Early-Modern Precedents for Autonomous Welsh Government*

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Throughout much of its history Wales has been a fragmented nation and there have been times when, far from being a polity or even a coherent entity, it was regarded as either a geographical expression or an imagined 'country of the mind'. The concept of 'Wales' as a holistic unit evolved only gradually through the centuries. Most of the native rulers of the Middle Ages, however ambitious to expand their territories, did not aspire, as did Hywel Dda, to unify the land of Wales. In a country that lacked political or administrative unity before as well as after the final loss of independence in 1282, the consciousness of national identity could not always be defined in institutional terms.

In the age of the princes, the law codified by Hywel had served as the palladium that enshrined the sense of nationhood in the absence of a single political authority or centralizing institution.[1] After the Conquest, the native legal system was reduced to a mere civil jurisdiction by Edward I in the Statute of Wales of 1284, and in the period of rule by English kings, princes and marcher lords, it was the language and literature – together with the customs rather than the law of Wales – which formed the cultural matrix that nourished national consciousness. A fleeting political unity was attained during the revolt of Owain Glyndŵr in the years 1400–1412, but after a devastating military defeat the separatist sentiment of the Welsh subsided under the impact of divided loyalties in the dynastic struggles of York and Lancaster, to emerge again in the later stages of the 'Wars of the Roses' in an identification of national interest with the ambitions of Henry Tudor.[2]

Paradoxically, a form of internal unity came about with the incorporation of Wales with England in Henry VIII's reign. A series of legislative measures authorized by the king and parliament between 1536 and 1543 abolished the feudal relics of the marcher lordship, and the laws and government of Wales and the Marches were assimilated to the English model. The rudimentary shire system that already existed in the 'ancient principality' was augmented and extended to the rest of Wales, and within this framework courts of common law and parliamentary constituencies were introduced. A country that had hitherto formed a collection of disparate units was given an unprecedented degree of internal uniformity in the apparatus of justice and local government even as it was subsumed in the realm

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1 R. R. Davies, 'Law and National Identity in Thirteenth-Century Wales', in R. R. Davies et al. (eds), *Welsh Society and Nationhood: Historical Essays presented to Glanmor Williams* (Cardiff, 1984), pp. 51–69.

2 Glanmor Williams, *Recovery, Reorientation and Reformation: Wales c.1415–1642* (Oxford, 1987), ch. 1.

of England.[3] Since the ostensible legislative intention was to remove distinctions between the two nations, the boundary with England was left undefined. The new structure of courts of great sessions was supervised from Ludlow by the Council in the Marches, which continued to exercise jurisdiction over the English border shires, so that even after the marcher lordships had been extinguished a borderland rather than a delineated boundary lay between the two countries.[4] What the legislation did in effect was to create the polity of England and Wales, and the statute of 1536 has been regarded by constitutional lawyers and historians as the 'first act of union' in British history. Most commentators would agree that it marked a watershed in Welsh history, but it was very different from the parliamentary union with Scotland of 1707 and that of 1800 with Ireland because, unlike those countries, Wales lacked a parliament. Indeed, there was no permanent national institution of any kind that was exclusive to Wales within the structure of thirteen shires set up in 1536.

After the Tudor union the history of Anglo-Welsh relations is largely one of co-operation rather than conflict. Not only was Wales more united within itself than at any time in the past, the reception of the Reformation led to an enhanced rather than a diminished sense of its separate identity.[5] In the first instance, the introduction of common law required the adoption of English as the official language in the courts, which relegated Welsh to an inferior status, but over two generations a more sympathetic attitude to Welsh prevailed in the governing circles of state and church. The language survived in spite of the acquiescence in direct rule under the crown and the apparent triumph of the dominant culture of England. As the union laws passed through parliament, the reforming English bishop of St David's, William Barlow, urged the need to import 'English civility' into his diocese, and the prospect of the rule of law conceived in such terms appealed to some of the indigenous gentry. In the event, the secular imperatives to impose a *lingua franca* were modified if not superseded by the adoption of the Protestant humanist principle that the Scriptures should be accessible to all the king's subjects in the vernacular. This was a deliberate policy that was first advanced in the 1540s and came to fruition in the reign of Elizabeth I. In its more immediate impact on the geopolitical and governmental map of Wales, the Tudor union can be seen in retrospect as exhibiting elements of 'the rule of unintended consequences'. For one of the major legislative intentions that lay behind the act of 1536 was not entirely fulfilled in that of 1543. The final settlement was a *pis aller*, an expedient adopted apparently as a last resort to replace the original solution to the problem of Welsh government that had been inherent in the first statute, though not explicitly stated at the time.

The Henrician legislation was occasioned by the political and religious crisis of the 1530s and formed part of a general strategy to integrate the realm and consolidate the defences of outlying regions. According to some historians, the greater centralization of government, characterized by the use of parliament to

3   Peter R. Roberts, 'The "Act of Union" in Welsh History', *Transactions of the Hon. Society of Cymmrodorion* (1972–3), 49–72.
4   Penry Williams, *The Council in the Marches of Wales under Elizabeth I* (Cardiff, 1958).
5   Peter R. Roberts, 'The Union with England and the Identity of "Anglican" Wales', *Transactions of the Royal Historical Society*, 5th series, 22 (1972), 49–70.

consolidate Henry VIII's control over both state and church, was inspired by a new concept of sovereignty formulated by the king's first minister, Thomas Cromwell. It is debatable whether or not the methods employed to this end were innovative, but what is beyond dispute is that the policy served the traditional concerns of monarchy. In the dynastic ambitions of Henry VIII the Welsh settlement was contingent on the politics of the royal succession, and the so-called 'act of union' of 1536 may have been provisional from the start, as is attested by enabling clauses authorizing the king to alter its provisions at his discretion within five years of its enactment by parliament. When in the following year the long-awaited male heir was born to Henry VIII's third queen, Jane Seymour, the succession to the throne was assured in the Tudor line. The policy outlined in 1536 had to take account of the birth of a future prince of Wales, and within five years of its inception it was revised in a scheme to alter the constitutional status of Wales even further. The lands invested in a prince had previously been confined to the older shires of the north and west, but now a principality was to be instituted for the whole of Wales which would have been under Edward's nominal headship during his minority as prince, a measure of quasi-autonomy that would have modified if not reversed the policy of integration or 'union'. A new and enlarged principality was to be formed, and Ludlow was to be the seat of a vice-regal court as well as a separate Welsh chancery for the convenience of Welsh litigants from the newly-organized twelve shires. In this way, the device aimed to create a fiefdom under the Crown with its own provincial institutions and a semi-independent judicature. In the previous two reigns, the princes of Wales – Edward, the son and heir of Edward IV, and Arthur, the first son and heir apparent of Henry VII – had both been endowed with a patrimony of lands to sustain a vice-regal state in their principality. As his father's second son, Henry VIII had not been similarly invested and did not leave London after his creation as prince of Wales, while the king's commissioners ruled at Ludlow. With the succession assured in 1537, the conditions existed for a revival of the practice of endowing the heir to the throne with an appanage in the form of a complex of estates and a separate judicature under the Crown, an arrangement that smacks more of feudal suzerainty than of a 'Renaissance' theory of sovereignty applied to the building of a 'Reformation state'.[6]

This alternative constitution was drafted in the form of ordinances for the king's attention and approval during the winter months of 1540–1. In the event, for whatever reason – whether it was the prince's youth, the king's age, or the shifts of faction at the royal court – the project was abandoned and the fiefdom did not materialize. In the 'second act of union' of 1543, the original policy of union was consolidated and the Council for Wales and the Marches, which might otherwise have been reorganized as the prince's council, continued in existence as the king's commissioners. Yet in the absence of a prince and despite the lack of a definite boundary with England, the twelve shires did come to be officially described as the 'principality', a synonym for 'the country or dominion of Wales', and for the first time in history co-terminous with the whole land and not merely confined to a region.

6   'A Breviat of the Effectes devised for Wales', edited by Peter R. Roberts, *Camden Miscellany* vol. 21, Camden Society, 4th series 14 (1975), pp. 31–47.

The Welsh had not been systematically consulted about the legislation of 1536, though groups of native landowners had invited the introduction of English law, particularly those aspects relating to land tenure and inheritance. The petitions for legal reform addressed to the authorities at Ludlow and London in the early 1530s were to influence the making of the settlement. One Welsh servant of the Crown was well-placed to urge the policy upon the king. This was the humanist and civil lawyer Sir John Price (or Prys), who served as a public notary and agent for the dissolution of the monasteries in England in 1535–6; perhaps more significantly, he became Thomas Cromwell's brother-in-law in 1534. The evidence for Price's involvement in devising the policy of union is circumstantial, but as a relation by marriage to the king's secretary he is likely to have been consulted about the measure which Cromwell prepared for parliament. Price's career in the king's service did not suffer from Cromwell's fall in 1540, when he was appointed secretary to the Council in the Marches. In that capacity he played an important part in implementing the reforms, even if there is no concrete proof that he had a hand in drafting the bill for Wales in 1536. He also made a significant contribution to the enforcement and acceptance of the Henrician Reformation in Wales as the compiler of the religious primer, *Yny llyvyr hwnn*, one of the first two books to be printed in Welsh, both of them in 1546, the last year of the old king's reign.[7]

As a civil lawyer in the royal service, Price fulfilled the humanist ideal of the intellectual in office whose duty it was 'to proffer counsel to princes'. He was in particular one of the most effective defenders of Geoffrey of Monmouth's twelfth-century history of Britain, with his *Historia Brytannicae defensio* published in 1573, after his death but circulating in manuscript in his lifetime. Price thereby contributed to the definition of post-union Welsh national consciousness in terms of the Tudor revival of British monarchy, thereby establishing a historiographical tradition that was to be continued by the Elizabethan defenders of the established church in English and Welsh publications, and by the later Puritans of both nations. It was largely because of the humanist enterprise that the Welsh preserved their national distinctiveness in spite of the closer union with England. In a sustained campaign for scriptural translations, William Salesbury, Richard Davies, William Morgan, and their associates succeeded in their self-appointed task of revivifying 'the British tongue'. The latent threat posed by the 'language clause' of the act of 1536, stipulating the use of English in the king's courts, was partly neutralized in Elizabeth's reign thanks to the Protestant humanists' achievement in securing royal and ecclesiastical patronage and an official status for Welsh as a language of worship.

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The projected Edwardian principality was not erected in the event, but Henry VIII insisted on retaining the special constitutional status of Wales after the 'union'. In

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7   R. Geraint Gruffydd, '*Yny Llyvyr Hwnn* (1546): The Earliest Welsh Printed Book', *Bulletin of the Board of Celtic Studies*, 23 (1969), 105–116. Peter Roberts, 'Tudor Wales, National Identity and the British Inheritance', in Brendan Bradshaw and Peter Roberts (eds.), *British Consciousness and Identity: the Making of Britain, 1533–1707* (Cambridge, 1998), pp. 8–42.

an extraordinary enabling clause in the 'second act of union' of 1543, he reserved the right to alter the settlement or make new laws for Wales without further resort to parliament. This legislative power echoed the provision that Edward I had reserved for himself in the last clause of the Statute of Wales of 1284.[8] In the event, neither Henry himself nor his successors on the throne ever exercised that right. There was no movement for political secession because Henry Tudor's advent to the throne had removed the need for another rebel national hero to release the Welsh from oppression, and Owain Glyndŵr came to be denounced by the chroniclers in retrospect as a false deliverer. Tudor rule was popular in Wales, and there were no serious rebellions there. Most of the ruling elite were reconciled to the Reformation, even if the reception of Protestantism was far from complete by the end of the century.[9]

Protestant humanist historians of the age, unlike their Catholic contemporaries, joined the bards in celebrating the rehabilitation of the British nation under a dynasty of Welsh descent. But the religious changes tested the loyalty to the dynasty of a significant minority of the gentry who clung to the old faith, and it was the disaffected Catholics of Elizabeth's reign who were responsible for the other alternative constitutions which were drawn up for Wales in the sixteenth century. These were perforce not realized in the event, but, like the comparable ideals of the Puritans in the following century, they deserve attention in so far as they reflect the conceptions of Wales and Welshness held by those outside the mainstream.

The English and Welsh Catholics who went into exile in Elizabeth's reign to prepare for the 'Enterprise of England' – a counter-reformation to reconvert the heretics to the Roman faith – congregated in seminaries on the Continent. While the Jesuit Robert Parsons had a plan for a separate province for the Welsh church centred at St David's, one Welsh Catholic, the lay brother Roger Smythe, devised an anti-English strategy. Ten years after the defeat of the Armada, Smythe still hankered after a successful invasion by the king of Spain, who was to act as an instrument for the fulfilment of Merlin's prophecy. Wales would be freed from the yoke of Saxon rule and have its lost inheritance restored to it. English could then be displaced as the second language of the Welsh, and those who were bilingual would come to speak Spanish as well as their own language, a condition that was to be attained under very different circumstances three centuries later by the settlers in Patagonia.[10]

The Welsh Protestant humanists, by contrast, followed Sir John Price in harnessing the Galfridian tradition of a British inheritance in support of the Tudor Reformation and its reception in Wales. The Elizabethans who advanced both the union and the reformed religion in their own country at first worked for the replication of English institutions in or for Wales. While the Puritan John Penry protested fervently against the lack of a teaching ministry, two moderate Welsh

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8   Peter R. Roberts, 'The "Henry VIII clause": Delegated Legislation and the Tudor Principality of Wales', in Thomas G. Watkin (ed.), *Legal Record and Historical Reality: Proceedings of the Eighth British Legal History Conference, Cardiff 1987* (London, 1989), pp. 37–50.
9   Glanmor Williams, *Wales and the Reformation* (Cardiff, 1997).
10   Roberts, 'The "Act of Union"', 49–72; Peter R. Roberts, 'The Welsh Language, English Law and Tudor Legislation', *THSC* (1989), 19–75.

Protestants advocated a college specifically to cater for the needs of their fellow-countrymen. Hugh Price was the prime benefactor of Jesus College, Oxford, established in 1571, though Queen Elizabeth was given the credit as its official founder. Although the queen's letters patent for the foundation did not specify that it was primarily intended for the education of Welshmen, the college acquired this reputation almost immediately.[11] A quarter of a century later, the first recorded attempt since the age of Glyndŵr to establish a college in Wales itself was made by Sir William Herbert of St Julians, Monmouthshire, who advanced it as a remedy for 'backwardness in religion'. The plan was to build it on his own estate at Tintern, to be complemented by another college to be erected on land that he had colonized in Ireland. The preparations for these ambitious schemes were cut short by Herbert's death in 1595.[12]

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Moderate Protestants and radical Puritans alike continued well into the seventeenth century to promote the ethos of 'English civility' along with the Gospel. This cultural imperialism, which had marched with Tudor political imperialism among English reformers, came to be modified with a more positive official response to the urgent need voiced by radical Puritans to preach in 'a language understood of the people'. It was only when monarchy was abolished in the mid-seventeenth century that plans were advanced for the government of Wales that departed to a significant extent from the premises of the Tudor legislative union and made special provision for the distinctive concerns of the Welsh. These plans were anticipated by schemes for institutional reform that, like the aborted Henrician principality, were to observe a national boundary. It was a concern for the spiritual condition of the people that lay behind the attempts to introduce special facilities for education in the principality; and it was the perceived need to gain more direct access to equity as well as appellate jurisdiction for Welsh litigants in a higher court that induced other reformers to propose a provincial tribunal to deal exclusively with actions arising in Wales.

As for the political and constitutional distinctions which were latent in the concept of principality, these could not be realized in the reigns of the childless progeny of Henry VIII. They came to the surface again under the early Stuart kings.[13] The nearest thing to a secessionist movement to emerge in parliament after the Tudor union with the aim of revising its provisions was the campaign in the reigns of Elizabeth and James I, led by the MPs of the English border shires, for the exclusion of their constituencies from the jurisdiction of the Council for Wales and

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11   William Griffith, 'Jesus College, Oxford, and Wales: The First Half-Century', *THSC 1996*, n.s. 3 (1997), 20-44; E. G.Hardy, *Jesus College* (London, 1899), ch. 1.

12   J. E. Lloyd et al. (eds), *D[ictionary of] W[elsh] B[iography]* (London, 1959), pp. 355, 785.

13   The shifts in the constitutional status of the principality and the county palatine of Chester in relation to the succession to the throne are traced in TimThornton, 'Dynasty and Territory in the Early Modern Period: the Princes of Wales and their Western British Inheritance', *Welsh History Review*, 20 (2000), 1–33. In this study the significance of the traditional 'mise' levied on tenants at the change of a lord in Chester is underlined while less attention is paid to its incidence in the principality.

the Marches. But the Welsh members of parliament did not become involved in this agitation for the dismantling of the Council until well into the reign of Charles I, after the experience of the 'personal rule' had generated new grievances. In James's reign the Welsh members made common cause to pursue a national interest by petitioning the king for the repeal of the extraordinary enabling clause in the act of 1543, which they thought discriminated against their fellow-countrymen. James eventually granted their request, but by this time the original purpose of the special proviso – to revise the Henrician settlement by an exercise of the royal prerogative to take account of dynastic developments – had been forgotten.

Far from being provisional, the Henrician legislation for the union of Wales with England had been so successful that it was now regarded as an appropriate precedent for a 'greater union' with Scotland. When the king arranged for the creation of his sons, Henry and Charles, as princes of Wales in turn, the ceremonies of investiture conducted during sessions of parliament celebrated the dignity to the exclusion of the perquisites and jurisdictions previously attached to the title. As a corollary of this departure from tradition, the Council in the Marches was again reconstituted as the king's commissioners.[14] The Welsh members distanced themselves from the Jacobean agitation for removing the border shires from the overall supervision of the prerogative court at Ludlow, but during Charles I's reign at least one lawyer perceived that this exclusion might redound to the benefit of Wales. In the Long Parliament, the cause of the border knights and burgesses in parliament came to a successful conclusion with the abolition of the prerogative courts in London and the provinces. It was in this context that the proposal for a Welsh chancery was revived in 1641, exactly a century after a similar plan had been advanced in the Henrician 'effects devised for Wales'.[15] The new device, which has been attributed to Richard Lloyd of Esclus, Denbighshire, one of the judges of great sessions in Wales, argued the case for providing equity jurisdiction for Wales, and even the excluded English shires if required, that would preclude an inconvenient journey to London for suitors. As the seat of the court, the town of Ludlow was to become a county in itself under the jurisdiction of the council serving the principality of Wales. But Lloyd's was a lone voice and the Welsh members of parliament were more disposed to join in the outcry against prerogative courts. A bill to exempt the border shires from the jurisdiction of the Council in the Marches completed its readings in the Commons in May 1642, but was superseded by the act abolishing it, along with the courts of Star Chamber and High Commission. There was no 'Welsh party' devoted to the promotion of distinctive national interests in the Commons, while the political culture of Wales and its representatives in parliament was characterized by an unwavering attachment to the king's cause during the civil

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14   Peter R. Roberts, 'Wales and England after the Tudor "Union": Crown, Principality and Parliament, 1543–1624', in Claire Cross et al. (eds), *Law and Government under the Tudors: Essays presented to Sir Geoffrey Elton on his Retirement* (Cambridge, 1988), pp. 111–38.
15   See n.6 above.

war.[16]

At the outbreak of the civil war in 1642, pretensions to a separate status for Wales and the Welsh were satirized in print in a bogus proposal for the summoning of a Welsh parliament. In one of the anti-Welsh tracts of the age, the ridicule is broadened by making the alleged promoter of the scheme speak in a comical Welsh accent:

> Newes from Wales or the Prittish Parliament. Called, and assembled upon many cood Reasons and Considerations and for the benefit of her countries to secure them from her Round-head, long-tayld Enemies, by the crave and politick wisdoms of her prittish Purgesses. With many other Pusinesses, Projects and Purposes, tending to the Relief of her Prittish Commons, and the Honour and Reputation of her Country of Wales. Newly sent up py her trusty and welbeloved Gousin the Welch Embassadour, to give the World Notice of her purpose, to call a Welch Parliament.[17]

Such separatist notions are mocked as unthinkable or absurd – Wales with its own parliament and ambassador! – and of course the Welsh MPs entertained no such extravagant ambitions. Far from reflecting any serious royalist-inspired measure for devolution within the parliamentary system, it may be read as a satirical comment on potential Welsh support (not necessarily expressed in parliament) for the abortive measure for a council that would be exclusive to the twelve shires. The squib purports to be the work of 'Morgan Loyd' – a stereotypical Welsh name and not necessarily a pointer to the Puritan Morgan Llwyd, who had yet to emerge into prominence. Radical proposals for governing Wales as a separate province were indeed to be thrown up in the wake of the conflict between king and parliament; although these had a political import, they did not entail a separate assembly. They had their roots in private initiatives taken under the early Stuarts to make special provisions for the religious education of the Welsh, and to devise national institutions for that purpose on a more ambitious scale than those advanced in the reign of Elizabeth.

The established church, impoverished as it was by its undeveloped economy, was not disposed in practice or in principle to satisfy the Puritan demand for a preaching ministry to bring the light of the gospel into 'the dark corners of the

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16   'Propositions for a Courte to be established in Wales &c. 1642 [sic]': Huntington Lib., California, MS Ellesmere 7466. For the background to the proposal, see Peter Roberts, 'The English Crown, the Principality of Wales and the Council in the Marches, 1534–1641', in B. Bradshaw and J. Morrill (eds), *The British Problem, c.1534–1707: State Formation in the Atlantic Archipelago* (London, 1996), pp. 138–47. The most recent study of 'Welsh politics' in the period focuses on parliamentary activity and does not take account of Brinsley's printed project or of the proposal for a Welsh court: Lloyd Bowen, *The Politics of the Principality: Wales, c. 1603-1642* (Cardiff, 2007), esp. pp. 262–78.

17   London, 1642. The diatribe is mentioned in passing by Philip Jenkins in 'Seventeenth-Century Wales: Definition and Identity', in Bradshaw and Roberts, *British Consciousness and Identity*, p. 215 n. 7. It is not noticed in a study of anti-Welsh propaganda by L. Bowen, 'Representations of Wales and the Welsh during the Civil Wars and Interregnum', *Historical Research*, 77 (2004), 358–64.

land'. One of the pioneers of the campaign for religious education in the early seventeenth century was the Englishman John Brinsley, a radical minister at Great Yarmouth, who in *A Consolation for our grammar schooles* (1622) expressed his convinced belief in the superiority of 'English civility'. He regarded the grammar school as an agent for a protestantizing mission in the outliers of the realm, which he identified as Ireland, Wales, Virginia and the Summer (Somers) Islands.[18] His tract was dedicated to, among others, the president of the Council in the Marches at Ludlow, who was urged to apply the reforms to the principality. There was no immediate response to Brinsley's proposal, but his general approach, if not his remedy for the problem diagnosed in the tract, was adopted by the godly when they came to power. For a brief moment in mid-century the state intervened, and the most ambitious educational experiment to be promoted by Puritanism provided the Welsh with the nearest thing to an autonomous provincial government. But before the collapse of royal authority created the conditions in which such radical measures could be realized, other Puritans put forward their proposals for the founding of educational institutions for Wales. In these projects the note of English cultural imperialism that characterized Brinsley's reforming zeal was repeated, if in a more muted form. The alliance of English and Welsh Puritans in the 1640s was at first imbued with this colonizing attitude, but by a process of acculturation or mutual influence the campaign to illuminate 'the dark corners of the land' began to be informed by a more sympathetic respect for national differences.

The initiative in promoting more comprehensive reform of religious and educational provision for the principality came not from Wales itself but from the borderland, and the places designated as centres for this endeavour lay within these shires. The Welsh members in the House of Commons were 'more reactive than proactive' in their attitude to such causes,[19] which were championed by a group of Puritans enjoying the patronage of Sir Robert Harley of Brampton Bryan, Herefordshire. The Welsh luminaries in this Puritan circle included Morgan Llwyd and Vavasor Powell. Like John Penry, their primary concern was to set up a preaching ministry, and with concerted effort they came nearer than he did to making it a reality. The Puritan survey of Herefordshire, drawn up in January 1641 by Stanley Gower, Rector of Brampton Bryan, diagnosed the ills of Wales in terms of the absence of a university. Gower recommended that two of the 'useless cathedrals' in either north or south Wales should be converted into 'a school of Arts…for the instruction and education of natives in Wales for the ministry and plantation of that country'.[20] Here again, the language of colonization betrays the underlying cultural values of English Puritanism.

The proposal for a Welsh university was not in the event included in the petitions which the Puritan Harley presented to the Long Parliament on behalf of his godly

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18   Now Bermuda.
19   Bowen, *The Politics of the Principality*, pp. 238–9.
20   Oxford, Corpus Christi College MS 206, dated Dec–Jan 1640–1. I am grateful to Jacqueline Eales for drawing my attention to this source and for supplying me with a transcript of it made by F. C. Morgan, former archivist to Hereford Cathedral. Professor Eales discusses the Harley circle and the manoeuvre in parliament in *Puritans and Roundheads: the Harleys of Brampton Bryan and the Outbreak of the English Civil War* (Cambridge, 1990), pp. 9–10, 56, 103–4, 106.

brethren. When the idea surfaced again, in 1646, it was advanced by a Welshman. John Lewis of Glasgrug, Cardiganshire, was a Presbyterian, but his proposal for a Welsh academy to be situated in Wales itself 'for the profession of the most necessary kind of Arts and good Literature', unlike Gower's suggestion, did not involve a direct attack on episcopacy. In 1647, the Worcestershire Puritan Richard Baxter proposed to the governor of Shrewsbury that 'a Colledge with Academicall Priviledges for Wales' should be erected on the site of Shrewsbury School. When the Puritans assumed power after the execution of Charles I and the constitutional revolution of 1649, the plan for a national university was shelved while the English republic instituted more comprehensive provisions for the religious education of the Welsh.[21]

The Act of 1649–50 for the Better Propagation of the Gospel in Wales delegated the religious authority of the Commonwealth to seventy-one lay commissioners led by Colonel Thomas Harrison.[22] Parliament made similar legislative provisions for the north of England and New England, so that (as in John Brinsley's tract) the principality was bracketed with other 'dark corners of the land' for the purposes of evangelization.[23] English cultural imperialism in its Protestant guise still regarded the outlying areas of the realm as marginal and backward, and therefore on a par with the colonies.[24]

Under the terms of the Act for the Propagation of the Gospel, sixty free schools were established, in some of which both boys and girls were taught, though we know nothing about the syllabus. The commission's task was to replace unworthy clergy, and one of the criteria for their ejection was an inability to preach in Welsh, but while the commissioners made provisions for a ministry to advance the gospel in the vernacular, there is no evidence that the Welsh language was actually taught at these early schools. They are remembered as 'the first experiment in state education in the whole of Britain'.[25] They disappeared at the Restoration, leaving no lasting heritage, though the commissioners were to have imitators in the circulating schools of a later indigenous movement devoted to the education of the *gwerin*.

To a distinguished historian of modern Wales, the Propagation also 'constitutes the only attempt made throughout the centuries to grant Wales a measure of self-government'[26] – the only governmental attempt, that is, until the devolution movement of more recent times. The measure of autonomy it conferred on Wales was exercised through the agency of a periapatetic body and proved to be limited

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21   G. F. Nuttall, 'The Correspondence of John Lewis, Glasgrug, with Richard Baxter and with Dr. John Ellis, Dolgelly', *Merioneth Historical and Record Society Journal*, 2 (1954), 120–134.
22   Stephen Roberts, 'Propagating the Gospel in Wales: The Making of the 1650 Act', *THSC 2003*, n.s. 10 (2004), 57–75.
23   *An Act for the Propagation of the Gospel in Wales, 1649, together with the Proceedings of the Commissioners for North Wales appointed under the Act*, edited by W. Lewis (Cymdeithas Llên Cymru, Cardiff, 1908).
24   Christopher Hill, 'Puritans and "the Dark Corners of the Land"', in his *Change and Continuity in Seventeenth-Century England* (New Haven and London, 1991), pp. 3–47. A.M. Johnson, 'Wales during the Commonwealth and Protectorate', in Donald Pennington and Keith Thomas (eds.), *Puritans and Revolutionaries* (Oxford, 1978), pp. 233–56.
25   Hill, *Puritans*, p. 47.
26   David Williams, *A History of Modern Wales* (London, 1951), p. 115.

and short-lived. Though prominent Welshmen like Colonel Philip Jones were among the leaders, the majority of the commissioners were English; very few were drawn from Wales, far more came from the border shires. To the extent that the Commission replaced the aborted Council for Wales, it represented the first attempt since the 'acts of union' to govern Wales as a distinct entity, if not a separate polity. Among the twenty-five Approvers appointed by the act, the 'godly and painful men' who approved the itinerant preachers, and the 'Triers' who succeeded them in 1654, were the Welsh Puritan luminaries, Walter Cradock and Morgan Llwyd. Although they and Vavasor Powell were to fall out amongst themselves, it was their involvement which engendered among the increasingly divided 'Puritan movement' a more sympathetic attitude to cultural diversity.

   These pioneers were not the only Welsh reformers to propound radical nostrums in the political vacuum caused by the abolition of the monarchy and the House of Lords. John Jones of Gellilyfdy, the copyist and collector of Welsh manuscripts, had served as an attorney at Shrewsbury and Ludlow. In January 1650, when he was imprisoned for debt in the Fleet, he began to petition Oliver Cromwell and others with proposals for an alternative constitution for the republic of England and Wales. He had heard that one Welsh member, Rice Vaughan, was 'imployed by the parliament for the settlinge of a new English government in the kingdom, and that you looke after the lawes of Howell Dda'. There is no extant independent evidence to validate this extraordinary claim, but Jones offered his services as one learned in the laws; the law books of England (and he lists the great English jurists in his letter) were useless for such a task; they were to be cast on the dunghill, 'they are but mockeries, fooleries & knaveries; & then you must make a lawe from the very Alffa of ytt, to Omega, after the auncient forme of Government of this land'. He asked for safe conduct to present his panacea in person from his extensive learning: 'All the fundamentall lawe of this land may be composed & putt into an eggeshell.'[27] Three years later, in 1653, when the Propagation commissioners were disbanded and the 'Parliament of Saints' was summoned, Jones drafted a petition addressed to Oliver Cromwell and others urging upon them his reforms for law and government. He proposed parish councils to consist of the wisest and most skilful of the senior inhabitants; they were to choose the members of the county councils, and these in turn were to send representatives to form part of the Council of State. A hundred divines, wise lawyers, ex-MPs, soldiers, citizens and countrymen were also to be selected to attend the Council of State.

   Jones's own manuscript collection included books on the native laws of Wales. He is one of the few Welsh antiquaries in this or any other period who attempted to turn their antiquarian knowledge to account in devising political panaceas. But it is significant that he invoked the Welsh laws for remedies to the present crisis in England and Wales, and not to advance a separatist solution for Wales alone. John Jones's petitions went unheeded; and yet some of his nostrums were perhaps no more eccentric than the political experiments which were actually adopted during the Interregnum. His proposals were, however, backed by idiosyncratic arguments which suggest political naïvety, if not indeed a mind unhinged by the conditions

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27   British Library, Additional MS 33.374, fols 51–52v.

of his confinement. He warned Cromwell against women, priests, lawyers, parliament men and 'serviles' – that is, fawning sycophants – which was a counsel of perfection indeed.[28] John Jones was no Puritan and he must be ranked among the radical fringe of would-be reformers who were emboldened to speak out in this revolutionary decade, when 'the world was turned upside down'.

National institutions were invariably conceived of by the leading Puritans in terms of the religious needs of the country. After the Commission for the Propagation of the Gospel expired, Richard Baxter and the Presbyterian John Lewis of Glasgrug, Cardiganshire, together with the quasi-Puritan, Dr John Ellis of Dolgellau,[29] revived the notion of creating a Welsh national college as the most effective means of training suitable ministers. In 1657, Baxter secured support for his proposal from James Berry, the former clerk of a Shropshire iron works who became one of Oliver Cromwell's satraps as the military ruler of Wales during the regime of the Major-Generals.[30] This plan for a national university betrayed the prevailing conviction among Englishmen of this stripe of the superior virtues of the dominant culture. As the site for the college, Shrewsbury was to be preferred to Ludlow Castle. 'A little within the verge of England is best, that your sons may learne English,' and there is a free school at Shrewsbury 'allready to prepare for the Academy'. But in the same year, Ellis expressed a preference for a central position in Wales for the academy, and suggested that it be placed at Machynlleth, Aberystwyth or Cardigan. In a tract of 1656, John Lewis, as one of the Commissioners for the Propagation of the Gospel, was concerned to expose the inadequacies of the ministers appointed to replace the clergy ejected by the Approvers appointed under the Act. Lewis too looked to the founding of a Welsh college in Wales to make good the deficiency by supplying well-qualified ministers. In contrast to Vavasor Powell, a fervent opponent of the Protectorate, he expressed his confidence in Cromwell's support, 'he being descended as they say from Wales'.[31] In the event the plan for a university of Wales, like the design for a comparable institution for the north of England at Durham, was one of the casualties of the divisive politics of the English Republic.

In the reign of Elizabeth, Bishops Richard Davies and William Morgan had reconciled the Welsh to reformed religion by emphasizing its origins in the early 'British Church', so that the Church of England became a national institution for the Welsh as well as the English. This sentiment was still powerful in the early seventeenth century, and the country remained largely royalist in sympathy during the Interregnum. The influence of Welsh Puritanism was concentrated in the Wrexham area, under the charismatic leadership of Morgan Llwyd, and it scarcely

28   National Library of Wales MS 315, fol. 109. For a biographical study, see Nesta Lloyd, 'John Jones, Gellilyfdy', *Journal of the Flintshire Historical Society*, 24 (1969–70), 5–17.
29   Ellis had been one of the Approvers set up by the Act of 1650 but after the Restoration was to write an apologia for the Anglican church: *DWB*, pp. 208–9, 555, 777–78.
30   Berry's authority extended over Wales and three of the five English border shires that had previously been subject to the jurisdiction of the Council in the Marches.
31   Nuttall, 'The Correspondence of John Lewis', 131–2; J. H. Davies, 'An Early Attempt to found a National College in Wales', *Wales*, 3 (1898), 121–5; *DWB*, p. 555. Lewis was the author of the tract, *Contemplations upon these times, or, The Parliament Explained to Wales,… Written by a Gentleman, a cordiall Well-wisher of his Countries happiness* (1646, reprinted for Cymdeithas Llên Cymru, Cardiff, 1907).

impinged on the rest of Wales. The Restoration religious settlement ushered in the separatism of Dissent, and though Puritanism became an irradicable element in Welsh religious culture, the radical experiments of the 1650s were identified in the popular mind with the unacceptable extremes of the Republic. The intellectual consequence of the so-called 'Puritan revolution', for Wales if not for England, was to be a broken legacy, certainly as far as the ideas for a national framework for Welsh politics and law are concerned. As far as is known, the radicals of the late eighteenth century and their successors were not aware of the obscure lucubrations of John Jones of Gellilyfdy; they certainly did not acknowledge these antecedents as models or precedents for their activities.

During the Interregnum, the impulse to make separate educational provision for Wales and the Welsh animated the sense of nationality as well as the religious sensibilities of the godly. Perhaps the most potent element in the Puritan ethos that survived the Restoration of monarchy and church, to have a formative impact on later generations' consciousness of national identity, lay in the quietist religious writings of Morgan Llwyd as poet and mystic, touched as these were by the tenets and the politics of the Fifth-Monarchy Men. His *Llyfr y Tri Aderyn* ('The Book of the Three Birds') of 1653 is a classic of Welsh prose literature, and is remembered as a landmark in literary history that transcends its immediate historical context. A many-layered masterpiece, it was the first sustained work of imaginative prose to be published in Welsh. It also perpetuated the traditions of the 'British History', and perhaps the least remarked aspect of the book in modern historical studies is the peculiar gloss that Llwyd placed on the hallowed memory of the past greatness of the nation. Where the bards for the most part continued to flatter their patrons among the gentry, Morgan Llwyd was truly radical. He began the process of reorientating one of the basic elements of Welsh patriotism away from the deferential values of a lineage society, and in that sense anticipated the non-conformist values of the following century.

In *Llyfr y Tri Aderyn*, the Eagle refers to the early reception of the gospel in Britain. 'Here (some say) was born Helen and her son Constantine. It was the Welsh, others aver, who first discovered America. The ancient Britons forsook their lives for the sake of the true faith.' But in a revealing comment on the gentility of Wales, the Dove says to the Eagle, representing the civil power:

> Family pedigrees are but a web woven by nature in which lurks the spider of pride. You are not nearer [to salvation] for your descent from the princes of Wales, unless you are one of the seeds of the Prince of all the kingdoms of the world, and are born not of the will of man but of an incorruptible Seed.[32]

Morgan Llwyd's perception of national identity, freed as it was by its spiritual inwardness from association with the ancestor worship of the 'Anglican' and anglicized squirearchy of Wales, amounted to a Puritan rescension of the orthodox

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32   M. Wynn Thomas (ed.), *Morgan Llwyd, Llyfr y Tri Aderyn* (Cardiff, 1988), pp. ix–xxx, 28 (my translation). The running title of the book was: *Dirgelwch i rai iw deall ac i eraill iw watwar*, abbreviated by Llwyd to *Arwydd i annerch y Cymru*.

tradition of Reformation historiography. The memory of a glorious Welsh/ British past came to be shared by all the religious denominations in Wales.[33] But Morgan Llwyd was the first to isolate the source of this patriotism from an uncritical adherence to gentry society, and this was to have its resonances in later manifestations of national sentiment.

The Scriptural translations and the vernacular liturgy and order of services may well have saved 'the British tongue' from extinction. It may not be too much to claim that religiously-inspired works of imaginative literature and the creative history of myth-making also played a crucial role in preserving not only the language but the sense of a historically distinct nationality in the absence of separate national institutions.

The Puritan drive to provide for the education of the Welsh did not entirely run out into the sands with the fall of the Republic, for its influence lived on in the itinerant preachers of the Dissenting tradition, in the peripatetic schools organized by Thomas Gouge's Welsh Trust, of which Baxter was a member,[34] and by Gruffydd Jones, Llanddowror. The notion of a Welsh academy was revived in 1672 by Charles Edwards, another itinerant preacher of the era of the Propagation of the Gospel who had survived to be an active collaborator with the overseers of the Welsh Trust.[35]

The largely rural economy and the absence of an infrastructure of accessible roads to bind the country together were factors which militated against the growth of national institutions of either an academic or an administrative kind in the early modern period. With the partial restoration of the jurisdiction of the Council in the Marches in 1660, Ludlow resumed its function as a capital outside the borders of Wales, but even that was lost again in 1688 with the final abolition of the Council. Thereafter the borderland no longer exercised a significant influence in the government of Wales, which was thus more fully integrated in the realm two decades before the act of union with Scotland in 1707 completed the unification of the island of Britain.

The foundation of a national college in Wales itself – to complement the role of Jesus College, Oxford, as an Anglican academy – remained an elusive ideal until the later modern period. As models of Welsh autonomy, the Puritans' pipe dreams and the constitutional experiment of the Propagation of the Gospel have been comparatively neglected by modern nationalist historians, to whom the aspiration of Owain Glyndŵr and his parliaments continue to exercise a more compelling appeal. What is truly remarkable is that the consciousness of a separate nationality survived after the union with England in the absence of national institutions or a capital. In this context it may be salutary to ponder the contribution which other nationals – in the case of seventeenth-century Wales, Puritan Englishmen – made for whatever motives to the conceiving of institutions that, once formed, were to

33   A more conventional version of the British History was popularized by the Anglican cleric Theophilus Evans in *Drych y Prif Oesoedd* ('The Mirror of the Early Ages') in 1716. See *DWB*, pp. 251–2; Geraint H. Jenkins, *The Foundations of Modern Wales, Wales 1642–1780* (Oxford, 1987), pp. 246–7.
34   Nuttall, 'The Correspondence of John Lewis', p. 134 and n. 2.
35   Davies, 'An Early Attempt', p. 124.

enshrine the sense of nationhood.

In 1830, almost three centuries after the Henrician legislation, the separate institutional framework set up for Wales under its terms was removed by the Act for the Abolition of the Courts of Great Sessions.[36] Greater assimilation with the English judicial system marked the final consummation of the Tudor union, but equally significant are the objections expressed at the time to what was regarded as the arbitrary elimination of a distinctive legal system catering for the special needs of the Welsh. This reaction contributed to the cumulative grievances that drove the movement for devolved government in the later nineteenth century. In higher education, the special needs of the country were met in part before the end of that century with the successful revival of the claims that Wales should have its own academy. A new apolitical institution embracing the whole of the country was established in the shape of the University of Wales, but with its de-federalization since the turn of the twentieth century that body has been reduced to a rump. The National Library of Wales and the National Museum have recently celebrated their centenary of existence as flourishing centres of literary scholarship and material culture. During that century a plethora of other bodies has emerged to serve similar purposes. The Church in Wales, disestablished in 1920, remains as a national institution within the Anglican Communion. As such it continues to embody elements of the religious culture of the ancient 'British Church' that were recovered at the Reformation by the Welsh humanists and cherished by their protestant successors in the seventeenth century.

The principality of Wales lost its identity as a unit of jurisdiction and a distinct complex of estates in the early modern period, but, unlike the other institutions that survived the Tudor union with England, it has not been terminated in law. Although a principate exists, the concept of a principality has become an anachronism, and the present Prince of Wales does not have a formal patrimony to complement the Duchy of Cornwall.[37] Without being necessarily anti-monarchical or republican, the modern movements for Welsh devolution or political independence have never entertained the prospect of instituting a modern principality within the British state. Nor indeed have contemporary law-makers and experts on the British Constitution, in and out of parliament, recognized its continued existence. Indeed, the word 'principality' is not mentioned once in either of the two Government of Wales Acts, 1998 and 2006, and that cannot be without its constitutional significance.[38]

The institutional history of Wales has been transformed in the early twenty-first century. The recent foundation of National Theatre Wales complements the National Eisteddfod, Welsh National Opera, yr Academi Gymraeg, and the Arts Council for Wales in providing a greater institutional framework for the country's literary, artistic and dramatic endeavours, while the newly-formed Learned

36   Margaret Escott, 'How Wales lost its Judicature: the making of the Act for the Abolition of the Courts of Great Sessions', *THSC 2006*, n.s. 13 (2007), 134–59.

37   The heir to the throne continues to assume the title of duke of Cornwall at birth and the duchy lands are administered in his name until he comes of age; he is created prince of Wales by royal charter, but the investiture ceremony has not involved the acquisition of an additional patrimony since the eighteenth century. The recently acquired Welsh property of the Prince of Wales, Llwynwermod in Carmarthenshire, is part of the duchy of Cornwall estate.

38   *Statutes*: 1998, chapter 38; 2006, chapter 32.

Society of Wales has emerged, phoenix-like, from the embers of the de-federalized University of Wales as a forum for Welsh scholarship and science. It could be argued, however, that in constitutional if not in cultural terms the sense of a Welsh identity enshrined in national institutions remains precarious. The process of devolution of authority from the Westminster Parliament to the Welsh Assembly was further advanced with the acquisition of greater legislative powers in 2011, and from this a fuller autonomy in governance may follow. It remains to be seen whether or not that limited ambition will satisfy the aims of the political nationalists. It is a historian's truism that Wales has been re-invented in each phase of its history, and the Welsh Government at Cardiff may yet create in the national community that consciousness of unity which has proved to be so elusive in the past.