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052182687X - The Politics of Commonwealth: Citizens and Freemen in Early Modern England

Phil Withington

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Part I

Introductions

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1 Urbanisation and political culture in early modern England

Urbanity and urbanisation

The word ‘urbanity . . . being derived of the Latin word Urbanus’ is ‘not common amongst us’. So wrote Angel Daye in 1586.¹ Until quite recently, historians of early modern England would have probably agreed. The Italian city-states; the free cities of Germany; the imperial and provincial capitals of Spain and France; and the ports and walled towns of the Low Countries: these are traditionally recognised as centres of urbanity in pre-modern Europe. Whether the civic republicanism of Florence, the moral discipline of Geneva, or the thriving commerce of Amsterdam, it was in great continental cities that styles of urban living were fostered and exported. Although there were many English towns, they were regarded as small, provincial, and dominated by other groups and interests – not least the crown, county gentry, and burgeoning metropolis. Moreover, the rich historiography attracted by these towns seemed to establish that, at precisely the moment Daye was writing, whatever urban culture or ‘mentality’ had existed in England was entering a phase of irreparable decline.² Exceptions only seemed to prove this more general rule. London by the mid-sixteenth century was a city of international proportions that continued to grow in size, significance, and stature thereafter. Not only was it increasingly populous. It was also socially diverse, culturally fecund, politically significant, and economically integrated into a national economy.³ It was also, at least if the historiography is anything to go by, unrepresentative of other cities and towns – a place hardly comparable to a provincial capital like York, never mind

¹ Angel Daye, *The English secretorie* (1586), p. 38.

² Classic statements include Peter Clark and Paul Slack, ‘Introduction’, in Clark and Slack, eds., *Crisis and order in English towns, 1500–1700* (London, 1972), pp. 1–56; Peter Clark and Paul Slack, *English towns in transition, 1500–1700* (Oxford, 1976). For a useful overview see Jonathan Barry, ‘Introduction’, in Barry, ed., *The Tudor and Stuart town: a reader in urban history, 1530–1688* (Harlow, 1990), pp. 1–34.

³ For recent discussions see Lawrence Manley, *Literature and culture in early modern London* (Cambridge, 1997), pp. 1–20; Mark S. R. Jenner and Paul Griffiths, ‘Introduction’, in Griffiths and Jenner, eds., *Londinopolis: essays in the cultural and social history of early modern London* (Manchester, 2000), pp. 1–23.

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a market town like Ludlow.⁴ The story goes that it was only during the ‘long eighteenth century’ that London’s monopoly on English urbanity was broken, the last decades of the seventeenth century witnessing an ‘urban renaissance’ that transformed provincial towns into centres of status, culture, and civility for urban and rural elites.⁵ This coincided with a growth in the size and number of provincial towns and cities that was as unprecedented as it was unrivalled – a process of urbanisation that, by the second half of the eighteenth century, had turned England (and latterly Scotland) into the second most urbanised country in Europe.⁶ Here was, in effect, the emergence of an English (or British) urban tradition fit to rival its European predecessors. Apparent 200 years after Angel Daye’s observation, it was a quintessentially modern urbanity rooted in commerce, industry, leisure, and empire.

This familiar narrative of English urban development condemns the 100 years after 1540 to what Patrick Collinson terms ‘the narrow neck’ of ‘a metaphorical hour-glass’ – a threadbare period connecting the ‘rich, tumultuous, irrepressible animal’ of medieval community with the ‘civilisation, high society and social class’ of the eighteenth-century town.⁷ That neck becomes narrower still once the urban dimension of English political developments is considered. One of the legacies of historical ‘revisionism’ is the awareness that Tudor and Stuart politics was essentially local.⁸ Beyond the ‘summit’ of Whitehall and Westminster, inhabitancy and place shaped (if not determined) political participation, attitudes, and identities.⁹ As importantly, ‘post-revisionist’ interest in political thought, communication, and ideology has revealed a national political culture that became more integrated, and also contested, over time.¹⁰ Yet despite these interpretative developments, the political place and importance of towns – either as particular types of locale or nodes of communication – has been strangely neglected. This was in part because revisionists and post-revisionists alike equated locality with the ‘county community’, resulting in a particular prism through which to view both local politics and its

⁴ Barry, ‘Introduction’, pp. 32–4; Manley, *Literature and culture*, pp. 14–16.

⁵ Peter Borsay, *The English urban renaissance: culture and society in the provincial town, 1660–1770* (Oxford, 1989).

⁶ Jan De Vries, *European urbanisation, 1500–1800* (London, 1984), p. 39; Charles Phythian Adams, ‘An agenda for English local history’, in Phythian Adams, ed., *Societies, cultures, and kinship, 1580–1850* (London, 1996), p. 8.

⁷ Patrick Collinson, *The birthpangs of protestant England: religious and cultural change in the sixteenth and seventeenth centuries* (Basingstoke, 1988), pp. 58–9.

⁸ J. S. Morrill, *The revolt of the provinces: conservatives and radicals in the English Civil War* (Harlow, 1980). The approach has been restated by Andy Wood, ‘Beyond post-revisionism? The civil war allegiances of the miners of the Derbyshire “Peak Country”’, *HJ*, 40, 1997, pp. 23–40.

⁹ Patrick Collinson, ‘The monarchical republic of Queen Elizabeth I’, *Bulletin of the John Rylands Library*, 69, 1987, p. 397.

¹⁰ Richard Cust and Ann Hughes, ‘Introduction: continuities and discontinuities in the English Civil War’, in Cust and Hughes, eds., *The English Civil War* (London, 1997), pp. 14–16.

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interconnections with national processes and events.¹¹ As a consequence, the intense light focused on those gentry who dominated the county's political and social institutions obscured the position of other sorts of place and person, towns and their inhabitants included. Where urban localism was considered, it was found to be no different to county varieties.¹² The neglect of urban political culture also stemmed, however, from the fact that those social and economic historians who dominated urban historiography had, by and large, an alternative set of preoccupations. They examined the late medieval crisis of English towns; the recurring urban problems of population, poverty and plague; and 'local politics . . . at the expense of a proper discussion of the impact of ideological conflict'.¹³ If the subsequent story of embattled and beleaguered communities made little room for urbanity, then neither did it suggest an especially urban dimension to English political culture.

In both respects the absence is perplexing. The later sixteenth and seventeenth centuries witnessed, after all, a dramatic increase in the national population, the creation of an integrated national market, the final establishment of agrarian capitalism, overseas expansion and colonialism, and the emphatic enlargement of public infrastructures – not least courts of law and the book trade.¹⁴ It was networks of market towns, provincial capitals, county towns, ports and postal towns, corporate towns, and, of course, metropolis, that facilitated these processes, knitting England's 'mosaic of parochial diversity' into what has been styled 'cumulative social development'.¹⁵ The relative size of England's urban population also rose steadily, if not spectacularly, in the 150 years before 1650. In England in 1500, an estimated 80,000 people (3.1 per cent) lived in towns of over 10,000 inhabitants or more. In Scotland the figure was 13,000 (1.6 per cent). By 1650, the proportion in England had grown to 495,000 (8.8 per cent);

¹¹ Alan Everitt, *The local community and the Great Rebellion* (London, 1969); Clive Holmes, 'The county community in Stuart historiography' in Cust and Hughes, eds., *The English Civil War*, pp. 212–33.

¹² Roger Howell, 'Neutralism, conservatism and political alignment in the English revolution: the case of the towns, 1642–9', in John Morrill, ed., *Reactions to the English civil war* (London, 1982), pp. 67–87.

¹³ Ian W. Archer, 'Popular politics in the sixteenth and early seventeenth centuries', in Griffith and Jenner, *Londinopolis*, p. 27. Influential studies include Charles Phythian Adams, *Desolation of a city: Coventry and the urban crisis of the late middle ages* (Cambridge, 1979); Paul Slack, *The impact of plague in Tudor and Stuart England* (London, 1985); Paul Slack, *Poverty and policy in Tudor and Stuart England* (London, 1988).

¹⁴ Keith Wrightson, *Earthly necessities: economic lives in early modern Britain* (Yale, 2000), chs. 5 and 7; Craig Muldrew, *The economy of obligation* (Basingstoke, 1998), chs. 1 and 2; David Harris Sacks, *The widening gate: Bristol and the Atlantic, 1450–1700* (Berkeley, 1991), 350–1; C. W. Brooks, *Pettyfoggers and vipers of the commonwealth: the 'lower branch' of the legal profession in early modern England* (Cambridge, 1986), chs. 4, 6.

¹⁵ Keith Wrightson, 'The politics of the parish in early modern England', in Paul Griffiths, Adam Fox, and Steve Hindle, eds., *The experience of authority in early modern England* (Basingstoke, 1996), p. 36.

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in Scotland it stood at 35,000 (3.5 per cent).¹⁶ Moreover, recent investigations into various kinds of provincial ‘urbanism’ query the historical orthodoxy of urban crisis and disintegration. Robert Tittler has traced a contemporaneous and manufactured culture of urban oligarchy in the market towns and larger boroughs of post-Reformation England: a deliberate realignment of civic elites with national government that was legitimated through histories, buildings, and display.¹⁷ Jonathan Barry has argued for an urban culture of association that, despite various mutations and pressures, nevertheless provided a shared repository of values and practices for different sorts of town inhabitant.¹⁸ Paul Slack has shown that contemporaries regarded England’s ‘great and good towns’ as cultural and political entities that evolved in terms of their institutions and powers over the period.¹⁹ And Collinson has himself observed that the ‘sand’ of the Reformation ‘fell finely but with considerable force’ through the narrow neck of England’s urban hourglass.²⁰

These more recent studies suggest an approach to English urbanity that is neither fixated by modernity nor bound by demography. Urbanisation certainly involves the movement and concentration of people. However, it can also consist of what Jan de Vries terms ‘behavioural’ and ‘structural’ change.²¹ For de Vries, ‘behavioural urbanisation’ ‘involves people in “urban” behaviour, modes of thought and types of activities whether they live in cities or not’: it is as much a qualitative as quantitative process. ‘Structural urbanisation’ relates, in turn, to ‘that process of change in the organisation of society that fosters . . . the concentration of activities at central points’: it refers, that is, to the definition of certain institutions as urban.²² Conceived in these terms, urbanisation involves certain practices, values, and commodities (material and symbolic) becoming at once associated with towns and disseminated by them: the printing press, for example, or courts of law. It also marks a change in the way towns or networks of towns are institutionally linked to the wider world: this is as true for market towns or ports as it is for towns blessed with garrisons or cathedrals.

¹⁶ R. A. Houston, *The population history of Britain and Ireland, 1550–1750* (Cambridge, 1992), p. 20.

¹⁷ Robert Tittler, *The Reformation and the towns in England: politics and political culture, c.1540–1640* (Oxford, 1998).

¹⁸ Jonathan Barry, ‘Bourgeois collectivism? Urban association and the middling sort’, in Jonathan Barry and Christopher Brooks, eds., *The middling sort of people: culture, society and politics in England, 1550–1800* (Basingstoke, 1994), pp. 84–113.

¹⁹ Paul Slack, ‘Great and good towns, 1540–1700’, in Peter Clark, ed., *The Cambridge urban history of Britain, volume II, 1540–1840* (Cambridge, 2000), pp. 347–76.

²⁰ Collinson, *Birthpangs*, p. 59.

²¹ De Vries, *European urbanization*, pp. 10–17. See also Peter Borsay, ‘Introduction’, in Borsay, ed., *The eighteenth century town: a reader in English urban history, 1688–1820* (Harlow, 1990), p. 4.

²² De Vries, *European urbanization*, pp. 12–13.

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As significantly, ‘structural’ and behavioural’ urbanisation, while serving as general categories of analysis, also allow for historical and cultural specificity. They point to the ways in which urban values and behaviour – like different types of urban structure – can vary over space and time. The rituals, attitudes, and institutions defining early modern Venice were very different to those of contemporary Paris. Likewise, neither the urbane delights of eighteenth-century Bath nor the capital and industry of nineteenth-century Manchester need be taken as benchmarks for English urbanity. Viewed as a cultural and institutional as well as demographic process, urbanisation becomes a relative concept.

It is with this relativism in mind that we can return to Angel Daye in 1586. Although aware that urbanity was a word ‘as never or very rarely used’ in the vernacular, Daye was equally sure that the term encompassed a range of qualities familiar to his audience. It meant ‘civil, courteous, gentle, modest, or well ruled, as men commonly are in cities and places of good government’.²³ Almost 100 years later, in 1695, Edward Phillips was still defining ‘civil’ as ‘courteous, kind, well bred, honest, chaste; also political, belonging to the citizens, City, or State’.²⁴ The basic premise of this book is to take Daye and Phillips at their word. It charts, in effect, the propagation, institutionalisation, and practice of ‘civility’ and ‘good government’ within English cities and towns between the Reformation and the Glorious Revolution.²⁵ It argues that the sixteenth and seventeenth centuries witnessed not so much a diminution of urbanity as the opposite: sustained urbanisation. It outlines a process of cultural and institutional change that had profound implications for urban political culture, national politics, and the agency and identity of those people broadly defined as the ‘middling sort’ of English society. In so doing, the book also offers a re-evaluation of some of the historiographical assumptions outlined above. It contends that, in certain key respects, the metropolis and provincial towns should be regarded as similar and certainly comparable entities that were linked culturally and institutionally within an expanding urban system. It claims that the antecedents, nature, and chronology of modernity were much more complex than historians of the ‘long eighteenth century’ have allowed. And it suggests that, as a corollary of this, historians of both English politics and the English state have vastly underestimated the urban dimension of their subjects. This dimension was certainly apparent to contemporaries. Indeed, in all the chapters

²³ Daye, *Secretorie*, p. 38. ²⁴ Edward Phillips, *New world of words* (1658), ‘civil’.

²⁵ See also Cathy Shrank, ‘Civil tongues: language, law, and reformation’, in Jennifer Richards, ed., *Early modern civil discourses* (Basingstoke, 2003), p. 23; Jonathan Barry, ‘Civility and civic culture in early modern England: the meanings of urban freedom’, in Peter Burke, Brian Harrison, and Paul Slack, eds., *Civil histories: essays presented to Sir Keith Thomas* (Oxford, 2000), p. 181.

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that follow, the primary aim has been to recover and contextualise the language, concepts, and practices used by people at the time. If this is true of the principles of civility and governance upon which urbanity was ideally based, then it also applies to the cultural and institutional space in which those principles were embodied. It is to the mechanics of their embodiment that we must now briefly turn.

Incorporation and city commonwealths

The urbanity explored in this book was based on civic incorporation. This involved the successful acquisition by urban inhabitants of a royal charter of incorporation that either confirmed the material and constitutional resources situated in a settlement, or restyled those resources according to a legal formula that, by the seventeenth century, had become more or less standardised. The charter was invariably the product of often protracted negotiations between the clerks of the Lord-Attorney's office, the petitioning inhabitants, and the lawyers and courtiers who acted as brokers in the transaction. In its basic content it usually specified the five marks of corporatism that confirmed the city or borough as a legally constructed 'fictional person'. In this guise, the freemen, burgesses, and citizens who voluntarily participated in this person could act collectively as a single body, so transcending their individual lives and interests to form an entity that could sue in law and be represented in parliament. The financial corollary of this was possession of the fee farm: an annual and often nominal rent that the corporate body paid directly to the crown for possession of their territory and jurisdiction. As important were the economic rights and privileges confirmed by the charter – whether markets, fairs, common lands, tolls, rights of pontage, or craft guilds – and the legal and parliamentary privileges that were usually assimilated into the civic constitution. In particular, incorporation typically, though not invariably, conferred the right of burgesses and citizens to empanel and sit on their own juries; supply their own justices of the peace; choose their own parliamentary representatives; and convene their own borough courts for minor suits of debt and trespass. For those larger cities like York or Norwich that were able to incorporate as counties, these privileges could extend to marshalling their own militia and attending their own assizes. Standard practice by the seventeenth century was the creation of two legal positions that provided technical advice and support to citizens and burgesses – the recorder and town clerk – as well as a high steward who represented the incorporated body on the Privy Council. These supplemented the connections and expertise brought to cities and boroughs by their parliamentary representatives, who were, especially among the smaller boroughs, increasingly chosen from the ranks of gentry, lawyers, and magnates over the period. Before 1660, the election of recorder, town clerk, and high steward was a civic privilege.

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Thereafter, any election of recorder and town clerk had to be certified by the crown.²⁶

Incorporation endowed urban inhabitants with a remarkable range of powers and privileges. It was also an intensely political process resting on the agency of people in both locality and metropolis. Locally this might take the form of an organised and united populace, as was the case of Reading in the mid-sixteenth century, or a divided and factional body intent on using the charter as a political weapon, such as Beverley in the 1570s or Ludlow in the 1590s.²⁷ There might also be an ideological dynamic, whereby groups of citizens attempted to implement changes in, for example, the religious practices of freemen and other inhabitants.²⁸ Either way, incorporation usually precipitated external interventions – by local gentry, lawyers, ecclesiastics, courtiers, and patrons – at the request of townsmen. Like many boroughs, Windsor looked to the Earl of Nottingham and Sir Edward Coke after twenty-five years of lobbying for a charter. Huntingdon secured its charter through the influence of the Earl of Manchester in 1630. The Duchy of Cornwall and other sources of metropolitan influence were in large part responsible for the extraordinary success rate of Cornish boroughs after 1550.²⁹ A further political dimension involved disputes between citizens and other urban interests, in particular seigniorial power and authority. Enmity could focus on a manorial lord, as in the protracted struggles between the citizens of Aylesbury and the Pakinghams.³⁰ It could involve an ecclesiastical institution: most obviously the influence of abbeys and monastic houses, but also post-Reformation bodies like universities, archbishoprics, and dean and chapters.³¹ Other cities and boroughs could also provide a focus for civic discontent. Israel was never ‘more burdened under the taskmasters of Egypt’ than was Great Yarmouth by her urban rivals.³² London encapsulated and

²⁶ The best accounts of the incorporating process are Tittler, *The Reformation and the towns*, ch. 5; Catherine F. Patterson, *Urban patronage in early modern England: corporate boroughs, the landed elite, and the crown, 1580–1640* (Stanford, 1999), pp. 164–80. See also Paul D. Halliday, *Dismembering the body politic: partisan politics in England's towns 1650–1730* (Cambridge, 1998).

²⁷ Jeanette Martin, ‘Leadership and priorities in Reading during the Reformation’, in Patrick Collinson and John Craig, eds., *The Reformation in English towns, 1500–1640* (Basingstoke, 1998), pp. 113–30; David Lamburn, ‘Politics and religion in early modern Beverley’, in Collinson and Craig, *Reformation in English towns*, pp. 63–79; Penry Williams, ‘Government and politics in Ludlow, 1590–1642’, *Transactions of the Shropshire Archaeological Society*, 56, 1957–60, pp. 282–94.

²⁸ David Underdown, *Fire from heaven: life in an English town in the seventeenth century* (London, 1993).

²⁹ *Annals of Windsor. Being a history of the castle and town*, I, ed. Robert Richard Tighe and James Edward Davis (London, 1858), pp. 647, 54–7; TNA SP16 176 34; John Chynoweth, ‘Gentry of Tudor Cornwall’ (unpublished Ph.D., University of Exeter, 1994), pp. 216–17.

³⁰ *VCH*, Berkshire, III, pp. 1–20.

³¹ *VCH*, Hertfordshire, II, pp. 469–91.

³² Henry Manship, *The history of Great Yarmouth*, ed. Charles John Palmer (1854), p. 167.

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embodied these problems. Renowned and also feared nationally for their commercial imperialism, the citizens of London spent much time and energy protecting their own liberties and jurisdictions: against the burgeoning suburbs; Westminster; the Inns of Court; and the royal palaces.³³ That a city as powerful as London incorporated at all is illustrative of a third political dynamic: that incorporation legitimated as clearly as possible the control, by citizens, of property, territory, and institutional resources.

Whatever the politics surrounding incorporation, it was freemen, burgesses, and citizens who populated the community, or *communitas*, that resulted. The term 'freeman' denoted access to economic resources and privileges and was enjoyed by all enfranchised inhabitants. The labels 'burgess' (in boroughs) and 'citizen' (in cities) signified additional public powers and responsibilities within the body politic. Enfranchisement was formalised by oath-taking and other communal rituals and formally restricted to male heads of household. It could be secured either through patrimony, purchase, or, most usually, a seven-year apprenticeship under the authority of a freeman and the craft or guild to which he belonged. As such, enfranchisement was a conscious and deliberate act by which heads of household placed themselves and their household dependants under the authority of the community in return for the economic and political rights located there. Although only male heads of household could be elected to places of civic power, all household dependants were regarded as members of the community and enjoyed (in theory at least) mediated representation within the civic polity. Viewed in these terms, the basic structure of incorporated communities was threefold. First, it consisted of a core of civic structures – such as aldermanic benches, common councils, parishes, and guilds – through which and by which freemen were governed and represented. Second, it encompassed the jurisdictions and neighbourhoods in which members of enfranchised households lived. Third, households constituted it: those places in which the primary affective and economic relationships of a person were likely to be based. In these respects, incorporated communities resembled nothing less than the Aristotelian *polis*: a resemblance that, as is argued in the chapters that follow, was far from coincidental.

Historians have, by and large, approached incorporation as a restricted and restrictive process: as an arcane cul-de-sac of legal history; a tool of local oligarchs and aggressive statesmen; the political detritus of minor local elites. In contrast, early modern people had an expansive, ambitious, and essentially humanist conception of cities, boroughs, and corporate towns that was

³³ Paul Slack, 'Perceptions of the metropolis in seventeenth-century England', in Burke et al., *Civil histories*, pp. 161–80; Valerie Pearl, *London and the outbreak of the Puritan revolution: city government and national politics, 1625–1643* (Oxford, 1961), ch. 1; Paul Slack, *From Reformation to improvement: public welfare in early modern England* (Oxford, 1999), pp. 72–3.

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encapsulated by the term ‘small’ or ‘city commonwealth’. The civil lawyer Thomas Wilson observed in 1600 that the ‘state of citizens . . . by reason of the great privileges they enjoy, every city being, as it were, a Commonwealth among themselves, no other officer of the Queen nor other having authority to entermeddle amongst them, most needs be exceeding well to pass’.³⁴ For Henry Manship, town clerk of Great Yarmouth, incorporated cities were a reminder that:

as in the beginning of the World, the gathering together of society and men began not for one cause only, as for that they might be rich, or that they might be helpful one to another, which be to many reasons and motives; but also for that they might in all things live the more commodiously together and frame themselves a Commonwealth.³⁵

City commonwealths represented:

a certain community or Society, both of life and goods, which makes a civil body, formed and made of divers members, to live under one power, as it were under one Head and Spirit, and more profitably to live together in this mortal life, that they may the more easily attain unto life eternal for ever.³⁶

Less favourably, Thomas Hobbes lamented in 1651 ‘the great number of Corporations; which are as it were many lesser Commonwealths in the bowels of a greater, like worms in the entrails of a natural man’.³⁷ However, the tension between the city and larger commonwealth implied by Hobbes was not inevitable. Certainly the Elizabethan satirist Thomas Nashe noted that for a city commonwealth ‘this common good within itself is nothing to the common good it communicates to the whole state’.³⁸ This was because city commonwealths, in addition to their civil and civic propensities, also enshrined what the cartographer John Speed termed ‘commerce’, and what others understood to be the communicative basis of community.³⁹ Indeed as late as 1695 Phillips’ dictionary defined ‘community’ as ‘the having things in common, partnership. Also a body of men united in civil society for their mutual advantage, as a corporation, inhabitants of a town, the companies of tradesmen.’ The word ‘society’ denoted, in turn, ‘company, conversation, civil intercourse, fellowship, friendship; company of several persons joined together for some common interest, or to assist one another in the management of any particular business’.⁴⁰

³⁴ Thomas Wilson, *The State of England anno. dom. 1600*, ed. F. J. Fisher (Camden Misc. XVI, 1936), p. 20.

³⁵ Manship, *History*, p. 23. ³⁶ *Ibid.*

³⁷ Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge, 1992), p. 230.

³⁸ Thomas Nashe, ‘Nashe’s Lenten Stuff’, in *The unfortunate traveller and other works*, ed. J. B. Steane (Harmondsworth, 1985), p. 394.

³⁹ John Speed, *The theatre of the empire of Great Britain* (1616).

⁴⁰ Phillips, *New world of words*, ‘community’, ‘society’.