

# The Act of Settlement and the Hanoverian Succession

Professor Paulina Kewes in conversation with Professor Justin Champion

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**Paulina Kewes:** I'm sitting here with Professor Justin Champion in the Fellows' Library of Jesus College, Oxford, and we're looking at some rather extraordinary images dating from the early seventeenth century. 1701, the Act of Settlement, which really determined the course of succession in Britain until now. Could you tell us more about it?

**Justin Champion:** The Act of Settlement or Act of Succession (it's called all sorts of different things) the result really of William III's intent and negotiations with the radical Whigs. The Act of Settlement use the last republican statement the seventeenth century. It ensures that the succession is Protestant but it also writes into sort of constitutional law that Parliament is a fundamental part of establishing what the succession should be. And one of the complexities is that of course it identifies Sophia of Hanover, granddaughter of James I, as the next in line to the throne.

**PK:** Why was the Act necessary?

**JC:** The Act was really necessary because of the failed fertility of both William and Mary and the suspicion that Anne, the next in line, next Stuart in line, wasn't going to be capable of producing a legitimate heir. Of course the problem is that James II (deposed) and his children are in exile, but are constantly plotting to be returned to the crown of England. So the English constitution has to identify a legitimate consensual successor. And the Act of Settlement is that act. And it's propagandised by one of the most significant commonwealth republican thinkers of the day John Toland, who is responsible not only for the great editions of Milton and of Harrington and of Sidney, but also is responsible for one of the most wicked theological pamphlets, *Christianity Not Mysterious*, burnt in Dublin and in London. So John Toland writes the defence of the Act of Settlement, *Anglia Libera*. You can translate that in a number of ways. Is it 'free England' or 'England set free'? It's a very commonwealth language. It's translated into French, into Dutch, into German and, you know, at some point in many many editions. And it is spread free around Europe. There's a great moment of ceremony when the English embassy goes out with the Act of Settlement and presents it to Electress Sophia of Hanover, who is a very elderly woman by this point. Who presents it to her? John Toland, this rather marginal figure. Very clever. But he somehow got into the diplomatic embassy. And it is he who presents the elderly queen with the Act of Settlement and a copy of his book *Anglia Libera*, England set free. And it goes through clause by clause establishing precisely why Protestant monarchy is the right form of monarchy, the relationship between monarchy and Parliament, and the pursuit of virtue and commonwealth and property.

**PK:** Yes, I was wondering how much did contemporaries know about the Hanoverians, about

Sophia, about her offspring?

**JC:** Really until John Toland got working they didn't know very much at all. Of course the German principalities were always important for the political elite in England because they were Protestant. And because they were grandparents and grandchildren [6:00] of various other parts of the Protestant monarchies of Europe, there was some knowledge. But it was really from 1701 that we can start to think of a dual court. Queen Anne when she comes the throne in 1702 has her court, and she really doesn't get on with Sophia Hanover at all. She regards her as a challenge. Sophia in Hanover, and Sophia's daughter Sophie Charlotte in Berlin, become alternative courts. And from that point on we start to get portraits, engravings. And there is a very delicate politics. You know, if you're wanting favour from Queen Anne, the last thing you should do is suggest that Sophia and her son (soon-to-be George I of England) come to England to see what's going on, because Anne makes it absolutely clear she will not have that woman in the country.

**PK:** So did the passage of the Act enjoy cross-party support? Were both Whigs and Tories in favour?

**JC:** It did. It ushers in, I mean it is at the end of the first real age of party where, under William, there is the first formation of coherent groups, mainly around ideology but also around very powerful political figures, operators. When we get into the 1700s, into the reign of Anne, it is impossible to over emphasise the power and importance of party politics. This is the most contested period of electoral politics until the early nineteenth century. The electorate is at its biggest. The number of contested parliamentary elections is at its most frequent. The number of Parliamentary elections and general elections is profound. And there is wonderful work (it's all online in the History of Parliament) showing precisely that the war of ideas and the battle between Catholic and Protestant, between Anglican and dissenter, is being fought out in Parliament, but in every little local village, in every circumstance, in every coffeehouse. If you're a Whig, and you go into a Tory coffeehouse, you are going to get abused. If you're Tory and you go into Whig dentist, you will come out with many many fewer teeth than you expect! So this is a politics that is very very contemporary. Huge amounts of pamphlets and visual materials are produced. It's an age of propaganda and an age of contestation.

**PK:** Could you tell us a bit more about some of the images?

**JC:** Absolutely. I think one of the things that Toland for example does is project an image of the new Hanoverian court as the most tolerant but Protestant possibility. So he draws up images of Sophia's gardens in the *Eloge*, the eulogy for her after she unfortunately dies before succeeding to the Crown in 1713-14. As we can see, he represents or has represented by another artist, Sophia as philosophy. Sophia of course from the Greek meaning wisdom, and the wonderful image you have in front of you is of medal coined for her, of her ascending up into the heavens: Sophia going up to be welcomed in a secular civil way. And, you know, we know in that the sort of High Church anti-Hanoverian circles of Christ Church College, Oxford, the rather grumpy fellows would pretend to be toasting a mediaeval toast in confutation of philosophy. In fact this was a political statement they were saying against the Hanoverians. And some of the other material you've got: these very very powerful, detailed representations: men driving horse and cart with the different principles behind them. This is an age where people are prosecuted for publishing seditious libels against each other and against the monarchy. It's also an age where clergymen become the sort of charismatic leaders, the radicalisers, if you like, of those

communities. So both Whig party members have their favourite clergyman: Benjamin Hoadley, we have one of his images, *Guess at my Meaning*, which is fantastic! Benjamin Hoadley is a man who doesn't believe the Church should have political power. And he eventually gives a sermon along those lines. This image represents him. He had a bad leg, so he's got a crutch. At his feet are all the images of orthodoxy: bishop's mitre, the Book of Common Prayer it's all thrown to the ground. And he's writing a wicked sermon. And behind him is the devil blowing in his ear, you know, a monkey of discord beating a drum. But behind him is a bookshelf. And all of the books on that shelf (Sidney, Milton, Toland, Harrington, Spinoza, Hobbes) they're all part of the sort of canon of political literature that had been produced in the late 1690s. So that's one of the sorts of powerful images. People read this and go see, those Whigs, they're all republicans, they're too dangerous. But the best thing John Toland ever did was write up, you know, do a series of pamphlets that were reprinted and reprinted about the electoral prince: how brave he was, how Protestant he was. So one of the ironies we have: the accession of George I in the face of, you know, potential popish French backed insurrection was a huge success. And it was celebrated by these Whig commonwealth thinkers. So we have this again rather contradictory thing like under James II of people who are meant to be Cromwellians, commonwealth figures, arguing for the legitimacy of succession. You know, they are not saying let the people decide, let the people vote.

**PK:** Well the people have already decided in parliament.

**JC:** Absolutely. And the key thing about Sophia is that she is Stuart. She may live in Germany, in Hanover, but she is the granddaughter of James I. And a lot of the propaganda traces her lineage all the way back to the mediaeval times.

**PK:** So it is really striking that the Parliament which passed the Act of Settlement in a way married the hereditary principle with the elective one.

**JC:** Absolutely, that is a really crisp and powerful way of putting it. They meld the two projects together. Here we have a legitimate hereditary bloodline, a dynasty. But it is Parliament, and by consent the people who have elected those MPs, who are subscribing to that is the sort of mechanics, if you like. We've got a good king. And you know John Toland edits Milton, who writes against Charles I, edits Harrington, who invents a new republican discourse, all sorts of other figures he edits. And he says: if you're a good Protestant, if you want a rational monarchy, if you want a republican monarchy, you go with Sophia.

**PK:** How did the nature, the character of monarchy change upon the Hanoverian accession? So did the Hanoverian succession alter the character of the British monarchy?

**JC:** I think one of the key changes because of the accession of George I was really the rise of parliamentary management, that George I was more interested in his mistresses and hunting than having anything to do with governing England. So he allowed a group of again radical Whig commonwealth figures, John Toland again wrote the sort of electoral manifesto in 1717 for the new regime. It would reform the universities. It would get rid of the Test and Corporation Acts: all of the Anglican sort of restraints on dissidents. George didn't care. So until 1720, those figures the Duke of Sunderland, Stanhope, Toland, Molesworth were running England and the rest of the country. So in one sense because the early Hanoverians were less interested in being great kings (they were more interested in being hunters and building palaces) it gave Parliament a platform for serious government. Of course most of those radical Whigs died in the early 1720s and there was the political and economic catastrophe of the South Sea Bubble,

a little bit like the financial collapse in 2008: absolute catastrophe. Up stepped Robert Walpole, the first politician to be called a Prime Minister, who governed England through let's say personnel management for the next two decades, and really reinforced the stability the Hanoverian succession. Robert Walpole's favourite statements were: 'let sleeping dogs lie' and 'every man has his price'. These are two pretty good ways of governing. You know, using the politics of place and patronage to ensure that everybody buys into the Hanoverian project. Now having said that, we should always remember that at least until 1760 with the accession of George III, the Jacobite threat of invasion was a constant presence. So the Jacobites tried to invade in 1715 and weren't very successful. In 1745 they did much much better. So literally the tradition of the Stuart monarchy was a military threat. And it's all very well for us now to say well, good old George III, he did very well didn't he, just lost the American colonies. But for most Protestants that visceral fear of a Stuart Catholic monarchy returning meant they increasingly invested in the Hanoverian monarchy and that Hanoverian monarchy was essentially parliamentary government.

**Bodleian items featured (by shelfmark):** Vet. A3 e. 2128 (4); Vet. A4 e. 2486.