

The Politics of Counsel in England and Scotland, 1286-1707

Review Number: 2072

Publish date: Thursday, 2 March, 2017

Editor: Jacqueline Rose

ISBN: 9780197266038

Date of Publication: 2016

Price: £70.00

Pages: 350pp.

Publisher: Oxford University Press

Publisher url: <https://global.oup.com/academic/product/the-politics-of-counsel-in-england-and-scotland-1286-1707-9780197266038?cc=gb&lang=en&>

Place of Publication: Oxford

Reviewer: Matthew Raven

As a concept and as a practice, the provision and reception of counsel was a crucial cornerstone of the politics of medieval and early modern Britain. Those in positions of authority, whether king, regent, ruling council or mayor, were expected to hear virtuous advice. This would, it was fervently hoped, guide the course of governance and ensure just rule. This ambitious and thought-provoking collection forms the published output of a research project on 'The Politics of Counsel' based at the University of St Andrews and funded by the British Academy. This collection proceeds (broadly) chronologically and addresses the provision of counsel in late medieval and early modern England and Scotland. A mere glance at the title is enough to spark the interest of readers. A long chronological period is tackled, which offers the potential to go beyond the normal constraints of edited collections (and, indeed, most monographs and textbooks) and provide a novel and much needed comparison of the interwoven themes of counsel and politics over more than four centuries.

Jacqueline Rose starts off with an introduction to 'The Problem of Counsel', which forms the longest single contribution to the collection. Rose very rightly suggests that the institutional history of councils and the intellectual history of counsel need to be collapsed together. This aim is important and runs through most of the chapters. Rose provides an account of the sources for and vocabulary of counsel, then outlines the continuous framework of good counsel through the period. This introduction is a substantial contribution in its own right and should be required reading for those interested in the nature of rule throughout the period. The benefits of the long view afforded in this collection are quickly made apparent by several fascinating remarks: for instance, Rose suggests (pp. 28–30) that, around 1700, a number of factors stimulated a shift from politics characterised as a means to achieve a unifying common good towards a political scene of balancing competing and sometimes opposing political interests.

The next chapter, by Michael Brown, identifies a core European ideology of counsel and shows how the Scottish experience of the later middle ages tweaked this to cope with frequent periods of minority or abnormal rule. Brown shows how these circumstances were met by a shifting patchwork of formal councils and parliaments, defined guardians of the realm, regents and, in 1305, a council intended by Edward I to govern in his name in his absence. Perhaps Brown's most interesting point regards the aristocratic nature of

counsel in the Scottish polity of the later 14th and 15th centuries. By analysing witness lists to royal charters in the latter years of David II's reign (1329–71) into Robert II's (1371–90), Brown suggests a more integrated aristocratic polity orientated around noble counsel that has been previously thought.

John Watts' following chapter 'Counsel and the King's Council in England, c. 1340–c. 1540' is even more sweeping. It is primarily historiographical and Watts identifies and problematises three grand narratives of the council from the 14th into the 16th century, rightly questioning the inbuilt assumption of a trajectory toward bureaucratisation. He then advocates a path of 'ad hocery' between the institutions of varying permanence and formality mediating counsel. But, intriguingly, set against continuity, he posits a significant shift from the 1440s to the 1480s to a more centralised realm emerging from the Wars of the Roses, which in turn preceded the more complex and defined councils of the early Tudors. There is clearly a great deal more Watts wants to say here, and this chapter certainly sets the tone for his forthcoming instalment in the Oxford History of England series, which will hopefully provide enough space for a more detailed treatment. This is both an important treatment of councils and counsel in its own right and a framework for several of the later chapters.

The broad chronological focus is broken by a close treatment of the second decade of the 15th century by Jeremy Catto, who uses conciliar memoranda to reveal the tightly interwoven relationship between the formal duties of the councillors stewarding the legacy of Henry V and their consciences. Counsel appears as a moral duty, a powerful idea squared against the pervasive problem of what exactly to do with Lancastrian France. Catto argues that the memoranda represent a group of influential lay and spiritual councillors who endeavoured to carry on the work of Henry V in accordance with underlying equitable principles, in the manner of feoffees entrusted with a minority heir and morally bound to preserve his inheritance. This is interesting stuff and raises some wider themes about the relationship of moral pressures to the conduct of events. It is to be read alongside M. Vale, *Henry V: The Conscience of a King* ([1](#)), which presumably appeared too late for use.

We stay in the 15th century for the next two chapters. Eliza Hartrich provides a valuable assessment of the politics of urban counsel, questioning prevalent assumptions on the differences between royal and municipal councils in the process. Hartrich argues that a comparison of royal and urban councils illustrates the common characteristics of royal and urban governmental structures. While Brown and Watts argued that the medieval royal councils of England and Scotland changed in response to immediate pressures or problems, Hartrich shows this to be the case with urban councils too, with both urban and national communities seeing councils as a solution to problems of authority. This chapter is based on meticulous research and clearly forms part of a larger project on the relations between the towns and the polity of 15th-century England. Judging on this effort, it is very much to be hoped that Hartrich will make her wider conclusions available as soon as possible. Claire Hawes uses 'The Harp', a piece of political satire, as a lens through which to view the place of counsel in late medieval Scotland. The Harp is often dated to the reign of James II (1437–60) but is convincingly dated by Hawes to the reign of James III (1460–88). Hawes argues that such literature was cleverly twisted to address the problems of his reign. Hawes ties the messages of The Harp in with centralizing tendencies in the judicial system and with the increasing control exercised by the king and his intimate William Scheves over royal patronage. Her clever analysis of the poem shows how the poet took the familiar advice tropes of counsel and subverted them by reference to James III's reign for the amusement of his enemies, the adherents of James IV (1488–1513). More could, perhaps, have been said on the intended audience and reception of this poem (briefly touched upon) to parallel the emphasis on what the author was trying to do. Again, this case study of a wider theme whets the appetite for further work by Hawes.

Three essays concentrate on the Tudors. Richard Rex studies the effect of the Reformation on Henry VIII's conceptualisation and use of counsel and councils in the early 1530s. Rex shows how conciliar structures were used to force the will of Henry VIII onto his subjects, as those who counselled against his wishes were marginalised. Rex posits an extremely interesting development whereby Henry took advantage of the developing doctrine of royal supremacy to counsel himself in accordance with the divine. The medieval precedents of this theory should be noted, but, in the Reformation context, the apparent downward

imposition of this idea through royal councils could be very important, especially when allied with the increasing enforcement capacity of the Tudor state. Susan Doran provides a thoughtful discussion of Elizabeth I and counsel. This is set within the context of two differing ideas of the place of counsel: one of a mixed monarchical republic with the prerogative limited by counsel and the other of an untrammelled royal will. John Guy argued that Elizabeth tended to follow the second path, especially after the execution of Mary Stewart in 1587.⁽²⁾ Susan Doran examines what Elizabeth herself said on the place of counsel and concludes that she repeatedly and publicly proclaimed herself to be guided by good counsel. Doran does not overturn the received notion of Elizabeth's counsels from 1587: while the privy council had greater input in foreign policy, Mary or Ireland, it was not influential in the succession crisis or religious reform. Thus, Doran qualifies rather than replaces the earlier work of Guy and others and provides a useful perspective in doing so. Staying with Elizabeth, Paulina Kewes concentrates on Elizabethan drama. She highlights the role of popular, as well as elite, performances. Kewes' chosen play is *Kyng Daryus*, which appeared at the height of the Vestiarian Controversy (1563–6) and which, she argues, contributed to the early Elizabethan campaign for reformation by highlighting the need for godly counsel at court to enact further reform on behalf of the Protestants. It is to be hoped that, in her forthcoming book ⁽³⁾, she will include more evidence of eye witness reports of plays to examine how they were received, as one unavoidable disappointment of the current essay is the lack of such reports for *Kyng Daryus* itself. For medieval and early modern historians, authorial intention tends to be easier to recreate than reception, so these sources could open a rare window onto the reception and interpretation of projections of political thinking and authority.⁽⁴⁴⁾

Alan MacDonald examines counsel and consultation in early Stewart Scotland. In essence, MacDonald argues that the Union of 1603 was of greater significance than the accession of Charles I in 1625 in breaking the traditions of consultation between king and subjects. MacDonald contrasts the advisory structures of pre- and post-union Scotland and highlights the difficulties in providing counsel to an absentee monarch after 1603. He suggests that both James and Charles did not share their (Scottish) subjects' views, since they did not accept that the input of the Scottish nobility was essential to good counsel. Many of the problems characterising the reign of Charles can thus be backdated to James' rule. A moment's hesitation in fully accepting this characterisation of advisory structures post-1603 comes with contemplation of the privy council which, as MacDonald himself has shown, kept up a voluminous correspondence with James after 1603.⁽⁵⁾ Both these contributions by MacDonald thus need to be read together.

The next chapter, by Alexander Haskell, dramatically widens the geographical scope of the collection by focusing on early Virginia. Haskell looks at Virginian assemblies as they developed a more elaborate framework of governance and representation from 1619. He argues that these developments aimed 'to tie colonialization to a conciliar framework that the colonisers hoped would secure the ventures godly direction' (p. 212). He provides a fascinating account of the colonial councils as lending overseas plantations a measure of legitimacy. Furthermore, Haskell reveals the factionalism of the resident council in Virginia and explains the enforced dissolution of the mercantile Virginia Company and the England-based Council for Virginia in the face of these competing pressures. All this suggests the comparison of earlier Irish, Welsh and French colonisation with later American colonisation as a rich area of study.

Roger Mason returns to the issue of Scottish baronial conciliarism in his chapter. He focuses on the views the Scottish titled nobility held towards the kings of the mid-17th century, and the ideological consequences of the fracture of the relationship between the monarch and his nobles in the Covenanted Revolution. Through a close examination of three writers, Mason moves through opposed views about the legitimacy of aristocratic opposition to tyranny. These arguments go to the heart of the politics and political thinking in the aristocratic polities of medieval and early modern Britain, and Mason's contribution provides much food for thought on the similarities between the earlier and later periods.⁽⁶⁾

The collection ends with two chapters by Jacqueline Rose. The first is a tightly focused survey of Sir Edward Hyde and the issue of counsel in the turmoil of the mid-17th century, which questions the view that these convulsions wiped the rhetoric of counsel from political life. Hyde doggedly proclaimed the king's freedom to choose his counsellors, and his right to hear informal advice. For these royalists, a moral rather

than a constitutional framework for good government was the way forward. Rose is emphatically successful in showing the importance of counsel to Hyde and her conclusions need to be reflected upon. Her second chapter compliments this close focus by providing a panoramic view of counsel and councils in the 17th century. Rose examines counsel and councils in the context of the British Problem and the lack of truly British institutional mechanisms of government. She shows that, as the veneer of counsel cracked under Charles I, institutional British councils were proposed by some to fill the gap. In the 1650s, the English did not particularly wish for a real, equal, incorporated Britain. After the Interregnum, Britain was governed through separate parliaments and councils. In the absence of an integrated composite council after 1688, the problem of counselling an absent monarch remained unsolved into 1690s and early 1700s. Most importantly, Rose suggests that this led towards parliamentary sovereignty to try and manage the politics of the composite state, increasingly viewed as a balance of different interests rather than a composite whole. Here, the world begins to look very alien as counsel for the common good of a perceived whole gave way to more 'modern' notions of party and competing interest. It thus forms not only a powerful and perceptive vision of long-term change but a fitting end to this collection.

A volume of this nature prompts many reflections. One stated aim was to produce a symbiosis of intellectual and administrative history by combining the study of counsel with the study of councils. This is admirably fulfilled and provides a holistic view of the subject unfettered by artificial historiographical boundaries. For that alone, it is a valuable contribution. But *The Politics of Counsel* also breaks a medieval/early modern chronological boundary. As conceptualised, this volume was intended to provide a collaborative effort showing the differences and similarities in the giving of counsel over a wide period which, although there were many changes, retains an essential unity, as Rose rightly makes clear in her introduction. This is a laudable and important aim and it is certainly met. The usual acid test for an edited collection is whether or not it stands as more than the sum of its parts. *The Politics of Counsel* does so with distinction: the combination of broad, sweeping chapters and closely focused studies allows a rich picture of counsels and councils to emerge, while also doing justice to the structural changes in the mediums of counsel and the forms of the council over a long period. The proliferation of councils under the early Tudors, for example, is worked into a broader picture of representation, judicial business and political contingency and, furthermore, is located with reference to medieval precursors. Often, the reader is prompted to compare and contrast: when, for instance, Alan MacDonald reveals the problems of counsel and authority caused by the absence of James VI and I from Scotland after 1603, one cannot help but compare with the equally absent (in a different sense) Henry VI or, even more directly, with Edward I's plan for absentee rule of Scotland in 1305, discussed by Michael Brown. This chronological framework and ambition allows a number of substantial shifts to be posited. One of these is that suggested by Rose, of a fundamental change at the end of the 17th-century as faction and a balance of interests replaced the emphasis of medieval and early modern thought on unity. Another is the change in the nature and capacities of counsel and councils under the early Tudors, most directly brought out by Watts, Rex and Rose. They identify an increasing tendency for counsel and councils to uphold royal authority, rather than restrain it. One of the most important points to recur through the collection is that councils both royal and municipal frequently developed in response to political needs and the pressure for institutional safeguards to cope with the problems of authority. All these points add significant new perspectives to the study of counsel and councils, and all arise from the range of the project and the quality of its execution.

There is not much to carp at. Inevitably for an edited collection of chapters, there are gaps. This is unavoidable but unfortunate, if only because the reader is left wanting more. Humanism is understandably omitted. While several of the later chapters deal with The British Problem, the medieval section of the book is less receptive to the influence of British History. Although Haskell provides a very valuable trans-Atlantic account, Ireland and Wales are almost entirely left out, as is the wider medieval Plantagenet Empire in France. Counsel mediated through parliament is not addressed directly, as it perhaps deserved to be, since this could have opened up a number of comparisons between medieval and later parliaments and contributed to the historiography of the Tudor institution, overshadowed by G. R. Elton's disagreements with J. E. Neale. One – more culpable – omission is the lack of a bibliography, which would have been valuable for

those wanting to follow up an area across the centuries. Thankfully, full references are provided in footnotes, not endnotes.

This is not, then, the definitive work on the politics of counsel across British history from the 13th to the 17th centuries. It was not intended to be. What *The Politics of Counsel* does do is provide a highly distinguished pointer in the right direction. It is an ambitious idea wonderfully realised. It is a valuable selection of work on the interlinking thoughts on, and mediums of, counsel that breaks several conceptual and chronological boundaries and one that should form an indispensable resource for those interested in the theories, practices and problems of authority in medieval and early modern Britain. Thought-provoking, engaging and well-edited, *The Politics of Counsel* is exactly the sort of collection that historians should be aiming to produce.

Notes

1. M. Vale, *Henry V: The Conscience of a King* (New Haven, CT, 2016).[Back to \(1\)](#)
2. J. Guy, 'The 1590s: the second reign of Elizabeth I', in *The Reign of Elizabeth I: Court and Culture in the Last Decade*, ed. J. Guy (Cambridge, 1995), pp. 1–19.[Back to \(2\)](#)
3. Susan Doran, *This Great Matter of Succession: Drama, History, and Elizabethan Politics* (Oxford), forthcoming.[Back to \(3\)](#)
4. A problem, for example, in K. Sharpe, *Selling the Tudor Monarchy: Authority and Image in Sixteenth-Century England* (London, 2009).[Back to \(4\)](#)
5. A. R. MacDonald, 'Consultation and Consent Under James VI', *Historical Journal*, 54 (2011), pp. 287–306.[Back to \(5\)](#)
6. For instance, fruitful comparisons could be made with C. Valente, *The Theory and Practice of Revolt in Medieval England* (Aldershot, 2003).[Back to \(6\)](#)

The editor thanks the reviewer for their review, which they are happy to accept.

Source URL:<https://reviews.history.ac.uk/review/2072>

Links

[1] <https://reviews.history.ac.uk/item/251483>