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Second Edition

Edited by J. P. Kenyon

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The Stuart Constitution
1603–1688

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Documents and commentary

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EDITED AND INTRODUCED BY

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FOR
JACK PLUMB

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PREFACE TO THE SECOND EDITION

I am very grateful to the Press for allowing me to revise this book thoroughly, instead of just tinkering with it. Thus I have not only been able to incorporate the results of the latest research – which in any case only called for adjustments of detail – but also to review the selection of documents and adjust the balance of the book.

When I came to re-read *The Stuart Constitution* after a lapse of some years, it was at once apparent that the opening sections were too much influenced by the late J. R. Tanner, not only by the detailed collection of documents for the reign of James I he published in 1930, but also by his approach to the period 1603–25 in general. Such matters as impositions and prohibitions loom less large in our eyes than his, and his treatment of King James, though conventional enough at that time, did him less than justice.

Secondly, it has been pointed out to me many times that my coverage of the period 1647–60 was inadequate. This I accept, and I have done my best to rectify it. But critics must bear in mind that a longer and therefore more expensive book was out of the question, so that for every new document inserted an old one has had to be removed. (As it is, I have ended up with one document more.)

It is also clear to me now, and no doubt to others, that chapters 12 and 13 in the first edition, on 'The Judiciary 1660–1688' and 'The Catholic Problem and the Revolution' respectively, were an indulgence on my part, albeit an unconscious one; they too much reflected my personal research interests at that time. I have pruned them both drastically, and distributed the second across the book.

At an early stage I consulted a cross-section of my colleagues working in the field, either verbally or by correspondence. Some of them gave hugely of their time, all of them went out of their way to be helpful and constructive, and I am very grateful. I gladly list their names here, on the understanding that they bear no responsibility for the final result, especially since I was simply unable to follow all their recommendations. They are: Professor Gerald Aylmer, Professor Geoffrey Elton, Professor Kenneth Haley, Dr John Miller, Dr John Morrill, Professor Ivan Roots, Dr Kevin Sharpe, Dr Nicholas Tyacke and Professor Austin Woolrych. In addition Dr Ian Green, Professor Mark Kishlansky, Dr Sheila Lambert and Dr David Stevenson gave me advice and information on specific points, and Dr Lambert lent me a paper of hers in advance of publication (as did Professor Woolrych).

All of them had kind words to say of the first edition; I can only hope that the second will meet with their approval.

J. P. K.

St Andrews
January 1985

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PREFACE TO THE FIRST EDITION

This volume is intended to provide a representative and easily accessible selection of documents concerned with, and often in themselves comprising, the political and constitutional history of the seventeenth century in England. It overlaps two older collections, J. R. Tanner's *Constitutional Documents of the Reign of James I* and S. R. Gardiner's *Constitutional Documents of the Puritan Revolution*. Since they were published in a less affluent society each is comparable in size with the present volume, and they retain their value as source books, as a glance at my footnotes will show. But Tanner's commentary is in many respects out of date, while Gardiner offered none at all, apart from a short introduction, and his choice of documents was geared to the requirements of the Oxford Schools in the closing years of the nineteenth century.

The Civil Wars and the Interregnum make it impossible to submit the seventeenth century to a static analysis, which is why this volume falls into three books, divided at 1640 and 1660, with a fourth book dealing with certain themes that persisted throughout the period. Moreover, the immense volume of printed material produced in an age of almost continuous crisis in Church and state has obliged me to omit a great deal which I regard as desirable and some will think essential.

I have been fortunate in coming after Dr G. R. Elton, whose *Tudor Constitution* not only provided me with a model but also treated of some organs common to the Tudor and Stuart state so fully and admirably that I have been able to omit them altogether or mention them only briefly. My book, therefore, should be read in conjunction with his, even though it must be to my disadvantage. I might add that without Dr Elton's firm encouragement at every stage I doubt whether I would ever have completed this book. He also gave me the benefit of his advice on several specific points, read the whole of the first draft in typescript and helped me to reduce it by one-third to its present size. That is not to say that he, or anyone else mentioned in this preface, is responsible for errors of fact or judgement remaining.

I am also grateful to Professor William Haller, for answering questions on specific points, and to Professor G. E. Aylmer, who discussed the project with me at an early stage, to my great advantage. Mr J. Anthony Williams placed at my disposal his specialised knowledge of seventeenth-century recusancy, and thereby contributed a great deal to chapter 13. I also owe much to the staff of the University Library, Hull, and particularly Mr Peter Sheldon. My wife and my secretary, Mrs Kay Austin, between them typed the final draft of the book; a thankless task performed with great patience and accuracy.

Finally, I must acknowledge the patience and consideration of two successive secretaries to the Syndics, who have waited five years for this book and never doubted that it would be completed.

J. P. K.

Hull

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ABBREVIATIONS

<i>APC</i>	<i>Acts of the Privy Council</i>
<i>BIHR</i>	<i>Bulletin of the Institute for Historical Research</i>
<i>CJ</i>	<i>Commons Journals</i>
<i>CSPD</i>	<i>Calendars of State Papers Domestic</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>GCD</i>	S. R. Gardiner (ed.) <i>Constitutional Documents of the Puritan Revolution</i> , 3rd edn, Oxford 1906
<i>HLQ</i>	<i>Huntington Library Quarterly</i>
<i>HJ</i>	<i>Historical Journal</i>
<i>HMC</i>	<i>Historical Manuscripts Commission</i>
<i>JBS</i>	<i>Journal of British Studies</i>
<i>JMH</i>	<i>Journal of Modern History</i>
<i>LJ</i>	<i>Lords Journals</i>
<i>OPH</i>	'The Old Parliamentary History'; vere, <i>The Parliamentary or Constitutional History of England</i> , 24 vols. London 1751–61
<i>PCD</i>	G. W. Prothero (ed.) <i>Select Statutes and Other Constitutional Documents Illustrative of the Reigns of Elizabeth and James I</i> , 4th edn, Oxford 1913
<i>PH</i>	William Cobbett (ed.) <i>The Parliamentary History of England</i> , 36 vols. London 1806–20
<i>PRO</i>	Public Record Office, London
<i>SR</i>	<i>Statutes of the Realm</i>
<i>SRP</i>	<i>Stuart Royal Proclamations</i> , vol. I: <i>James I</i> , ed. James F. Larkin and Paul L. Hughes. Oxford 1973, vol. II: <i>Charles I</i> , ed. James F. Larkin. Oxford 1983
<i>ST</i>	W. Cobbett and T. B. Howell (eds.) <i>State Trials</i> , 33 vols. London 1809–26
<i>TCD</i>	J. R. Tanner (ed.) <i>Constitutional documents of the Reign of James I</i> . Cambridge 1930
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>

The spelling and punctuation in the documents have been modernised wherever it is possible to do so without losing the sense or the emphasis.

All dates are in the old style, but the year is taken as beginning on 1 January.