

## England and the Emergence of Constitutional Monarchy

One of the most prominent examples of resistance to absolute monarchy came in seventeenth-century England, where king and Parliament struggled to determine the role each should play in governing the nation. But the struggle over this political issue was complicated by a deep and profound religious controversy. With the victory of Parliament came the foundation for constitutional monarchy by the end of the seventeenth century.

**KING JAMES I AND PARLIAMENT** Upon the death of Queen Elizabeth in 1603, the Tudor dynasty became extinct, and the Stuart line of rulers was inaugurated with the accession to the throne of Elizabeth's cousin, King James VI of Scotland (son of Mary, queen of Scots), who became James I (1603–1625) of England. Although used to royal power as king of Scotland, James understood little about the laws, institutions, and customs of the English. He espoused the divine right of kings, the belief that kings receive their power directly from God and are responsible to no one except God. This viewpoint alienated Parliament, which had grown accustomed under the Tudors to act on the premise that monarch and Parliament together ruled England as a “balanced polity.” Parliament expressed its displeasure with James's claims by refusing his requests for additional monies needed by the king to meet the increased cost of government. Parliament's power of the purse proved to be its trump card in its relationship with the king.

Some members of Parliament were also alienated by James's religious policy. The Puritans—Protestants in the Anglican Church inspired by Calvinist theology—wanted James to eliminate the episcopal system of church organization used in the Church of England (in which the bishop or *episcopos* played the major administrative role) in favor of a Presbyterian model (used in Scotland and patterned after Calvin's church organization in Geneva, where ministers and elders—also called presbyters—played an important governing role). James refused because he realized that the Anglican Church, with its bishops appointed by the crown, was a major support of monarchical authority. But the Puritans were not easily cowed and added to the rising chorus of opposition to the king. Many of England's **gentry**, mostly well-to-do landowners below the level of the nobility, had become Puritans, and these Puritan gentry not only formed an important and substantial part of the House of Commons, the lower house of Parliament, but also held important positions locally as justices of the peace and sheriffs. It was not wise to alienate them.

**CHARLES I AND THE MOVE TOWARD REVOLUTION** The conflict that had begun during the reign of James came to a head during the reign of his son, Charles I (1625–1649). In 1628, Parliament passed the Petition of Right, which the king was supposed to accept before being granted any tax revenues. This petition prohibited taxation without Parliament's consent, arbitrary imprisonment, the quartering of soldiers in private houses, and the declaration of martial law in

peacetime. Although he initially accepted it, Charles later reneged on the agreement because of its limitations on royal power. In 1629, Charles decided that since he could not work with Parliament, he would not summon it to meet. From 1629 to 1640, Charles pursued a course of personal rule, which forced him to find ways to collect taxes without the cooperation of Parliament. One expedient was a tax called ship money, a levy on seacoast towns to pay for coastal defense, which was now collected annually by the king's officials throughout England and used to finance other government operations besides defense. This use of ship money aroused opposition from middle-class merchants and landed gentry, who objected to the king's attempts to tax without Parliament's consent.

The king's religious policy also proved disastrous. His marriage to Henrietta Maria, the Catholic sister of King Louis XIII of France, aroused suspicions about the king's own religious inclinations. Even more important, however, the efforts of Charles and William Laud, the archbishop of Canterbury, to introduce more ritual into the Anglican Church struck the Puritans as a return to Catholic popery. Grievances mounted. Charles might have survived unscathed if he could have avoided calling Parliament, which alone could provide a focus for the many cries of discontent throughout the land. But when the king and Archbishop Laud attempted to impose the Anglican Book of Common Prayer on the Scottish Presbyterian Church, the Scots rose up in rebellion against the king. Financially strapped and unable to raise troops to defend against the Scots, the king was forced to call Parliament into session. Eleven years of frustration welled up to create a Parliament determined to deal the king his due.

In its first session, from November 1640 to September 1641, the so-called Long Parliament (because it lasted in one form or another from 1640 to 1660) took a series of steps that placed severe limitations on royal authority. These included the abolition of arbitrary courts; the abolition of taxes that the king had collected without Parliament's consent, such as ship money; and the passage of the revolutionary Triennial Act, which specified that Parliament must meet at least once every three years, with or without the king's consent. By the end of 1641, one group in Parliament was prepared to go no further, but a group of more radical parliamentarians pushed for more change, including the elimination of bishops in the Anglican Church. When the king tried to take advantage of the split by arresting some members of the more radical faction in Parliament, a large group in Parliament led by John Pym and his fellow Puritans decided that the king had gone too far. England slipped into civil war.

**CIVIL WAR IN ENGLAND** Parliament proved victorious in the first phase of the English Civil War (1642–1646). Most important to Parliament's success was the creation of the New Model Army, which was composed primarily of more extreme Puritans known as the Independents, who believed they were doing battle for the Lord. It is striking to read in the military reports of Oliver Cromwell (1599–1658), one of the group's leaders, such statements as “Sir, this is none other



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### Civil War in England

wanted to disband the army and restore Charles I with a Presbyterian state church. The army, composed mostly of the more radical Independents, who opposed an established Presbyterian church, marched on London in 1647 and began negotiations with the king. Charles took advantage of this division to flee and seek help from the Scots. Enraged by the king's treachery, Cromwell and the army engaged in a second civil war (1648) that ended with Cromwell's victory and the capture of the king. This time, Cromwell was determined to achieve a victory for the army's point of view. The Presbyterian members of Parliament were purged, leaving a Rump Parliament of fifty-three members of the House of Commons who then tried and condemned the king on a charge of treason and adjudged that "he, the said Charles Stuart, as a tyrant, traitor, murderer, and public enemy to the good people of this nation, shall be put to death by the severing of his head from his body." On January 30, 1649, Charles was beheaded, a most uncommon act in the seventeenth century. The revolution had triumphed, and the monarchy in England had been destroyed, at least for the moment.

**CROMWELL AND NEW GOVERNMENTS** After the death of the king, the Rump Parliament abolished the monarchy and the House of Lords and proclaimed England a republic or commonwealth (1649–1653). This was not an easy period for Cromwell. As commander in chief of the army, he had to crush a Catholic uprising in Ireland, which he accomplished with a brutality that earned him the eternal enmity of the Irish people, as well as an uprising in Scotland on behalf of the son of Charles I.

Cromwell also faced opposition at home, especially from more radically minded groups who took advantage of the upheaval in England to push their agendas. The Levellers, for example, advocated such advanced ideas as freedom of speech, religious toleration, and a democratic republic, arguing for the right to vote for all male householders over the age of twenty-one. The Levellers also called for annual Parliaments, women's equality with men, and government programs to care for the poor. As one Leveller said, "The poorest he that is in England has a life to live as the greatest he." To Cromwell, a country gentleman, only people of

but the hand of God; and to Him alone belongs the glory." We might also attribute some of the credit to Cromwell himself, since his crusaders were well disciplined and trained in the latest military tactics. Supported by the New Model Army, Parliament ended the first phase of the civil war with the capture of King Charles I in 1646.

A split now occurred in the parliamentary forces. A Presbyterian majority



City Art Gallery, Leeds, UK/Getty Images

**Oliver Cromwell.** Oliver Cromwell was a dedicated Puritan who helped form the New Model Army and defeat the forces supporting King Charles I. Unable to work with Parliament, he came to rely on military force to rule England. Cromwell is pictured here in 1649, on the eve of his military campaign in Ireland.

property had the right to participate in the affairs of state, and he warned in a fit of rage: "I tell you . . . you have no other way to deal with these men but to break them or they will break you; and make void all that work that, with so many years' industry, toil, and pains, you have done . . . I tell you again, you are necessitated to break them."<sup>9</sup> And break them he did; Cromwell smashed the radicals by force. More than a century would pass before their ideas of democracy and equality became fashionable.

At the same time that Cromwell was dealing with the Levellers, he also found it difficult to work with the Rump Parliament and finally dispersed it by force. As the members of Parliament departed (in April 1653), he shouted after them, "It's you that have forced me to do this, for I have sought the Lord night and day that He would slay me rather than put upon me the doing of this work." With the certainty of one who is convinced he is right, Cromwell had destroyed both king and Parliament (see the box on p. 464).

The army provided a new government when it drew up the Instrument of Government, England's first and only written constitution. Executive power was vested in the Lord Protector (a position held by Cromwell) and legislative power in a reconstituted Parliament. But the new system failed to work. Cromwell found it difficult to work with Parliament, especially when its members debated his authority and



## Oliver Cromwell: Three Perspectives

**OLIVER CROMWELL WAS A STRONG LEADER** with firm religious convictions. The first selection below, taken from a letter written after the defeat of the king's forces at Naseby in 1645, reveals Cromwell's feelings about the reasons for his military victory. The next selection, also by Cromwell, is taken from his comments after his army's massacre of Catholic forces at Drogheda (DRAW-ih-duh) in Catholic Ireland. The third selection is by Edmund Ludlow, a general on Cromwell's side who broke with Cromwell after the latter had become Lord Protector. The final selection by Edward Hyde, the first earl of Clarendon, a supporter of King Charles I and later Charles II, presents a royalist view of Cromwell.

### Oliver Cromwell on the Victory at Naseby

Sir, this is none other but the hand of God; and to Him alone belongs the glory, wherein none are to share with Him. The general [Fairfax] served you with all faithfulness and honor: and the best commendations I can give him is, that I dare say he attributes all to God, and would rather perish than assume to himself. Which is an honest and a thriving way, and yet as much for bravery may be given to him, in this action, as to a man.

### Cromwell on the Massacre at Drogheda

The next day, the other two towers were summoned, in one of which was about six or seven score; but they refused to yield themselves, and we knowing that hunger must compel them, set only good guards to secure them from running away until their stomachs were come down. From one of the said towers, notwithstanding their condition, they killed and wounded some of our men. When they submitted, their officers were knocked on the head, and every tenth man of the soldiers killed, and the rest shipped for the Barbados. The soldiers in the other tower were all spared, as to their lives only, and shipped likewise for the Barbados.

I am persuaded that this is a righteous judgment of God upon these barbarous wretches, who have imbrued their hands in so much innocent blood; and that it will tend to prevent the effusion of blood for the future, which are the satisfactory grounds to such actions, which otherwise cannot but work remorse and regret.

### Edmund Ludlow, *Memoirs*

Then I drew near to the council-table, where Cromwell charged me with dispersing treasonable books in Ireland, and with endeavoring to render the officers of the army disaffected, by discoursing to them concerning new models of Government. I acknowledged that I had caused some papers to be dispersed in Ireland, but denied that they justly could be called treasonable. . . .

"You do well," said he, "to reflect on our fears. . . . I now require you to give assurance not to act against the

Government." I desired to be excused in that particular, reminding him of the reasons I had formerly given him for my refusal, adding that I was in his power, and that he might use me as he thought fit. "Pray then," said he, "what is it that you would have? May not every man be as good as he will? What can you desire more than you have?" "It were easy," said I, "to tell what we would have." "What is that, I pray?" said he. "That which we fought for," said I, "that the nation might be governed by its own consent." "I am," said he, "as much for a government by consent as any man; but where shall we find that consent? Amongst the Prelatical, Presbyterian, Independent, Anabaptist, or Leveling Parties?" I answered, "Amongst those of all sorts who had acted with fidelity and affection to the public."

### Lord Clarendon, *The History of the Rebellion and Civil Wars in England*

He was one of those men, . . . whom his very enemies could not condemn without commending him at the same time: for he could never have done half that mischief without great parts of courage, industry, and judgment. He must have had a wonderful understanding in the natures and humors of men, and as great a dexterity in applying them; who, from a private and obscure birth (though of a good family), without interest or estate, alliance or friendship, could raise himself to such a height, and compound and knead such opposite and contradictory tempers, humors, and interests into a consistence, that contributed to his designs, and to their own destruction; whilst himself grew insensibly powerful enough to cut off those by whom he had climbed, in the instant that they projected to demolish their own building. What [a Roman writer] said of Cinna [a Roman politician] may very justly be said of him: he attempted those things which no good man dared have ventured on; and achieved those in which none but a valiant and great man could have succeeded. Without doubt, no man with more wickedness ever attempted any thing, or brought to pass what he desired more wickedly, more in the face and contempt of religion, and moral honesty; yet wickedness as great as his could never have accomplished those trophies, without the assistance of a great spirit, an admirable circumspection and sagacity, and a most magnanimous resolution.



What motivated Cromwell's political and military actions? What was Edmund Ludlow's criticism of Cromwell, and how did Cromwell respond? In what ways did Edward Hyde see both good and bad features in Cromwell? How do you explain the differences in these three perspectives?

Sources: Oliver Cromwell on the Victory at Naseby. From Thomas Carlyle, ed., *THE LETTERS AND SPEECHES OF OLIVER CROMWELL*, 3 vols. (New York: G.P. Putnam's Sons, 1904), Vol. 1, p. 204. Cromwell on the Massacre at Drogheda. From Thomas Carlyle, ed., *THE LETTERS AND SPEECHES OF OLIVER CROMWELL*, 3 vols. (New York: G.P. Putnam's Sons, 1904), Vol. 3, p. 15. Edmund Ludlow, *Memoirs*. From C.H. Firth, *THE MEMOIRS OF EDMUND LUDLOW* (Oxford: Oxford University Press, 1894), Vol. 2, pp. 10–11. Lord Clarendon, *The History of the Rebellion and Civil Wars in England*. From Lord Clarendon, *THE HISTORY OF REBELLION AND CIVIL WARS IN ENGLAND* (Oxford: Oxford University Press, 1839), Vol. 6, pp. 349–350.

advocated once again the creation of a Presbyterian state church. In 1655, Cromwell dissolved Parliament and divided the country into eleven regions, each ruled by a major general who served virtually as a military governor. To meet the cost of military government, Cromwell levied a 10 percent land tax on all former Royalists. Unable to establish a constitutional basis for a working government, Cromwell had resorted to military force to maintain the rule of the Independents, ironically using even more arbitrary policies than those of Charles I.

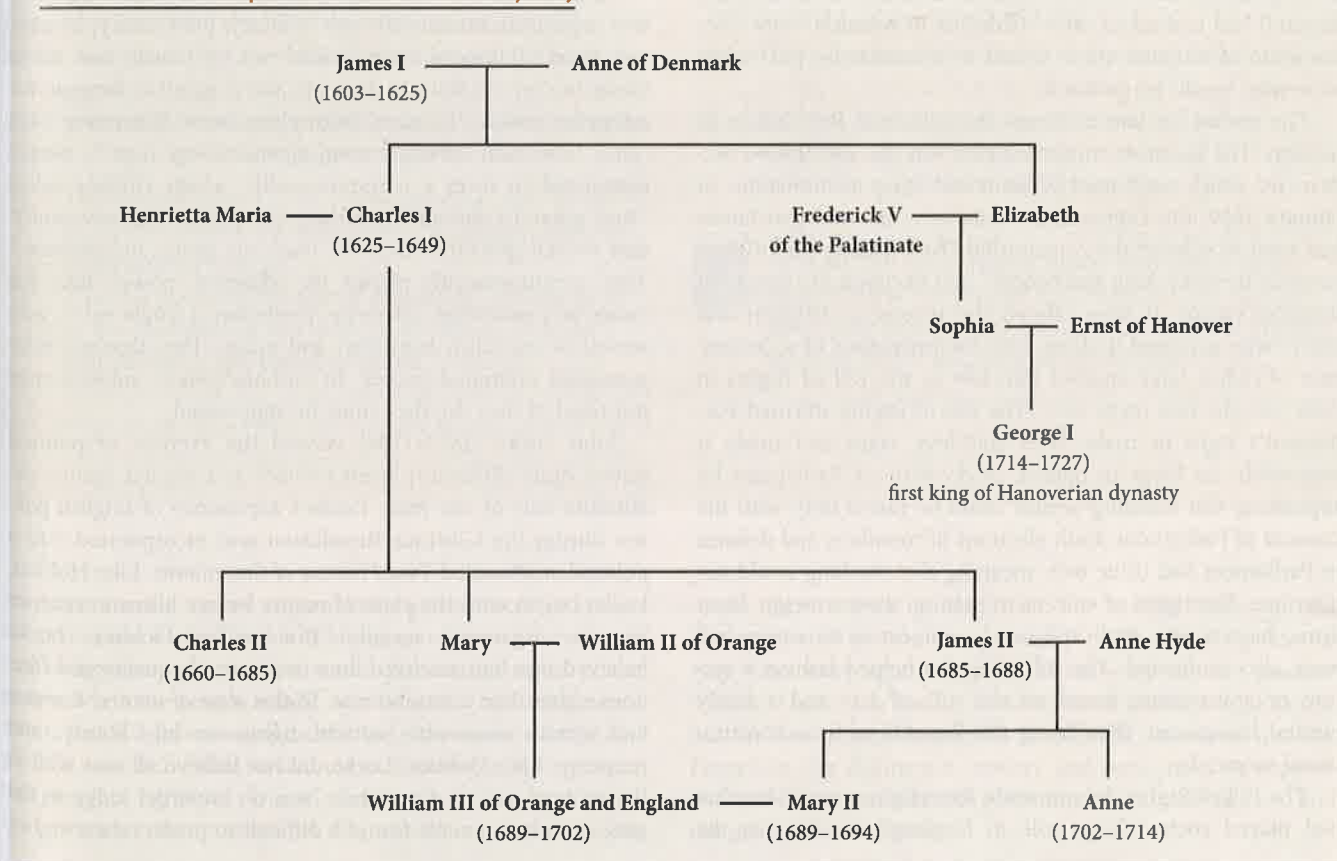
Oliver Cromwell died in 1658. After floundering for eighteen months, the military establishment decided that arbitrary rule by the army was no longer feasible and reestablished the monarchy in the person of Charles II, the eldest son of Charles I (see Chart 15.1). The restoration of the Stuart monarchy ended England's time of troubles, but it was not long before yet another constitutional crisis arose.

**RESTORATION OF THE MONARCHY** After eleven years of exile, Charles II (1660–1685) returned to England. As he entered London amid the acclaim of the people, he remarked cynically, “I never knew that I was so popular in England.” The restoration of the monarchy and the House of Lords did not mean, however, that the work of the English Revolution was undone. Parliament kept much of the power it had won: its role in government was acknowledged, the necessity for its

consent to taxation was accepted, and arbitrary courts were still abolished. Yet Charles continued to push his own ideas, some of which were clearly out of step with many of the English people. A serious religious problem disturbed the tranquillity of Charles II's reign. After the restoration of the monarchy, a new Parliament (the Cavalier Parliament) met in 1661 and restored the Anglican Church as the official church of England. In addition, laws were passed to force everyone, particularly Catholics and Puritan Dissenters, to conform to the Anglican Church. Charles, however, was sympathetic to and perhaps even inclined toward Catholicism. Moreover, Charles's brother James, heir to the throne, did not hide the fact that he was a Catholic. Parliament's suspicions were therefore aroused in 1672 when Charles took the audacious step of issuing the Declaration of Indulgence, which suspended the laws that Parliament had passed against Catholics and Puritans. Parliament would have none of it and induced the king to suspend the declaration. Propelled by a strong anti-Catholic sentiment, Parliament then passed the Test Act of 1673, specifying that only Anglicans could hold military and civil offices.

A purported Catholic plot to assassinate King Charles and place his brother James on the throne, though soon exposed as imaginary, inflamed Parliament to attempt to pass a bill that would have barred James from the throne as a professed Catholic. Although these attempts failed, the debate over the

**CHART 15.1 A Simplified Look at the Stuart Dynasty**





bill created two political groupings: the Whigs, who wanted to exclude James and establish a Protestant king with toleration of Dissenters, and the Tories, who supported the king, despite their dislike of James as a Catholic, because they believed that Parliament should not tamper with the lawful succession to the throne. To foil these efforts, Charles dismissed Parliament in 1681, relying on French subsidies to rule alone. When he died in 1685, his Catholic brother came to the throne.

The accession of James II (1685–1688) virtually guaranteed a new constitutional crisis for England. An open and devout Catholic, his attempt to further Catholic interests made religion once more a primary cause of conflict between king and Parliament. Contrary to the Test Act, James named Catholics to high positions in the government, army, navy, and universities. In 1687, he issued a new Declaration of Indulgence, which suspended all laws barring Catholics and Dissenters from office. Parliamentary outcries against James's policies stopped short of rebellion because members knew that he was an old man and that his successors were his Protestant daughters Mary and Anne, born to his first wife. But on June 10, 1688, a son was born to James II's second wife, also a Catholic. Suddenly, the specter of a Catholic hereditary monarchy loomed large.

**A GLORIOUS REVOLUTION** A group of seven prominent English noblemen invited William of Orange, husband of James's daughter Mary, to invade England. William and Mary raised an army and invaded England while James, his wife, and their infant son fled to France. With almost no bloodshed, England had embarked on a "Glorious Revolution," not over the issue of whether there would be a monarchy but rather over who would be monarch.

The events of late 1688 set the Glorious Revolution in motion. The far more important part was the Revolution Settlement, which confirmed William and Mary as monarchs. In January 1689, the Convention Parliament asserted that James had tried to subvert the constitution "by breaking the original contract between king and people" and declared the throne of England vacant. It then offered the throne to William and Mary, who accepted it along with the provisions of a declaration of rights, later enacted into law as the Bill of Rights in 1689 (see the box on p. 467). The Bill of Rights affirmed Parliament's right to make laws and levy taxes and made it impossible for kings to oppose or do without Parliament by stipulating that standing armies could be raised only with the consent of Parliament. Both elections of members and debates in Parliament had to be free, meaning that the king could not interfere. The rights of citizens to petition the sovereign, keep arms, have a jury trial, and not be subject to excessive bail were also confirmed. The Bill of Rights helped fashion a system of government based on the rule of law and a freely elected Parliament, thus laying the foundation for a constitutional monarchy.

The Bill of Rights did not settle the religious questions that had played such a large role in England's troubles in the

seventeenth century. The Toleration Act of 1689 granted Puritan Dissenters the right of free public worship (Catholics were still excluded), although they did not yet have full civil and political equality since the Test Act was not repealed. Although the Toleration Act did not mean complete religious freedom and equality, it marked a departure in English history: few people would ever again be persecuted for religious reasons.

Many historians have viewed the Glorious Revolution as the end of the seventeenth-century struggle between king and Parliament. By deposing one king and establishing another, Parliament had demolished the divine-right theory of kingship (William was, after all, king by grace of Parliament, not God) and confirmed its right to participate in the government. Parliament did not have complete control of the government, but it now had an unquestioned role in affairs of state. Over the next century, it would gradually prove to be the real authority in the English system of constitutional monarchy.

**RESPONSES TO REVOLUTION** The English revolutions of the seventeenth century prompted very different responses from two English political thinkers—Thomas Hobbes and John Locke. Thomas Hobbes (1588–1679), who lived during the English Civil War, was alarmed by the revolutionary upheavals in his contemporary England. Hobbes's name has since been associated with the state's claim to absolute authority over its subjects, a topic that he elaborated in his major treatise on political thought known as the *Leviathan* (luh-VY-uh-thun), published in 1651.

Hobbes claimed that in the state of nature, before society was organized, human life was "solitary, poor, nasty, brutish, and short." Humans were guided not by reason and moral ideals but by animalistic instincts and a ruthless struggle for self-preservation. To save themselves from destroying each other (the "war of every man against every man"), people contracted to form a commonwealth, which Hobbes called "that great Leviathan (or rather, to speak more reverently, that mortal god) to which we owe our peace and defense." This commonwealth placed its collective power into the hands of a sovereign authority, preferably a single ruler, who served as executor, legislator, and judge. This absolute ruler possessed unlimited power. In Hobbes's view, subjects may not rebel; if they do, they must be suppressed.

John Locke (1632–1704) viewed the exercise of political power quite differently from Hobbes and argued against the absolute rule of one man. Locke's experience of English politics during the Glorious Revolution was incorporated into a political work called *Two Treatises of Government*. Like Hobbes, Locke began with the state of nature before human existence became organized socially. But unlike Hobbes, Locke believed that humans lived then in a state of equality and freedom rather than a state of war. In this state of nature, humans had certain inalienable natural rights—to life, liberty, and property. Like Hobbes, Locke did not believe all was well in the state of nature. Since there was no impartial judge in the state of nature, people found it difficult to protect these rights.

# The Bill of Rights

IN 1688, THE ENGLISH EXPERIENCED yet another revolution, a bloodless one in which the Stuart king James II was replaced by Mary, James's daughter, and her husband, William of Orange. After William and Mary had assumed power, Parliament passed the Bill of Rights, which specified the rights of Parliament and laid the foundation for a constitutional monarchy.

## The Bill of Rights

Whereas the said late King James II having abdicated the government, and the throne being thereby vacant, his Highness the prince of Orange (whom it has pleased Almighty God to make the glorious instrument of delivering this kingdom from popery and arbitrary power) did (by the device of the lords spiritual and temporal, and diverse principal persons of the Commons) cause letters to be written to the lords spiritual and temporal, being Protestants, and other letters to the several counties, cities, universities, boroughs, and Cinque Ports, for the choosing of such persons to represent them, as were of right to be sent to parliament, to meet and sit at Westminster upon the two and twentieth day of January, in this year 1689, in order to such an establishment as that their religion, laws, and liberties might not again be in danger of being subverted; upon which letters elections have been accordingly made.

And thereupon the said lords spiritual and temporal and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representation of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done), for the vindication and assertion of their ancient rights and liberties, declare:

1. That the pretended power of suspending laws, or the execution of laws, by regal authority, without consent of parliament is illegal.
2. That the pretended power of dispensing with the laws, or the execution of law by regal authority, as it has been assumed and exercised of late, is illegal.

3. That the commission for erecting the late court of commissioners for ecclesiastical causes, and all other commissions and courts of like nature, are illegal and pernicious.
4. That levying money for or to the use of the crown by pretense of prerogative, without grant of parliament, for longer time or in other manner than the same is or shall be granted, is illegal.
5. That it is the right of the subjects to petition the king, and all commitments and prosecutions for such petitioning are illegal.
6. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of parliament, is against law.
7. That the subjects which are Protestants may have arms for their defense suitable to their conditions, and as allowed by law.
8. That election of members of parliament ought to be free.
9. That the freedom of speech, and debates or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament.
10. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
11. That jurors ought to be duly impaneled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders.
12. That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void.
13. And that for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliament ought to be held frequently.



How did the Bill of Rights lay the foundation for a constitutional monarchy? What key aspects of this document testify to the exceptional nature of English state politics in the seventeenth century?

Source: From *The Statutes: Revised Edition* (London: Eyre and Spottiswoode, 1871), Vol. 2, pp. 10–12.

So they mutually agreed to establish a government to ensure the protection of their rights. This agreement established mutual obligations: government would protect the rights of the people while the people would act reasonably toward government. But if a government broke this agreement—for example, if a monarch failed to live up to his obligation to protect the people's rights or claimed absolute authority and made laws without the consent of the community—the people

might form a new government. For Locke, however, the community of people was primarily the landholding aristocracy who were represented in Parliament, not the landless masses. Locke was hardly an advocate of political democracy, but his ideas proved important to both the Americans and the French in the eighteenth century and were used to support demands for constitutional government, the rule of law, and the protection of rights.