Wakering had taken the Protestation helped convince authorities that they were 'not papists, as some have falsely surmised'.[125] Though designed as a shibboleth to discover the enemies of 'true religion', the test, in practice, was one that almost anyone could pass.

[121] Webster, ed., *Protestation returns 1641/2 Lincolnshire*, pp. 17, 33, 42, 68, 82, 89.

[122] Rice, ed., *West Sussex Protestation returns*, p. iii.

[123] Rice, ed., *West Sussex Protestation returns*, pp. viii–xiii; Timothy J. McCann, 'Midhurst Catholics and the Protestation returns of 1642', *Recusant History*, 16 (1983), pp. 319–23; Anthony Fletcher, *A county community in peace and war: Sussex, 1600–1660* (London, 1975), p. 99.

[124] Johnson, ed., *Fairfax correspondence*, II, p. 106.

[125] Essex Record Office, Q/SR/316/92. The Tunbridges also took the Oath of Allegiance and received the sacrament.

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The few refusers in Somerset stand out from the columns of compliant subscription. Their explanations suggest that lively arguments accompanied the local taking of the Protestation. Alexander Worth of Luccombe 'made the Protestation but refused to set his hand to this paper unless we could show authority from the justices'. At Batcombe the officials noted, Edward Bisse junior, esquire, 'will not refuse to take the Protestation but he desires to take some time to consider of it, in regard that it is taken in so many ways, some will take it in one sense and some in another'. The only refuser at Elworthy was Mr James Greene, 'who did profess his allegiance to the king's [majesty] and all other things contained in this Protestation, excepting the matter of religion, concerning which he desired to refute'. Another objector was Matthew Pococke of Wilton, who, 'being as we hear an Anabaptist, refuseth to come to the church and absenteth himself and hath not taken the Protestation'.[126]

Most Berkshire parishes expressed full accord with the Protestation 'in every clause, word and syllable', or 'without any limitations or exceptions', but the returns include a small scatter of conscientious prevaricators. 'After perusal of the Protestation' at Lettcomb Bassett, George Brown Jr offered to 'make it in all, excepting the point against popery', while his father 'desired a longer time to consider'. The conformist rector of Lettcombe Bassett, Gabriel Bridges, by no means a papist, failed to appear to take the Protestation but let it be known 'he would consider of it'. It may have been his lack of guidance that led to local irregularities. At Sunningwell, Berkshire, a lone absentee was said to have concealed himself, 'being in debt, as they allege', staying away for fear of arrest.[127] At Gwennap, Cornwall, the few non-subscribers were described as old, blind, sick, or weak and 'neither of these popishly affected or any way dangerous to the state'.[128]

At Exeter the young lecturer John Bond urged enthusiastic support for the Protestation. 'I do press mine auditory to bring bellows and fuel to the refiners fire, and to stand close to the particulars of our blessed vow and Protestation.' It was not enough, he said, simply to subscribe, for the Lord required vigorous action against popish remnants and innovations. But Exeter, like many towns, was deeply divided, and Bond's enemies called him 'troubler, pestilent, schismatical', and charged him with 'faction, sedition, [and] treason', forcing him to seek parliamentary protection.[129]

Though generally compliant with the Protestation, Exeter had small clusters of opposition. Once again, the evidence hints at a lively debate. In St Lawrence's parish, where 106 men subscribed, 'Richard Bonnit refused and Simon Bridgeman utterly refuses to take the Protestation because he says it is against his conscience.' Fifty-six men subscribed in St Martin's parish, but five

[126] A. J. Howard and T. L. Stoate, eds., *Somerset Protestation returns and lay subsidy rolls, 1641–1642* (Almondsbury, Bristol, 1975), pp. 27, 120, 142, 159.

[127] House of Lords Record Office, Main Papers. Berkshire examples from Little Wittenham, Wytham, and Lettcomb Bassett. [128] Stoate, ed., *Cornwall Protestation returns*, p. 11.

[129] John Bond, *A Doore of Hope, also Holy and Loyall Activity* (1641), sigs. A22v, A3, H3, O2v. On the title page Bond indicated his age was no more than some months have days.

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'have taken the Protestation only but refused to take it according to the explanation'.[130] Two Exeter artisans, William Taylor a cordwainer and Robert Carter a glover, were bound over in February 1642, 'for disturbing Mr. Mayor and the justices in the time of taking the Protestation, and speaking uncivil words'. Both their names appear in the returns from the Exeter parish of St Mary Major.[131] The most significant resistance came from the residents and staff of Exeter cathedral. When tendered the Protestation on 19 February 1642, thirty-one cathedral men subscribed but seventeen refused. John Lugg, the organist, and Christopher Babbs, a proctor, were among the minority who took principled exception.[132]

At Chester the mayor furnished members of parliament with a list of 'all such as have taken the Protestation in the city of Chester', with the reassurance that 'none to their knowledge [have] refused'.[133] But in Herefordshire it was not all plain sailing. People who had subscribed without scruple in May 1641 did not necessarily want to take the Protestation again the following March. The lists of earlier subscribers could not always be found. Some who would willingly have taken the Protestation in 1641 in the interest of national unity became uneasy in 1642 when it was required of them by a parliament whose policies they disapproved. As a voluntary act it had been relatively uncomplicated. 'Now however', wrote the troubled justices,

> as the Protestation comes recommended by the Speaker's letter, though only signified as the desire of the House of Commons, yet as we are directed to call the whole country before us, we know not how to do it except by our warrants to the inferior officers. In that we conceive we have as little authority as to tender the Protestation to anyone. And as we are to certify the names, as well of those who refuse as of those who take it, it seems to us not to be so voluntary as that anyone can be admitted to their own interpretations, which we hold most needful, especially in the point of privilege of Parliament, whereof we may without shame confess our ignorance, since it hath of late raised questions between his majesty and both houses, and between the houses themselves.[134]

Led by Wallop Brabazon, an indefatigable opponent of puritan reform, the Herefordshire justices used scruples and questions to thwart this parliamentary initiative. While Sir William Croft 'gave reasons why it should not be taken again or sent abroad', godly activists like John Tombs sought to tender the Protestation in the parishes.[135]

There was initial resistance to the Protestation at Retford, Nottinghamshire, but the townsmen eventually succumbed to clerical and magisterial pressure.

[130] A. J. Howard and T. L. Stoate, eds., *The Devon Protestation returns 1641* (Almondsbury, Bristol, 1973), pp. 321, 324.

[131] Devon Record Office, City of Exeter sessions book, 63 (1630–42), fos. 393–393v; Howard and Stoate, eds., *Devon Protestation returns*, p. 328.

[132] Howard and Stoate, eds., *Devon Protestation returns*, pp. 332–3.

[133] HMC, *Fifth report*, p. 352.

[134] HMC, *Fourteenth report*, appendix II: *Manuscripts of his grace the duke of Portland preserved at Welbeck Abbey* (London, 1894), p. 85; British Library, Additional MS 70,003, fos. 227, 238–9.

[135] British Library, Additional MS 70,003, fo. 225.

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The minister, Henry Bate, was a friend of the parliament and enlisted the support of Sir Gervase Clifton:

> I find our aldermen, save two or three, are so utterly averse from subscribing the Protestation … that they have dissuaded as many as they can from subscribing it themselves. Therefore good sir, be pleased … to intimate your disaffection to this their denial. Sir, a word of yours … will prevail more than hundreds of mine to make them fear God and honour the king.

The pressure was evidently effective for the final Retford returns were endorsed, 'none denying'.[136]

Ministers and officials who disapproved of the parliament, or considered the Protestation more a wedge than a bond between the king and his people, found several ways to frustrate the gathering of subscriptions. They could adopt Thomas Heywood's tactic of supercilious reading, or they could argue more directly against it. William Hollington, the Laudian rector of Allchurch, Worcestershire, was one such 'hinderer of the taking of the Protestation', who used 'many reproachful words' against the constable who came with the Protestation, 'calling him knave, blockhead and loggerhead'.[137] In Suffolk, Samuel Lindsell of Stratford, 'refused to take the Protestation and discouraged the people … wishing them to be well advised'. Robert Sugden of Benhall took it but only 'with reservation that the church might be governed by bishops'. In Cambridgeshire Henry Downhall of Toft refused to read the Protestation 'or any other thing set out by authority of Parliament'. When Mr Chandler of Oakington, reading the preamble, 'came to those words, the House of Commons, he threw it away saying what had he to do with the House of Commons'.[138] At Muggleswick, Durham, the minister 'affirmed before the open assembly that the Protestation was false' and threatened ruin on those who had taken it.[139] The objection was less to the words, which were notoriously malleable, than to the politics and circumstances of their tendering.

Another Durham minister, Nathaniel Ward of Staindrop, a member of John Cosin's circle, avoided the Protestation altogether by arranging to be absent each time that it was tendered. In September 1641, when 'all the clergy of the Darlington district had been summoned by the magistrates to confirm by an oath that P. P. P. P. [sic] of the mob', Ward managed to be away from his post and so had 'an excuse for being ignorant of the circumstance for the present'. He confided to the Durham prebendary Isaac Basire, 'if I might interpret

[136] David Marcombe, *English small town life: Retford, 1520–1642* (Nottingham, 1993), pp. 61, 66.

[137] J. W. Willis Bund, ed., *Worcestershire county records. Division I: documents relating to quarter sessions* (Worcester, 1900), p. 703. Hollington, a royal chaplain who was never 'heard to put up one prayer either for the Parliament or the distressed protestants in Ireland', was sequestered from his living in 1646.

[138] Bodleian Library, MS Rawlinson D.924, fos. 177, 184, 186, 198, 203. When proceedings against 'scandalous and malignant' ministers are the sole source of information about resistance and objections to the Protestation, they should be read with exceptional care.

[139] Durham University Library, Special Collections, Mickleton-Spearman MS MSP 9, vol. II, p. 238.

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that sacred form of words in my own way, I could take an oath and call God to witness in the cause', and wondered, as a protestant casuist, 'whether it is allowable to take an oath in a sense different from that in which it is imposed'. Faced with the requirement to tender the Protestation to the rest of his parishioners, Ward told Basire, 'when the mule breeds I will do. For no law or statute either requires us to take the oath itself, or to perform such an unreasonable act'. And in February 1642, when the Protestation came round again, Ward adopted the same strategy of finding an excuse to be absent.[140]

Other objectors were more cautious and more inventive. The heads of the Oxford colleges grafted sophisticated caveats into their version of the Protestation, subscribing on 18 February a version laden with marginal notes and provisos (rendered here in italics).

I, A.B., do in the presence of Almighty God, promise, vow and protest *so far as warrantably I may*, *and with subordination to the Oaths of Supremacy and Allegiance* to maintain and defend, as far as lawfully I may, *and shall be called thereunto by lawful authority*, with my life, power and estate, the true reformed protestant religion, expressed in the doctrine of the Church of England, against all popery and popish innovations within this realm, contrary to the same doctrine, and according to the duty of my allegiance, his majesty's royal person, honour and estate, *against whom I verily believe no subject of this kingdom may with safe conscience take up arms either offensive or defensive*, as also the power and privileges of Parliaments, the lawful *and common* rights and liberties of the subject, *so far as the said privileges*, *rights and liberties shall be made known and evidenced unto me to be such*, and every person that maketh this Protestation, in whatsoever he shall do in the lawful pursuance of the same; and to my power, and as far as lawfully I may, *and shall be called thereunto by lawfull authority*, I will oppose and by all good ways and means endeavour to bring to condign punishment all such as *his majesty's subjects* shall, either by force, practice, counsels, plots, conspiracies, or otherwise, do any thing to the contrary of any thing in this present Protestation contained.[141]

Some of the Oxford fellows added caveats and reservations of their own. Robert Barrell and William Hobbes of Magdalen took the Protestation, 'so far forth as it is not contrary to the maintenance of the king's royal prerogative, the doctrine and discipline of the Church of England by law established since the reformation, the present statutes of the University of Oxford, confirmed under the king's broad seal of England, to all which they have been formerly sworn'. Joseph Crowther of St John's, 'being doubtful in some passages of proposing the Protestation, and not presuming to limit the sense of it till he understands how the honourable House will admit any to do so, doth humbly and thankfully accept the indulged license of deliberating'.[142] Cambridge University certified by 7 March 1642 that the Protestation had been duly taken, but with none of the ostentatious casuistry displayed at Oxford.[143]

[140] W. N. Darnell, ed., *The correspondence of Isaac Basire, DD* (London, 1831), pp. 32, 40, checked against Latin originals in Durham University Library, Special Collections, 'John Cosin letter book,' 1A/34 and 35.

[141] HMC, *Fifth report*, appendix, pp. 130–1.

[142] Ibid., p. 131.

[143] Cooper, *Annals of Cambridge*, III, p. 317.

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## VI

In conclusion, this paper has presented the Protestation as a dynamic document, freighted with multiple meanings. Linking political discussion in the centre to parish discourse in the peripheries, it gave ordinary people as well as parliamentary grandees the opportunity to set themselves against 'popish innovations' in favour of 'the true reformed Protestant religion'. It offered similar protection to rights and liberties, power and privileges, honour and estate, without inquiring too hard into the distribution of those things between subjects, parliaments, and the king. The phrasing was vague enough for almost anyone to subscribe, even if they questioned its implications. The few who deliberately absented themselves, or who questioned particular phrasing, were not just entering an argument about the constitution or religion. They were making a point about changing political relationships in a country beset with dangers. Echoes of these arguments can be found in dozens of communities, though they usually went unrecorded.

Subscriptions to the Protestation bore no relation to allegiance in the civil war. As a practical shibboleth, its purpose was to separate Protestants from Catholics, not Anglicans from Puritans or Royalists from Parliamentarians. And as we have seen, as a shibboleth it was not very effective. Whether they were following orders, obeying instructions, warmly embracing the words, or cautiously entering caveats, nearly everyone who was tendered the Protestation found it was something they could subscribe. Though some Parliamentarians may have seen it as their title to be in arms, many more on both sides saw the Protestation as a recipe for accommodation.

Taking the Protestation involved an act of solidarity, but imposing it on others was a formidable exercise of power. The political and administrative aspects of the Protestation constitute a landmark of state building. In 1641, for the first time, parliament commissioned printing to speak to the nation. In 1642 it demonstrated its capacity as an executive authority, imprinting its authority nationwide on the nation's behalf. Whereas the first circulation of the Protestation in 1641 was voluntary and restricted, the second in 1642 was universal and directed. When the Protestation first appeared in some parishes in 1641 it sparked violence. Its second circulation in 1642 was more orderly, producing reams of returns as well as local debate. In 1641 it was enough to appeal to the traditional political nation to bind with the House of Commons in the interest of national security. The transformed politics of 1642 drew a widening circle of citizenry into the discussion.

There was an unprecedented administrative effort in February and March to bind the localities to the centre and, administratively, it was overwhelmingly successful. It demonstrates that despite the revolutionary upheavals of 1641 and 1642 the structures of central and local government still operated, the monarchy excepted, and effective lines of communication lay open between Westminster and the provinces. By contrast, in February and March 1642

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while parliament was behaving like a government, the king was shuffling around the country with a handful of companions, more isolated and ineffectual than ever.

Perhaps the greatest significance of the Protestation lies in its outreach from the governing classes to the governed. More systematic and more centralized than any petitioning movement, it reflected a faith that a kingdom could be saved by the power of signatures, the massing of names, the universal gathering of hands. All men over the age of eighteen were invited to hear, to read, to handle the document, and to subscribe. Some parishes asked the same of women. The opening of the Protestation to universal manhood subscription represented a significant opening and remodelling of the political nation. Never before had so many subjects been invited to act as citizens, regardless of rank, and overriding the legal age of majority. Discussion of the Protestation in parish and pulpit points to significant expansion of the public sphere. Five years before being theorized by the Levellers, and socially more inclusive than any Leveller franchise, the Protestation attempted a practical mobilization of citizenship that gave everyone a stake in the outcome. It was part of the revolution before the Revolution, the revolution that preceded the civil war.

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