Introduction: Hunting, violence, and the origins of the English Revolution

> You go down new streets, you see houses you never saw before, pass places you never knew were there. Everything changes . . . Sometimes it changes even if you go the same way.
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> Samuel R. Delany, *Dhalgren* (1974)

I

This book is about the series of attacks on parks, chases, and forests in southern England during the late spring and summer of 1642. It is also about the words used to define the meanings of the attacks and about how these words were weighted with the histories of the places where the attacks occurred. Many of those who killed deer or cut down woods during this summer of violence justified their actions as a defense of high principles, claiming the moral authority of law and commonwealth. Their words evoked the long histories of communities embedded in the royal forests or perched on the margins of forests, those great hunting preserves of the English crown and nobility. As early as October 1641, neighbors on the southeastern border of Windsor Forest had justified attacks on the king's deer as a defense of their "ancient customs" and the status of their lands as liberty of purlieu rather than forest, and these attacks continued in the following year. In late April 1642, hunters in Waltham Forest cited the limits of settled law as a defense for killing deer.[1] This book tells the political histories that lay behind this choice of words and actions in 1642.

The histories merit the telling for their remarkable individuals and revealing social dramas, but their larger interest lies in the significant light they cast on the nature of the English Revolution, the often violent process of political change that, in its most familiar form, resulted in the

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[1] H[ouse of] L[ords] R[ecord] O[ffice]: Main Papers, 1509–1700: 27-10-1641; Main Papers, 1509–1700: 2-5-1642; [*House of] L[ords] J[ournal]*, vol. 4: 406–407, 434, 547.

transformation of a monarchy to a republic or "commonwealth" in 1649. Few would deny that this major transformation of the English regime depended on new forms of political belief, as well as new modes of political expression and action.[2] As John Walter has argued from the evidence of political violence in Colchester, however, this new politics of the 1640s emerged from the familiar political world of the early seventeenth century and retained many of its essential features.[3] The origins of the revolution explored in these pages concern the complex ways political ideas were expressed in speech and action in the forest communites of Stuart England during the decades before the Civil War.

Although the common culture of church and civil affairs marked these communities as it did all other corners of the realm, the unique law and institutions of forests fostered a distinctive political discourse. Moreover, this discourse inevitably touched on the symbolism of royal authority and honor. The law code of the Stuart forest regime upheld and protected the environmental demands of the hunt, standing among the highest ritual expressions of royalty and nobility. The regime's courts and officers negotiated the relationship between the needs of hunters and the rightful claims and "liberties" of the forest "commonwealth." As the conventional use of such terms suggests, the denizens of Waltham, Windsor, and other forests understood their rights and obligations as matters of principle long before 1642, though the politics of these principles had never involved a choice *between* crown and commonwealth claims in the forest.

The political crisis of the early 1640s affected all the domains of the Stuart regime. Indeed, the inability or unwillingness of its major figures to confine its impact to the relations between crown and parliament constituted a significant feature of the crisis.[4] Among forest communities, and especially in the important royal hunting preserves of Windsor and Waltham in southern England, the crisis brought to a head a process of law reform that made the traditional claims of crown and commons in the forest seem irreconcilable. Under these circumstances, defenders of the forest law in both court and parliament warned against the dangerous license of attacks on deer and woods and issued orders to uphold the new statute of August 1641, negotiated between crown and parliament to redress

[2] See the recent overview in Austin Woolrych, *Britain in Revolution, 1625–1660* (Oxford University Press, 2002), 189–233, 335–365.
[3] John Walter, *Understanding Popular Violence in the English Revolution: The Colchester Plunderers* (Cambridge University Press, 1999), 71–157.
[4] Woolrych, *Britain in Revolution*, 189–233; Mark Kishlansky, *A Monarchy Transformed: Britain, 1603–1714* (London: Penguin, 1996), 134–157.

the grievances of the forests.[5] But many others sought redress of grievances in a radical disafforestation that defied the statute, as local coalitions of gentry and commons killed thousands of deer and cut down hundreds of trees in Windsor, Waltham, Corse Lawn, and on the borders of many other forests, chases, and parks, showing a startling willingness to attack, and even to destroy, the traditional forest polity in defense of its common-wealth. If these divisions did not always make for easy choices between crown and parliament when it came to civil war, the polarization of forest politics remained an important feature of the political landscape on the eve of war and had an enduring impact on royalist and parliamentarian political ideologies.

In short, this book is about how these "special localities," to borrow the nineteenth-century historian Samuel Rawson Gardiner's term for the forests, fostered a distinctive ideological politics and about how this politics generated some quite radical challenges to the Stuart regime in the early 1640s.[6] It is a history of local speeches and actions that reveals as much about the longterm processes of political negotiation and change as about the revolution, and suggests that both were integral to the formation of an informed, activist political society in early modern England.

II

The politics of unmaking the forests of southern England in 1642 reveals aspects of the revolution that engage with three and a half centuries of historical writing about it. Since the seventeenth century, a great historiographic tradition has questioned the pace and timing of revolution in England, attempting to establish its boundaries in time. According to one major variation on this theme, the revolution, understood in terms of radical changes even if the word "revolution" is not used, was a total transformation of regime that followed and depended on the violence and disruption of civil war. In his *History of the Rebellion*, written in part during the war, the Earl of Clarendon began with the death of James I in 1625 and the "abrupt and ungracious breaking" of the first three parliaments of Charles I, but viewed the greater "perplexities and distractions" of the 1640s as a gradual process of compounded evils. Clarendon believed the "hand and judgment of god" had worked the "rebellion and civil wars" at

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[5] 16 Car. I, c. 16, in *Statutes of the Realm*, 5: 119–120.
[6] Samuel R. Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War, 1603–1642*, 10 vols. (London: Longmans, 1894), 8: 281.

his own majestic pace, "making the weak to contribute to the designs of the wicked, and suffering even those by degrees, out of the conscience of their guilt, to grow more wicked than they intended to be." Only after the civil war, Clarendon observed, did "the violence of the stream" and "the wild fury of the [parliamentarian] army" force their way to the king's execution and the establishment of a commonwealth. A foul blasphemy, "introducing atheism and dissolving all the elements of christian religion," had led gradually to a corruption of the English political conscience. Clarendon lamented "the terror all men were under of the parliament, and the guilt they were conscious of themselves," following the war, such that "from one piece of knavery [they] were hardened and confirmed to undertake another, till at last they had no hope of preservation but by the destruction of [the king]." Clarendon alluded to the "tumults" of the early 1640s, before the war, as "the first declension of [the king's] power," suggesting an important crisis, especially significant in its impact on the practical uses of authority, but lacking the catastrophic moral, personal, and structural or institutional implications of later events.[7]

Clarendon's view of the pace and timing of radical change during the 1640s has been reiterated in Austin Woolrych's recent account of *Britain in Revolution*. Woolrych approaches the revolution as the culmination of processes set in motion by the great crises or "climacterics" of 1640 to 1642 and 1647 to 1649. He uses the term "climacteric" to remove the freight of modern meanings conveyed by "revolution" and to suggest the unscripted, unplanned qualities of major developments during these critical times. His approach makes descriptive sense but sidesteps the problem of how this first crisis, in particular, came to have such a profound impact on the regime's fortunes. On the whole, Woolrych seems to assume a dizzyingly rapid process of politicization in 1639 and 1640, punctuated by the expanding electorate's response to "national issues" in the elections to the Long Parliament. Partisan political information spread through "public readings of royal and parliamentary declarations by magistrates and parsons, many sermons, musters of the trained bands, a spate of pamphlets, and any amount of talk in taverns and alehouses." This process showed its effects quickly, culminating in such familiar moments of the general crisis as the display and defense of the parliament's "protestation" to justify political action in the demonstrations of January 1642, in London and in the many provincial petitions that followed. Crown and parliament engaged in the

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[7] Edward Hyde, Earl of Clarendon, *History of the Rebellion and Civil Wars in England*, ed. W. D. Macray, 6 vols. (Oxford: Clarendon Press, 1888), 1: 1–2, 5, 6, 567; 4: 428, 453, 491.

"paper war" for political allegiance during spring and summer 1642, as both beneficiaries and victims of this newly broadened politics. It remains difficult to understand how new forms of political action could have come into being so quickly. Woolrych adduces the growing literacy and political awareness of the middling sort during the early seventeenth century to explain the rapidly alienated "hearts and minds" of English subjects, but this is difficult to reconcile with his view of the Civil War as the result of "a quarrel which until shortly before the fighting started involved few outside the governing class."[8] In fact, the problem here is that we know relatively little about the extent to which the English commons understood their concerns in political terms before the crisis of the early 1640s.

Within this tradition of historical writing, a quite different view of the revolution has drawn on the work of English republicans, who attempted to justify the new political order of the 1650s after the civil wars and regicide of the previous decade. Among this circle of writers, the English common-wealth could be justified as a practical choice made under the most danger-ous circumstances: the bankruptcy and collapse of the Stuart monarchy had forced parliament and people to assume the responsibilities of gover-nance between 1640 and 1642, and this revolution itself had caused the civil wars that led to the king's execution. In 1656, James Harrington famously concluded from his account of the English nobility's social and military decline that "the dissolution of this government caused the war, not the war the dissolution of this government." Between the late fifteenth and early seventeenth centuries, in Harrington's view, the displacement of the nobility as an effective military class had empowered the commons and destroyed the traditional social basis of English monarchy, a process that culminated in the political crisis after 1640 and the outbreak of civil war in 1642.[9]

Over three centuries later, Lawrence Stone accepted Harrington's obser-vation as "a profound truth" and included it among the "presuppositions" of his analysis of the revolution. As Stone explained with characteristic assurance, "the outbreak of war itself is relatively easy to explain; what is hard is to puzzle out why most of the established institutions of state and church – crown, court, central administration, army, and episcopacy – collapsed so ignominiously two years before."[10] More recently, this

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[8] Woolrych, *Britain in Revolution*, 14–15, 131, 138, 140, 157, 217–218, 227, 229–230.
[9] James Harrington, *The Commonwealth of Oceana* (Cambridge University Press, [1656] 1992), 54–56.
[10] Lawrence Stone, *The Causes of the English Revolution, 1529–1642* (London: Routledge, 1972, 1986), 48.

argument for the revolutionary significance of events during the early 1640s
has shifted away from discredited allegations concerning the "collapse" of
the Stuart regime and has focused instead on changes in forms of political
communication and action or agency. It is worth recalling the precedent
for this concern with agency in Thomas Hobbes's assertion that "the power
of the mighty has no foundation but in the opinion and belief of the
people" and his casting of the civil wars as the consequence of a battle to
control such opinions and beliefs.[11] But the problem has found renewed
currency in John Walter's innovative use of micro-history to study the
Stour Valley riots, a common if imprecise term for the popular attacks on
catholics and royalists in Essex and Suffolk from September to December
1642. Walter concludes that between 1641 and 1642 this region underwent a
rapid transformation of its traditional forms of political action, involving
their use in the service of more radical, parliamentarian political ends. A
key feature of this process was the broad circulation of the "protestation," a
formal bond of association drafted by parliament in May 1641, following
Charles's failed attempt to seize the Tower, where his friend and councilor
the Earl of Strafford awaited parliament's sentence for treason. In response
to the catholic menace allegedly revealed by this attack, the protestation's
subscribers took an oath to defend the crown, parliament, and church from
all vile "popish" designs against the fundamental laws and religion
of England. Although initially confined to the parliament, the broader
administration of this charge in many parts of the country during the
ensuing months changed the political meanings of such traditional forms
of communication and action as swearing oaths, preaching sermons, and
assembling for musters. Amidst fears of catholic plots and secret stockpiles
of weapons, these traditional modes – and the swearing of oaths, in
particular – were used in Essex parishes to "appropriate" the terms of the
protestation in a powerful new "covenant" to defend the protestant religion
from popish attacks. The most important feature of the "revolution" in
1642 becomes a new political activism, resulting in the mobilization of large
but disciplined crowds for clearly articulated political ends. In Walter's
view, this "interaction between events at the centre and the region pro-
moted the belief that the people had a direct role to play" in political
events, and became a major precondition of the mass demonstrations in
support of parliament during the late summer and fall of 1642.[12]

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[11] Thomas Hobbes, *Behemoth or the Long Parliament* (Chicago: University of Chicago Press, [1682]
    1990), 2–4, 16, 49–59.
[12] Walter, *Understanding Popular Violence*, 291–296.

Walter approaches politics as a cultural art, a molding of language and action that constrains as it constructs identities, limiting as it confers power upon those who attempt it. The momentous changes of 1641 and 1642 remained a "political" rather than a "social" revolution, an activism directed against "popish" and "royalist" enemies rather than an attack on "gentlemen," because the language of antipopery and parliamentarianism imposed the constraints of "a dominant discourse of political, not social, conflict."[13] In this way, much of the recent work on the problem of agency during the revolution has explored the boundaries and possibilities of language, including the political importance of print after 1640. Accounts of a "media revolution" between 1640 and 1642 have brought renewed attention to such familiar landmarks as the statute abolishing Star Chamber and High Commission in July 1641, which drastically curtailed the regime's control over printers. Joad Raymond has argued that "this plague of pamphlets" implied "a dramatic transformation in both political consciousness and the distribution of information," while David Cressy has revived the notion of "an explosion of print" after 1640 and has identified this "revolution in communications" as a key aspect of the "intensified national conversation" that distinguished the crisis.[14] In this view, literacy seems to furnish the crucial political skills to build a new politics, and events often seem less important in themselves than in their representation in the media, especially in newsbooks. A new kind of political publication thus facilitated a new awareness of events and their implications, a new political consciousness, that served as a new framework for political action.

Both of these traditional views of the revolution's pace and timing have tended to approach conflict in the Caroline regime in terms of the high political dispute over the proper relationship between prerogative and law, whether in religious or in civil affairs. Moreover, the accounts that have looked for the broader social context of conflict have often merely stressed a more general awareness of these principles, rendered as fears of popery and arbitrary power, in English political culture.[15] The present book departs from this pattern in its use of a less familiar political narrative, involving the

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[13] Ibid., 345.
[14] Joad Raymond (ed.), *Making the News: An Anthology of the Newsbooks of Revolutionary England, 1641–1660* (New York: St. Martin's Press, 1993), 6; David Cressy, *England on Edge: Crisis and Revolution, 1640–1642* (Oxford University Press, 2006), 281–376.
[15] See the references to a few among the many relevant contributions in Jonathan Scott, *England's Troubles: Seventeenth-Century English Political Instability in European Context* (Cambridge University Press, 2000), 56–57, 94–97.

history of forests and hunting preserves, to explore the significance of a
politics of honor both in the making of the Caroline regime and in its crisis
during the early 1640s. The dominance of a limited view of the crisis,
defined in the high political terms of prerogative and law, has tended to
overlook a politics of honor in forests that involved an intense and some-
times violent competition among gentry families, leading often enough to
attacks on the king's deer. It is difficult to understand the significance of
"law" and "commonwealth" principles in the forests apart from the honor,
status, and reputation to be won in their defense. But forest politics also
involved a negotiation between royal claims to the forest as a hunting
preserve and the legitimate rights of the commons to fuel, pasture, and
other forest resources. The forests, chases, and parks of Stuart England,
often dismissed as little more than quirks of early modern power, thus
constituted dynamic political arenas, defined by an ideologically charged
interplay among the interests of crown, gentry, and commons. This poorly
understood political domain served as a platform for some of the highest
expressions of royal honor and power and for some of the most radical
"commonwealth" aspirations in the popular politics of the early seven-
teenth century.

III

Historians have long been aware of the attacks on Windsor and Waltham
forests in the months before the outbreak of the Civil War. Clarendon
recalled that, following the dissolution of parliament in 1629, "projects of
all kinds, many ridiculous, many scandalous, all very grievous, were set on
foot." Among these projects, Clarendon included the revival of the forest
laws and the "great fines" imposed, a burden "most upon persons of quality
and honor" but also an element in the "tumults which might easily be
brought to Windsor from Westminster" in early 1642.[16] Historians since
Clarendon have ascribed many different meanings to the "tumults" in the
hunting preserves of southern England, a fluidity of interpretation due in
part to changing styles of historical interpretation and in part to uncer-
tainties regarding the records of these episodes, touched in many ways by
the first blasts of civil war. Gardiner classified the early Stuart forests
among the "foremost" of "special localities," whose grievances lacked the
national scale of ship money yet revealed in a unique setting the "encroach-
ments upon the rights and liberties of subjects, made in the most insidious

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[16] Clarendon, *History of the Rebellion*, 1: 85, 567.

form possible, under the cloak of the law and under the sanction of those who should have been its guardians."[17] More recent work has questioned the long history of attempts, including those of parliament in 1640 and 1641, to fit the forest laws "smoothly into a series" of grievances, including ship money, feudal incidents, and monopolies, "linked by the fiscal exploitation of anachronistic prerogatives of the crown."[18] To an earlier generation of historians, the forest eyres, or high courts, used to enforce the royal prerogatives of the forest during the 1630s had helped to drive this Caroline fiscal machine. There is a tendency now to explain the forest eyres in Windsor in 1632, Dean and Waltham in 1634, the New Forest in 1635, and Rockingham in 1637 as more or less discrete events, a mixture of reform and opportunism lacking a coherent national design. In the absence of such a design, the "tumults" of the early 1640s become little more than a species of local opportunism.

Indeed, historians have only recently begun to explore the way participants in these local episodes understood their own actions. The earliest ventures evoked a "popular politics" almost entirely separate from the matters of law, authority, liberties, and formal political concepts debated between crown and parliament. Rejecting the assumption that the crown and parliamentary classes defined all "politics" worthy of the name, Brian Manning viewed the forest violence in 1642 as a "peasant hostility against the king and the great landlords," directed against "the most hated symbol of the aristocrat," and "only loosely connected with the challenge of parliament to the king."[19] This notion of "social protest," enabled but not defined by the division of king and parliament, has been used to analyze the "village revolts" in the Forest of Dean and in the fenlands during the 1630s and 1640s, and local grievances continue to form a layer in an increasingly sophisticated understanding of popular politics.[20] But a substantial body of evidence, including much of the evidence of forest politics, resists explanation in the same Malthusian terms as local protests over food

[17] Gardiner, *History of England*, 7: 362–366; 8: 77, 86, 281–282; 9: 383, 415.
[18] George Hammersley, "The Revival of the Forest Laws Under Charles I," *History*, 45 (1960): 85–102; see also Philip A. J. Pettit, *The Royal Forests of Northamptonshire: A Study in Their Economy, 1558–1714* (Gateshead: Northumberland Press, 1968), 83–95; Kevin Sharpe, *The Personal Rule of Charles I* (New Haven: Yale University Press, 1992), 242–245.
[19] Brian Manning, *The English People and the English Revolution* (Harmondsworth: Penguin, 1976), 181, 207–212.
[20] Buchanan Sharp, *In Contempt of All Authority: Rural Artisans and Riot in the West of England, 1586–1660* (Berkeley: University of California Press, 1980), 263–266; Keith Lindley, *Fenland Riots and the English Revolution* (London: Heinemann, 1982), 253–254; Roger Manning, *Village Revolts: Social Protest and Popular Disturbances in England, 1509–1640* (Oxford: Clarendon Press, 1988), 2–3, 310–311.

prices and the enclosure of land. David Underdown has suggested concepts and language common to elite and popular politics, "a culture whose elements included assumptions about the permanent validity of ancient laws and customary rights, and about the existence of appropriate modes of government in church and state."[21] Although Underdown stresses the traditional qualities of this political culture, its principles indicate a capacity for political as well as social protest. During the early seventeenth century, a local knowledge of courts and the law, the result of broad experience in local office as well as religious conflict and other forms of dispute, began to inform a politics increasingly defined in terms of ideology or principle and capable of direct action in support of crown or parliament in 1642, an activism radical in practical implications even if justified by such conservative texts and oaths as the "protestation."[22] Depending on the quality of evidence available for its study, the term "popular politics" may refer to a wide range of behavior, from a person's presence at a local protest to active participation in episodes addressed to the political nation. The meanings and motives of political action often lie in the relationship between the formal statements made before such institutions as courts of law and the subtle calculations of a pervasive politics of honor and reputation. This inclusive notion of politics is particularly important in the "special locality" of the forest, because the system of forest law and its courts meant "social problems" or grievances in forest neighborhoods were often understood in the formal political terms of prosecution, court procedure, and law. In 1642, the political culture derived from this experience articulated powerful statements of both royal prerogative and commonwealth, the notion of a forest as many interests surmounted by the crown.

The attacks on forests, chases, and parks involved distinctive styles of violence, a contrast in styles related to the meaning of the attacks. The mass killings of deer in Windsor and elsewhere took their meaning from the closely observed rituals used to dispatch individual deer in the hunt. In its highest form, the royal hunt elevated this ritualized killing to a form of sacrifice, the blood and flesh of the slain deer offering a fertile medium for

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[21] David Underdown, *Revel, Riot, and Rebellion: Popular Politics and Culture in England, 1603–1660* (Oxford: Clarendon Press, 1985), 119–130; David Underdown, *A Freeborn People: Politics and the Nation in Seventeenth Century England* (Oxford: Clarendon Press, 1996), 45–89.

[22] Ann Hughes, *The Causes of the English Civil War*, 2nd edn. (London: Macmillan, 1998), 64–72, 132–133; Daniel C. Beaver, *Parish Communities and Religious Conflict in the Vale of Gloucester, 1590–1690* (Cambridge, MA: Harvard University Press, 1998), 113–194, 384–406; Walter, *Understanding Popular Violence*, 71–157, 292–296; Andy Wood, *The Politics of Social Conflict: The Peak Country, 1520–1770* (Cambridge University Press, 1999), 164, 267–270.