

Cornwall is not England

Article by former editor Nigel Pengelly and **Craig Weatherhill**, historian and Cornish bard. (2011)

A great many arguments and counter-arguments have raged regarding the true status of Cornwall. A status that is certainly unique within Great Britain. Why is it unique?

Nigel Pengelly asks historian Craig Weatherhill what is the real and verifiable truth that lies behind Cornwall's claims?

Is it true that Cornwall was a kingdom?

Absolutely true and accepted by all historians. Originally it was part of the kingdom of Dumnonia that may well predate the Roman occupation. This covered the whole of the south-western peninsula as far as a north-south line linking the Rivers Axe and Parrett. The advance of the Wessex Saxons caused the border to retreat westward until, by the 8th century only Cornwall was left. It must be remembered, though, that even then and until the 10th century, Cornwall extended to the Exe.

Do we know anything about the kings?

Some of them, although details of most are scanty at best. Fragments of a king-list survive, naming those who reigned from about 450 AD to around 650 AD and who would have been associated with the royal citadel at Tintagel, roughly dated to 450-700 AD. The earliest of these was **Gurvor**, then **Tudwal**. His successor was **Cynvor**, who flourished in the early to mid-6th century. Could he be the *Cunomorus* named on Fowey's Tristan Stone (*Cunomorus* is a Latinised form of the Celtic name *Cynvor*), the lettering of which is dated to 530-570 AD? Could he also be the man mentioned in the 9th century Breton monk *Wrmonoc's Life of St Paul Aurelian* as the king *Quonomorius*, also called *Marcus*? Was he, therefore, the famous King Mark of Cornwall?

The next king, **Constantine**, was king when the monk Gildas wrote around 540 AD. He castigated five contemporary British (Celtic) kings and called Constantine: "the tyrannical whelp of the unclean lioness of Dumnonia". Welsh records refer to him as *Custennin Gorneu* ("of Cornwall" – an early reference to the native name Kernow). He is said to have abdicated when elderly and gone into the Church. He was succeeded by **Erbin**, another name which crops up in Welsh tradition as does the name of the next king, **Gerent I**.

He might have been the *Gerent rac Deheu* ("Gerent for the south") who fought against the English at *Catraeth* (Catterick, Yorkshire) in 598. The next king was **Cado**, remembered by Geoffrey of Monmouth as *Cador* of Cornwall. After him come **Peredur** and **Theudu**.

The king list fizzles out at this point, but we know of **Gerent II**, possibly Theudu's successor. In 705, the Synod of Wessex wrote to "*Gerontius Rex*", demanding that the Celtic (Columban) Church in Cornwall conform to the doctrines of Rome. That demand was never fulfilled.

After Gerent II is a huge gap of 170 years before we find records of another Cornish king, **Donyarth**, recorded by the *Annales Cambriae* as having drowned in 878 AD. The *Annales* refer to him as "*rex Cerniu*" ("king of Cornwall"). Fifty years later, we find another one, **Huwal**, called by the Anglo-Saxon Chronicles "king of the West Welsh", a term exclusively used to describe the British Celts of Dumnonia and Cornwall (this was **not** Hywel Dda of South Wales). He was one of several kings who signed a treaty with Aethelstan of Wessex in 928 at Egmont Bridge, following which (and after he'd forced the Cornish from Exeter), Aethelstan fixed the border between Cornwall and Wessex at the east bank of the Tamar – exactly where it remains today in constitutional law (in spite of the unlawful alterations to it by the Boundary Commission and the Ordnance Survey).

So, was Huwal the last Cornish king?

We don't know, but it appears that at the time of the Norman Conquest a man named Cadoc, described as the last of the Cornish royal line, became the first Earl. After him, the Norman authorities cleverly appointed Celtic-speaking Bretons to the Earldom; men like Count Brian, Robert of Mortain and Count Alan. There are indications that, under this system, the Cornish regarded the Normans as allies.

Are you saying that Cornwall was not conquered by the English and absorbed into Wessex?

No, it wasn't. If it had been, the Anglo-Saxon Chronicles would not have failed to shout it. Instead, there's not a word, not in any record and the fact that some "historians" assume – even insist upon – its conquest by, and inclusion in, Wessex reflects rather badly upon their own integrity. Cornwall's continued independence is strongly supported by the fact that it has enjoyed special status, as Earldom and Duchy, ever since.

So, you don't believe that Cornwall is part of England?

No, and for many reasons. First of all, Cornwall was portrayed on numerous maps, including the famous *Mappa Mundi*, as separate from England right up until the mid-16th century. Henry VIII even listed England and Cornwall separately in the list of his realms given in his coronation address and, interestingly, Elizabeth I stated that she did not rule Cornwall (but Cornish was among the languages she was reputed to speak). 1549 changed many things. No longer do we find *Anglia et Cornubia* in official documents; the British Sea suddenly became the English Channel and Cornwall as a separate entity was omitted from the maps. No record exists of any formal annexation of Cornwall to England, nor were we party to the Act of Union in 1707. More reasons will crop up later.

So, the Cornish people are not English?

No, they can be no more English than the Welsh are, and for precisely the same reason. Modern archaeology now admits that the Cornish and Welsh of today are the remnants of an ancient race native to these islands since at least the Neolithic period, between 4,000 and 6,000 years ago. They also now believe that the Celtic language came into being during that same period as a common language of sea trading communities along the Atlantic coasts of Europe from Spain to the Hebrides. Cornish is a direct descendant of that early language. All in all, a heritage to be truly proud of even though officialdom seeks to erase it by dubbing monuments of those periods "English" Heritage. The English peoples, on the other hand, hail from what is now Germany and the Low Countries and did not begin to migrate into Britain until the mid-5th century AD. They had little or no contact with Cornwall until the 8th century. In 1937, Bartholomew published a Map of European Ethnicity prepared by the Edinburgh Institute of Geography which featured "Cornish Celtic".

I note that you never refer to Cornwall as a "county".

It's officially a Duchy and that's the title recommended by the Kilbrandon Report back in 1973 to be used instead of "county". The imposition of official county status imposed on Cornwall in 1889 (a year after the rest of the country) was not lawful. Interestingly, the Duchy Charters and other documents refer to the old Cornish Hundreds as "shires" and "counties". Now, how can any county contain counties?

The name Kernow, you say, is old?

Very old. The Ravenna Cosmography, compiled c700 AD from Roman material 300 years older, lists a route running westward into Cornwall. On this route is a place then called *Durocornovio* (Latinised from British Celtic *duno-Cornouio* -n – "fortress of the Cornish"). This has been identified as Tintagel (long before Earl Richard built his castle there) and in the Cornish of today would be rendered as *Dyn Kernowyon*. In 878, the drowned king Donyarth is recorded in Welsh annals as *rex Cerniu*, and you will find the present spelling – **Kernow** – as early as 1400. Remember that there was no such entity as England until just before the year 900 when it first appears on record (as *Englaland*). So, the invading Romans did not occupy England, as too many TV presenters state – how could they, unless they had a time machine that could jump 850 years into their future?

What about Cornwall's much-vaunted Parliament? Surely that's just a joke?

Far from it. Even in King John's day, Cornwall's Stannary Parliament was believed to stretch back into antiquity – no one knows how far back it goes. After Cornwall's brief war with England in 1497, part of the cause of which was due to the English king suspending the Stannaries, Henry VII relented and in 1508 restored it under the Charter of Pardon (for a price – the greedy king demanded and got £1,000). This gave the Stannary Parliament additional powers, still valid to this day. The Stannary has power of veto over any Statute or Act of Parliament. People think that the Stannary Parliament applied only to tanners, but the terms of the Charter include the words, "their heirs and successors". You don't have to be a tanner to be an heir or successor. The terms of the Charter apply to the entire Cornish people.

Yes, but 1508 was a long time ago.

Sure, it was, but there are extant English laws that date back even further. In 1977, in answer to a question from Plaid Cymru, the then Attorney General, Lord Elwyn Jones, confirmed that the powers of the Stannary remained intact at law. At a later date the Hansard Library also confirmed that the Charter of Pardon can only be repealed by the Cornish people themselves (as contrasted with "the people of Cornwall").

That's not very democratic.

Depends on how you look at it. The Charter of Pardon was meant for the Cornish people alone. I don't see that it's any different from the present situation in Andorra where Andorrans only make up about 40% of the population but only they are allowed to vote in its elections.

So why haven't we got that Parliament and its right of veto?

Because the establishment in London doesn't want it. In fact, it took only 41 years for London to trample all over the Charter with the forcible imposition of their state religion and language. It is not often mentioned that this contempt for the Charter and the Cornish people was a major reason for the war in 1549 (not 'rebellion' – you can only rebel against a legitimate authority). The attitude persists to this day. During that war, the Cornish took Plymouth without a shot being fired, then laid siege to Exeter for 5 weeks. We fought five of the biggest and bloodiest battles ever fought on British soil. Thousands died, including 900 unarmed Cornish prisoners (figure from Edward VI's own chronicler, John Hayward), and yet 'English' Heritage refuses to recognise the battle sites and enter them on the Register of British Battlefields. For that organisation, as it told visitors to Restormel Castle 6 years ago, there was no war – just "wicked rebels" opposing a "good king". Sadly, we came second but I still think that our general, Sir Humphrey Arundell, should be placed alongside Josef an Gof as the greatest of our heroes.

What about the Duchy? Is it true that it is just a collection of private estates?

That's what we are told, and Duchy representatives have been very liberal with the truth in that respect. The real and lasting truth lies in the successful submission by the Duchy's Attorney General, Sir George Harrison, in the late 1850s in a spat with the Crown over the latter's greedy attempt to land-grab Cornwall's foreshore. Harrison's submission stated plain fact, describing Cornwall as a Palatine state that had always been held apart from England and that the entire jurisdiction of the Crown within Cornish borders was held by the Duke. In other words – and uniquely in Britain – the reigning monarch's writ does not extend to Cornwall. Here, the Duke is the ruler. This is why Henry VIII listed England and Cornwall separately in the list of his realms given in his coronation address. He ruled England as King, and Cornwall as Duke. In fact, the title Duke of Cornwall is vastly senior to that of Prince of Wales. As Duke, the incumbent is a ruling sovereign; as Prince of Wales, he is merely a figurehead. Under Duchy Charters, the Duke appoints the Sherriff: elsewhere in Britain, including Wales, this appointment is made by the monarch.

Harrison also pointed out that, irrespective of external land holdings, the Duchy covered the entire area of Cornwall – including the bed and waters of the Tamar. This confirms the ancient boundary fixed by Aethelstan 900 years previously as, indeed, does the Tamar Bridge Act 1998 that also confirms the power of the Duke. This truth has not been altered since by change or amendment of any Act. It can be tested. If you die intestate on Cornish soil, your estate will pass to the Duchy.

The entire foreshore of Cornwall belongs to the Duchy. If a sturgeon is caught in Cornish waters, it must be offered to the Duke, who also enjoys right of wreck in Cornish waters. All four examples are unique in Great Britain – elsewhere these are rights of the Crown – and I must mention one other stipulation of the Duchy Creation Charter that remains law today: no agent of the Crown can even set foot on Cornish soil to carry out Crown duties unless with the express permission of both the Duke and the Cornish parliament.

Whoops – that opens a can of worms!

Yes, doesn't it just. It explains exactly why Cornwall's rights have been deliberately ignored for 450 years, and why the ongoing stream of official untruths. Just look at the organisations that operate in Cornwall in direct breach of the Duchy Charters: HM Inspector of Taxes, the Crown Prosecution Service, Crown Courts and even the quangos created by recent governments: English Heritage, English Nature, English Estates. The Government, acting in the name of the Crown, does not allow Cornish children to be taught their own heritage.

It even teaches them they are "English" and there have been recent complaints against teaching staff who have punished or humiliated Cornish children for insisting upon their true Cornish identity. London would be the first to condemn any other nation that was treating a legitimate minority in this way – and this situation has only been achieved, ever since 1549, by the exertion of "might is right". One day, this may well be challenged, perhaps in Europe or to another international court – up to now, Cornwall hasn't had the money to do it – and the London establishment can never win such a case.

The evidence against it is overwhelming. Westminster has operated in complete contempt of its own law for ages and to undo what it has done will create utter chaos – but whose fault is that? Not ours!