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For centuries, the English have debated whether their culture and ideas are very different from, and perhaps superior to, those of other peoples. Some have argued that from an early date the English evolved their own highly distinctive insular traditions, which were quite unlike those of continental Europeans. Others have claimed that the Channel was not a significant cultural barrier, and that on most points English thinking was European. The debate has important practical implications. If the English really are so different from their continental neighbors, maybe they should not try to unite with them, but instead develop links with English-speaking nations across the globe.

One scholar who stressed the differences between the political attitudes of the English and others was Sir Herbert Butterfield. In *The Englishman and His History* (New York, 1944), Butterfield argued that people on the continent commonly grounded their thinking in airy abstractions about universal rights and duties. The English, however, rooted their ideas in the concrete history and customs of their country. They were conservatives and traditionalists. Other nations were prepared to impose violent and revolutionary changes in the name of some abstract and intangible goal. The results were invariably disastrous. The English, by contrast, implemented needed reforms slowly and piecemeal. They respected their traditions, and placed their own history at the center of their political outlook. Butterfield claimed that for the English, political thinking was essentially historical in nature. His basic position was further developed, and given classic expression, by his student John Pocock in the highly influential *The Ancient Constitution and the Feudal Law* (New York, 1957), which claimed that the theory of the ancient constitution was first fully formulated in the early seventeenth, and that it then became the dominant English political ideology. More recently, Glenn Burgess has refined some of Pocock’s arguments in *The Politics of the Ancient Constitution* (London, 1992). Pocock and Burgess agree in contending that the doctrine of the ancient constitution coalesced around the beginning of the seventeenth century. They also emphasize the conservatism and the insularity of the theory, and they contrast ancient constitutionalist thinking with abstract continental theorizing in terms of concepts like popular sovereignty or original contract.

The ideas that early modern English political thinking centered on history and custom, and that it was conservative, have been widely accepted. In this very important and scholarly book, Janelle Greenberg challenges conventional wisdom on these and other points. She shows that ancient constitutionalism goes far further back than the seventeenth century. She argues that the theory had roots stretching back into the Middle Ages, and that it was closely linked to the cult of Edward the Confessor. Ancient constitutionalism, she claims, was not always or necessarily conservative, and from the medieval period onwards it had a radical dimension. Radical ancient constitutionalism was perfectly compatible with abstract notions about popular sovereignty and the legitimacy of resistance to tyrants. Greenberg demonstrates that three medieval documents were especially important for the development radical ancient constitutionalist ideas. One was the so-called “Laws of Edward the Confessor,” which was probably composed in the early twelfth century, but which was widely accepted as a genuine record of the laws of the saintly Edward himself. Post-Conquest rulers, and especially Henry III, tried to win popularity by venerating the Confessor, and the cult of the king fostered
reverence for his supposed laws. The seventeenth chapter of these laws was particularly useful to radicals, for it could be read as implying that kings who misrule forfeit their crowns and may be deposed by their subjects. From 1308, the royal coronation oath included a clause in which the king undertook to confirm the laws of St. Edward.

A second crucial medieval document for later ancient constitutionalism was the *Modus tenendi Parliamentum*. This was a treatise on parliament dating from the 1300s, but purportedly written in the Confessor’s time. It fueled radicalism by suggesting that Parliament was at least sometimes superior to the king, and that the House of Commons outranked the Lords. A third medieval forgery, the *Mirror of Justices*, recorded that as early as Alfred’s time a law had been enacted requiring that Parliament meet at least twice a year. It also asserted that kings may be disciplined by their Parliaments.

Greenberg traces the development of ancient constitutionalism from the Middle Ages to the Glorious Revolution. She pays most attention to the seventeenth century, and demonstrates that in the 1640s radicals used the laws of Edward the Confessor, and other medieval sources, to argue for resistance to the king, and eventually for the deposition and execution of Charles I and the abolition of monarchy. The cult of the Confessor, which had started as a means of sacralizing post-Conquest kings, was now used to provide arguments against all monarchies. Radical ancient constitutionalism continued to flourish after the Restoration. In the writings of William Petyt, Algernon Sidney, James Tyrrell, and others, material on the ancient Saxon constitution, and on post-Conquest confirmations of St. Edward’s laws, was deployed to show that the power of English kings is limited and that they are subject to the terms of the original contract which had first granted them authority. Greenberg claims that radical ideas about the ancient constitution, about the contractual origins of government, and about the legitimacy of resisting tyrants, were widely voiced at and after the Glorious Revolution. She takes issue with the claim of many modern scholars that Whig thinking at the time of the Revolution was fundamentally conservative. The new coronation oath of 1689 did indeed omit all reference to St. Edward’s laws, but Greenberg argues that those laws were still exercising a strong ideological influence at the end of the seventeenth century, as were the *Modus* and the *Mirror*. Indeed, she asserts that “these medieval sources reached their zenith in the political literature written to justify the Revolution, demonstrating beyond a shadow of a doubt their thoroughly radical pedigree” (p. 280).

If radical ancient constitutionalism was at its zenith around 1690, we might well wonder what happened to it thereafter, and when and how it lost importance. Greenberg does not answer these questions, but simply stops at the end of the seventeenth century. Her interpretation of the Glorious Revolution will be debated by scholars of the late Stuart period. If there are still any old-style, unreconstructed “revisionists” (who deny that the Civil Wars of the 1640s had long-term ideological or socio-economic origins), they will be skeptical of her treatment of the early-seventeenth century, as it explicitly takes issue with their views. It is a pity that James Tubbs’ *The Common Law Mind: Medieval and Early Modern Conceptions* (Baltimore, 2000) came out too late for Greenberg to use, for it neatly complements her arguments on many points. But Greenberg’s book is a very lucid and scholarly account of a subject that is of critical importance in English intellectual, political, and constitutional history. It is the fullest and best discussion of the history of ancient constitutionalism that has yet been produced.

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