

convention expected William to treat the two documents as a contract between Crown and parliament, but the king did not entirely share that view, and he and his Scottish kingdom were plagued by a variety of constitutional and political disputes, many of which persisted into Anne's\* reign.

Bibliography: William Ferguson, *Scotland 1689 to the Present*, 1968.

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**Clarendon Code.** In preparation for the Restoration\*, Charles II\* issued the Declaration of Breda\*, in which he promised "a liberty to tender consciences" and an indulgence for differing opinions in religion, subject to passage of such an act in parliament\*. But the Convention\* of 1660 had no success in passing measures for toleration or for comprehension providing for more flexibility on doctrinal and liturgical points so as to widen the Church of England (see Anglicanism\*) nor did the Savoy Conference\* (1660) achieve compromise between leaders of Laudian (see William Laud\*) and Puritan\* positions. And in 1661 many members of the Cavalier Parliament\* did not share Charles's enthusiasm for a tolerant religious settlement. They ignored the Declaration of Breda and focused directly on the issue of conformity. The five repressive acts regarding religion passed between 1661 and 1665 have become known collectively as the Clarendon Code. Though the legislation was named for the earl of Clarendon (Edward Hyde\*) and supported by many of his strongly Anglican backers in the House of Commons, Lord Chancellor Clarendon repeatedly criticized and attempted to moderate the "sharp laws."

The Corporation Act (13 Car. II, st. 2, c. 1) of 1661 required town officers to renounce the Presbyterian Solemn League and Covenant\* and to receive the sacrament according to Anglican rites. Local gentry served as commissioners to vet and, in some cases, thoroughly purge the corporations. Though some historians have not included it as part of the code, the Quaker Act of 1662 (13-14 Car. II, c. 1) was certainly part of the religious repression. It deemed guilty any persons who met together for worship outside the parish church in groups of five or more and who refused to plead in court (Quakers\* refused to swear oaths). Thus, when the Uniformity Act received royal assent on 19 May 1662, the metes and bounds of the Restoration religious settlement were already in place.

The Uniformity Act (13-14 Car. II, c. 4), the central plank of the code, defined the ordination and activities of all future Church of England ministers. All ministers, professors, and schoolmasters had to swear oaths repudiating the Solemn League and the taking of arms against the king. Most important, it required the use of the restored Book of Common Prayer for all church services, and each minister had to swear consent to "all things" in the prayer book by 24 August 1662 ("black Bartholomew") or be deprived of his living. Local magistrates could commit to prison any deprived ministers who continued to preach. In effect the act created nonconformity by testing for outward conformity of practice. Nearly 1,000 clergymen, about one-tenth of the total in England and Wales\*, were removed by the act. Altogether about 1,760 clergy were forced out of their livings between 1660 and 1663. In some dioceses, London\*

especially, the bishop and local magistrates oversaw a severe purge; in others they allowed a degree of latitude in the wearing of the surplice, bowing at the name of Jesus, and other matters prescribed by the prayer book.

Though Charles II and Clarendon still hoped for tolerant religious legislation (partially for theological reasons, partially to defuse Civil War\* factionalism), a short-lived rising against the government, the Yorkshire Plot of October 1663, encouraged parliament to pass the Conventicle Act in 1664 (16 Car. II, c. 4). This act ordered huge fines (and transportation for the third offense) for those attending Nonconformist meetings where five or more persons not of the same household met. The act permitted justices to break into houses upon information of a conventicle there. Finally, in 1665, when even Clarendon denounced Nonconformist "scorpions," parliament passed the so-called Five Mile Act (17 Car. II, c. 2). It prohibited Nonconformist preachers from coming within five miles of their former parishes or of an incorporated town unless they took an oath stating that it was unlawful to take arms against the king. Enforcement of the Clarendon Code depended largely on local gentry serving as justices of the peace. Prosecution under the Conventicle Act was intensely localized and sporadic; under the Five Mile Act virtually no record of prosecution survives for the first year. In any case the initial repressive mood of the Episcopalian gentry in the House of Commons and the bishops in the House of Lords had run its course.

The Conventicle Act lapsed in 1667 but was replaced by the more finely tuned Conventicle Act of 1670 (22 Car. II, c. 1). Nonconformist ministers found restrictions eased, temporarily by the Declarations of Indulgence\* in 1672 and 1687, more lastingly by the Toleration Act (1 Gul. III & Mar. II, c. 18) of 1689. But the Clarendon Code or what one historian has labeled the "Cavalier Commons Code" and another has called the creation of Gilbert Sheldon\*, bishop of London\* and his supporters was not fully repealed until the nineteenth century.

Bibliography: Ronald Hutton, *The Restoration: A Political and Religious History of England and Wales, 1658-1667*, 1985; John Spurr, *The Restoration Church of England, 1646-1689*, 1991.

Newton E. Key

Clarendon, Earl of. See Hyde, Edward.

Clifford, Thomas, Baron Clifford of Chudleigh (1630-73). Clifford emerged from an obscure background into political life in 1660. In the Convention\* he obtained a reputation for hard work and financial knowledge and was made a gentleman of the privy chamber in December. Returned for the Cavalier Parliament\*, he was an extremely active member, named to over 300 committees before entering the House of Lords. His remarkable energy, his dislike for the earl of Clarendon (Edward Hyde\*), and a measure of self-promotion brought him the attention of Sir Henry Bennet\*, future earl of Arlington, who secured a small royal grant for Clifford and engaged him as a parliamentary manager. By 1664 Clifford, now knighted, was an