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1633-41

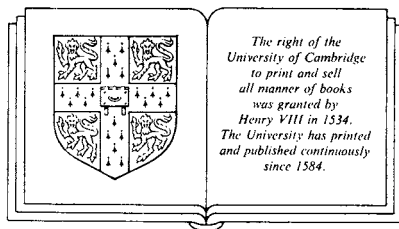
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STRAFFORD
IN IRELAND
1633-41

A Study in Absolutism

HUGH KEARNEY

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To
MY PARENTS

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‘Mind, none of us would feel exactly like this. What saves us is efficiency—the devotion to efficiency. But these chaps were not much account, really. They were no colonists; their administration was merely a squeeze and nothing more, I suspect. They were conquerors and for that you want only brute force. . . . The conquest of the earth, which mostly means the taking it away from those who have a different complexion or slightly flatter nose than ourselves is not a pretty thing when you look into it too much. What redeems it is the idea only. An idea at the back of it; not a sentimental pretence but an idea; and an unselfish belief in the idea—something you can set up and bow down before, and offer a sacrifice to. . . .’

Joseph Conrad,
Heart of Darkness

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PREFACE (1989)

I am grateful to Janelle Greenberg, Anne Hileman, John Adamson, Hiram Morgan and William Davies, who helped me in various ways. Brian Wormald, who over thirty years ago first encouraged me to study Strafford's Irish deputyship, once again was a rich source of illumination. I am also much indebted to John Morrill (a former pupil of the great 'Straffordian' J. P. Cooper) for reading a draft of the Introduction and indicating where the argument needed to be focussed more sharply. On Ireland I owe a great debt to the work of Brendan Bradshaw, Nicholas Canny and Aidan Clarke.

I have taken the opportunity to make some minor corrections, following suggestions made by Dr. Donal Cregan.

I wish also to express my thanks for financial assistance to Dr. Alberta Sbragia and the West European Studies Unit (U.C.I.S.) of the University of Pittsburgh. Finally I wish to pay tribute to the memory of the late Dr. R. Dudley Edwards, friend, mentor and colleague.

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Thirty years is a long time in the history of a monograph and I am naturally pleased at the thought that *Strafford in Ireland* is being republished. I am also conscious of the fact that much excellent work has been done in this area since 1959 by both British, Irish and American historians which may affect my conclusions. When this book was written in the 1950s, the influence of Sir Lewis Namier was in the ascendant. Historians were directing their attention away from ideology and towards uncovering the links of self-interest, kinship and patronage in the structure of politics. Looking back I can see that this approach affected the way in which I perceived Strafford's deputyship. Today, after a period when Namier's influence declined, the wheel has come round full circle. Professor Conrad Russell and his associates may be seen as writing in the Namier tradition (Russell 1979). From this perspective, *Strafford in Ireland* has not dated as much as it might have done.

However, as John Pocock, Quentin Skinner and others have shown, we cannot abandon ideas lightly. One criticism which might be made of *Strafford in Ireland* is that it neglected the ideological dimension or, to use a concept which has become familiar since the 1950s, it did not attempt to analyse the *mentalités* of the various groups involved, in both Ireland and Britain. If I were writing *Strafford in Ireland* today I would no doubt draw upon John Pocock's book *The Ancient Constitution and Feudal Law* in discussing the *mentalité* of the old English. I would also make use of the work of a younger generation of scholars, in the field of political and religious ideas.

The three decades which have elapsed since the publication of this book have also seen the rise, and perhaps the fall, of a social interpretation of the period. I refer in particular to the work of Christopher Hill and Lawrence Stone upon 'The English Revolution'. From this point of view, the period before 1640 was conceptualised as an 'Ancien Regime', with Strafford as one of the key figures. Many have been tempted to follow this interpretation. To others however it has increasingly seemed to be a variation on

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the Whig interpretation of English history in which the parliamentarians appear as the 'progressives' and the royalists as the 'reactionaries'. I find it difficult to be certain about how to classify Strafford. If we compare him with Coke, Pym, or Cromwell, can we be certain as to which is 'forward-looking', to use Christopher Hill's term? Coke and Pym believed in the existence of an 'ancient constitution' stretching back beyond 1066 to time immemorial. Strafford refers to being 'armed à la moderne', to 'reason of state', to 'Galileo's glass' and to 'seeing experimentally', which suggests a certain 'modernity' in his approach (Knowler i. pp. 195, 379).

The career of Strafford, like that of Oliver Cromwell, also raises the perennial issue of the role of the 'great man' in history. It is clear that Strafford, whatever judgement we may make about the morality of his policies, was a man of exceptional ability. A study of his career should attempt a sketch of his character. Here *Strafford in Ireland* is open to criticism. Strafford himself still awaits a Carlyle, though he does have a Wedgwood.

Strafford in fact still remains enmeshed in the political judgements of his own time, Whig or Tory. The Whig view of Strafford goes back to 1640 when John Pym declared on 7 November 1640 that 'a deliberate plan had been formed of changing the intire frame of government and subverting the ancient laws and liberties of the Kingdom' (Kenyon 1986, p. 189). Rushworth in his account of Strafford's trial stated that

the matter of his charge had a reference to every Englishman and all their posterities: He was accused of designing to destroy the security of their estates, liberties and lives and to reduce them all to be subject of mere will and pleasure. (Rushworth, *Collections*, vol. viii, Preface)

At Strafford's trial Whitlock had argued that 'his Design against England was of the same Nature' as his plan for Ireland (*ibid.*, p. 522).

Looking back from 1649, Milton saw Strafford as

a man whom all men look'd upon as one of the boldest and most impetuous instruments that the King had to advance any violent or illegal designe. He had rul'd Ireland, and som parts of England, in an arbitrary manner, had indeavour'd to subvert Fundamentale Lawes, to subvert Parliaments, and to incense the King against them; he had also indeavour'd to make Hostility between England and Scotland: He had counseld the King to call over that Irish Army of Papists, which he had cunningly rais'd, to reduce England, as appear'd by good Testimony.

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(Milton, *Eikonoklastes*, Chap. II, 'Upon the Earle of Stafford's [sic] Death'. *Yale Collected Prose Works of John Milton*, vol. III (1962), 1648-1649 368-82).

In recent years the 'Whiggish' view of Strafford has received powerful endorsement from Dr (now Professor) Terence Ranger in his article 'Strafford in Ireland: a Revaluation' (1965), where it was argued that Strafford was 'the first to realise that Ireland could be made of central importance in English politics and that through the great power of the Crown in Ireland the desirable solution could be tried out there before it was applied in England . . . Strafford adopted methods which were objectionable not only to landlords with something to hide but to those who had respect for law and convention . . . violence and extraordinary means were extensively used'.

At what may be termed the 'Tory' end of the spectrum, the recent revival of interest in the historical writing of David Hume (who was unmentioned in my 1959 preface) points to a more sympathetic assessment of Strafford. In his autobiographical sketch 'My own Life' Hume described how he began his history 'with the accession of the Stuarts, an epoch, when, I thought, the misrepresentations of faction began to take place'.

I was, I own, sanguine in my expectations of the success of this work . . . But miserable was my disappointment. I was assailed by one cry of reproach disapprobation, and even detestation; English, Scotch, and Irish, Whig and Tory, Churchman and sectary, freethinker and religionist, patriot and courtier, united in their rage against the man who presumed to shed a generous tear for the fate of Charles I and the Earl of Strafford.

Hume referred to Strafford as a man of 'great and uncommon vigour and capacity [who] by a concurrence of accidents . . . laboured under severe hatred of all of the three nations which composed the British monarchy'.

In 1988, more than three centuries after his execution, Strafford remains a figure of controversy. The difficulty of reaching a hard and fast judgement about him was again revealed in 1961 when Miss, later Dame, Veronica Wedgwood published a substantially revised version of her original biography, *Strafford*, which had first appeared in 1935. Her first sketch of Strafford was overwhelmingly favourable. She saw him as 'a simple and generous man, over resolute perhaps, impatient and unimaginative, but

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fearless in the pursuit of what he believed to be right'. Twenty-five years later, this passage was cut and Miss Wedgwood's overall interpretation became more complex. It now appeared that Strafford had been 'led into the murky and devious by-ways where courtiers, great officers of state and business men jostled and exchanged tips', in the words of J. P. Cooper whom Miss Wedgwood quotes (Wedgwood, *Strafford: A Revaluation*, p. 232). The uncompromisingly Tory biography of 1935 had given way to one tinged with Whiggish elements.

In Ireland contemporary historiography has been unanimous in its condemnation of Strafford. In 1923 a 'Tory' interpretation of his deputyship was put forward by Hugh O'Grady, whose views Miss Wedgwood adopted in the first edition of her biography. For O'Grady and other biographers writing under his influence, Strafford was an heroic reformer attempting to implement a policy of 'thorough' in a morass of self-seeking. In recent years, however, the pendulum has swung overwhelmingly in a 'Whiggish' direction, *Strafford in Ireland* itself being a factor in the process. It may well be that the time has come for Irish historians to attempt an assessment of Strafford's intentions in his own terms. What in fact were his aims? Did he seek merely to feather his own nest or did he have some larger objective in view? How in fact did Strafford see himself? An approach of this kind can be defended as part of the task of any historian irrespective of 'Whig' or 'Tory' sympathies.

Among historians of England, twenty-five years after Wedgwood's *Revaluation*, the Whig-Tory controversy persists. So far as Strafford's English background is concerned, it is still not clear whether we should regard his acceptance in 1628 of office within the royal administration as a 'Great Betrayal' or as a tactical move which most leaders of the 'Country party' would have been prepared to make. Professor Perez Zagorin inclines to the Whig view, and regards Wentworth as a man of great ambition who was prepared to toady to Buckingham in order to achieve office (Zagorin 1986). Professor Conrad Russell takes a view that a week is a long time in politics even in the seventeenth century and that Wentworth's so-called 'apostasy' was in fact typical of the politics of the day (Russell 1979; Salt 1981). For Zagorin, the Court-Country divide was one of principle and Strafford's crossing of it

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was betrayal. For Russell, all leaders of the Country party would have been prepared to serve the Court if the invitation came.

Zagorin and Russell are of course concerned with Strafford's role in English politics. Strafford's Irish career raises different questions, one of the most important of which is the extent to which we may regard his policies as new. If his policies were anticipated by his predecessors this fact would seem to dispose of the charge that he was guilty of subverting the constitution, unless all earlier lords deputy were equally guilty.

One important issue which I did not discuss in 1959 and which is still not clear to me now is the extent to which Wentworth's Irish policy originated with him and how far it was decided upon by the collective decision of the English Privy Council, following earlier precedents. In answering this question we may first ask how Wentworth prepared himself for governing Ireland during the two years between his appointment in July 1631 and his arrival in Dublin in July 1633. We may perhaps assume that he read Spenser's *View of the Present State of Ireland*, first published in 1633 and dedicated to him. Sir John Davies' *A Discovery of the True Causes why Ireland was never entirely subdued* (London 1612) also seems an essential choice of reading for a new lord deputy. It was possibly from reading Spenser or Davies that Wentworth concluded that Ireland was in a state comparable to that of fifteenth-century England. As he wrote to Christopher Wandesford

Finally, the Irish being in a sort governed by another law, the same that we were governed under those furious troubles between the Houses of York and Lancaster . . . Now by the Laws enacted this last parliament I might truly say that Ireland was totally become English all the Flower and good laws past since Henry the seventh his time gathered without leaving one out . . . (Knowler, ii. 18).

Another possible clue to Wentworth's outlook is provided by a letter from Robert Sidney, earl of Leicester (1595-1677) to the lord deputy, thanking him for restoring the monument erected to his grandfather, Sir Henry Sidney (Knowler, i. 224; ii. 9). Sidney was regarded as the most successful of Elizabeth's Irish deputies, and Wentworth may well have taken him as a model. If he did so this would place him among those deputies who stressed 'conquest' rather than 'conciliation', a group which included Edmund Spenser and Sir John Davies. He was taking up a position which implied that the Irish had no rights, 'for all is

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to the conquerors as 'Tully to Brutus saith' (Spenser, *View*, p. 9).

At his trial in 1641 Wentworth was accused of making a speech in 1633 in which he was said to have declared that the Irish were 'a conquered nation'. Wentworth did not deny the charge that 'att Dublin in a publique Assembly 30 Sept 9 Caroli he declared that Ireland was a conquered nation and that the King might doe with them what he pleased'. His answer was

that the Realme of Ireland is not nor hath at any tyme in all things beene governed by the same lawes as England, ruled by the common lawes, but there are many greate differences between the customes and the Statutes of the severall Kingdoms and in Martiall Lawe and the Lawes of the Councill board . . . but it might well bee that sundry occasions might be offered as that it might be fitt for him to putt them in mind of the Grace of the King and his Progenitors in suffering them, a conquered nation, to enjoy the same lawes as in England and that upon such occasion he might tell them of Dublyn that some of their charters were royal, and att the Kings pleasure, being so informed by the Kings learned Counsell here. (Rushworth, *Collections*, vol. viii, p. 23)

As Dr Hans Pawlisch has shown (Pawlisch 1985), Sir John Davies, who was Attorney-General for Ireland in the period immediately before Strafford's deputyship (1606–19), stressed the significance of conquest as the legal basis for English rule. The theory of conquest, adumbrated by such medieval canon lawyers as Hostiensis, provided Davies with arguments to employ against the old English gentry and merchants. It was on the basis of 'conquest' that Davies defended the use of the Court of Castle Chamber (the Irish Star Chamber) against Irish recusants in 1605. His 'old English' opponent, Nicholas Barnewall, challenged the validity of 'the Mandates', 'wherein the Court of Castle Chamber never before used in a spiritual community was used to fine, imprison and deprive men of all offices and magistracies'. Davies' 'Quo warranto' proceedings against exemptions from customs duties enjoyed by most of the ports of Ireland formed part of the same pattern. Against the background provided by Davies, Strafford's view that Ireland was 'a conquered nation' seems much less original, and his policy of developing the Irish customs system at the expense of the ports seems to run clearly from Sidney via Davies. (Pawlisch 1985, p. 122). His use of Castle Chamber was clearly not without precedent.

Another point which is relevant to a judgement upon the

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originality of Wentworth's Irish policies relates to the extent to which these were influenced by the recent report of special commissioners sent to report upon the 'Plantation of Ireland' (BL Additional MS 4756). In 1622 Lionel Cranfield had sent commissioners to report on the state of Ireland. It seems highly probable that Wentworth who had been associated with Cranfield in the early 1620s, would have read the report produced by the commissioners. The recommendations of the 1622 commission are in any case of interest to those concerned with English policy in Ireland a decade later.

What then was the report concerned with? Its recommendations were largely financial, with a view to reducing the burden of governing Ireland upon the English exchequer. It suggested that the Irish revenue could be increased by a new composition with the Ulster planters and a new settling of the Composition of Munster, Thomond and Connacht. It also felt that more financial benefit could be gained from wardships and from the confirmation of Defective Titles. The farming out of the customs was also considered.

It seems clear that there was a considerable overlap between these recommendations and the financial policies of Wentworth's deputyship. He forced a new composition upon the undertakers of the Londonderry plantation. He increased the yield for the Court of Wards and the Commission of Defective Titles and he farmed out the customs at a greatly increased yield. We may suggest therefore that the financial policies of Wentworth were unoriginal. His achievement was perhaps to carry the 1622 'reforms' through successfully.

One of Wentworth's primary aims during the early years of his deputyship was to reorganise the army. This also was one of the objectives of the 1622 committee. It complained of 'the miserable state of the poore army', and made suggestions about reducing the number of officers, the placing of garrisons, and raising the rates of pay. Here again it would seem that there was little that was original in Wentworth's army reforms (Knowler, i. p. 158).

The 1622 committee had also been critical of the bargain which the Crown had struck in the Composition of Connacht. Recent research has demonstrated that the Composition of Connacht in 1585 formed part of a general policy of conciliation, a shift away from Sidney's 'hard line' policy to one of persuasion (Cunningham

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1984). The long-term aim of anglicisation remained but by the use of indirect methods rather than colonisation ('plantation'). It has been shown that so far as Connacht was concerned, Sir John Perrot, who was lord deputy from 1584 to 1588, favoured the advice of the 'old English' Nicholas White and Thomas Dillon, and opposed the plantation policy of the 'new English'. But the Composition had not provided secure land titles. It was merely a financial arrangement whereby the government took over the role of defence of the chiefs, 'cess' being now relaxed by composition. The need for more secure land titles became apparent as the land market became more active during the peaceful decades following 1603. In 1615 the landholders of Connacht pressed for secure land titles in return for a sum of £10,000. Wentworth's policy of 'plantation' in Connacht during the 1630s thus marked the continuation of the coercive policies of Sidney. The alternative policy of conciliation would have involved acceptance of 'the Graces' and a confirmation of land titles.

Strafford's deputyship is also associated with the increasing use of the Court of Castle Chamber. Strafford did not invent this chamber (as some historians assume). In fact, the 1622 commission looked upon the Irish Star Chamber as an essential part of English government in Ireland.

And concerning the Fynes in the Court of Star Chamber it will lend much to the quiet and good government of this country as we conceive that all enormous offences especiallie oppressions, extortions, perjuries, subordination of perjurie, riotts, maintenance of Champertie committed by any person what qualities, condition or degree soever be prosecuted by the council of the court.

The Commission stressed however that the Council Table should not deal with cases which could be decided in the ordinary proceedings of the Courts of Justice but 'should containe itselfe within its proper bounds in handling matters of State and weight fit for that place'. As is well known, Strafford himself was critical of the role of the common lawyers. He wrote to John Coke in 1634, 'how well this suits with Monarchy, when they monopolise all to be governed by their Year Books, you have in England a costly experience' (Knowler, i. 201). Strafford's stress upon conciliar government at the expense of common law was not unique to himself. He could appeal to precedent in Ireland. What was novel was the use of Castle Chamber against the 'new English

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colonists, a classic example of the metropolitan country asserting its authority over colonists, not for the last time in English history. Strafford's policy here also seems to have been recommended by the 1622 commission (Canny 1987, p. 183).

Perhaps the main difference between the recommendations of 1622 and Strafford's policy during the 1630s concerned ecclesiastical matters. In 1622 the rise to power of William Laud and the Arminian group of clergy lay in the future. Hence, though the commissioners pressed for reforms within the church, they were concerned with the recusants, not, as Strafford was to be, with the Puritans. The commissioners advocated the use of the Court of Wards in advancing the reformed faith. They also pressed for the removal of the Popish clergy, even using *praemunire* against them if it proved necessary.

Strafford, in contrast, was prepared to tolerate the recusants. Though he judged it 'without all question far the greatest service that can be done unto your crowns on this side, to draw Ireland into conformity of Religion with England', yet he saw it as 'a work to be affected by Judgement and Degrees than giddy Zeal and Haste'. He was quite clear that 'his Majesty had power by this House to pass upon this People all the Laws of England concerning religion, which I say still, howbeit I judge it a point in no case to be stirred at this time' (Knowler, i. 367). Strafford's considered view about religion was that it was something 'which in Reason of State is of infinite consequence'. Hence he advocated caution. 'It were too much to distemper them by bringing in Plantations upon them and by disturbing them in the exercise of their religion' (Knowler, ii. 39). As he wrote to the Scottish priest, George Con, 'since I had the honour to be employed in this place, the King has not been pleased that the Hair of any Man's head should be touched for the free exercise of his conscience' (Knowler, ii. 112). Strafford indeed saw the Puritans as a greater danger to the Crown than the recusants. He criticised the Scots as 'greater Puritans than any we have in England' (Knowler, ii. 129). He referred to 'the frenzy which possesseth the Vulgar nowadays'. He described John Hampden as 'a great brother' who should be punished. In contrast, he urged restraint upon Laud in dealing with the northern recusants (Knowler ii. 158).

The story told in *Strafford in Ireland* is of a lord deputy, newly

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arrived in 1633, who found himself dealing with two political groupings, the Catholic 'old English' and the Puritan 'new English', the first strongly entrenched among the gentry of Leinster, Munster and Connacht, the second, dominant in the administration and benefiting from the recent plantations in Munster and Ulster. Though the interests of these two groups were mutually antagonistic, it was my argument that Strafford by attacking both at the same time made possible a political alliance against him which led to his downfall.

Wentworth declared at the beginning of his deputyship that his intention was to play the 'native' against the 'planter' and the 'planter' against the 'native'. However, a political account of Ireland which confined itself to dealing with two political groups would be misleading. A fuller analysis would need to take into account the attitudes of former Gaelic ruling families, dispossessed and exiled as a consequence of the Ulster plantation. Strafford himself was well aware of the threat which they offered to the success of his policies, and his fears were to be borne out in 1642 when Owen Roe O'Neill returned to Ireland to assume leadership of the Ulster rebellion. A fourth group requiring mention are the Lowland Scots who provided the bulk of colonists in the 'unofficial' plantations of Antrim and Down. Their *mentalité*, which linked them with the Scottish Covenanters of 1638, deserves a fuller analysis than it has yet been given. Finally, we may mention the MacDonalds, whose interests spanned the narrow seas between Dunluce and Kintyre and with whom Strafford found himself dealing during the crisis years of 1638-40. All these groups emerged into the full light of day during the Confederate period (1642-9). Evidence from those years needs to be drawn upon to provide details of their aims and attitudes during Strafford's deputyship.

Thanks largely to the work of a generation of younger scholars, we know a good deal more about the 'old English' than was the case thirty years ago. This was a political grouping, which was propelled into oblivion as a result of the Cromwellian plantation of the 1650s but which a decade earlier had been socially and economically dominant in Ireland. Thanks to the work of Brendan Bradshaw, Aidan Clarke, and Nicholas Canny, together with that of their pupils, we now know far more about the *mentalité* of the old English. Looking back from the vantage point of the 1630s,

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the old English could see themselves as having been involved in the implementation of crown policy in Ireland, or major aspects of it, for a century. Research since 1959 has made it clear that the 'old English' were responsible for urging a policy of 'conciliation' upon the Tudor monarchy. It was thanks to the 'old English' that the policy of 'Surrender and Regrant' was introduced, according to which the ruling chiefs of the various 'countries' of Ireland were to be persuaded, or pressed hard, to accept the introduction of English common law into their territories.

The 'old English' had thus committed themselves to the progressive 'anglicisation' of Irish society. The impact of the Reformation, however, gave 'anglicisation' a new meaning. Political loyalty, as such, was not enough. It was now linked to religious conformity and as a consequence the 'old English' found themselves on the defensive against a hostile Protestant administration. In 1581 it was necessary for the 'old English' Sir Nicholas White to stress 'what a strong garrison without pay the seed of English blood hath made to her crown since their first planting'. He advised the queen to avoid 'the rooting out of ancient nobility' and harsh court decisions by 'judges that be bloody' (Canny 1987, p. 167). In the early seventeenth century, 'the old English' were understandably resentful about their exclusion from political power despite their loyalty during the 'Nine Years War' with Hugh O'Neill (1595-1603). It is clear that Strafford alienated the 'old English' by refusing to grant them the secure land titles which he had promised. In June 1640 'native' joined 'planter' in active opposition to Strafford's administration. It was not land alone, however, which fuelled resentment. If we raise the question of *mentalité*, I think it is possible to see a shift of attitude among the 'old English' as a consequence of their experience during Strafford's deputyship. In 1626 they had attempted to bring pressure to bear upon the crown by demanding redress of grievances, the so-called 'Graces', in return for subsidies. In 1640 we find them appealing to an Ancient Constitution. This would seem to be a direct reaction to Strafford's stress upon conquest theory, his use of Castle Chamber and his attempt to disenfranchise certain parliamentary boroughs. They now referred to him as 'a Basha of Buda'.

In Patrick Darcy's *Argument* (1641) we find an attempt to base the liberties of Ireland upon the Ancient Constitution of England.

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Darcy was a Catholic lawyer, trained at the Inns of Court, who had been associated with the earl of Clanricarde's resistance to the Connacht plantation. For him the key question raised in an attempt to thwart Strafford's Irish policies, was 'whether the subjects of this Kingdom be a free people . . . to be governed onely by the common lawes and statutes of Force in this Kingdom'.

John Pocock, in his study *The Ancient Constitution and the Feudal Law* (1957), has analysed the way in which the parliamentary opposition to the crown believed in the existence of an ancient English constitution which stretched back beyond 1066 to time immemorial. It was this 'myth' which sustained them in their opposition to the crown. Magna Carta was not a 'feudal' document (as modern historians tend to see it), but a confirmation of English liberties which were enshrined in the Laws of Edward the Confessor. Darcy took over these arguments, lock, stock and barrel, in his *Argument*. 'William the Conqueror', he declared 'did call to the Judges to declare and compile Edgar's laws and S. Edwards's laws, which were buried and forgotten by the Danish government.' Parliament was the highest tribunal of the Realm, 'as appears copiously by the Great Charter and by constant practise of all Parliaments since that time'. Darcy adopted the view of Coke that 'the law of England' is 'the best humane law' and argued, like Coke, that 'the supreme and governing law are the common-law; common-customs and the statutes of the Realm and the rest are but ministers and servants unto it'. English law provided Darcy with his refutation of what he saw as Strafford's arbitrary rule: 'The government of England being the best in the world, was not only Royal but also politicke—not to do death to the subject, like Cain, Nemrod, Esau and like hunters of men'. Darcy also mentioned the coronation oath as another integral element of the Ancient Constitution which symbolised the threefold trust between king and people, 'between Sovereine and subject, Father and Children, Husband and wife'. 'The lately introduced course of the Castle Chamber and Council Table' was contrasted with the way of the common law. Darcy referred repeatedly to the Great Charter, quoting it for example against excessive fines 'in terrorem' made by the Court of Castle Chamber.

Another aspect of the Ancient Constitution was the right of boroughs to send representatives to Parliament. Darcy regarded this as resting upon traditions stretching back to the earliest times

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—‘all Cities were Boroughs in the beginning and from them came Burgesses to the Parliament’. Sheriffs who applied ‘quo warranto’ proceedings were in a position to ‘overthrow Parliaments, the best Constitutions in the world’. ‘The Court of Parliament is the supreme Court, nay, the Primitive of all other Courts.’

For Darcy, in short, ‘Ireland was annexed to the Crown of England, and governed by the laws of England’.

This Nation ought to be governed by the Common-laws of England . . . the Great Charter and many other beneficial statutes of England are here by force of reason or argumentation to change which were to alter foundation layed 460 yeares past, and to shake a stately building thereon erected by the providence and industrie of all the ensuing times and ages. This is so unanswerable a truth and a principle so cleere that it proveth all, it nedeth not to be proved or reasoned.

Darcy’s *Argument* was not the only treatise which appeared during these years. Geoffrey Keating’s *History of Ireland (Foras Feasa ar Eirinn—The Foundation of Knowledge of the Men of Ireland)* also provides evidence of an appeal to an Ancient Constitution which, unlike Darcy’s, emerged from a distant Irish past. Keating criticised historians who

never comprehended that Ireland was a region apart, a little world of its own as it were and that the nobles and men of learning who dwelt there long ago instituted systems of jurisprudence, medicine, poetry and music which were governed by special rules applicable only in Ireland.

In his *History* Keating argued that even before the coming of Christianity there was an Irish ‘parliamentary’ assembly as well as an Irish High Kingship. According to Keating the Irish high kings regularly summoned the ‘Feast of Tara’ (Feis Teamrha), ‘when the entire assembly sat for the purpose of determining and completing the laws and customs of the country’. In our own day, Professor Daniel Binchy has demonstrated that the ‘Feast of Tara’ was a primitive fertility rite associated with the sacred kingship of the Ui Neill and last celebrated in the mid-sixth century (Binchy 1958). For Keating and his many readers, however, the Feast of Tara provided the equivalent of an Ancient Constitution, an Irish parallel to the English Laws of Edward the Confessor. (In modified form Keating’s views of the ancient Irish polity survived into the school textbooks of contemporary Ireland, a fact upon which Professor Binchy has commented ironically (Binchy 1982).)

Keating, though himself of ‘old English’ background, wrote in

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Irish, itself an indication that for some at least of the old English at this date there was no linguistic gap between themselves and Gaelic elements in society. Keating's History indeed has been seen as an attempt to provide the 'old English' with a Gaelic past by regarding them as the latest in a long series of invasions, of which the most recent hitherto had been that of the Sons of Mil (Cunningham 1986).

Perhaps the main question raised by the 'Ancient Constitution' views of Darcy and Keating is the extent to which Strafford's deputyship may be regarded as a 'cause' of the Irish rebellion of 1641. Professor Aidan Clarke has argued that there was 'continuity' between the constitutional protest movement of 1640-1 and the rebellion (Clarke 1970). If this was the case it would indicate that Strafford, by arousing bitter opposition, helped directly to precipitate the rebellion. In an important recent article, Dr Raymond Gillespie has stressed the importance of economic unrest and of ideological conflict in Ulster (Brady and Gillespie 1986). I agree with Dr Gillespie in the sense that I regard Ulster as the 'flashpoint' where potentiality for revolt existed. What led the 'old English' constitutionalists into joining the Ulster rebels was not their experience of Strafford, who had been executed in May 1641, but the attitude of the Puritan majority in the English parliament. The 'new English', with their belief that the Pope was the Anti-Christ, were now in the ascendant. The rebellion with its accompanying massacres (as it was believed) came as no surprise to them. It did come, I believe, as a surprise to the 'old English'. Their belief in an Ancient Constitution did not prepare them for armed rebellion, but for constitutional conflict. It was this to which they returned in the Confederation of Kilkenny. For the 'old English' during their negotiations with Charles I during the 1640s the shadow of Strafford loomed larger than the plantation of Ulster. For Owen Roe and the Ulster Irish the reverse was true. In rejecting Strafford's policies, however, his critics were also rejecting a 'conquest theory' tradition which went back to Sir Henry Sidney.

Since I wrote in 1959 there has also been a good deal of work on the protestant 'new English' interest. During the 1950s, Terence Ranger in his study of Richard Boyle, earl of Cork, and of William Parsons' role in the plantation of the 'Birne's Country' (today's

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Co. Wicklow) stressed the importance of the economic self-seeking in the outlook of the 'new English' (Ranger 1961). Today the religious and ideological concerns of the new settlers are given greater attention. 'The Reformation' rather than 'the Rise of Capitalism' is the subject of debate.

Brendan Bradshaw has identified two basic religious attitudes among the 'new English' during Elizabeth's reign (Bradshaw 1978). The first of these, which he associates with Sir Henry Sidney, emphasised the primary importance of 'thorough' conquest before headway could be made towards the reformation of the Irish. The second attitude, held by such figures as Sir John Perrot, was more conciliatory. The establishment of Trinity College, Dublin, as an institution reaching out to the Irish, represented a victory for the forces of conciliation within the administration, after a delay of thirty years, during which the rigorists had opposed the foundation of an Irish university.

The policy of 'conquest' was associated with a hostile assessment of Irish potentialities. In 1585, Andrew Trollope, an advocate of 'conquest' wrote to Walsingham, declaring that the Irish were 'not thrifty or civil and human creatures, but heathen or rather savage and brute beasts' (Canny 1987, p. 168). Another advocate of conquest was John Mercury, for whom 'rigour hath its times in all government'. The justification of this policy was seen to rest on God's will. Trollope was in 'no doubt' that God had been offended by the failure of the monarchy in Ireland to restore it 'to order and thus to prosperity' (Canny 1987, p. 173).

In the early seventeenth century this view was represented by such figures as Sir William Parsons, who advocated further plantation on the grounds that 'that course seems to be pointed unto us by the finger of God . . .' (Canny 1987, p. 190). Ministers who were associated with the plantation of Munster appealed to the old Testament in an attempt to maintain the morale of their charges. As God's anger had punished the Israelites, so, William Hull, an English minister settled in Cork, declared, 'will it out English Irish [sc. the new English] if they do not speedily repent: neither Covenant nor marriage must be made with idol worshippers' (Brady and Gillespie 1986, p. 70). George Andrews, bishop of Ferns and Leighlin (1635-48), quoted Deuteronomy to the same effect on the dangers of inter-marriage. Popery was not to be tolerated.

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Thou shalt smite them, and utterly destroy them; thou shalt make no covenant with them, nor show mercy unto them; neither shalt thou make marriages with them . . . For they will turn away thy sons from following me, that they may serve other Gods. (Brady and Gillespie 1986, p. 70)

Hugh Trevor-Roper's recent study of James Ussher, archbishop of Armagh, demonstrated that Ussher, far from being a moderate, was very much part of this 'No Popery' tradition (Trevor-Roper 1987).

Some 'moderates' existed. The earl of Ormond, though a Protestant, had numerous Catholic relatives. William Bedell, the bishop of Kilmore, argued that the 'new English' themselves were 'the chiefest impediments of the work that we pretend to set forward. Even allowing for the relative moderation of Bedell and Ormond, it seems indisputable that the outlook for the 'new English' colonists, at the leadership level, was marked by strong feelings of 'No Popery', comparable to those held by those in the English parliament who supported Eliot's 'Three Resolutions' in 1629. The Irish administration between the departure of Falkland in 1629 and the coming of Wentworth in 1633 was strongly Puritan. The arrival of a lord deputy strongly committed to the enforcement in Ireland of the Arminian policies of Laud thus came as all the more of a shock. While it is no doubt helpful for the historian to examine the economic grievances of the 'new English', religious fears were probably dominant. As Professor Hibbard has demonstrated (Hibbard 1983), the threat of a Popish Plot during the 1630s appeared ever more menacing, and when Strafford was impeached in 1641 it was not the least of the charges to be brought against him that:

For effecting his traitorous and wicked designes he did endeavour to draw dependence upon himself of Papists in England and Ireland and to that end during his government in Ireland restored frieries and Mass-houses which had bin formerly suppresst by precedent deputies. Two of them in the city of Dublin and had been assigned to the use of the University to the pretended recusants who have implored them to the exercise of the popish Religion and in May and June last, did raise an Army in Ireland of 8000 foote all (except 1000) papist which 1000 were drawn out of the old Army and in their places put 1000 papists. (Rushworth, *Collections* viii. 69-70)

Of course religion was not the only factor influencing the *mentalité* of the 'new English'. As Terence Ranger and John Cooper

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have shown (Ranger 1961; Cooper 1966) the planters worked hard at the acquisition of the Irish land by legal, or quasi-legal, means. Strafford found himself in conflict with them over precisely this issue. It is still unclear, however, as the controversy between Ranger and Cooper over the 'Birne's Country' demonstrated, whether Strafford was a reformer in the crown interest or a newcomer who became rapidly expert at beating the planters at their own game. Strafford undoubtedly made money out of Ireland, but his personal profits may not have been exorbitant by the standards of his predecessors (such as Chichester) or of his critics, such as Cork or Parsons.

It remains to ask how far the conclusions which I reached in 1959 still seem to be valid today. In 1959 I concentrated my attention upon the political and economic aspects of Strafford's deputyship. Today I would be tempted to say much more about his religious views, and about religious tensions generally. As Professor Hibbard has demonstrated (Hibbard 1983), there was a widespread belief in England and Scotland during the late 1630s in the existence of a Popish Plot throughout the Three Kingdoms. As we have seen, Strafford's toleration of Irish recusants was based upon reason of state. It nevertheless left him open to the charge of favouring 'Popery'. His raising of an Irish army in 1639 also seem to many to be part of a 'Plot', though Strafford's reluctance to provide arms for a Catholic earl of Antrim indicates that such an interpretation of his actions was without foundation. Strafford's political links with Laud also left him open to the charge of Arminianism, though he was, I believe, a 'politique' in religious matters. Emotional considerations seemed to have played a great part in arousing hostility to policies which Strafford defended on economic grounds. It was the 'No Popery' card which John Pym played against Strafford at the opening of parliament in November 1640, when he declared about Strafford's Irish deputyship:

If this treason had taken effect our souls had been enthralled to the spiritual tyranny of Satan, our consciences to the ecclesiastical tyranny of the Pope, our lives, our persons and estates to the civil tyranny of an arbitrary, unlimited confused government. (Pym's speech on Strafford's impeachment, 25 November 1640: Kenyon 1986, p. 192)

In 1959 I also seem to have exaggerated the strength of Strafford's position in the English Privy Council. His alliance with

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Laud, which turned out to be a source of weakness, may well have been forced upon him by the hostility of the king. Strafford's own requests for an earldom were repeatedly ignored. Indeed throughout his deputyship he was conscious of the ease with which it was possible for his critics in Ireland to make their influence felt at court. It was probably this which drove him to make an example of such figures as Mountrorris.

I also tended to assume that Strafford's failure was inevitable because of his lack of political skills. His policy of plantation in Connacht led him into bitter conflict with the 'old English' gentry while at the same time his Laudian religious policies involved him in a clash with the Puritans among the 'new English'. It can nevertheless be argued that it was not his policies in Ireland which brought about his downfall so much as the Scottish rebellion, the causes of which lay beyond his control and which spread inevitably among covenanting settlers in Ulster.

I do not believe that Strafford intended to use Ireland as a model for policies which he intended to use in England. On the contrary he saw himself, I believe, as completing the 'modernisation' of Ireland as a whole in the manner of Sidney. The plantation of Connacht, a key element in his own policies, had been advocated by Spenser and Davies. Strafford wished,

in the person of my lord Clanrickard to make an end of all Irish Dependencies being now the only considerable left amongst them which undoubtedly hath been in the Ages before us a strong and forcible means of many great Disservices to the Crown of England and of many grievous oppressions upon this people. (Knowler i. 450)

In making this judgement Strafford appears as a latter-day Elizabethan. His predicament arose from the fact that there were now 'Three Kingdoms' instead of two, as there had been in the Queen's reign.

Three futures seemed possible for Ireland in the early seventeenth century. The first was a 'Royalist' future in which the lord deputy backed by the Privy Council would hold the reins of power. The second was an 'old English' future which became a practicable possibility with the Confederation of Kilkenny in the 1640s. The third was a 'Puritan' future decided by the class of 'new English' planters. It was this last future which, after the Battle of the Boyne (1690) set the tone of Irish government and society for the next two centuries.

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PREFACE (1959)

THE name of Thomas Wentworth, earl of Strafford, is among the best known in modern English history, and the outline of his career is almost as familiar to students as that of his contemporary, Oliver Cromwell. For sheer ability and force of character, as well as a certain ruthlessness, his name may be coupled with Cromwell's, although he has never attracted a biographer of the capacity of Sir Charles Firth. Strafford stood out head and shoulders above the English politicians of the early Stuart period, but paradoxically he spent his most mature years in Ireland, and like Cromwell himself his name is bound up with the history of that country during the seventeenth century. Hence a study of the middle years of Strafford's career will be of necessity something of an excursion into Anglo-Irish history in which the historian attempts to maintain a slippery foothold on both sides of the Irish Sea.

Thomas Wentworth was born in 1593, eldest son of Sir William Wentworth, a leading member of the Yorkshire gentry, and his early career was typical of his fellows in almost every respect. He went up to Cambridge in 1608, he obtained a smattering of law in the Inner Temple, he married the Clifford heiress, he went on the Grand Tour, and in 1614 he was elected to parliament as a knight of the shire. The auguries could hardly have been more excellent.

However, the paths to political power proved more difficult for Wentworth than they did for one who was almost the same age, George Villiers, duke of Buckingham. In 1627 his political future was unpromising; he, along with many others, was imprisoned for refusal to pay the Forced loan and he had lost the minor post of *Custos Rotulorum* for Yorkshire. However, in 1628 events moved more swiftly than he could have foreseen. Charles I was compelled to compromise over the Petition of Right in the agitation for which Wentworth played a leading role, and Buckingham's death in August 1628 created a new set of political circumstances, from which Wentworth was one of those who benefited. Late in 1628 he was appointed to the Presidency of the North, a key post in