King Versus Parliament in the Reign of Charles I

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KING VERSUS PARLIAMENT

IN THE REIGN OF

CHARLES I

by

Robert E. Beckman, S.J.

A Thesis Submitted to the Faculty of the Graduate School of Loyola University in Partial Fulfillment of the Requirements for the Degree of Master of Arts

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LIFE

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THE SITUATION

When Queen Elizabeth died in 1603, the monarchy of England was still in outward appearance what it had been—the master of the State, the source of all government. The person of the monarch was as sacred as ever, was regarded with a deep veneration, was treated with great pomp and ceremony, and was felt to be separated from the subjects by an impassable gulf. And yet within half a century the change was so complete that the monarch had been hounded from his throne, defeated on the field of battle, declared guilty of treason, and done to death on the scaffold. The overthrow of monarchy in England was complete.

Charles I, whom Belloc terms "the last ruling King of England," has variously been described as a "man of blood" and the "Martyr King." Oliver Cromwell, the man who was instrumental in the overthrow of the monarchy, has been hailed as a national hero—the savior of his people, and condemned as a hypocrite and a villain—guilty of treason and the rule of the sword.

What caused such a rapid and complete transformation of politics in England? What has caused such a divergence of opinions concerning the two men who played the leading roles in the
final act of the drama? The key to the solution, that which underlies the entire situation and must be fully understood and appreciated, lies in the conflicting theories of government espoused by King and Parliament: the Divine Right of Kings as opposed to parliamentary supremacy in a limited monarchy. It was his adherence to the principles of the Divine Right of Kings that led Charles to his execution at the hands of his subjects.
CHAPTER I

THE KING CAN DO NO WRONG

Kings are justly called Gods, for that they exercise a manner or resemblance of Divine power upon earth: For if you will consider the Attributes to God, you shall see how they agree in the person of a King. God hath power to create, or destroy, make, or unmake at his pleasure, to give life, or send death, to judge all, and to be judged nor accountable to none: To raise low things, and to make high things low at his pleasure, and to God are both soul and body due. And the like power have Kings: they make and unmake their subjects: they have power of raising, and casting down; of life, and of death: Judges over all their subjects, and in all causes, and yet accountable to none but God only.1

How can James claim that the King is responsible to God alone for his actions, that all law is a mere concession of the King's will? Such statements fall strangely upon modern democratic ears; and yet perhaps the majority of the people of the early seventeenth century accepted such statements at face value. To understand this is to understand the Stuart position in the struggle with Parliament, which requires an understanding of the nature and development of the theory of Divine Right of Kings.

"If there had been no Holy Roman Empire, or if there

had been no failure to realize the ideals embodied in it, there
would have been no theory of Divine Right of Kings." Professor
Figgis thus unequivocally asserts the derivation of the political
theory of the Divine Right of Kings of the seventeenth century
from the medieval conception of the Holy Roman Empire. It is his
contention that the political theory of the Divine Right of Kings
is primarily of religious origin and is the result of the con­
flicting claims of medieval Popes and Emperors. This political
theory, based upon a theological theory of politics, is seen as
the bridge between the Middle Ages and modern times; it marks the
transition from medieval to modern modes of thought. In order to
understand adequately the theory of the Divine Right of Kings, the
theory of the Holy Roman Empire and the controversies between
Pope and Emperor must first be examined, for from the failure of
the latter was developed the root idea of the former.

In theory the Empire was a perfect state with two elec­
ted heads, one spiritual and one temporal, working in harmony for
the maintenance of peace and Christian unity. An intimate con­
nection existed between politics and religion, for the ideal of
the empire was a theocracy with Christ as the King, having two
vice-regents, Pope and Emperor, to carry out His will upon earth.

2 John N. Figgis, The Divine Right of Kings, Second
It was not the medieval belief that there were two equal heads of
the Empire, but that Christ was the real head, and the Pope and
Emperor were conceived rather as executors armed from above ra-
ther than themselves as ultimate authorities. There is no diffi-
culty in having two superior officials independent of one another,
if they are both regarded as essentially subordinate to a single
supreme governor. It was the vividness with which men realized
the position of Christ as Lord of the Christian commonwealth that
could alone render possible such a state. A principle cause of
the downfall of the Empire was that both Pope and Emperor claimed
independence and supremacy, with both claims based on Divine
Right. These conflicting claims "remain the fundamental basis of
political controversy, not only throughout the Middle Ages, but
until the theory of Divine Right has passed away." 3 It was the
papal claim to Divine Right which caused the Emperors to put
forth a similar claim, which eventually led to the theory of the
Divine Right of Kings, or the divine right of secular governments
to be free from papal control.

In a twofold society of this sort, a sense of the need
of unity was keenly felt and was to lead to the claim of absolute
supremacy by both the spiritual and the temporal heads. For two
reasons it was natural that the Pope should be the first to ad-

3 Ibid., 41.
vance his claim to superiority; first because his claim to spiritual sovereignty would seem to precede the Emperor's claim to temporal sovereignty, and secondly because the Emperor was weak and hard put over to maintain his position as king of Germany.

From Gregory VII to Boniface VIII there was developing this theory of Divine Right. As Figgis says, it was felt that "unity in a state is only to be obtained by the unquestioned supremacy of some one authority whose acts are subject to no legal criticism." Thus the way is open to the assertion of the divine institution of monarchy as a form of government, whether spiritual or secular, and the monarch, moreover, derives his power immediately from God alone and is subject to no other.

The substance of the papal claim is to be found in _Unam Sanctam_, a Bull of Boniface VIII, in which he states that he is the supreme head of the Christian commonwealth, accountable to God alone; that as there cannot be two heads, spiritual and secular, one must be subject to the other; that his power is of God alone and is derived from no earthly intermediary, and therefore resistance to him as a divinely ordained sovereign is not allowable. This, then, is a theory of Divine Right, and asserts that the Pope is superior to the Emperor. The Emperor, in turn, was

4 Ibid., 49.
to retaliate, and after him the kings of various nations, until these very claims are put forth by James I in the seventeenth century. At the root lies the claim to the implicit obedience of all his subjects, based upon religion. Men must obey a king even though obedience involves disloyalty to an immediate lord, the king's vassal. But the papal claim was that since the Emperor was God's vassal, he may be deposed at the bidding of the Pope, whose word is the voice of God.

In reply to such claims on the part of the Holy See, the Emperors raised like claims on the same grounds in their own behalf. Their argument was based largely on scriptural texts such as "My kingdom is not of this world;" 5 "Render unto Caesar the things that are Caesar's;" 6 and "Thou couldst have no power against me unless it were given thee from above," 7 to prove that secular government is of divine appointment. To the Divine Right of the Pope they opposed the Divine Right of the Emperor. "The only effective method of controverting the Papal pretensions was to elaborate a counter theory that the Emperor's rights came direct from God." 8 It was but a question of time until the claim would be made not only by Emperors, but by kings as well. The

5 John, 18, 36.
7 John, 19, 11.
8 Figgis, Divine Right of Kings, 59.
movement in this direction was begun by Philip the Fair of France who repudiated the claim to sovereignty of Boniface VIII. From this point stems the theory of Divine Right as applied to kings, and more particularly, too, the theory of Gallicanism which was to play so important a role in French Church History.

As finally evolved, the doctrine of Divine Right of Kings includes the following main propositions: (1) Monarchy is a divinely ordained institution; (2) Monarchy is hereditary in such a way that succession is regulated by the law of primogeniture, so that the right acquired by birth cannot be forfeited through any incapacity, deposition or usurpation; (3) The monarch is accountable to God alone so that all sovereignty is held directly from God and is exercised independently of the people, all law being a mere concession of his will; and (4) Non-resistance and passive obedience are enjoined by God so that under any circumstances resistance to the monarch is a sin, and seeming injustices are to be patiently endured.

Briefly this means that the king is appointed directly by God, and upon his death, the title to kingship passes directly to his eldest son, so that full political sovereignty is vested in the king directly by God. Since all sovereignty is possessed by the king directly from God, the king is responsible to God alone, and not to his people; the king, therefore, may make any law he chooses, but still is bound only by God. If the king
reigns unjustly, the people have no recourse but to prayer; they must obey. This is contrary to the teaching of most Catholic philosophers who maintain that sovereignty is originally possessed by the people who make up the State, and they, of their own accord, freely delegate their authority to their rulers; this delegated authority may be revoked in grave cases.

To all this controversy between Church and State, England paid little heed. Though always Catholic, her relations with the Pope were not always overly-cordial, as is evidenced by the quarrels carried on by William the Conqueror, John Lackland, Henry I, and others. It was not until the last decades of the fourteenth century that the theory of Divine Right as such seeped into England, and then it finds expression in the writings of Wycliffe, and is the basis of the definite theory of kingship of Richard II. Wycliffe asserted that it was the duty of the sovereign to assist the Church by relieving the clergy of their temporal concerns. The king, although not subject to positive law, should obey his own laws, not under compulsion but voluntarily, for he is above the law. Whether or not Richard was influenced by the writings of Wycliffe cannot definitely be determined, but he regarded himself as the "sole source of law, not bound by custom, and was king by God's grace and right of birth."

9 Ibid., 75.
Nor did Richard confine himself to words, but he put his theory into action by prosecuting the Lords Appellant, and persuaded Parliament to delegate its authority to a perpetual committee of eighteen hand-picked men. In these various ways he showed that he regarded neither law nor custom as restricting his action. Richard desired to found an absolute monarchy and to relieve the Crown of all limitations.

Such action on the part of Richard II set the stage for his cousin to establish the Lancastrian dynasty by usurping the throne as Henry IV. In elevating Henry to the throne the English nobles passed over the nearest heir and asserted the right of Parliament to elect the fittest person from within the royal family. This action on the part of Parliament is seemingly in contrast to the principle of succession contained in the theory of Divine Right, and yet even in this instance Henry's action demonstrated that he regarded the principle of primogeniture as an essential note of Divine Right by claiming to be the nearest heir to Henry III. "The fiction was transparent enough...yet the more ridiculous the fable appears, the stronger is the evidence it affords of the hold upon the minds of Englishmen of the principle of strict hereditary succession,"\textsuperscript{10} for he would not attempt to bolster his claim by an evident falsehood, except to satisfy

\textsuperscript{10} Ibid., 81.
some really existing sentiment. The accession of the Yorkist
Edward IV was made possible by reason of the fact that he was the
legitimate heir of Edward III, and the notion of indefeasible
hereditary right gained added prominence and led to the War of
the Roses. Every English sovereign was careful to maintain that
he held the throne by hereditary right. Even Henry VII made this
specious claim, and solidified his claim by marrying Elizabeth,
the direct descendant. The heirs of Henry VIII, too, were care-
ful to proffer such a claim, and this was a chief cause for the
beheading of Mary Queen of Scots whose claim to the English Crown
was better than that of Elizabeth.

Equally essential to Divine Right is the theory that
the authority stems directly from God, and strict obedience is
due the possessor of this authority. Obedience must be given
either to Pope or king; the kings maintained that the essential
unity of a state would be violated if it were given to the Pope,
so consequently obedience was due to the Crown. After the ex-
communication of Elizabeth by Pope St. Pius V in 1570 this claim
assumed greater importance and even necessity on the part of
Elizabeth. When her Catholic subjects were released from their
obligations to her it was necessary that she should champion the
theory of the religious duty of obedience to the established gov-
ernment. She must necessarily maintain that her authority stems
directly from God and does not come through the Pope, so that
Rome cannot regulate obedience due to her.

With the development of the theory of Divine Right from the Middle Ages down to the time of James I, the emphasis is seen to shift gradually from the religious to the political aspect. By the time of James I, the kings have established in practice their independence of the Papacy, and the conflict now lies between king and Parliament. By reason of his claim to divine authority, James felt himself to be independent not only of the Pope but also of Parliament. What was begun to establish independence of the Papacy resulted in an assertion of independence of all law and restriction, so that the conflict between king and Parliament during the Stuart period of English history is but the logical development of the doctrine of Divine Right of Kings. As advocated by James I the theory of Divine Right was opposed to the political encroachments of Parliament as well as to the religious claims of the Pope and Calvin. It was James' contention that the king holds his authority directly from God and not through the medium of any other person. The king possesses and executes his authority independently of any human agency.

Of special importance to James was the doctrine of Calvinism, the religion of his Scottish subjects, introduced by John Knox in the form of Presbyterianism. The Calvinistic position was somewhat similar to that of the Catholics in this regard. It is recorded that Andrew Melville declared in the presence of
James VI of Scotland (James I of England) that "there are two kings and two kingdoms in Scotland, that is King James the head of the Commonwealth, and there is Christ Jesus, the King of the Church, whose subject King James VI is, and of whose kingdom he is not a king, nor a lord, nor a head, but a member."\textsuperscript{11}

The Catholic position, on the other hand, as explained by Cardinal Bellarmine, maintained that "the Pontifical power is of itself spiritual, and therefore has as its primary and direct object, spiritual concerns. But indirectly, that is, through relation to the spiritual and necessarily following upon it, it has as its secondary and indirect object, temporal concerns."\textsuperscript{12} In virtue of his direct spiritual power and indirect temporal power the Pope may interfere directly only in spiritual matters, but if a political measure of a king is spiritually harmful, the Pope may then interfere. "It is hardly too much to say," says Professor McIlwain, "that it was opposition to the Pope's indirect power which made the theory of divine right of kings the gospel of practically all English Protestants in this age."\textsuperscript{13} An indication of the feeling of King James toward Cardinal Bellarmine may be seen in the statement of the King in which he says that "Christ is no more contrary to Belial, light to darkness, and

\textsuperscript{11} Ibid., 286.

\textsuperscript{12} Political Works of James I, Introduction by McIlwain, xxii.

\textsuperscript{13} Ibid., xxv.
heaven to hell, than Bellarmine's estimation of Kings is to God."

In view of these conflicting claims, the Catholic Eng­lishman found himself torn between two duties. As a Catholic he must obey the Pope, and as an Englishman he must obey his sover­eign. This state of affairs existed, claimed the Protestants, as a result of papal action, and its unreasonable demands, while the Catholics maintained that it was due to the schism of Henry VIII.

To the Protestant mind, the English Catholic in upholding papal supremacy was subordinating England to Rome, and hence he was not a good subject. The Catholic historian admits a certain conflict, but puts the blame on the Reformation, while the Protestant histor­ian is inclined to charge it all to the Counter-Reformation and completely exonerates the ministers of Elizabeth. As an in­stance of this, the Protestant historian Trevelyan might be cited, for he states that "the greatest mass of mental suffering and physical pain that Europe has undergone since the barbaric ages was brought about by the partially successful struggle of the Catholic reaction to recover revolted Christendom."

For James I the Divine Right theory, being both re­ligious and political, was a twofold problem. The theory developed gradually in opposition to the doctrine of papal supremacy, and by the time of James his religious adversaries were primarily

the Calvinists with their two-state theory, and the Jesuits led by Bellarmine with his interpretation of direct and indirect papal power. After Henry VIII and Elizabeth, this religious aspect declined somewhat and gave way to the political, so that most of the opposition to the theory as advocated by James and practiced by Charles came from Parliament. The king, they claimed, is not above the law, and his will is not supreme, for he is subject to parliamentary restraint. Consequently he may not exercise his authority independently of the people, and hence he is permanently bound by his contracts and promises, not merely so long as it suits his fancy.

James did not rest content to have others plead his cause, but he himself engaged in the controversy. In several documents, as well as in many parliamentary addresses, he outlines his conception of the Divine Right theory, especially in his Trew Law of Free Monarchies. It is James' claim in this treatise that Monarchy is the best type of government, "which forme of government, as resembling the Divinitie, approacheth nearest to perfection, as all the learned and wise men from the beginning have agreed upon; Unitie being the perfection of all things." The king is sacred in character, secure from all restriction, religious or civil by Pope or Parliament, and has ab-

solute authority in his kingdom. Monarchy is divinely estab-
lished, and the throne comes to its rightful occupant solely
through an indefeasible hereditary right. He and he alone has a
just right to the throne, and that by reason of the law of pro-
geniture, not through the ceremony of anointing or by papal
sanction or by parliamentary election. As such the king is
accountable to God alone for his actions, and not to his subjects
or the laws of the kingdom. All law is a mere concession of his
will and all constitutional forms and assemblies exist entirely
at his pleasure. A good king "will frame all his actions to be
according to the Lawe, yet is hee not bound thereto but of his
good will and for good example-giving to subjects."16 The laws
of Scotland, he reminds his people, were made by their kings, and
not the kings by the laws.

The king is overlord of the entire land, and hence over
every person in the land, so that he has "power over the life and
death of every one of them."17 For no reason may aking be de-
posed, since he is divinely appointed. It is true that a tyrant
might ascend the throne so that the lot of the people is insuf-
ferable, yet they should accept the bad king as ascourage from God
for their sins. They must endure patiently, pray for their sov-
ereign, and amend their own lives. This is their only recourse.

16 Ibid.
17 Ibid.
The law of nature itself shows that a king is the father of his people, and it would be thought monstrous for a child to rise up against his parent. Even among wild beasts when a parent abuses an offspring the young never offers resistance "except among the vipers, which proves such persons as ought to be reasonable creatures, and yet unnaturally follow this example, to be endued with their viperous nature." And furthermore, though it may be necessary that the head, for some reason, must cut off a member to protect the whole, yet it would be disastrous for the members to cut off the head.

The king comes to the throne by birth, not by any right of coronation. "For at the very moment of the expiring of the king reigning, the nearest and lawful heir enters in his place; and so to refuse him, or to intrude another, is not to hold out uncomming in, but to expell and put out their righteous king." The king is responsible to God and to God alone, but the judgment of God shall sit heavy upon him for "the higher that his seat is above theirs, the greater is his obligation to his Maker."

With regard to the supremacy of the king over his Parliament, James says that "Kings are not only God's lieutenants

18 Ibid., 65.
19 Ibid., 69.
20 Ibid., 70.
upon earth and sit upon God's thorne, but even by God Himself they are called gods. As to dispute what God may do is blasphemy, so it is sedition in his subjects to dispute what a king may do in height of his power."21 Parliament sits, not by its own right but of the king's grace; as their privileges are granted by royal concession, so the king can dispense with them.

It will be of prime importance to bear in mind these main points of James' doctrine of Divine Right, for they recur again and again during Charles' reign. They are the key to the royal struggle with Parliament and provide the answer to many otherwise difficult questions. Many regard Charles as a man of no principles, an opportunist with no honor who failed to keep his word, for he frequently promised one thing, only to renege at the first opportunity. In point of fact, however, nothing could be farther from the truth than to regard Charles as a man of no principles; on the contrary he was a man with the courage of his convictions, although his convictions might be wrong. A lesser man would have given way to Parliament by temporizing and compromising his position. Such expressions as "all law is a mere concession of his will" and "all constitutional forms and asseblies exist entirely at his pleasure," and "for no reason may a king be deposed, since he is divinely appointed" explain why

Charles was to make conflicting promises, dissolve recalcitrant Parliaments, and refuse to recognize the authority of the court which was to try him for his life. It was the theory of Divine Right which led Charles to the block.
CHAPTER II

CONFLICT OVER ADVISERS

The doctrine of absolute sovereignty which had guided James' policy was his son's heritage. "He adopted in good faith the doctrine of absolute sovereignty which his father had so carefully taught."¹ Charles acted on the doctrine so far as circumstances allowed, and when it failed him he could fall back on no other. Charles never attempted elaborately to define his conception of kingship, for he did not share his father's fondness for abstract speculation nor his literary and oratorical ability. No treatise comparable to the Trew Law of Free Monarchies flowed from the pen of Charles. But the course of action pursued, as well as such utterances as "I owe the account of my actions to God alone,"² and "liberty and freedom of subjects...is not for having share in Government; that is nothing pertaining to them.


² John Rushworth, Historical Collections of Private Passages of State, of Weighty Matters in Law, of Remarkable Proceedings in Five Parliaments, Beginning the Sixteenth Year of King James, 1618, and Ending the Fifth Year of King Charles, 1529, London, IV Vols. 1659, I, 406.
A Subject and a Sovereign are clean different things, "are more than sufficient to indicate Charles' underlying philosophy of government. James and Charles differed in this, that "the father was usually content to be logical and consistent on paper, whereas the son was consistent in trying to translate his theories into action."4

It was this application of the doctrine of divine right which Parliament so strenuously opposed. The conflicts between King and Parliament reduced themselves to four main heads: conflict over advisers, foreign affairs, finance, and religion. These divisions are not, however, mutually exclusive, but they are so intermingled that one is seen to influence another. Underlying all is the fundamental conflict over divergent political philosophies, as an examination of each of the main heads will substantiate.

By far the most important of Charles' advisers was George Villiers, first Duke of Buckingham. While still a youth Villiers appeared at the court of King James, brave, gallant, and a distinctively English gentleman with great personal charm. He had but recently returned from the customary Continental tour

3 Ibid., 225.
4 Davies, The Early Stuarts, 33.
with a friend, one John Eliot, who was later to betray him. Handsome, dashing, and of ready wit, Villiers came to assume the foremost position in the affections of the King. Within a few years he rose to the position of King's Favorite, then to various domestic offices, and finally to chief political adviser, until he was virtually the ruler of England. It was Buckingham who induced James to summon a Parliament in December, 1623, and to court war with Spain. Gardiner's analysis of this action is that "in the eyes of those who think more of the actual possession of power than of its semblance, he [James] ceased to rule when he issued orders for the convocation of a Parliament. On that day the reign of Buckingham began."5 Nor was Buckingham's influence restricted to the reign of King James, for, as Rushworth tells us, "King Charles...made him partake of all his counsels and cares, and chief conductor of his affairs; an example rare in this nation, to be the favourite of two succeeding Princes."6

In the light of history George Villiers is a much controverted character, an enigma.7 On the one hand it is claimed

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6 Rushworth, Historical Collections, I, 167.

7 Gardiner, History of England, VI, 358.
that he "was trained to exploit his charm," was "pre-occupied with complaisance," immersed in "shallow materialism," and "the centre and the symbol of the corruption of the Court;" while on the other hand he is regarded as the only one of the day who realized that English power lay upon the sea, a man who achieved much in spite of great obstacles, and whose luster is dimmed only by a greater rival, Richelieu.

Such was the man. Of humble origin, he rose to such heights as to become the Favorite of two English monarchs and their chief adviser, more powerful than any man in the realm. It is little wonder that Parliament resented his rapid rise and objected to his undue influence. Parliamentary opposition to the Duke was to terminate only with his assassination.

From the very beginning, the influence of Buckingham cast its shadow on the reign of Charles, and was the cause of grave dissension in Parliament. The early Parliaments of Charles constantly refused to grant Supply until grievances concerning the conduct of Buckingham had been discussed, so that the King was forced to dismiss each in turn. This pattern was set in the very first Parliament, though at first only veiled threats were aimed at the Duke. Leading the attack on the King's Favorite was

Sir John Eliot, the same Eliot who had been so friendly with George Villiers in their younger days. In the interval, Eliot had become extremely jealous of his friend's rise to office and influence, even though Buckingham frequently assigned lucrative posts to Eliot. Eliot was thought to have taken advantage of the situation to line his own pockets, so that Buckingham was unable to grant him further promotion. From this point Eliot awaited his chance to even scores with his former friend and patron. The occasion now presented itself, and he led the attack upon the Duke.

The first opportunity for Parliament to show its opposition to the Duke was provided by the ill-fated expedition to Cadiz. Buckingham was never one to stop at half measures; a middle course was unknown in all his undertakings. His enthusiastic support of the proposed Spanish alliance was turned to bitter opposition when his ill-timed meddling brought about the collapse of negotiations. Impetuous as he was, Buckingham was not content merely to drop the proceedings; he would not rest until Spain had been forced to pay dearly for the affront to English honor and prestige. Spurred on by such motives, Buckingham drew up elaborate plans for a powerful military expedition against Cadiz. Since Parliament had been clamoring for a war with Spain,

10 Belloc, Charles the First, 119-123.
the King had every reason to expect that sufficient funds would be voted to carry on the war. But such was not the case, for Parliament, acting as they would act so frequently in the future, voted only a fraction of the necessary subsidies to the King. Lacking funds as well as well-trained officers and men, the expedition could only result in dismal failure.

In his analysis of the situation, Gardiner lays part of the blame to the Duke, but admits that "some of the causes of failure were of long standing." Describing the condition of the fleet, he states that "one ship had been sent out with a set of old sails which had done service in the fight with the Armada." He then adds significantly, "Nor was it fair to expect, after the long peace, that efficiency which is only attainable under the stress of actual warfare.

Parliament, however, was not so fair-minded in its evaluation of the situation. Sensing his opportunity, Eliot set the tone of the second Parliament and roused its feelings by recounting the critical situation then existing. Reviewing the state of affairs both at home and abroad, he exclaimed, "Our honor is ruined, our ships are sunk, our men perished; not by the sword,

11 Cf. Chapter III for an account of the action at Cadiz.
13 Ibid.
not by the enemy, not by chance, but as the strongest predictions had discerned and made it apparent beforehand, by those we trust."15

Realizing that the members of Commons were drinking in his every word, Eliot pushed on, striking a yet harder blow. No new business should be introduced, he maintained, no new subsidies discussed, until an inquiry had been made into the expenditures of the previous grants. "No doubt," says Gardiner, "such an inquiry contained within itself the germs of a mighty revolution. The Commons had certainly not been accustomed thus to pry into the secret actions of Henry VIII or Elizabeth."16 Eliot was leading Parliament along a new path. Were Charles to acquiesce to this new demand, Parliament's function would then be not merely to limit the royal income, but also to determine where and in what manner expenditures would be made. Regal sovereignty would be merely nominal. Under such circumstances it is not difficult to realize that "in the main it was a struggle for power."17

Though Parliament was most careful to protest its loyalty by stating "that no King was ever dearer to his people than your Majesty,"18 it was evident to Charles that their

16 Gardiner, History of England, VI, 63.
17 Belloc, Charles the First, 36.
18 Rushworth, Historical Collections, I, 216.
actions belied their words. Hence the king rose to say "I see you specially aim at the Duke of Buckingham....I would you would hasten for my supply, or else it will be worse for your selves; for, if any ill happen, I think I shall be the last shall feel it."19

But Parliament was not to be so easily turned aside from its resolve; the struggle for power had progressed too far to permit turning back at this point. Doctor Turner, an otherwise obscure member of the House of Commons, rose to speak what was in the mind of all, and addressed the following queries against the Duke:

1. Whether the Duke, being admiral, be not the cause of the loss of the King's royalty in the Narrow Seas?
2. Whether the unreasonable, exorbitant, and immense gifts of money and lands bestowed on the Duke and his kindred, be not the cause of impairing the King's revenue, and impoverishing the Crown?
3. Whether the multiplicity of offices conferred upon the Duke, and others depending upon him, (whereof they were not capable) be not the cause of the evil government of this Kingdom?
4. Whether recusants in general, by a kind of connivancy, be not born out and increased, by reason of the Duke's mother and father-in-law being known Papists? 5. Whether the sale of honours, offices, and places of judicature, and ecclesiastical livings and promotions, (a scandal and hurt to the Kingdom) be not through the Duke? 6. Whether the Duke's staying at home, being Admiral and General in the fleet of the sea and land army, were not the cause of the bad suc-

19 Ibid., 216-217.
cess and overthrow of that action; and whether he did
give good direction for that design?"20

The situation was fast becoming critical and was pass-
ing beyond the previous limits of conflicts in the struggle for
power. Charles was quick to sense that ministerial responsibility
was hereby brought into question, marking a change in front on the
part of the opposition. Ministerial responsibility certainly did
not exist at this time, nor would it be easily established. "It
needed two revolutions to make the doctrine current in England.
Before the Commons could succeed in making ministers responsible,
they had to re-establish in fact, if not in theory, the respons-
sibility of the Crown."21

In making these charges against the King's minister,
Parliament was in reality attacking the King himself, for the
Duke was acting under order of, or at least with the consent of,
the Crown. Parliament as yet lacked sufficient strength to
attack the Crown openly and directly, so had to content itself
with an indirect attack through his minister. Perceiving the
deepth of the issue at stake, Charles was quick to rush to the
Defense of his Favorite, and directed the Lord Keeper to inform
Parliament that he was greatly disturbed by the action of Doctor

20 Ibid., 217.

who, on Saturday last, without any ground of knowledge in himself, or proof tendered to the House, made an enquiry of sundry articles against the Duke of Bucking

21

22

ingham, as he pretended, but indeed against the honour

and government of the King and his late father. This, his Majesty saith, is such an example, that he can by no means suffer, though it were to make enquiry, of the meanest of his servants, much less against one so near unto himself.22

At this point, Eliot rose to press Parliament's point a little farther. He argued that the question was whether the people of England would be willing to continue giving their money to the Crown. In the light of the recent disastrous expeditions, how could the people be willing to contribute more of their money to that spendthrift, the Duke of Buckingham, the instigator of all these enterprises? Coming to the heart of his argument, he stated that if the cause of these disasters was removed, more money would be forthcoming to the Crown. To substantiate his point, he cited two precedents, Hubert de Burgh in the reign of Henry III and De la Pole, the Earl of Suffolk, in the reign of Richard II; the removal of these ministers of the King, insti-
gated by Parliament, resulted in fresh grants of money and more cordial relations between Crown and Parliament.23

22 Rushworth, Historical Collections, I, 218; Italics mine.

23 Cf. Ibid., 220.
Convincing as these arguments and precedents might be, Charles was not moved, for, as Gardiner points out,

He knew enough of history to be aware that the fall of Hubert de Burgh had been followed by the insurrection of Simon de Montfort, and the fall of Michael de la Pole by the revolution which placed Henry IV on the throne. He would take care to guard in another fashion the crown which he had received from his father. That the crown itself was attacked he had no doubt whatever. The leaders of the Commons, he fancied, were taking advantage of the necessities of the position into which their advice had brought him, to raise themselves above the throne.24

Perhaps it is true that "the tide which substituted aristocracy for monarchy in England was not to be apparent to the eye for some years, but in the depths it was moving."25 To one eye, at least, the swelling tide was all too apparent, and was moving all too quickly. The King perceived, perhaps better than did Parliament, that the real issue at stake was not Buckingham's position, but his own Crown. That this is true is apparent from his threatening address to the House of Commons:

As never any King was more loving to his people, nor better affectioned to the right use of Parliaments; so never King more jealous of his honour, nor more sensible of the neglect and contempt of his royal rights, which his Majesty will by no means suffer to be violated by any pretended colour of parliamentary liberty....Remember, that Parliaments are altogether in my power for their calling, sitting, and disso-

24 Gardiner, History of England, VI, 82.

25 Bellloc, Charles the First, 100.
olution; therefore, as I find the fruits of them good or evil, they are to continue, or not to be.26

But the tide could not be stopped. Refusing to be intimidated, the Commons appointed a committee of eight, including Eliot and Pym, to conduct a formal impeachment of the Duke. This was the only way that Parliament could reach the Crown, for

To attack the King directly was not as yet possible to the morals of the time; the King was still sacrosanct. But one could attack him through a Minister; and Buckingham, all-powerful, was necessarily the target of the attack on Monarchy. To destroy Buckingham was to show that they could, if they willed it, ultimately master the King.27

The tone of the proceedings was evidenced when Sir Dudley Digges began with a prologue to the articles of impeachment in which he referred to all the calamities of the kingdom, "which, as in one centre, met in one great man, the cause of all, whom I am here to name, the Duke of Buckingham."28 And in conclusion he maintained that "the laws of England have taught us that kings cannot command ill or unlawful things....And whatsoever ill events succeed, the executioners of such designs must answer for them."29 With each succeeding event, Parliament is moving closer to its goal. "Little did the Commons think of all that was implied in these words. By the mouth of Digges they had

26 Rushworth, Historical Collections, I, 222, 225.
27 Belloc, Charles the First, 118.
28 Rushworth, Historical Collections, I, 303.
grasped at the sovereignty of England."

Among the charges preferred against the Duke in the articles of his impeachment were that he and his relatives had been granted a plurality of offices, that he was guilty of buying and selling offices, that he was incompetent and neglectful in his duty, that he had provided ships for the French Catholics to be used against the Huguenots, and that he had caused the death of King James.

The validity of these charges may be judged from the following comments; Belloc states that "the articles of the impeachment were false, the worst of them absurdly so;" Gardiner comments that Buckingham "would have no difficulty in showing that much which had been said by the Commons was exaggerated or untrue;" and Wingfield-Stratford remarks that, "Before any impartial tribunal the impeachment would not have had a leg to stand upon. But was the House of Peers an impartial tribunal?"

The climax of the proceedings was reached when Eliot, as leader of the opposition, rose to deliver the epilogue and

31 The Articles of Impeachment are printed in Parliamentary History of England, II, 106-119, and in Rushworth's Historical Collections, I, 306-353.
32 Belloc, Charles the First, 124.
sum up the articles. Warming to the occasion, he used all the powers of his oratorical ability to denounce the Duke, focusing the attention of his hearers upon the charges against the King's minister. Not content with a mere repetition of the original charges, he launched into a series of bitter invectives, accusing the Duke of "four extortion," of "bribery and corruption in the sale of honour," of relying upon justice," and of being "notorious in evil," and "exhausting the revenues of the Crown...to satisfy his own lustful desires."35

Though the appeal was rather to the heart than to the mind, still the effect was powerful. The King, touched to the quick, realized that "If the advisers of the Crown and the officers of State were to be accepted or dismissed at the will of the House of Commons, the supremacy of that House would seem be undisputed."36 His immediate response, therefore, was to order the arrest and imprisonment of both Digges and Eliot. Under the circumstances the King's retort was a natural one, but was to prove unwise, for his action violated parliamentary privilege. The House of Commons refused to proceed with their business until the prisoners were returned. There was no choice

35 A copy of Eliot's speech appears in Rushworth's Historical Collections, I, 354-356.

36 Gardiner, History of England, VI, 120.
for the King but to surrender and restore Digges and Eliot, thus enhancing the prestige of Parliament.

An impasse had been reached. Parliament was persistently pursuing its attack upon the King, while the King stubbornly and jealously guarded his rights from the encroachments of Parliament. Buckingham was permitted to address the Commons on his own behalf, but his words had little effect on his hearers. "If Charles had permitted his removal from office, the criminal charges would probably have been dropped," but Charles remained fiercely loyal to his friends. "There are three things," the King affirmed during the negotiations preceding his trial, "I will not part with--the Church, my crown, and my friends; and you will have much ado to get them from me."38

Charles therefore sent a message to Parliament to provide him with the necessary subsidies and to drop all proceedings against his minister, but the reply was "an humble petition to your maj. for the removal of that great person, the duke of Buckingham, from access to your royal presence," with the added protest that "there was never a better union between a married pair, than is between your maj. and your people."39

38 Rushworth, Historical Collections, IV, 429.
It was clear that Parliament was determined to stand firm, and not to turn aside from the course decided upon—to undermine the Throne through its minister. Determined to stand his ground, Charles published a declaration of his reasons for dissolving the Parliament; he was careful, however, to emphasize clearly that he was not obliged to do so, because the calling and dissolving of Parliaments was his undoubted prerogative, insep-arably united to his imperial crown, and concerning this matter, "as of his other royal actions, he is not bound to give an account to any but to God only, whose immediate lieutenant and vicegerent he is in these realms and dominions." 40 The issue between King and Parliament was clearly settling around the theory of Divine Right.

Undismayed by the growing opposition of Parliament, Buckingham continued his plan, determined to assist the French Huguenots in spite of a lack of funds. This expedition to the Island of Rhe 41 resulted in severe losses of men and supplies, and complete bankruptcy. Parliament was quick to center the entire blame upon the Duke. One of his Colonels, however, wrote that "It was not to be doubted that the Duke had both courage

40 Rushworth, Historical Collections, IV, 429.

41 The account of the Expedition to Rhe appears below in Chapter III.
munificence, and industry enough, together with many other excellent parts, which in time would make him a renowned general. 42

And Gardiner is careful to point out

Neither must it be forgotten...that his fault lay simply in his miscalculation of chances over which he had no control....As a man Buckingham gains much from an impartial examination of his conduct in this expedition. At least he was no carpet knight, no mere courtier dancing attendance upon the powerful at banquets and festivities. No veteran could have surpassed him in the readiness with which he exposed his person to danger, and in his determination to see all with his own eyes, to encourage the down-hearted, and to care for the suffering of his men. 43

Though once again Parliament failed to grant sufficient subsidies to carry on the way, yet the entire blame for the disaster at Rhe was laid to the charge of Buckingham. Why was there no money? The King blamed the Commons for not granting it, and the Commons blamed the King for demanding money for unnecessary expenditures. "The deep question of sovereignty--of the right of saying the last word when differences arose--was forever cropping up." 44

Though the entire blame centered upon the Duke, he was far from disheartened but drew up plans for a new and greater


44 Ibid., 248.
attack. The only way to fill the depleted treasury was to summon yet another Parliament, but so confident was the Duke that even this step did not deter him. And so great was his influence over the King that he persuaded his sovereign to issue the necessary writs.

In his address which opened the Parliament, the King was careful to remind the Houses of his position, and that he had summoned them, not out of obligation, but because of benevolence:

I therefore judging a Parliament to be the antient, speediest, and best way in this time of common danger, to give such supply...have called you together....Wherefore if you (as God forbid) should not do your duties, in contributing what the State needs at this time, I must, in discharge of my conscience, use those other means which God hath put into my hands....Take not this as a threatening, for I scorn to threaten any but my equals.45

But Parliament would not give up the fight. Following the usual protestations of affection and good will, the House of Commons demanded a redress of their grievances before discussing the question of supply, and chief among their grievances was the Duke of Buckingham. Again leading the attack against his former friend and patron was Sir John Eliot, who in a fiery address reviewed all the grievances of the Commons, laying them all at the feet of the King's ministers, though carefully mentioning none by name. Rising to the occasion he cried, "Witness the voyage to Algier, witness that of Mansfield, witness that to Cadiz, witness

45 Rushworth, Historical Collections, I, 477.
the next, witness that to Rhein, witness the last, witness the
palatinate, witness the Turks, witness the Dunkirks, witness....

On and on he continued, naming one after the other like a litany,
the cumulative effect of which must have been overwhelming. He
concluded by requesting that the House draw up a formal Remon-
strance of these grievances and present it to the Crown.

Realizing that his position was again being attacked,
Charles countered immediately with a curt message in strong terms
in which he strictly forbade the Commons to "lay any scandal or
aspersion upon the state, government, or ministers thereof."

Confusion and disorder resulted in the Commons. Sir
Robert Philips was the first to speak saying "this message stirs
me up; especially when I remember with what moderation we have
proceeded." Sir John Eliot then rose to say "I am confident no
minister, how dear soever, can--" only to be interrupted by the
Speaker, forbidding him to continue. "Unless we may speak of
these things," said Sir Dudley Digges, "let us arise and be gone,
or sit still and do nothing." There followed a deep silence in
the Commons, which was broken by Sir Nicholas Rich who cried "We

46 Ibid., 592.
47 Ibid., 605.
must now speak, or forever hold our peace."\textsuperscript{48} Then all began speaking at once until Sir Edward Coke arose and solemnly proclaimed:

*Let us palliate no longer; if we do, God will not prosper us. I think the Duke of Buckingham is the cause of all our miseries, and till the king be informed thereof we shall never go out with honour, or sit with honour here; that man is the grievance of grievances; let us set down the causes of all our disasters, and they will all reflect upon him.*\textsuperscript{49}

Once again the spark had been touched off, and the Commons persistently pursued its attack upon the Crown through the King's minister. According to Coke's suggestion, a long and solemn Remonstrance was drawn up against the Duke, charging him with the present sorry plight of the kingdom, and leaving no doubt as to the obvious remedy to the situation. The Remonstrance stated that "the abuse of the excessive power of the Duke of Buckingham is the cause of the evils and dangers to the King and kingdom,"\textsuperscript{50} and then continued with the list of charges, most of which had appeared in the impeachment against the Duke.

Charles realized only too clearly that he was losing ground in his struggle with Parliament. In his three short years of kingship Parliament had maneuvered him into an impossible po-

\textsuperscript{48} The account of this appears in Rushworth, *Historical Collections*, I, 605-606.

\textsuperscript{49} Ibid., 607.

\textsuperscript{50} Ibid., 619; Remonstrance is contained in pp. 619-626.
position; Parliament had assumed the initiative, and was fast becoming the power of the realm. "For Charles the kingship was something different from this—something divine in its origin and unlimited in its powers."51 The King was losing both the shadow and the substance of authority in the kingdom.

As a result of the Great Remonstrance against the Duke, "Buckingham was now the object of the common hatred. He was held up to obloquy in satires and pasquinades."52 Copies of the Remonstrance were passed from hand to hand among the people, causing hatred for the Duke to become deeper and more bitter. The result was what might be expected. A copy of the Remonstrance came into the hands of one John Felton, a disgruntled, brooding soldier, at the end of his resources. His pent-up anger and smoldering hatred were released against the Duke, for was it not he who was the cause of all the evils in the kingdom? To John Felton the solution was simple: remove the cause of all the evils. He found his necessary strength in the words which he had copied out and sewed into his hat: "That man is cowardly and base and deserveth not the name of a gentleman or soldier, that is not willing to sacrifice his life for his God, his King, and

51 Gardiner, History of England, VI, 270.

his country."53 It remained but to find the opportunity to perform the deed.

On August 23, Buckingham was in Portsmouth at the house of Captain Mason. The Duke was on his way to breakfast, and, in the very passage, turning himself to speak with Sir Thomas Fryer, a colonel of the army, who was then speaking near his ear, he was on the sudden struck over the shoulder upon the breast with a knife; upon which, without using any other words but that 'The villain hath killed me', and in the same moment pulling out the knife himself, he fell down dead, the knife having pierced his heart.54

Parliament had succeeded in achieving Buckingham's removal, "for though Felton struck the blow it was the eloquence of Eliot which had inflamed his followers to the point of blood."55 The struggle between King and Parliament "was thus reduced to a contest for power."56

The death of his Favorite was a blow from which Charles never fully recovered. Henceforth he determined to rule by himself, and none of his advisers was to assume the importance which had been exercised by Buckingham. The two whom Charles came to rely upon chiefly were Laud, and Wentworth but recently reconciled to the King after having taken a leading role in parliamentary proceedings. In later years Wentworth, as the Earl of

55 Belloc, Charles the First, 164.
Strafford, was to assume something of the power and influence of Buckingham, but he did not have the free reign formerly enjoyed by the Duke. Both Laud and Wentworth in their turn became the target of the hostile Long Parliament, and were formally impeached, sentenced, and executed. Until the day when similar action could be taken against the King, Parliament contented itself with undermining the Crown through its advisers.
CHAPTER III

CONFLICT OVER FOREIGN AFFAIRS

It has been said of Charles that "faithlessness was the chief cause of his disasters, and is the chief stain on his memory. He was, in truth, impelled by an incurable propensity to dark and crooked ways."\(^1\) Elsewhere he is characterized as possessing a "fatal half-heartedness and duplicity."\(^2\) To some, Charles is stamped as one who failed to keep his word, a mere opportunist, possessing neither honor nor integrity. To say this, however, is to fail to understand the true character and principles of the man. The key to the entire situation lies in Charles' firm adherence to the doctrine of Divine Right of Kings. In reality Charles was a man of principle and conviction, and it was the rigid, unflinching application of this principle and conviction that was to lead to his downfall. A mere opportunist would have yielded to the demands of Parliament, going back on his own principles and compromising his own convictions. According to the theory of Divine Right, it will be remembered, all law


is but a concession of the King's will, a temporary means used to achieve an immediate end. Since the King is accountable to God alone, he is not bound by any concession to the people; the King is above the law. Were Charles to give in to Parliament, he could have saved himself—but at the price of going back on his principles embodied in the theory of Divine Right; this he refused to do.

A second source of conflict stemming from this theory of Divine Right is the field of foreign affairs, in which both Mames and Charles attempted to carry out their policies in spite of all parliamentary opposition. English foreign policy at this time was centered largely around a family matter. Elizabeth was Charles' only sister, and she was very dear both to her father and to her brother. Her husband was Frederick, the Elector of the Palatinate, a champion of Protestantism on the Continent. When the kingdom of Bohemia tired of Hapsburg rule, a faction of that country offered the Crown to Frederick, who foolishly accepted, regarding it as a splendid opportunity to encroach upon the powerful Hapsburg domain. The Austrian Hapsburgs, of course, were not pleased with the turn of events, and called upon their Spanish cousins for assistance. The combined Hapsburg forces from Austria and Spain, succeeded not only in recovering the Bohemina throne, but also in elevating Frederick's rival to the Electorate of the Palatinate, deposing Frederick from his former
position of honor.

From this point, one of the main objectives in the foreign policy of James, and later of his son Charles, was the recovery of the Palatinate from Spanish control. It was this fact which influenced the relationship between England and Spain, and later between England and France. Both James and Charles at first attempted to conciliate Spain and persuade the Hapsburgs to restore Frederick to his former position. To achieve this end, England embarked upon a series of alliances and wars with both Spain and France which was to lead ultimately to the overthrow of the monarchy, for the constant wars drained the all-too-meager royal treasury, and the Crown found itself at the mercy of the Parliament, for Parliament controlled the purse strings.

The situation developed in this way. Toward the end of his reign, in spite of his long and successful policy of maintaining peaceful relations with foreign countries, James ardently desired to restore his son-in-law, Frederick. When it became apparent that diplomacy and negotiations were of no avail, James decided to pursue a course of active military aggression, a course hitherto religiously avoided by the English King. To carry out such a policy, James was forced to summon Parliament. Since the dissolution of his first Parliament in 1611, only the ill-fated Addled Parliament had assembled for a brief period from April to June, 1614. Consequently for a period of ten years,
1611-1621, for all practical purposes, there had been no session of Parliament. But the King, realizing that his subjects regarded their country as the champion of the Protestant Cause, felt that they would provide the necessary financial support for the forceful restoration of the Protestant Elector.

Religious feeling was running high, and to the people of England the European crisis was simply an issue between God and the Devil, they, of course, espousing the cause of God against the Anti-Christ, the Pope of Rome. For this reason "Protestant sentiment in England had made a Christian hero of him [Frederick]." And yet the average Englishman was not prepared to dig deep into his own pocket for such a cause, for he "had his own notions of a war for Christ and His Gospel, a war of plunder on the good old Elizabethan model, against the arch-enemy, Spain."

Though both were desirous of war and of espousing the Protestant Cause, still King and Parliament were poles apart. The King was of the fixed persuasion that, if he could effect a marriage treaty with Spain, Spain would use all its influence, even take up arms, to bring about the restoration of the Elector

4 Ibid.
palatine and a settlement of Germany agreeable to the Protestants. Parliament, on the other hand, was less interested in such a restoration than in a direct assault upon Spain and the capture of rich Spanish treasures. In keeping with this theory of Divine Right, James followed his own will rather than the will of Parliament, and sought to conciliate Spain. To his mind, the perfect means was at hand.

Charles was James' only living son; consequently James was most anxious to make as successful a match as possible for his son for the good of the realm. What better alliance could be arranged than one with Spain? Spain at the time was the leading world power, controlling, so it seemed, almost half of the world. A marriage alliance with Spain would mean a tremendous increase in English prestige, a source of royal income independent of Parliament, and above all, a return of the Palatinate to Elizabeth's husband. To this match, then, James turned his attention.

Negotiations were begun, and Sir John Digby, soon to become the Earl of Bristol, was dispatched to the Spanish Court as a special Ambassador to conduct the proceedings. Philip IV of Spain, under the domination of the Count of Olivares, maintained a policy of calculated procrastination. He received Lord Digby with a great external show of hospitality and cordiality, and promises of close cooperation. First of all an application for a dispensation must be made to the Pope, which the Count knew would
not be given except on the hardest conditions, and then only after months and months of questioning and prolonged correspondence between Rome and Madrid and London. Lord Digby, understanding the Spanish policy, waited patiently, satisfied with his progress, though admittedly slow.

Parliament, in the meantime, was separating itself farther and farther from the plan of the King. While the Crown was pursuing a peace policy, based on an understanding with Spain, the Parliament wanted to rush into war, preferably with Spain. "The Commons were determined...to rush him into a costly and unnecessary war for which he could not, and they certainly would not, provide the financial backing."5

To James, however, negotiations seemed to be progressing smoothly, though slowly. The clauses of the settlement were being arranged one by one, and a large dowry was no small part of it. As for the religious issue, there were hopes that the Pope would grant the dispensation, and James was beginning to congratulate himself. It is possible that if the negotiations had proceeded normally through Lord Digby at Madrid a satisfactory conclusion would have been reached in spite of its evident unpopularity with many of James' subjects.

5 Ibid., 72.
But Buckingham, under the urging of Count Gondomar, the Spanish Ambassador to England, was becoming impatient. It was Gondomar who presented to Prince and Favorite the plan which fired their imagination and appealed to their spirit of romantic adventure. Feeling that the proceedings were not progressing sufficiently, they proposed to visit Spain in person so that Charles could show his sincerity by courting his prospective bride in person. It was with difficulty that they succeeded in winning over the King, who finally gave his consent, but only with misgivings and great reluctance. To facilitate their plan, it was determined that the two should travel in disguise, with but two attendants. Accordingly, after much preparation, they set off in February 1623 in the highest of spirits. Careful to maintain their disguise, they journeyed first to Paris where they visited the French Court. This visit is noteworthy, for it marks Charles' first encounter with the French royal family; Buckingham wrote James that they had visited the French Court "where we saw the young Queen, little Monsieur, and Madame, at the practising of a Masque."6

Eager to complete their journey, the disguised pair de-

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layed no longer, but hastened on to Spain, arriving March 7. After making the necessary connections and viewing the situation, Buckingham was evidently far from satisfied with the progress of the affair, for in his first letter from Spain he wrote, "We find ...your business so slowly advanced, that we think ourselves happy that we have begun it so soon." All of Bristol's long and careful planning went for naught as Buckingham took control of the situation and "handled the gossamer threads of negotiation with all the delicacy of a bull in a china shop." 

Olivares realized that the advantage was now with him, since the English Prince was now in Spain. Negotiations dragged on throughout the summer, each side alternating with demands and promises. Ostensibly it appeared that the affair was approaching a successful issue, for demands were met, and the marriage articles actually confirmed, so that the Prince and the Infanta were officially betrothed. Each side, however, failed to trust the other, feeling that promises were being made with no intention of being kept. The situation went from bad to worse, until finally Charles and Buckingham determined to return to England.

8 Letter from Buckingham to King, *Ibid*.
without the Infanta, thus acknowledging the failure of their mission. That they realized this is apparent from Buckingham's last letter from Spain, for he writes: "I'll bring all things with me you have desired except the Infanta, which hath almost broken my heart, because your's, your son's and the nation's honour is touched by the miss of it; but since it is their fault here and not ours, we will bear it the better."¹⁰

The reception accorded the adventurous pair upon their return to England was entirely other than they had anticipated. Immediately upon their landing at Portsmouth on October 5, unaccompanied by the Infanta, the object of their quest, it was apparent to all that the Spanish match was a failure. Parliament, it will be recalled, and the majority of the populace, was vigorously opposed to friendship with Spain, and on this occasion they did not hesitate to express their real sentiment. Both Prince and Favorite were bestowed a rousing welcome, complete with parades, fires, feasting, and a tribute of applause, honor, and glory. They were regarded as national heroes, for had they not averted the dreaded Spanish match? Ironically, Buckingham in his failure received that acclaim of the people which eluded him in success. Never before or after were he and Charles the recipi-

¹⁰ Letter from Buckingham to King, dated Madrid, September 1, 1623; printed in Williamson, Buckingham, 302.
ents of such popular acclaim.

Why this wild enthusiasm on the part of the crowd? Such a reaction was stimulated and encouraged by the leaders of parliament. Parliament itself was jubilant, and with reason, for the breakdown of the Spanish match meant the breakdown of the King's policy; Parliament was victorious, the King defeated.

Buckingham was a man of extremes. While favoring the Spanish match, he could not rest content with the ordinary methods of procedure, but must himself speed up the progress with extraordinary means, thus ultimately causing its failure. Now that the match had failed, he was not content merely to put it aside as a bad venture; no, he must thrust it aside forcibly. Having tasted of the wine of popular acclaim, he sought to drink it to the dregs by espousing the opinion of the populace; nothing would suit him now but war with Spain. To this he turned his attention, but in such a way as to cross swords with Parliament once again.

Since his attempt to dominate Europe by means of an Anglo-Spanish alliance had failed, he would go to the other extreme, be the leader of his nation in arms, providing the spearhead of an anti-Hapsburg coalition. But one difficulty loomed large: England had no army to speak of, and a very modest navy; though England was a comparatively wealthy nation, the Crown received only so much money as Parliament wished to dole out. To
overcome this difficulty Buckingham had a twofold plan: first, to summon Parliament, convince its members of the necessity of war, and induce them to provide the necessary finances; and secondly, to obtain powerful European allies. Both phases of the plan were destined to lead to disaster for the English Crown.

As for the first point, save for the brief session of the Addled Parliament, James had administered his realm for more than ten years without the assistance of Parliament. This had been possible only because of a policy of calculated peace and rigid economy. But now that Buckingham had inadvertently swung over to the parliamentary position of war with Spain, additional financial support was needed, and such support could come only from Parliament. Buckingham, consequently, prevailed upon the King to summon Parliament, thereby presenting the opportunity for the leaders to assemble in concerted effort to combine their grievances and to further their plans at the expense of the Crown; and realizing their advantage, they were quick to make capital of it.

Parliament, having forced the issue of war, played its hand well. Great enthusiasm for war was to be noted on all sides. Even the King, seeing that no help would now be forthcoming from Spain, was eager for a war for the recovery of the Palatinate. But even now King and Parliament were not on common ground, for Parliament had an entirely different sort of war in
mind. Their plans called for a war with Spain, a war which would
cost them nothing, but rather add to their income, for it was to
be little more than glorified piracy against Spain. The issue
was thus stalemated, Parliament refusing to grant sufficient
money for the King's war, and the King refusing to endorse Par-
liament's war.

How, under such circumstances,—and this brings us to
the second phase of Buckingham's plan—how could there be any
question of waging a war for the recovery of the Palatinate
against the combined forces of the Hapsburgs, both Austrian and
Spanish? There could be only one answer: England would take
the field with powerful allies, thus constituting herself the
nucleus of a great anti-Hapsburg coalition. A glance at the po-
itical map of Europe showed Buckingham that France was com-
pletely surrounded by Spanish territory, and France, as a rising
power, would prove most beneficial as an English ally. And what
seemed the ideal means of winning France as an ally presented
itself to Buckingham: a marriage alliance between Charles and
the Princess Henrietta Maria, Louis XIII's sister whom Charles
and the Duke had seen dancing in the French Court on their way
to Spain.11

11 Letter from Buckingham to King, dated Paris,
February 22, 1623; printed in Williamson, Buckingham, 286.
It does not seem to have occurred to the Duke that he was repeating his former mistake of proposing marriage with a catholic Princess. Rabid and intense anti-Catholic feeling was running high in England at this time, fanned by the still-fresh memory of the Gunpowder Plot; indeed it was this feeling which was largely responsible for the jubilation at the breakdown of the Spanish match and the consequent popularity of both Duke and Prince. Overlooking this fact, Buckingham prevailed upon the King to begin negotiations for a French marriage alliance, and so the entire process was begun once again. After much bickering and bargaining, the English were forced to agree to secret promises to suspend the penal laws against the Catholics; and yet to secure parliamentary support, the King was obliged to promise continued persecution of the Church of Rome. Whatever popularity had resulted from the avoidance of the Spanish marriage was nullified by the conclusion of an equally objectionable French marriage. The Crown risked the ill will of an increasingly more hostile and more powerful Parliament in the hope that this new alliance would shatter forever the power of the Hapsburgs and the hopes of the Counter-Reformation. Buckingham's grandiose plans envisioned a Protestant League, headed by England and assisted by France, which would crush forever the Catholic Powers, headed by the Hapsburg dynasty of Spain.

The first step in this direction was taken when Count
Ernest von Mansfield, a mercenary in the service of the Prince palatine, came to England to raise men and money for the Palatine's cause. He was received eagerly by the English court, and immediate steps were taken to raise English forces to serve under his command. Twelve infantry regiments were pressed into service, and, much against their will, turned over to Mansfeld.

But one problem remained, and that was the equipping, sustaining, and financing of the expedition. The Crown, of course, was already struggling along on a meager income, and consequently was forced to call upon Parliament for assistance. Parliament, it will be remembered, did not favor an expedition of this sort, and hence refused to grant the necessary subsidies. No means of support was at hand. The English recruits, nevertheless, met at Dover, unequipped and unprovided for. A series of pillagings and plunderings resulted before they finally embarked to cross the Channel. They reached the coast of France, their ally, only to be refused admittance; without food, clothing, or supplies of any kind, they finally were permitted to land on the Dutch coast. Of the original twelve regiments, barely one-quarter remained capable of bearing arms; of this number, none ever saw the Palatinate, few ever returned to England. The Mansfeld Expedition resulted in a dreadful fiasco, another victory for Parliament over the King.

During the past year relations between King and Parlia-
ment were becoming more and more strained. Every proposal of the
King was certain to meet with parliamentary opposition. Under
Buckingham's influence the King had shifted to a policy of war,
calling for additional finances, which could be granted only by
parliament. From a policy of complete independence, stemming
from the doctrine of Divine Right, the King was thrown upon the
mercy of the Parliament. Quick to realize its advantage, Parlia-
ment met and discussed its grievances, concentrated its oppo-
sition, and crystallized its plan of attack. Each new point of
conflict resulted in another parliamentary victory, for the King's
plan would inevitably bog down by reason of a lack of funds. And
with each fresh success, Parliament grew in stature, until by the
time of the death of King James, the completion of the French
marriage, and the succession of Charles, it was becoming apparent
that the struggle was deepening; it would be a struggle to the
finish.

When he ascended the throne, Charles was newly married
and eager for a war with Spain, and upon these two facts Parlia-
ment focused its opposition at the outset. The marriage with the
Catholic Princess never caught the popular fancy, and as rumors
of secret promises seeped out, the match became less and less
popular. That the marriage was never approved by the Protestants
is testified by the English Protestant historian Trevelyan who
writes that "as soon as Charles had ceased to mourn for the mur-
dered Duke and learnt to love his wife, she led him in silken bands the straight way to the scaffold."\textsuperscript{12} And further he adds:

Nor could the Spanish match itself have been more fatal in the end; for when the children born of this French union were called back to sit on their father's throne, it was not any longer Spain, but France under Louis XIV that persecuted Protestantism and threatened England; and so because the second Charles and the second James clave to their mother's people and to their mother's gods, the House of Stuart forfeited a second time the allegiance of the English.\textsuperscript{13}

Among Charles' first official acts upon his succession was the customary summoning of the new Parliament. From the outset it was apparent that King and Parliament were at loggerheads. From the very first session, Parliament tipped its hand that it would attack the King where he was most vulnerable—through his Favorite, the Duke of Buckingham. Parliamentary inquiries concerning the Duke drew this instant rebuke from the King that "I will not allow any of my servants to be questioned amongst you, much less such as are of eminent place, and near unto me."\textsuperscript{14} His further statement "I wish you would hasten my Supply, or else it will be worse for yourselves,"\textsuperscript{15} indicates the King's position that Parliament's function is to grant money

\textsuperscript{12} Trevelyan, \textit{England Under the Stuarts}, 133.
\textsuperscript{13} Ibid.
\textsuperscript{14} Parliamentary History of England, II, 50.
\textsuperscript{15} Ibid.
for the purpose needed, and should meddle with nothing else.

When Parliament continued its discussion about Buckingham, disregarding his threats and warnings, Charles came out with a more direct and a graver admonition:

Now that you have all things according to your wishes, and that I am so engaged that you think there is no retreat; now you begin to set the dice, and make your own game: but, I pray you be not deceived, it is not a parliamentary way, nor it is not a way to deal with a king....Remember, that parliaments are altogether in my power for their calling, sitting, and dissolution; therefore as I find the fruits of them good or evil they are to continue, or not to be: and remember, that,...if you persist in your errors, you make them greater, and irreconcilable; whereas,...if you go on cheerfully to mend them...you will do yourself honour, and you shall encourage me to go on with parliaments.16

Thus it may be seen that from the very beginning of his reign Charles and his Parliament had reached an impasse, for

In a surprisingly short time, not more than a couple of weeks, there develops a state of chronic deadlock, that can only be resolved by the indefinite suspension of Parliamentary government, or the transfer from the Crown to Parliament of Sovereign power. For the remainder of the reign the issue is brutally simple, and is not decided even by the axe at its close.17

The primary object of Charles' foreign policy was still war with Spain, still the object of English hatred. His own

16 Ibid., 60.

treasury being depleted largely by reason of his ventures in the palatinate, Charles was forced to have recourse to Parliament for sufficient funds to carry on the Spanish war. He felt entitled to do so, for one House of Commons had declared its resolution to spend life and fortune for the recovery of the Palatinate, and another had applauded the breach with Spain. But by this time the nation cared little for a continental war, and although it desired a naval war with Spain, it was not willing to make heavy sacrifices. Parliament was more concerned to define royal prerogative than to vanquish the Spaniards, and it was striving to gain more and more complete control of the King by holding up financial assistance. Consequently, when Charles asked for subsidies to carry on the war, Parliament voted him only two subsidies,18 a small fraction of the minimum war requirements.

"Here then was the situation. Parliament had goaded the King into war, and now that he was committed, proposed to leave him without the means of waging it."19 Although desiring war with Spain, Parliament acted as it was to act repeatedly in the future, by refusing to grant the King sufficient subsidies,

19 Wingfield-Stratford, Charles, King of England,
so that army and navy were ill-staffed and ill-equipped. Though the blame for failure thus rested fundamentally upon the shoulders of Parliament, Parliament laid the blame to the King and his ministers. The result was the dismal failure of the expedition to Cadiz. A fleet of ships in poor condition, manned by inexperienced and poorly equipped men, set sail to Spain to land at St. Mary Port near Cadiz, to capture its riches, frighten the Spanish Government, and return home in triumph and glory. Instead, the expedition was outmaneuvered by the Spanish fleet so that the English ships were forced to flee in disgrace without having accomplished their objective. Instead of returning in glorious triumph, a few battered ships struggled back, with those of the crew who remained sick and dying. The blame for the fiasco was laid upon Buckingham for his inefficiency, but without funds he was helpless to do more. Once again the plans of the Crown were frustrated by Parliamentary opposition; the King was waging a losing battle.

Relations with the French, meanwhile, were also becoming strained. The secret agreement with France in the marriage contract was beginning to weigh heavily on Charles, both in respect to the promise of Catholic toleration at home and the promise of the loan of ships to the French. When Louis demanded the ships to assist in subduing the Huguenots who held the port of La Rochelle, Charles realized that such action on his part
would not meet with Protestant approval at home. He attempted
to placate both parties by ostensibly sending the ships, but giv-
ing secret orders that they should not reach their destination
until too late. Buckingham then crossed the Channel to attempt
to settle differences with Louis, but he was refused admittance
to Court because of his former indiscreet conduct there. On
Buckingham's return, therefore, it was resolved in council to
send a fleet to the relief of Rochelle and to reclaim the English
ships, if necessary, by force; in other words, to risk a war with
France.

Once again Charles summoned Parliament asking for money
to finance a war, and once again Parliament, seeing its oppor-
tunity, refused. With each summoning of Parliament, the leaders
consolidated their attack more and more, this time instigating
the impeachment proceedings against Buckingham which we have al-
ready seen. Seeing that Parliament had no intention of furnish-
ing the subsidies, and seeing his Favorite under fire, Charles
had little choice but to dismiss the Parliament without receiving
financial assistance.

With a war on his hands and no money in the treasury,
Charles was forced to resort to a forced loan, an expedient ex-
tremely unpopular with Parliament and the people, which failed to
produce sufficient funds. Nevertheless Charles argued that if
England were to show herself strong by taking action against
France, that strength would make her valuable as a partner against Spain, and so a true alliance for the recovery of the Palatinate might be reached. The recovery of the Palatinate was the basis of Charles' foreign policy; it induced him to attempt the Spanish alliance to recover it by diplomatic measures. When that failed, he attacked Spain to take it by force. Such a plan, too, was doomed to failure, so he tried diplomatic negotiations with France; when this failed, his last resort was the attack upon Rochelle.

As the maritime power of France was virtually non-existent, Buckingham resolved to build a strong navy to control the sea, and thus England would take her place among the foremost powers of Europe. Accordingly an expedition set forth from England, its destination being kept a complete secret. When it sailed to La Rochelle, the French Government was completely taken unawares, and Buckingham’s strategic surprise worked to his advantage. A further proof of his talent was evidenced when he determined to capture and occupy the small island of Reh just off the coast. This would provide a base of operation, a menace to French power, and a guarantee that no one without leave of the maritime power possessing Rhe could approach La Rochelle, the headquarters of Huguenot resistance in France.

The landing was effected and the town of St. Martin besieged. Almost on the point of surrender, St. Martin was re-
lieved by a fortunate supply of food which enabled it to hold out until adequate supplies and assistance could arrive from the mainland. This relief forced Buckingham to retire, though within an ace of accomplishing his objective without parliamentary assistance. It meant little to Parliament, however, except that Buckingham had failed again, and English prestige had suffered another severe blow. Perhaps with more funds and parliamentary backing to supply further needs the outcome might have been different, but in reality the issue was just another defeat and disgrace for Buckingham and the King.20

This further setback at the hand of the French but increased Charles’ determination to carry his foreign policy to success. The King’s poverty became more and more alarming. The proceeds of the forced loan were spent faster than they came in; the revenue was anticipated; crown lands were mortgaged or sold, and large sums were borrowed from the city of London on the security of the King’s rents. Various means of raising additional funds were considered, but at length Charles gave way to the inevitable, and on January 28, 1628 he ordered the issue of writs for the election of a new Parliament.

Whatever his intentions, Charles was, to say the least,

20 This account of the Expedition is based upon Belloc’s viewpoint of the event, but he differs greatly from many of the other interpretations which treat Buckingham and the King much more harshly.
most undiplomatic in his opening address. He informed them that he had called them together because "a parliament is the antient, speediest, and best way in this time of common danger, to give such Supply as to secure ourselves, and to save our friends from imminent ruin." If they fail to do their duty, he tells them that he must "use those other means, which God hath put into my hands, to save that which the follies of some particular men may otherwise hazard to lose."\textsuperscript{21}

As a result of this challenging address of the Crown, feeling in Parliament ran high, and a bitter debate ensued concerning both grievances and supply. A resolution was finally passed\textsuperscript{22} granting five Subsidies to the King, an amount far in excess of any previously given. "They made this Resolution the more tempting," as Belloo points out, "by saying that this sum of money, so much larger than any they had willingly voted before, should be paid rapidly within the next twelve months; and having passed that Resolution refused to make it effective by putting it into a Bill."\textsuperscript{23} In other words, they would finally grant the subsidies only on certain conditions. They were determined to manifest their new power and have it ratified before this new

\textsuperscript{21} Parliamentary History of England, II, 118.
\textsuperscript{22} Ibid., 274.
\textsuperscript{23} Belloo, Charles I, 138.
grant, upon which the life of the kingdom depended, should be bestowed upon the King.

The condition upon which this grant hinged has come to be known as the Petition of Right, and was concerned with the chief parliamentary grievances of unparliamentary taxation, arbitrary imprisonment, billeting of troops in private homes, and martial law in time of peace. Little as it was in accord with his policies, Charles had no choice but to agree to the stipulations. This Petition of Right stands second only to the Magna Carta in importance in English Constitutional History, and it marks a huge stride forward on the part of Parliament in its struggle with the Crown, for "its effect was nothing less than to debar the King from exercising what had been always esteemed the first and most honourable function of kingship, that of levying war." This might seem strange in view of the fact that the demands are limited to current emergencies; there is no claim for general parliamentary control, no assertion of ministerial responsibility to Parliament, no direct attack upon the prerogative of the Crown. Nevertheless, since the affairs of State, foreign or domestic, could not be carried on without money, and the means by which any considerable amount of money could be ob-


tained without consent of Parliament was hereby taken away, the enactment implied a constitutional change which was little short of a revolution.26

The victory belonged to Parliament. By the Petition of Right, Parliament had gained control of all the regular means of finance, and thereby had gained control of the Crown itself. And still Parliament was not satisfied. Not content with gaining the victory, they wished to rub salt in the wound by drawing up a Remonstrance, listing in detail their grievances against the King. The proceedings dragged on with much bitterness of debate, until after further clashes and sharp disagreements, Charles ordered the third Parliament dissolved; indeed the wonder is that he permitted it to remain so long in session. But as the Speaker attempted to carry out the King's orders, he was forcibly restrained by members of the Commons as the charges were read aloud by Denzil Holles, a confederate of Sir John Eliot. The final charges asserted that whoever should "bring in innovation in religion" or "introduce Popery and Arminianism," and whoever should advise the taking of tonnage and poundage, or pay such duties voluntarily without consent of Parliament should be reputed a

traitor and a "capital enemy to this kingdom and the commonwealth." The resolutions passed by acclamation; the door was opened, and the third Parliament of Charles ceased to exist.

Parliament had, unconsciously no doubt, stretched forth its hand to grasp the sovereignty hitherto attached to the Crown. The King, in his efforts to retain control, had encroached on the ill-defined liberties of the subject. The old dual system of government, sustained by mutual confidence and the pressure of foreign and domestic danger, had broken down.

This marks the end of the first period of Charles' reign, for at this time also occurred the assassination of Buckingham followed by the failure of the second expedition against Rhe. Confronted with failure and lacking funds while already burdened with a large war debt, Charles was forced to withdraw from Continental politics. Consequently he negotiated treaties with both France and Spain, and but half-heartedly continued his negotiations to obtain the restoration of the Palatinate.

Both King and Parliament had been forced, by the course of events and by national growth, into revolutionary positions in which a compromise was no longer possible. Charles had no choice but to embark upon an independent rule. In dissolving Parliament, Charles stated that "princes are not bound to give account of their actions, but to God alone." In this statement

The Cambridge Modern History, IV, 271.
lies the key to the conflict. Against this theory of Divine Right, Parliament, controlling more and more of the finances, sought to establish itself as the sovereign power in English politics. It is little wonder that each found the other incompatible. Charles determined to rule henceforth independently of Parliament, but eventually Parliament was to rule independently of the King.
CHAPTER IV

CONFLICT OVER FINANCE

James had written quite fluently on the theory of the doctrine of Divine Right of Kings, but Charles was finding it quite a different proposition to translate these theories into action, for at every turn he was met and opposed by a strong and determined Parliament. The members of Parliament, and particularly the House of Commons, were not content to sit by and watch the King rule his country, but they were ever alert to exert their influence in the administration of the kingdom. The instrument which they used to strengthen their hand was their control of finance. In order adequately to understand this fundamental conflict between King and Parliament, the traditional position of Parliament and its growing financial control must be thoroughly understood.

In the first place, the income of the government was not based upon such things as an income tax or a sales tax affecting the general populace. Quite a different situation existed in England at this time.

Men had thought for centuries past of the Crown as something with an income of its own like the income of a private man (though very much larger), and derived, like the income of a private man, from the administration of its own sources of revenue. There
was no distinction between the money which a King spent upon his private trinkets and what he must spend upon his ships and the salaries of his officials, his embassies, the whole conduct of his control over society.  

It was understood, then, that the King should administer his kingdom from his own private income. For some years past, however, the Crown was in a state of financial decline because of what we today call inflation, caused by an influx of spices and precious metals from the Indies and the new world. European society awakened; the modern State developed, resulting in greater and more splendid buildings, fortifications, and ships. On all sides there was an increase in the claims which the Crown had to meet. The precise difficulty, however, was that the income of the Crown did not rise as prices rose, for it was fixed by custom; that is, the feudal dues and most other forms of royal revenue were fixed payments in English pounds, and the pound would buy less and less as prices rose higher and higher. While the income of the King remained the same, that of his subjects was constantly increasing.

Moreover, much of the wealth from the lands confiscated by the Tudors had passed into private hands rather than into the royal treasury. This took place with the approval of the Monarch who wished to build up a powerful class indebted to the Crown in

1 Belloc, Charles I, 25. This account of the traditional parliamentary position and its transition at this time is based, to a large extent, upon Belloc's excellent analysis.
order to offset the opposition of some of the nobility. This power of the new rich--mostly the landed gentry--was constantly increasing, until, with the passing of the Tudors, they were able to set themselves in opposition to the new dynasty.

It was customary, then, for the King to administer his realm from his private income. When there were any special needs for additional funds, such as in time of war, "the King would ask for a grant from his subjects." This additional money was always regarded as a grant, that is, something exceptional, in no way part of the regular revenue. The medium through which these exceptional and voluntary grants were made was Parliament. But, as Belloc is quick to point out, the meaning of Parliament today is very different from what it was then.

'Parliament' meant then the old national council of very wealthy men surrounding the Crown, the Bishops and the greater Lords, supplemented in rare and special fashion by a group of delegates--clerical and lay--which delegates were thus especially and occasionally and exceptionally summoned for the purpose of making especial, occasional and exceptional gifts, not as of right but as of grace, to the King.³

The 'special delegates' referred to represented the landowners in general, and became known as the House of Commons. Parliament was thus summoned only in times of need, and their

2 Ibid., 27.
3 Ibid., 29.
function was to determine whether to give or not to give a special grant to the King. This extra money was always regarded as a sort of present, not something that was owed to the Crown.

In addition to the private royal income and these exceptional grants of Parliament was Tonnage and Poundage, that is, the separate revenue coming from the customs levied at the ports on exports and imports. During the Middle Ages the Customs came under the classification of the special grants, but they soon became a permanent set of payments and formed part of the regular royal revenue. Whenever a new King ascended the throne, a Parliament would be summoned and grant the King Tonnage and Poundage for life. It soon became a mere matter of form, so that by 1600 there was no further question of it.

All this must be remembered in the struggle between King and Parliament. "In the main it was a struggle for power between the New Wealth of the gentry and the impoverished Crown."

And the instrument used by the gentry in Commons was their control over all finances apart from the King's private income. As prices rose and society became more complex, the King's income remained unchanged, thus forcing him to go, hat in hand, to Parliament; and Parliament used these special grants to great advantage in driving a hard bargain with the King. This was, in a

4 Ibid., 36.
sense, but natural, for as the needs of the Crown would get more and more pressing, the Monarch would need to summon Parliaments for special grants, and when those Parliaments should come together the wealthy landlords would take advantage of the declining Throne.

The situation, indeed, is strange, for the country in general is becoming considerably wealthier, while the Crown is constantly becoming comparatively poorer. As Professor Tanner analyses the situation,

This poverty of the Stuart Kings is a fundamental fact in the history of the period, because it established a vicious circle. (1) It compelled the Crown to summon frequent Parliaments, and to ask for subsidies to meet ordinary expenditure, in violation of the theory of the Constitution, which made Parliament meet on great occasions only, to vote subsidies for the emergencies of war or rebellion. (2) Frequent Parliaments meant facilities for Parliamentary organization and Parliamentary criticism which had not existed in the days of the Tudors when Parliament met seldom and sat for a short time. (3) When a Stuart Parliament met, it found itself confronted by ecclesiastical grievances of sufficient magnitude to justify it in pressing the Crown for their redress, and for this a powerful lever now lay ready to its hand, for it could insist that redress of grievances should precede supply. (4) It thus became an object of the first importance with the Crown to increase its ordinary or extra-Parliamentary revenue, even although in order to do so it was necessary to press its legal rights against individuals much further than Elizabeth had done. But (5) This was to make fresh grievances for Parliament to redress and so to embitter still further its relations with the Crown.

This course of events became apparent from the very beginning of Charles' reign, for his first Parliament, summoned immediately upon his succession, came forward with the revolutionary claim to deny the King's right to levy an customs duties except by its permission. Instead of the usual formal granting of tonnage and poundage for life, a bill was introduced conceding it for a year only; what had for generations been given each King for life was now granted for one year only, and that on parliamentary terms. Rather than being increased in time of need, the royal income was being slashed. The House of Commons was attempting to force the Crown to resign itself to feeding out of Parliament's hand and abdicating every vestige of its sovereignty.

Moreover, as we have seen, time and again Parliament goaded the King into war, and then when he was committed, left him without the means of waging it. Such steps were taken in the relations with the Palatinate, with Spain, and with France; Parliament would steer the King into war, wrangle with the Crown and demand redress of grievances before voting on Supply, and even then would grant only a fraction of the necessary subsidies. Thus without equipment, supplies, and trained men, the expedition was doomed to failure before the first ship set sail, for without money nothing could be accomplished. Invariably, however, the blame was borne by the King and his ministers, not by Par-
liament. Three times Parliament was summoned to provide the necessary finances for a war, and three times Parliament demanded—and received—concessions from the King, and finally refused the necessary grants.

Instead of improving, conditions grew worse with each successive Parliament, until the climax was reached with the Third Parliament, when the Commons again voted insufficient subsidies even though Charles had gone so far as to submit to the Petition of Right. With the subsequent death of Buckingham and the failure of the struggle with France, Charles felt that he had little choice but to rule independently of Parliament. If Charles could not get along with Parliament, he would attempt to get along without Parliament. It is clear that ther personal government of King Charles stood or fell by its success in paying its own way out of its own resources, without applying to Parliament for grants. That this might be achieved there must be no wars, no extraordinary expenses of any kind. Consequently, as we have seen, Charles hastened to make peace with the European powers, and settled down to the task of running the affairs of state at home, leaning heavily in religious affairs upon the advice of Archbishop Laud, and in political upon that of Thomas Wentworth, Earl of Stafford.

Charles' chief concern during the years of his personal reign was to obtain sufficient income, independently of
parliament, to carry on the affairs of state. To this end Charles was forced to resort to measures which, although constitutional, were unusual and had long since fallen into disuse. In the first place, tonnage and poundage continued to be levied upon the royal authority alone, and those who refused to pay were imprisoned either by the Council or by the Court of the Star Chamber. In spite of general resistance, the judges had decided that it was lawful for the King to collect these customs by his own authority. This policy was put to the test when one Richard Chambers not only refused to pay, but in the very presence of the Council

did then and there in an insolent manner...utter these undutiful, seditious, and false words—'That the merchants are in no part of the world so screwed and wrung as in England; that in Turkey they have more encouragement.'

The Court judged "that the words spoken were a comparing of his Majesty's government with the government of the Turks, intending thereby to make the people believe that his Majesty's happy government may be termed Turkish tyranny." Chambers was therefore fined two thousand pounds and committed to prison, where he remained for six years.

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7 Ibid.
8 Tanner, English Constitutional Conflicts, 74.
In addition to the continued collection of tonnage and poundage, the King's financial advisers devised other novel expedients which, though not illegal, took advantage of the law's technicalities. Reaching back into the Middle Ages, Charles revived and enforced a law relating to compulsory knighthood, which required that the owners of an estate worth forty pounds a year must receive knighthood and pay for the privilege. Many refused to contribute, but were forced to submit when the court of the exchequer declared the King's demands to be lawful.

Another means of raising money was found in the enlargement of royal forests. A royal forest in the legal sense was a tract of land over which the Crown could enforce special forest laws through special forest courts. The forest laws and the forest courts were so oppressive that it was desirable to live beyond their range and jurisdiction. After a lapse of many years it was decided to re-establish the royal claim to many of these forests, and to exact the required sum of money from their occupants. Again there were many complaints, but again the Courts upheld the legality of the action.

Another ingenious device for increasing the royal treasury was the establishment of certain monopolies, with royalties payable to the Crown. Of these monopolies, Trevelyan says

These Court bargains always aroused commercial, and
sometimes religious, opposition. When in 1623 a new Soap Company, patronised principally by the Roman Catholic party, now fully restored to favour at Court, was given the right to test and condemn the commonoties offered by all rivals, the 'Popish Soap' became the terror of the country; it was agreed that its use would certainly corrupt the body and perhaps the soul.9

By such means, then, Charles was able to administer his kingdom without reverting to parliamentary assistance. If he were able to avoid additional expense he would have little to worry about. If he were to ignore extraordinary expenditures and confine himself to the everyday affairs of state, he might have avoided Parliament. "But the tragedy of King Charles was not that of a tyrant, nor yet of a cynic, but of a man of abnormally sensitive conscience, who, when he believed a thing to be right, could be restrained by no prudential considerations from putting it into effect."10

That which bothered Charles at this time was the defenselessness of England at sea, and he felt he could not regard it with indifference; he must build up the navy to cope with the situation, for the English Channel was now infested with Moorish pirates, plundering the coast, and even indulging in slave raids. Such a situation had risen to intolerable heights and was no

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9 Trevelyan, England Under the Stuarts, 161.
10 Wingfield-Stratford, Charles, King of England, 305.
longer endurable. Furthermore, both the Dutch and the French were building up large navies, paying no heed to English claims to sovereignty in the Channel and the North Sea. Charles could have ignored this situation, but, he felt, at the price of his honor. The problem, of course, was how to raise the funds for the rebuilding of the English navy. He had had his fill of Parliaments, and wanted to avoid them at all costs. The device determined upon, and the most famous of all of Charles' fund-raising projects, was that of ship-money. It was a time-honored principle that the King had the right to call upon the ports and counties by the sea to furnish him with ships, or, if they preferred, the equivalent in money, in time of war. As recently as 1619 James I had recourse to ship-money to help finance the war against Algiers. "Thus ship-money was nothing new; the innovation lay in the methods and frequency of the charge, and the wide range of its application."11

In 1634 the first writs for ship-money were issued by Charles. At this time there was no excessive opposition, for the ancient formula was retained; that is, it applied only to the seaport towns; it asked for ships and not for money, although those not providing ships were to be assessed for the cost of equipment; and a state of emergency was proclaimed by reason

11 Tanner, English Constitutional Conflicts. 76.
of the pirates and large European navies. As a result, the en-
tire sum, over a hundred thousand pounds, was collected without
undue resistance.

Confident after this initial success, Charles deter-
mined in the next year to raise double the amount. The addi-
tional amount was to be gathered by assessing all English towns
and villages, inland and coastal alike, on the principle that
all parts of the country were equally concerned in its naval de-
fense. Such action on the part of the King did not meet with
the approval of the people of the inland shires, who knew little
of the horrors of a pirate raid and regarded the Protestant
Dutch as their allies. So far as they were concerned, it was
something entirely new—a tax levied at the arbitrary will of
the King.

But even though the resistance was growing stronger,
the King was still firm, and he ordered the ship-money to be col-
lected, for he had taken the precaution to put the legality of
the question to his judges. The twelve judges had given the
unanimous answer that

when the good and safety of the kingdom in general
is concerned, and the kingdom in danger, your
Majesty may, by writ under the Great Seal of Eng-
land, command all your subjects of this your king-
dom, at their charge to provide and furnish such a
number of ships, with men, victuals, and munition,
and for such times as your Majesty shall think fit
for the defence and safeguard of this kingdom from
such danger and peril: and that by law your
Majesty may compel the doing thereof in case of refusal or refractoriness; and we are also of the opinion, that in such case your Majesty is the sole judge both of the danger, and when and how the same is to be prevented and avoided.12

Fortified with such a unanimous decision, Charles was satisfied to ignore the rumblings of discontent, and he pressed the collection of ship-money. Seeing that the second writ netted more than two hundred thousand pounds, he determined to continue the process, and again the next year, 1636, ordered a third collection. At this point the opposition began to crystallize around the person of one John Hampden, a young squire from Buckinghamshire, and one of the wealthiest men in all the realm. By many Hampden is regarded as the compendium of all the virtues and the father of all the liberties, the man who saved his own and all future generations from slavery and tyranny. For them, Hampden has become almost legendary, growing in stature through the centuries in the poems of Gray, the orations of Burke, and the essays of Macaulay. But to others "he was a politician of extraordinary address and skill in the management of men... but this was a mask for the most calculating cunning."13 Of his personality another says "from lack of temperament more than from


calculation he was one of those who make no enemies, he would therefore have been useless as a leader, but was excellent as a figurehead and type.\textsuperscript{14}

Shortly after the issuance of the third writ of ship-money, John Hampden, representing, as it is claimed,\textsuperscript{15} "the inner circle of extremists who forgathered at Broughton," made a test issue of the case by resisting an assessment of twenty shillings on one of his many estates. As proof of Charles' goodwill in the matter, Sir Philip Warwick, a contemporary, lauds him for referring the matter to the judges, permitting Hampden to contest the writ, and using all the money for the purpose for which it was collected—to build up the navy:

As the king began it with all this caution and formal proceedings, so when the subject contested it, he gave him as uninterrupted and free course and trial of law as ever was betwixt man and man, by having a fair and formal judgment given in his behalf; so he also employed it as sincerely, not mingling the money, or proceed from it, with that in his own exchequer, but keeping them separate.\textsuperscript{16}

The most important of the speeches on behalf of Hampden was that of Oliver St John, who maintained that every official act of the Crown must be done in the way prescribed by law, and

\textsuperscript{14} Belloc, \textit{Charles I}, 199.


\textsuperscript{16} Sir Philip Warwick, \textit{Memoirs of the Reign of King Charles I}, Edinburgh, 1813, 52.
in no other way. He admits that defense against danger is the King's business, and of that danger the King is the sole judge; he does not press the distinction between maritime towns and inland places. His argument is that there are certain fixed ways in which the King is to proceed and which must govern all the actions of the King. Thus he denies the King's right to make the levy at all, except with parliamentary sanction. 17

On the side of the King the most important speech was delivered by Sir John Bankes, the Attorney-General. He began by collecting a large number of precedents to prove that the Crown had levied aids for the defense of the realm without consent of Parliament; he then launched into a defense of absolute power—of Divine Right. He explained that the power to compel his subjects to set forth ships and men is innate in the person of an absolute King; nor is this power in any way derived from the people, and from it there is no appeal. Furthermore, he maintained that the rights of Parliament and the liberties of the subject are derived from the Crown only as matters of grace and favor. 18 The basis of this and similar contentions is, as explained by Figgis, their idea that sovereignty is at once indivisible and inalienable, and therefore that the sovereign power

17 State Trials, III, 1127.
18 Ibid., 1140.
which grants a right or a privilege may at any time reclaim it. To these thinkers "it seemed natural to assert that because King John granted Magna Charta, all the powers resigned by him still inhere in the King and may be recalled."19

After hearing the arguments on either side, the judges awarded the decision to the Crown by a seven-to-five vote. Of the five judges in favor of Hampden, two gave judgment upon merely technical grounds, and the other three gave a decision in keeping with that of Sir George Crooke who stated that according to the common law in England the subjects own their estates and goods in such a way that "without their consent, or implicitly by an ordinance which they consented unto by a common assent in Parliament, it cannot be taken from them nor their estates charged."20 Further on in his speech, hitting directly at absolute power and Divine Right he states:

Whereas it hath been much urged and argued by Mr. Solicitor and Mr. Attorney that this writ is warranted by the King's prerogative and power-royal to send forth such writs for defence and safety of the kingdom in time of danger, to this I answer, That I do not conceive there is any such prerogative."21

Speaking for those who awarded the verdict to the King, Sir John Finch maintains that the law had laid upon the King the

19 Figgis, Divine Right of Kings, 248.
20 State Trials, III, 1147.
21 Ibid., 1161.
duty of defending his realm, and therefore of necessity it gave him the right of laying such charges upon the people as would enable him to fulfil the duties imposed upon him. More directly upholding the King he says:

The King holds this diadem of God only; all others hold their lands of him, and he of none but God; but this is but to light a candle for others. From hence only I will observe that none other can share with him in his absolute power. A Parliament is an honourable Court; and I confess it an excellent means of charging the subject and defending the kingdom; but yet it is not the only means. 22

And further, he says:

Therefore Acts of Parliament to take away his royal power in the defence of his kingdom are void....They are void Acts of Parliament to bind the King not to command the subjects, their persons and goods, and I say their money too, for no Acts of Parliament make any difference. 23

Thus, he concludes,

I conceive by the common law and the fundamental policy of the kingdom, that the King may charge his subjects for the defence of the kingdom, and that the King may charge his subjects towards the defence thereof when it is in danger; and I hold that the King is sole judge of the danger, and ought to direct the means of defence. 24

Thus ended the famous ship-money case. In earlier cases absolute power and divine right had come in as a subsidiary argument; in the case of ship-money it has grown to be the

22 Ibid., 1225-6.
23 Ibid., 1226.
24 Ibid., 1227.
essential ground of the decision. The authority of the Crown and the authority of Parliament here come into collision over a fundamental issue. Hampden, as a result of his efforts, succeeded in gaining invaluable publicity and propagandas for the parliamentary cause, and he has been accepted as the very symbol and embodiment of heroic patriotism. The results were instant and enduring; instant, because it turned popular opinion more than ever against the King; enduring because a century later his example was still used to inspire his countrymen as Edmund Burke cried "Would twenty shillings have ruined Mr. Hampden's fortune? No, but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave."
CHAPTER V

CONFLICT OVER RELIGION

The personal rule of Charles was one of peace and prosperity. Free from the dissensions of Parliament and the perils of war, Charles was able to devote himself to the efficient administration of his realm. All this was in contrast to previous turbulent years, both at home and abroad. Nor did this escape the notice of contemporaries, for after listing the advantages of peace, increased trade and manufacturing, the solid learning of the clergy and the Universities,\(^1\) Warwick observes "All this at a time when all the rest of the world was embroiled in war, and heavy laden under taxes; and we in our manufactures, shipping, and trading, reaping the advantages of their ill condition."\(^2\)

It was the King's intention to unify his realm, and success marked his first steps toward this goal. With the assistance and advice of Thomas Wentworth, Earl of Strafford, unity of administration was slowly being achieved; in keeping with this policy, Charles was also striving for unity of religion in the

1 Warwick, Memoirs, 62-3.
2 Ibid., 64.

To the modern mind it is difficult, almost impossible, to realize the importance of religion to the people of the seventeenth century. The events of the Protestant Revolt were still part of the very recent past, and the modern States were still in the stage of development; the two went hand in hand, for religion was very much a part of politics during that period. Religion, consequently, assumed an important role in the struggle between King and Parliament. The main driving force behind the whole movement Belloc repeatedly attributes to "the desire, already in part deliberate but still largely instinctive, of the gentry to supplant the King." This fundamental struggle between gentry and Crown adopted the religious quarrel as an ally.

It was Charles' journey to Scotland in 1633 which brought the religious issue to a head. In the summer months of that year Charles visited his native country for his official coronation as King of Scotland. It must be borne in mind that at this time England and Scotland, though both acknowledged the same King, were regarded as two distinct and independent kingdoms. The events which took place during this visit led four years later to resistance, to armed action and war, and hence to

3 Belloc, Charles I, 181.
the necessity of demanding additional financial aid.

It was the Scottish war, the seeds of which were sown in summer of 1633, which compelled the King once more to summon a Parliament—the one thing which could not but be fatal to him for it was summoning his enemies in array. That done, there must needs follow the Great Rebellion and in the Great Rebellion the defeat, betrayal and death of the man himself and of that ancient sacred monarchy which he was the last to exercise—for in his death it died.4

Both England and Scotland, it is true, espoused the Protestant cause; but with this very great difference: England, of course, maintained the established Anglican Church, while Scotland was fanatic in its devotion to the doctrine of Calvin expressed in the Presbyterianism of John Knox. It is true that an episcopal superstructure had been imposed on the Kirk by James, but the Bishops were little more than dignified figureheads, nor did they invite trouble by attempting to assert their authority against the real ecclesiastical ruling authority—the organization of the Kirk by congregations and assemblies. The Scots would brook no interference with their Kirk.

On the other hand it was said of the King that "no gentleman in his three nations... better understood the foundations of his own church, and the grounds of the reformation, than he did;"5 and again that "he valued the reformation of his own

4 Ibid., 175.
5 Warwick, Memoirs, 68.
church before any in the world." If Charles was faithful to anything, it was to his church; it was his attempt to unify the teachings and practices of his church in his kingdoms--first in Scotland and then in England--which paved the way for his downfall.

While in Scotland for his official coronation, Charles announced that he was reasserting the Revocation of 1625; all that was proposed was to take back so much of the looted Church goods as would preserve a destitute clergy from complete starvation. At the same time there was an attempt to end those hereditary jurisdictions which were among the chief causes of weakness in the Scottish Crown. Both proposals were distasteful to the group of men which completely controlled the kingdom--the nobility and the great landowners. The wealthy lords were touched in their most sensitive spot, and did not know when they might be touched again.

The freshly-opened wound was further irritated by a fact of itself entirely unintended. On his journey Charles chose Archbishop Laud as companion; this was intolerable to the Scottish people and clergy, for in addition to the fact that Laud was an Englishman--a foreigner--he stood for uniformity in Church matters throughout the Kingdom, for organized ritual and liturgy.

6 Ibid., 74.
To the Scottish Presbyterians his presence meant English interference, for one of the special characteristics of Laud was his belief in the power of outward ceremonial upon the minds and consciences of men, terming it "the beauty of holiness." Now if a churchman of the seventeenth century, especially an Archbishop thus believed sincerely in the necessity for outward ceremonial to inward spiritual life, it went without saying that he would use the power of the law to enforce it. Anglicans, Puritans, and Presbyterians alike were unable to conceive of a national religious system in which there should be room for more than one Church, according to the principle of *suis regio ejus religio*.

In keeping with his policy of unity of religion, then, Charles attempted to Anglicanize the Church of Scotland. The first instance of this attempt at unity occurred when a chief grievance of the Presbyterian leaders found expression in a petition to Charles to restrain still further the already depleted power of the bishops. Now Charles was a devout and sincere Anglican, firmly convinced that bishops should have great authority not only in religious matters, but in political affairs as well. Consequently his response to the Presbyterian request was to increase both the temporal and spiritual power of the Scottish bishops, a move he was sincerely to regret.

Some years later, in 1637, the desire of Charles and Laud for religious unity led them to take another step which led
to dissension and even rebellion, both in England and in Scotland. The mistake was made of imposing a new liturgy on all alike; to the Puritans at home and the Presbyterians in Scotland it was a step toward Popery, the object of their detestation. In Scotland, for example, the book of liturgy was at once pronounced "Popish in its frame and forms," and as Baillie says, "almost all our nobility and gentry of both sexes counts that Book little better than the Mass." This imposition of candles, surplices, and Common Book of Prayer has been termed

an act of as sheer madness as the requiring of Hindus to bite cow's fat. And yet it does not appear to have struck its authors in any other light than that of a straightforward attempt to introduce sweetness and order where they were so palpably lacking.

On July 23, 1637 the new liturgy was performed for the first time in Scotland in the Cathedral of Edinburgh before a large congregation. Upon the opening of the service there were murmurs of discontent which grew, became violent and at last turned into a riot when one woman threw her stool at the celebrant's head. The tumult grew so great that the clergy were forced to flee for their very lives. The action of the rioters was everywhere supported and endorsed by popular enthusiasm.

7 Robert Baillie, Letters and Journals, 1. 4; cited in Tanner, Constitutional Conflicts, 84.

8 Wingfield-Stratford, King Charles and King Pym, London, 1949, 24.
The flame of opposition was fanned by a deep-seated consciousness of national feeling and Presbyterian enthusiasm, but especially by the power of the magnates and their dread of losing income by the royal recovery of looted property according to the terms of the Revocation.

The riot in Edinburgh was more than Charles had bargained for. It fast became a crusade to save the Kirk from the inroads of Popery, regardless of Charles' repeated denials of such intentions on his part. Becoming alarmed, Charles determined to exert his authority and demand obedience, but he lacked the strength necessary to impose his will. Seeing their advantage, the Scottish leaders determined to seize it. They banded together and appointed a committee to draw up a solemn Covenant which, after reciting the errors and corruptions of the Church of Rome and the statutes by which the Church of Scotland had been reformed, bound themselves, first, to reject all innovations in religion which should not have been approved in free assemblies of the Kirk and in free parliaments, and, secondly, to uphold to the utmost the authority of the Crown. As things were, the two pledges contradicted each other, for "a presbyterian Church and a Stuart king could no more work together in the same land than fire and water in the same vessel."9

The Covenant served as a rallying point for their deep spirit of nationalism and of fanatic Presbyterianism. Thousands hastened from all sides to sign their allegiance—some in blood—to their Kirk in the face of the new English demands. The English finally viewed it for what it was: an uncompromising determination to sweep away the King's whole superstructure of Church government, and set up, in the teeth of his authority, and above it, an undiluted Presbyterian theocracy.

Alarmed at what had been stirred up, Charles attempted to conciliate and negotiate, eventually agreeing that the Service Book and Canons should be dropped, and even that a General Assembly of the Church of Scotland should meet at Glasgow to settle matters of religion, hoping by these means to stem the tide and solve the critical situation. The first action taken by the Assembly was to summon the bishops to appear as culprits; this was to touch the King in his tenderest point, and he dissolved the Assembly immediately rather than allow it to oppose the royal supremacy. But in Scotland the King was not legally the head of the Church as he was in England; consequently the Presbyterian discipline had educated men to believe that a General Assembly of the Church was a higher authority than the civil power. The Assembly refused to withdraw. Rather it went to the opposite extreme and abolished the episcopal office altogether, declared that all assemblies in which bishops had borne a part
to be null and void, and further condemned the canons and the new Prayer Book, and put the Church of Scotland on a strictly presbyterian footing. This was practically a statement that royal supremacy was ended and that war was declared.

Charles' ship of state was thus driven from its course so carefully plotted, and was heading for disaster on the reef of the Scottish Kirk. The King, ever since those disastrous military experiences of the Buckingham time, had framed all his plans on the assumption of a sea-protected realm without frontiers, that could dispense with an army. Except for the local trained militia he had nothing with which to wage an offensive war. An army, even if it could be recruited, would require training, equipment, a staff, and precious time; all of these presupposed the necessary financial backing, and Charles, as we have seen, based his entire plan on the avoidance of precisely this necessity. In normal times, of course, the answer would be found in Parliament, but it would be optimistic, to say the least, to imagine that that body would be ready to provide, for the crushing of an ostensibly anti-episcopal crusade, the funds it had formerly refused for a popular war with Spain, or for the relief of the brethren at Rochelle. The King was in no position to press a war, lacking, as he did the financial and moral support of his subjects.

In Scotland, meanwhile, the preparation was proceeding
in a very different spirit. The enthusiasm of the Covenant was sweeping everything before it in Scotland. Great quantities of arms and ammunition were procured from abroad. Recruits came forward in crowds, most of them men of valor and tried under fire as soldiers of fortune in the continental wars. Upon hearing of the religious crusade at home, hundreds of these Scottish mercenaries returned to offer their services, and Alexander Leslie, with more than thirty years of battle experience to his credit, was chosen supreme commander.

Against this formidable force Charles could raise only a small number of untrained men, for he could not obtain sufficient money, and men did not respond readily to his call. Each side mustered its forces along the border, but each hesitated to strike the first blow. Charles, still trusting that a way might be found of avoiding bloodshed, had no heart in this war against his own subjects, while the Scots feared that an attack might raise the spirit of English nationalism. A series of feints and maneuvers resulted until the leaders of both parties met and signed the Treaty of Berwick, thus ending what is sometimes referred to as the First Bishops' War before a shot had been fired.

According to this treaty, both sides agreed to disband their forces, the Scots agreed to disband their committees and restore the royal land, while the King agreed to summon a new general assembly to meet at Edinburgh. It was at once noticeable
that the gravest of the differences between the King and the Scots remained unsettled, for nothing was determined concerning membership in the assembly. Consequently, when the King issued his proclamation ordering new elections for the assembly, he summoned the bishops to sit there. The covenanters at once replied with protests, and mob violence broke out again in Edinburgh. Charles was resolved never to abandon the cause of episcopacy in Scotland, and the covenanters were just as resolved not to suffer its restoration. It was evident that the First Bishops' War accomplished nothing, and the Treaty was of no avail.

Proof of continued Scottish opposition was obtained when a letter was intercepted by the King's men proposing an alliance between France and Scotland. Still smarting from the empty treasury and the humiliating disgrace of the First Bishops' War, Charles found this fresh affront too much to bear. The King was ready to listen to the desires of his Scottish subjects, and even to meet them half way, if he had proof of their loyalty. But to rebellion in arms, and to traitors in league with the foreigner, he would concede nothing but blows.

Consultation with Wentworth, the newly-created Earl of Strafford, confirmed him in his policy. But it was determined that the farce of the First Bishops' War should never be repeated. An ill-equipped and ill-trained, dispirited army would never stand up against the well-disciplined Scottish forces. And yet
the wealth and manpower of a united England would be able to overwhelm the foe, providing Charles could enlist the willing loyalty of the nation. Confronted with the evidence of the proposed French alliance, it was thought that a Parliament would forget grievances and rally to the support of the Crown, backing the King to the hilt.

Reasoning of this sort urged Charles to summon another Parliament in 1640, the first since 1629. It was what the King dreaded most, but if another army was to be raised the funds could be gathered in no other way. Both Strafford and his sovereign were persuaded that the national hatred of the English for the Scots was now sufficiently aroused to support them, especially since they could produce evidence of the offers to the French King.

Accordingly a new Parliament was summoned to convene on April 13, 1640. But the effect on the people of this summoning of the Parliament was the opposite of what the King had anticipated.

Great was the rejoicing in the country when it was known that at long last the King was going to summon a Parliament to Westminster. But any credit that he might have got for this determination to throw himself upon the loyalty of his people, to whom his rule had brought all these years of prosperity, was neutralized by rumours, started, none knew how, that this apparent confidence was but the mask for a diabolical plot to raise funds for an army that would be employed to put England under the heel of an armed tyranny. It is the first we hear
of a suggestion put about by King Charles's opponents on every possible occasion until the time of his death, that if he were ever allowed to exercise a King's right to command the armed forces of his realm, he would use them for the precise purpose for which, ironically enough, they were eventually employed by the men who did him to death.10

In the first speech of the new Parliament, the Lord Keeper, Sir John Finch, speaking for the King, acquainted the members of the trouble with Scotland by telling them that the Scottish leaders

have led a multitude after them onto a course of disloyalty and rebellious treason....They have taken up arms against the Lord's Anointed, their rightful prince, and undoubted sovereign...and they have invested themselves with regal power and authority: such and so many acts of disloyalty and disobedience, as (let their pretences be what they will) no true English or Christian heart but must acknowledge them to be the effects of foul and horrid treason.11

Thereafter the King himself rose, producing the letter begging for French assistance, observing as follows:

The superscription of the Letter is this, Au Roy. For the nature of this superscription, it is well known to all that know the style of France, that it is never written by any Frenchman to any but their own king; and therefore, being directed Au Roy, it is to their own king; for so in effect they do, but by that superscription, acknowledge.12

10 Wingfield-Stratford, King Charles & King Pym, 45.
12 Ibid., 534.
But now a new figure appears upon the stage, for "with the meeting of the Short Parliament in 1640 Pym begins to play that part of unacknowledged leader of the House of Commons which was all that the ideas of that age permitted."¹³ Events showed that it was not Strafford but Pym who read rightly the signs of this stormy time, for he saw that the hatred of Scotland was now less than their common and growing hatred of Anglicanism, and their common and growing grievances against the Crown. In his two hour address before Commons, Pym recounted the grievances against the King, dividing them into three heads:

"1. Those Grievances, which, during these 11 years interval of parliaments, are against the Liberties and Privileges of Parliament. 2. Innovations in matters of Religion. 3. Grievances against the Property of our Goods."¹⁴

Swept along by Pym, the Commons began immediately to discuss whether grievance should precede supply.

Upon the advice of Strafford, the Crown asked for twelve subsidies, but was willing to settle for eight. By a clever turn in the course of the debate as to how much they would grant, Sir John Hampden of ship-money fame insinuated that the question was whether the King should have twelve subsidies or

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nothing. Such an incorrect statement of the question made the King's demand seem extreme. At this point, the youthful Edward Hyde, the future Lord Clarendon, striving to avert a catastrophe, moved to take the vote on the simple question of whether a supply should be granted at all, without specifying the amount, and then determining the amount later. Such a proposition seemed acceptable, but the situation changed again when the King's own secretary, Sir Harry Vane, turned against him by saying that if Parliament were to vote anything less than the full amount demanded, the King would refuse to accept it. When reporting the proceedings to the King, Vane was again guilty of duplicity; he misrepresented the events and "gave Charles a false report of what had happened, representing the Commons as unwilling to consider supply at all and as refusing to help."15 The debate was adjourned until the next day without a vote having been taken.

Meanwhile, "at a private meeting of the leading members, held on the 4th, it was resolved that on the following morning Pym should bring forward the subject of declaration issued by the Scots, and should ask the king to come to terms with his northern subjects."16 Gardiner adds significantly that "it is likely that he Pym approved and even took part in those invitations to the

15 Belloc, Charles I, 237. Cf. also Wingfield-Stratford, King Charles & King Pym, 50-2, and Gardiner "Pym", Dictionary of National Biography, XVI, 520, for a similar analysis.

16 Gardiner, "Pym", Dictionary of National Biog., XVI, 520
Scots of which even now so little is accurately known.17 Charles was informed of this private meeting, and to avert what he regarded as a real catastrophe, he dissolved Parliament on the next day. What Vane had done was to make it appear to the eyes of the nation that the King had been wholly the aggressor and had acted in a fit of temper. Even Hyde did not understand the true situation, for he wrote:

It could never be hoped that more sober and dispassionate men would ever meet together in that place, or fewer who brought ill purposes with them; nor could any man imagine what offence they had given which put the King to that resolution.18

As Wingfield-Stratford hastens to add,

If that could be the considered judgment of the great Royalist historian, how must the matter have appeared to the average Englishman of the time, biased as he was by his Puritan leanings and a ceaseless propaganda in favor of Parliament against the King?19

Opposition to the Crown was becoming more and more powerful. Scotland had risen successfully in religious rebellion, while the Puritan party in England was gaining the ascendancy in Parliament and was beginning to align itself with the Scottish

17 Ibid.
18 Wingfield-Stratford, *King Charles & King Pym.*
19 Ibid.
presbyterians. This helps to account partially for the bitter and growing opposition between King and Parliament, but as Montague observes,

What happened was much the same that had happened with every previous parliament of the reign. As the king and the commons acted on opposite theories of government, there could be no harmony between them, and every meeting issued in a new conflict.  

Now that Parliament was dismissed, the King's position had become hopeless. Not only was he more than ever without the men or the means to defend his realm against the coming invasion, but in addition to having no army and no funds, his home front had broken. The opposition propaganda swept the country; few people hesitated to put the entire blame for the breakdown on the shoulders of the King.

Once again Charles found himself with a war on his hands, without a trained army and without funds. "The Scots knew that the opinion in England was in their favour, and they had already entered into communication with the parliamentary leaders."  

The Second Bishops' War was as ill organized as the first. After a few minor skirmishes, the King's forces were routed at Newburn and withdrew in hasty and disorganized retreat, leaving the


northern shires to the mercy of the invaders. But Leslie proceeded slowly and orderly, for "he fully realized that his main strength lay, not so much in his own army, as in the collusion of the King's enemies in England, and in their ability to maintain the control that they had established over popular sentiment."22 Rather than continue his march southward, Leslie wisely maintained his troops in the north and demanded a high levy from the King to support the alien occupiers of England.

It might be imagined that the idea of England's being subject to such extortion and humiliation would have aroused the patriotism of the people to rally to the King's standard. But such was not the case, for it was, from the point of view of the noblemen and politicians who had long been plotting revolution, a veritable godsend....For consider what it meant. So long as the Scots remained encamped in the North, their demand for blackmail constituted a steady drain on the resources of the country, far beyond the capacity of the now bankrupt exchequer to supply. It could only be met by taxation, and taxation could only be granted by Parliament--a Parliament that the revolutionaries were certain of controlling. And then would come their opportunity of exacting blackmail, ruthless and unlimited, from the Crown....The success of this plan demanded that the Scots should be kept in occupation of English soil, until the Crown had been...completely humbled and stripped of power.23

22 Wingfield-Stratford, King Charles & King Pym, 61.
23 Ibid., 63.
A hastily summoned Council of Peers met with Charles and the Scottish leaders at York, and it was agreed than an indemnity of 850 pounds per day should be paid to the invaders. The only means to raise such a sum was to summon a new Parliament as soon as possible. The King was caught between the Scottish army and the parliamentary leaders, working together hand-in-glove; and behind it all was a public opinion thoroughly worked up against a beaten and humiliated monarch. There was no choice but to bow to the inevitable and summon the Long Parliament, which would require an account for the dealings of eleven years of non-parliamentary government.

Once again the leader of the parliamentary opposition was John Pym, who set the tone with his usual list of grievances, grouped under three heads, against the privilege of Parliament, against prejudice of religion, and encouragement to popery, and against the liberty of the subjects. Three principal objects were then set before the Parliament: (1) to release the sufferers from arbitrary government; (2) to punish the men by whose advice arbitrary government had been established; and (3) to make it impossible for arbitrary government ever to be established again. The Long Parliament set itself to these three tasks, re-

fusing to be turned aside until the mission was accomplished.

The first of these purposes was attained by the release of the chief victims of the Court of the Star Chamber; the King was forced to grant release from prison and pecuniary compensation to Leighton, Prynne, Burton, and Eastwick.

Nor was the vengeance upon evil counsellors long delayed, for on the eighth day of the Parliament Strafford was arrested and confined to the Tower to await his impeachment. A month later Laud followed Strafford to the Tower. Windebank, the Secretary of State, and Lord Keeper Finch, likewise accused, fled beyond the seas. Two more bishops and six judges were impeached and imprisoned, while all monopolists were expelled from the House of Commons. So great was the reckoning that "it seemed 'a general doomsday.'"

The fall of Strafford is "one of the most tragic stories of English history." On the eve of the meeting of Parliament, the King had sent for him from Ireland, assuring him that if he came he "should not suffer in his person, honour, or fortune." As soon as he arrived Strafford advised the King to prefer a

25 Charles Firth, Oliver Cromwell and the Rule of the Puritans in England, New York, 1900, 51.

26 Tanner, English Constitutional Conflicts, 93-4.

charge of high treason against those members of Parliament who
had invited the Scottish army into England. But before the King
could act, Pym had been informed of the proposed plan, and fore-
stalled the action by himself proposing the impeachment of Straf-
ford. In Strafford's person the King himself was impeached, for
all knew that the Earl was acting with the King's approval. To
the Lords, Strafford's guilt or innocence was merely a judicial
question which must be legally proved; but to the Commons the
question was a political one, for Strafford stood in their way.

The case against Strafford was led by Pym himself. Its
weakness lay in the attempt to construct a charge of treason out
of many acts which were not treasonable according to the law then
in force. During the trial the Peers were more and more impressed
by the weakness of the pleas which were put before them, and
Strafford clearly was winning the fight for his life. At length
it was apparent to the Puritan reform group that their case was
doomed to failure, so they determined to give up all semblance of
a trial and to proceed by a Bill of Attainder. This favorite
method of Henry VIII consisted simply in passing a law in the
ordinary way; with a majority vote of the two houses and the
assent of the Crown the law condemned its victim to death.
There was no trial, no calling of witnesses, no pleading, no de-
defense. Such action was little more than an admission of their
failure, but the reformers were determined to have Strafford's
head at all costs.

Charles took steps to prevent the passing of the Bill of Attatinder, but his efforts served only to create more alarm in Parliament so that both Houses passed the bill with the necessary majority, although neither secured half the votes of the entire House, for many absented themselves. The King refused to affix his signature to the Bill until at length the safety of the Queen herself was threatened, and a letter which Strafford himself wrote from the Tower counselled "so now, to set your majesty's conscience at liberty, I do most humbly beseech your majesty, for the prevention of evils which may happen by your refusal to pass this bill." Upon this the King gave his assent saying "If my own person only were in danger, I would gladly venture it to save Lord Strafford's life; but seeing my wife, children, and all my kingdom are concerned in it, I am forced to give way to it." On May 12, 1641, Strafford was led from his pell in the Tower to the scaffold.

Within the next six months Parliament, having determined to prevent further personal rule by the King, abolished the old special courts, the irregular ways of levying money, refused

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28 Strafford's last letter to the King, dated May 4, 1641; printed in Rushworth, Historical Collections, III, 251.

29 Cited in Montague, Political History of England,
tonnage and poundage, and declared ship-money, distress of
knighthood, and the enlargement of forests illegal. Furthermore,
they passed the Triennial Act which provided that the King must
summon a new Parliament at least every three years, and stipula-
ted that the present Parliament could not be dissolved, or even
prorogued, without its own consent. All semblance of power was
stripped from the King.

Parliamentary discussion next turned to religious mat-
ters. The Scottish Presbyterians had long been exerting pressure
to abolish the episcopacy, and now the Puritan fanatics took up
the same cry. The Bill for abolishing Bishops was proposed, and
a long and bitter debate ensued which "showed a rift in the House
of Commons, which afterwards widened into the split which brought
on the civil war."30 From the time of this bill—commonly re-
ferred to as the Root and Branch Bill—the party which was opposed
to such great ecclesiastical changes supported the authority of
the King, and the party which was in favor of the Root and Branch
supported the authority of the Commons. The parties were now di-
vided both religiously and politically; the Episcopalian party
now is identified with the Royalist party, while the Puritan
party is the party of the Parliamentarians.

The religious issue was further brought to the fore

30 Gardiner, "Pym", Dictionary of National Biography,
XVI, 521.
when the electrifying news of the Irish rebellion swept across the country. Fearing another popish plot, the Puritan feeling was inflamed against the Episcopal party, and increased the general alarm, and the distrust of the King. The rebellion was not the work of the King, but he was made to bear the blame. The unfounded rumor was spread widely that the royal episcopal party had struck an alliance with the Church of Rome, and through the Queen a great plot had been hatched with the Pope for the suppression of Protestantism in the three kingdoms, of which the rising in Ireland was to be the opening scene. According to this plot, the King would call upon the army in the North to overrun England, while a bargain would be made to employ the Scottish army in that country. The parliamentary leaders made use of this opportunity to stir their followers to action. For this reason it has been said that "as the Scottish rebellion had forced on the Long Parliament, so the Irish rebellion, it is not too much to say, led directly to civil war."31 Pym and the Puritan leaders found their chief support in the City of London which expressed its willingness to lend money for the suppression of the rebellion, but demanded the imprisonment of the Catholic lords, and the exclusion of the Bishops from the House of Lords. The tide was turning.

Parliament's next move was to draw up the Grand Remonstrance, which was "always regarded by the older historians as pre-eminently the turning point in the history of the Great Rebellion." This document, continuing for almost twenty pages in the Parliamentary History, contains a list of reforms already inaugurated by the Long Parliament, and a list of grievances still to be redressed, a statement of the Root and Branch religious policy of the party, and a statement of the political aims of the party. A bitter and heated debate ensued between the two factions of Parliament; the final vote showed that the Remonstrance was approved by a majority of only eleven votes--159-148. Thus the Root and Branch strict parliamentary party defeated the royalist party sympathizing with the King's policy concerning the Bishops and the Anglican Church; thus was the wedge driven farther and farther between the two parties until the breach was so wide that they reached the point of no return.

So high did party feeling run that after the division, when Hyde and Colepeper on behalf of the minority sought to enter a protest against the decision, some members waved their hats wildly in the air, and others 'took their swords in their scabbards out of their belts and held them by their pommels in their hands, setting the lower part on

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the ground."...Cromwell said to Falkland 'that if the Remonstrance had been rejected, he would have sold all he had the next morning, and never have seen England more; and he knew there were many other honest men of the same resolution.'34

Meanwhile, twelve bishops were hindered from attending parliament, whereupon they signed a protest, stating their inability to attend, and declaring that everything done by Parliament in their absence was null and void. The Commons replied by impeaching them, and the impeachment was carried, thus effecting another triumph over the King. Throughout the struggle it is to be noted that although the King made concessions on various points, he remained adamant on points touching the episcopacy and the purity of the Anglican religion. Here Charles determined to make his stand.

While the King was determining his course of action, it was rumored that the leaders were determined to go so far as to impeach the Queen. Driven to immediate action, the King decided to forestall the impeachment of the Queen by impeaching in his turn five members of Commons, including Pym and Hampden. But before he could take action, they received word of his intentions and fled; his message arrived too late.

The next day the King went in person to the House of Commons to apprehend by force the accused members, but again

34 Tanner, English Constitutional Conflicts, III.
their chairs were vacant. Remark ing "I see all the birds are flown," he went to Speaker Lenthall and inquired concerning their whereabouts. The Speaker replied:

May it please your majesty; I have neither eyes to see nor tongue to speak in this place, but as the house is pleased to direct me, whose servant I am here; and humbly beg your majesty's pardon, that I cannot give any other answer than this to what your majesty is pleased to demand of me.36

The Speaker, hitherto the King's agent in the House, and charged with the duty of managing his business in the Commons, now becomes and henceforth remains, the servant of the House itself. The House had succeeded in maneuvering the King to overplay his hand; "he had done the irremedial thing; he had attempted a coup d'etat, and failed."37

Rather than violate his conscience in religious affairs, and rather than compromise the Stuart idea of absolute monarchy, Charles adhered to his principles to the last, even though the way led to the bloody Civil War, the overthrow of the monarchy, and the block.

36 Ibid.
CHAPTER VI

CIVIL WAR

The dramatic struggle between King and Parliament moves on toward its climax. Step by step it has progressed, moving on relentlessly, almost inevitably, to its final tragic scene. Most of the important figures, having played their roles, have passed into the shadows, nevermore to be seen: Eliot, Pym, Buckingham, Strafford, Laud. A new protagonist, one Oliver Cromwell, appears fresh for this final scene to carry on the conflict against the King. Through various scenes the conflict has assumed a diversity of forms—conflicts over advisers, over foreign affairs, over finance, and over religion—but underlying them all is the one basic conflict of political philosophy of government. This could scarcely be otherwise when we recall the basis of the Stuart doctrine of Divine Right of Kings:

Monarchy is pure, the sovereignty being entirely vested in the king, whose power is incapable of legal limitation. All law is a mere concession of his will, and all constitutional forms and assemblies exist entirely at his pleasure. He cannot limit or divide or alienate the sovereignty, so as in any way to prejudice the right of his successor to its complete exercise. A mixed or limited monarchy is a contradiction in terms.¹

¹ Figgis, Divine Right of Kings, 5-6.
To a Monarch imbued with such a theory, a Parliament that is forever in opposition, refusing to adhere to the policy of the Crown, is not to be tolerated. To a Parliament seeking to enhance its own power according to the more modern concept of the democratic State, one who rules strictly according to such a theory is a tyrant not to be tolerated. The two attitudes are incompatible.

The breach between the two grew constantly wider until the last bridge spanning the gulf collapsed when the King appeared in Commons to arrest its five leading members. By this act, Charles disclosed his feelings concerning Pym, Hampden, and the other parliamentary leaders: they were guilty of treason. But if this were so, then all their work was called into question, all their laws might be nullified. Nor was there any hope of solving the current thorny questions of both Church and State by the joint action of the King with a Parliament whose chiefs he deemed worthy of the gallows. It became apparent that there was no common ground between the two parties save the field of battle.

On the day following the King's frustrated attempt to arrest the five members, Parliament met in hasty session and passed a resolution stating that the King's conduct was "a high breach of the rights and privilege of parliament, and inconsistent with the liberties and freedom thereof."2 The next move

of the Commons was to appoint Philip Skippon to the command of
the city militia. At such a display of force and vigor, Charles
thought it best to quit the city with his queen and children,
fleeing north to York. In his absence Parliament sought to win
to its side the rabid minority group of the Puritans by abolishing
the bishops and condemning the Book of Prayer, and declaring
that not every man would be allowed to worship as he pleased.

From this point, each side began to muster its forces.
Parliament itself was divided, and those who favored the King
joined him at York. Roughly speaking, the north and west de-
clared for the King, and the south and east for the Parliament,
with the wealth of the country concentrated in the south and east,
principally because of the customs collected at the port of Lon-
don.

The parliamentary ultimatum in the form of the Nineteen
Propositions was passed June 3, 1642, but they "may be resumed in
one, that the parliament, not the king was to be sovereign of
England." According to these propositions, Parliament was to
control the King's administration by appointing the King's Coun-
cil, his officials, and even the educators of his children; Par-
liament was to control the power of the sword by appointing the

officers and directing the actions of the Militia; and Parliament was to control the Church by itself settling the Church controversy. The King is thus asked to surrender completely his executive authority and his military power, and to abandon the Church of England to her foes. Such demands are directly contradictory to the Divine Right doctrine of Charles, according to which "it lies in the power of no Parliament, to make any kind of Lawe or Statute, without his Scepter be to it, for giving it the force of a Law." His reply to Parliament goes directly to the heart of the matter:

These being passed, we may be waited on bareheaded, we may have our hand kissed, the style of Majesty continued to us, and the King's authority declared by both Houses of Parliament may be still the style of your commands; we may have swords and maces carried before us, and please ourself with the sight of a crown and sceptre,...but as to true and real power, we should remain but the outside, but the picture, but the sign of a King.

Parliament's reply was to pass a bill "with much joy" which provided "that an army shall be forthwith raised for the safety of the King's person, the defence of both Houses of parliament,...and for the preservation of the true religion, the


laws, liberties, and peace of the kingdom," declaring that they
"will live and die with the Earl of Essex, whom they have nomina-
ted general in this cause." The King rightly interpreted this
as a virtual declaration of war, and raised his standard at Not-
tingham on August 22, 1642; the Civil War had begun.

The early victories of the King led Parliament to cast
about for allies in their struggle. Overtures sent to their
Scottish brethren received a favorable response, and negotiations
were begun, resulting in the Solemn League and Covenant. This
Covenant was viewed differently by the two parties, Parliament
hailing it as a military alliance, while Scotland regarded as a
great step forward in their religious crusade. The Scots had
never forgiven Charles and Laud for attempting to bring Scotland
into ecclesiastical uniformity with England by imposing a new
liturgy; the Scottish Kirk now succeeded in bringing England into
ecclesiastical uniformity with Scotland by forcing the English
Parliament, under the terms of the Covenant, to undertake "the
reformation of religion in the kingdoms of England and Ireland,
in doctrine, worship, discipline, and government, according to the
Word of God,...and to endeavour the extirpation of Popery, prelacy,
superstition, heresy, schism, and profaneness." Both Houses

7 Ibid., II, 1413.
8 Ibid., III, 170.
were likewise forced to appoint Presbyterian chaplains and gave up the Book of Prayer, and even decided to sit on Christmas Day.

On their part the Scots gladly provided military assistance for their English brethren, for they realized that if the King were successful in establishing his absolute rule in England, his next move would surely be to establish it in Scotland, even to the destruction of their beloved Kirk. For this reason, then, they undertook to raise an army under the veteran Leslie for service in the north of England in return for a monthly payment of thirty thousand pounds. The arrival of Leslie's troops turned the scale of the war in the north decisively against the King.

The war was progressing badly for the Parliamentarians until the advent of Oliver Cromwell, the man who more than any other is to be credited for Parliament's victory. A strange man, indeed, is this Cromwell—a man about whom history records two conflicting myths. From the time of the Restoration when a steady stream of hatred was directed against his memory, Cromwell was made to play the role of hypocrite and villain upon the stage of English history. After the beginning of the nineteenth century a second myth arose concerning him, according to which he is a national hero, and the cause he defended unquestionably just. Like Iago, there are those who assert that he was the devil incarnate, an almost preternatural being; while others maintain
that he was an essentially good man, acting from sincere conviction and good motives.

Oliver received both his wealth and his religion from his distant relative, Thomas Cromwell, who was responsible for the confiscation of monasteries and church property in the reign of Henry VIII. Until middle age Oliver did not figure prominently in the public eye. As a new member of the House of Commons he watched the quarrel develop between the King and Parliament under the leadership of Pym and Hampden. With the advent of the Civil War he remained a staunch Parliamentarian, but he had personally done little to precipitate the action. It was not until the Civil War that Cromwell came into prominence as the champion of the Independents. The group of Independents offered a refuge for all who chafed under the bonds of Presbyterianism, and yet could not abide the bonds of episcopacy. Its principle of Church government was the autonomy of each separate congregation, and independence of bishops or any other external authority. The cause of Independency, finding in Cromwell a powerful ally, was steadily gaining ground in the Army, even though Parliament was thoroughly dominated by the Presbyterian group. As a practical man, Cromwell was chiefly concerned to get hold of the material out of which the best soldiers could be made, and he was not disposed to reject a promising recruit because his religious views were not in accord with those of the Parliament. He there-
fore used his influence against the Presbyterian officers and chaplains who were trying to exclude all but Presbyterians from the Army.

It was in the battle of Marston Moor that both Cromwell and the Independents came into their own, for "Marston Moor was the action which established Cromwell, gave him his reputation, and made him suspected of invincibility." Previous to Marston Moor, Prince Rupert, Charles' nephew and the leader of the Royal Cavalry, had swept all before him. Cromwell, too, had much success in building up his own Cavalry forces, the Ironsides. The meeting at Marston Moor was the first clash between the two, and the eventual outcome of the war hung in the balance. Rupert's plan of defense was upset when one of his officers, Lord Byron, impetuously left his position, so that when Cromwell made his charge there was no one to withstand the attack. Rupert led his forces in to fill the gap, and there was a wild, indecisive battle for sometime between two seemingly invincible commanders. The tide of the battle was turned when a cavalry force of Scottish reserves rushed in on Rupert's unprotected flank, setting the Royal Cavalry to rout. Cromwell was thus left free to wheel around to attack the royal Infantry, completing the overwhelming


10 Wingfield-Stratford, *King Charles the Martyr*, London, 1950, 40-49 presents the following account of the battle.
defeat of His Majesty's forces. Writing of the victory to his brother, Colonel Valentine Walton, Cromwell states that it was an "absolute Victory obtained by the Lord's blessing upon the Godly Party principally,"\textsuperscript{11} for "God made them as stubble to our swords."\textsuperscript{12} A crushing blow had been inflicted upon the King's forces, from which they were never to recover; the tide of the war had been changed. And it is to be noted that control of the Army is shifting from the strict Parliamentarians, Essex and Manchester, to the new, Independent group under the leadership of Cromwell.

Following the decisive victory at Marston Moor, the Independents of the Army were influential enough to have passed through both Houses of Parliament the famous Self-Denying Ordinance, "which quite altered the scene of public affairs, threw the management of the sword into new hands, and was the main foundation of Cromwell's greatness."\textsuperscript{13} This Ordinance provided "that no member of either house of parliament should, during this war, enjoy or execute any office or command, civil or military."\textsuperscript{14}

\textsuperscript{11} Oliver Cromwell's Letters and Speeches, A Library of Universal Literature, New York, 1900, 183.

\textsuperscript{12} Ibid.

\textsuperscript{13} Parliamentary History of England, III, 326.

\textsuperscript{14} Ibid., III, 327.
The Ordinance, whether by a strange coincidence or by deliberate planning, turned every other politician out of the Army except Cromwell. He alone was simultaneously to have a position in the Army and in the House of Commons, a unique advantage from which all his further advancement was derived. "I hope," he said, "that no members will scruple to deny themselves." Nor did any so scruple. All except Cromwell gave up their military commands, giving the Independents complete control of the Army. "So ended the first great crisis through which he had to pass at the beginning of what may be called his civilian advance, his advance towards command over the State as distinguished from the Army."16

This "New Model" Army was thus under the control of Cromwell and the Independents who wrested control from the domination of the oligarchy of the Parliamentary bosses. The Army now becomes a third party in the struggle, and is no longer merely the instrument of Parliament. The efficiency of this New Model Army was put to the test in the Battle of Naseby, in which they came off the overwhelming victor, after wiping out the Royal Infantry almost to the man, cutting the Royal Cavalry almost in

15 Ibid., 330

16 Belloc, Cromwell, 180.
half, and capturing all the royal ammunition and supplies. Cromwell wrote immediately to the Speaker of the House of Commons, William Lenthall, informing him of the victory in his usual manner:

I can say this of Naseby that when I saw the enemy drawn up and march in gallant order towards us, and we a company of poor, ignorant men to seek how to order our battle...I could not...but smile out to God in praises in assurance of victory, because God would, by things that are not, bring to naught things that are.17

Commenting upon this passage, Wingfield-Stratford says "Considering that 'the company of poor ignorant men' denoted the best trained and probably the best paid force anywhere in the world, the intervention of the Almighty might have been deemed a little superfluous."18

The Civil War reached its conclusion on May 6, 1646, when the unfortunate Charles rode to the headquarters of the Scottish army from Southwell, which he had left the day before. From this date until the fatal January 30, 1649 the fortunes of Charles may be seen to fall as those of Cromwell rise.

At the conclusion of the War, the parties in opposition to the Crown were the Scots, the Parliament, and the Army. For the present the Parliament was the governing force of the nation,

17 Oliver Cromwell's Letters and Speeches, 209.
18 Wingfield-Stratford, King Charles the Martyr, 109.
but it did not remain a true Parliament for long, for it dwindled until at the end it was composed of only a handful of Lords and merely the rebel remnant of the Commons. Power remained with this Parliament only so long as it was voluntarily obeyed, for it possessed no instrument for enforcing obedience. Real power ultimately lay with the Army, which could at any moment make itself actually the master of Parliament as it had for so long been potentially the master.

In the realization that further resistance to his threefold enemy was futile, Charles determined to give himself up to one of them, and to improve his own position by playing off one against the other as skillfully as possible, so that by the mutual neutralization of these hostile forces he should regain his rights and liberty. To this end he gave himself up to the Scots and asked for their terms. The Scots thereupon drafted the Propositions of Newcastle,19 and submitted them to the Parliament and thence to Charles. Their principal demands were that the King should take the Covenant and accept the Presbyterian system, that the militia and the fleet should be controlled by Parliament for a period of twenty years, and that the leading Royalists should be proscribed. These three main provisions were to touch

the King in his tenderest point, for he had said previously, "There are three things I will not part with, the church, my crown, and my friends." The Propositions of Newcastle demanded all three of the King.

Negotiations with the Scots all hinged upon the Covenant, whose acceptance they made an absolute sine qua non of military aid, but to agree to establish Presbyterianism in England Charles regarded a grievous sin. Instead of submission to the Monarch, Presbyterians taught that supreme power is in the people, to whom Kings ought to render an account, a theory in direct conflict with Charles' inherited theory of Divine Right of Kings. "If Charles could have frankly accepted Presbyterianism, he would have had the Scots at his back. It is to his credit, if it was his misfortune, that he remained firm on the essential point." In the light of Charles' convictions, however, it is not surprising that he found it impossible to come to terms with the Scots.

When the Scots saw that they could not come to terms with the King, they determined to had him over to Parliament for as great a sum as possible. As the contemporary Warwick remarks,

20 Ibid., 311.
"the Scots knew so well how to value him, that if it be not admitted, they sold him, it must be confessed, they parted with him for a good price; for they are paid 200,000 pounds...and are promised 200,000 more."22 When informed of this transaction, the King dryly remarked that it made little difference, since even if he had been at liberty, he would rather have gone to those who bought him than to those who sold him, and added, "I am ashamed that my price is so much higher than my Saviour's."23

Now a prisoner of Parliament, Charles was removed to Holmby, his own home near Northampton. For most of the months at Holmby there was silence on all sides, with only two significant events marking that period. Charles made his offer to Parliament: a Presbyterian experiment to last three years, the Army to be controlled by Parliament ten years and then to revert to the Crown, and Parliament to have its own way in Ireland.24 But these overtures came to nothing. On the other hand, the Army was becoming restless and was breaking away from parliamentary domination. It was at this stage that the Army began to organize politically in support of its officers, especially Cromwell.

22 Warwick, Memoirs, 324.
24 Ibid., 578-9.
After his victories at Marston Moor and Naseby his name was on the lips of the entire army, but especially on those of his faithful cavalry. What little encouragement was needed for the soldiers was supplied by Cromwell himself as he appealed to their patriotism and religious fanaticism.

The quarrel between Parliament and Army was growing steadily worse, so that the parliamentary leaders saw only one remedy for saving themselves: the Army must be disbanded. This quarrel played directly into Cromwell's hands. He persuaded the House of Commons that he would support their authority over the Army, while at the same time he let it be felt in the Army that he was supporting the new movement among the soldiery. In Parliament he affirmed that he would rather allow himself to be burnt with all his family than see sedition in the Army against Parliament. Fortified with such backing, Parliament ordered the disbanding of the Army, commissioning General Fairfax, the Commander of the Army, to carry out the injunction. When he heard of this order, Cromwell acted. On the night of May 30th, Cromwell, unknown to Fairfax, summoned a secret meeting at his home. Cromwell was now in such control of the Army that he felt he could safely disregard his nominal superior.

At this secret meeting Cromwell sent Cornet Joyce with five hundred men to Holmby House where the King was held prisoner. As the garrison guarding the King was composed of only fifty men,
it was no match for Joyce's picked band of five hundred. When Joyce appeared and surrounded the house, Charles asked by what orders and under whose commission he had come. With no legal commission whatsoever, Joyce pointed to his five hundred men and said that they were his commission. The King's witty reply was, "as well writted a commission, and with as fine a frontispiece, as I have ever seen in my live."25 There was nothing for Charles to do but to ride off with Joyce, now a prisoner of Cromwell and the Army.

By such a clever stratagem, than, the King was now safely in the hands of the Army, and, as Morely adds,

It was noticed later as a significant coincidence that on the very evening on which Joyce forced his way into the King's bedchamber, Cromwell, suspecting that the leaders of the Presbyterian majority were about to arrest him, mounted his horse and rode off to join the army.26

Cromwell's policy now, as the leader of the Army, was to let the King have far more freedom than he had enjoyed in the custody of the parliamentarians at Holmby; for Cromwell wished Charles to support the Army against the Parliament in the imminent conflict between the two. Charles was allowed to see his children, to hunt, and to assist at the services of the Church of

England, none of which liberties was permitted him previously. The idea in the mind of Cromwell seems to have been that the King, in thus being treated fairly, would become his puppet and lend the support of the Crown to the Army rather than to Parliament.

In the conflict with Parliament, the Army Commissioners headed by Cromwell drew up the Declaration of the Army which was a list of their grievances and their proposed solutions. The Army followed up the Declaration with a charge against eleven members of the House of Commons, the leaders of the Presbyterian party, who were accused of conspiring against the liberty of the subject, of setting the Parliament against the Army, and of trying to kindle a new civil war. Parliament's answer was an order to General Fairfax to deliver up the King and to withdraw the Army, but when the Army repeated its previous demand and threatened to carry it out, the eleven members withdrew.

This quarrel between the Army and Parliament gave Charles great hopes of a successful issue of his plan to play the one against the other. But the Army was aware of the King's desires, as General Ireton, Cromwell's son-in-law and confidant said, "Sir, you have an intention to be the arbitrator between

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28 Ibid., 664 ff.
the parliament and us; and we mean to be it between your majesty
and the parliament." To this end, Ireton, backed by Cromwell,
drafted a scheme for the settlement of the kingdom known as the
Heads of the Proposals. According to these proposals, the
present Parliament was to be dissolved, future Parliaments were
to be elected every two years, there was to be a new system of
representation, the militia was to be under control of Parliament
for ten years, and there was to be religious toleration. These
terms appear satisfactory enough, but Belloc's comment is that

the whole thing is paper and could not have held. It
was intended only to get the King definitely on the
side of the Army in their rising movement against the
Parliament.... Charles could not have accepted complete
alliance with one of the three which he was playing
off one against the other without tying his own hands.30

The radical element of the Army now began to assert it-
selving. In a long document entitled The Case of the Army Truly
Stated, they outlined their grievances; their basic contention
was that "all power is originally and essentially in the whole
body of the people of this Nation."31 Known as the Levellers,
there was danger of their taking the lead in negotiations and
stampeding the Army into mutiny. It required careful handling

29 Prothero & Lloyd, "Presbyterians and Independents,"
Cambridge Modern History, IV, 345.

30 Belloc, Cromwell, 207.

31 Leveller Manifesto of the Puritan Revolution,
by Cromwell to subdue; it was even necessary for him to hang one of the leaders as an example to the rest.

Meanwhile it was becoming quite evident that the King would never voluntarily yield to the Army, nor be taken in by any flattery or good treatment on their part. Moreover, an understanding was arising between the King and the Scots. Many of the Army leaders were coming to the realization that they had gone too far to retreat, and that the King, if ever he should be restored to power, would take vengeance; but Cromwell saw this better than any. There was no further chance of peaceful negotiations; the only question for Cromwell was how the elimination of Charles could be carried out. To accomplish this design, however, three obstacles must first be overcome: the Scots, a threatening royalist uprising, and the authority of Parliament. The best way to effect this was to remove the King to a place of detention where neither the Scots, the Royalists, nor the Levellers could reach him. This was accomplished when Charles escaped, fled to the Isle of Wight, and entrusted himself as a guest to the Military Governor of the Island, one Robert Hammond, who happened to be the relative and intimate of John Hampden and Oliver Cromwell.32

32 Both Belloc (Charles I, 332-8; Cromwell, 213-8) and Wingfield-Stratford (King Charles the Martyr, 229-32) after close examination of the evidence, maintain that it is an extremely subtle and well-formed plan executed by Cromwell—that it was
While imprisoned at the Isle of Wight, the King received the Four Bills from Parliament, with the conditions upon which they would accept his return. The Scots likewise made planned for Charles to escape from his captors, and then, under circumstances planted by Cromwell, to flee to the only seeming place of refuge, the Isle of Wight. That Cromwell was at least aware of all the proceedings concerning the Isle of Wight is apparent from the following letter written to the Governor, Colonel Robert Hammond:

London, 6th April, 1648

Dear Robin,—Your business is done in the House: your 10 by the week is made 20; 1,000 given you; and Order to Mr. Lisle to draw up an Ordinance for 500 per annum to be settled upon you and your heirs. This was done with smoothness; your friends were not wanting to you. I know thy burden; this is an addition to it: the Lord direct and sustain thee. Intelligence came to the hands of a very considerable Person, that the King attempted to get out of his window; and that he had a cord of silk with him whereby to slip down, but his breast was so big the bar would not give him passage. This was done in one of the dark nights about a fortnight ago. A Gentleman with you led him the way, and slipped down. The Guard, that night, had some quantity of wine with them. The same party assures that there is aquafortis gone down from London, to remove that obstacle which hindered; and that the same design is to be put in execution in the next dark nights. He saith that Captain Titus, and some others about the King are not to be trusted. He is a very considerable Person of the Parliament who gave this intelligence, and desired it should be speeded to you.

The Gentleman that came out of the window was Master Firebrace; the Gentlemen doubted are Cresset, Burrowes, and Titus; the time when this attempt of escape was, the 20th of March.

Your servant,
Oliver Cromwell

This letter appears in Oliver Cromwell's Letters and Speeches, 300-301.
made their offer in a proposal termed the Engagement. After comparing the two Charles determined to accept the latter, and so he signed the Engagement and rejected the Four Bills of Parliament. According to the Engagement Charles confirmed the Covenant by statute and allowed Presbyterianism for three years, while the Scots agreed to his demand for a personal treaty and the disbanding of all armies, and pledged themselves to support the King's authority.

This agreement between the King and the Scots caused such alarm as to precipitate a second civil war. All army factions buried their differences and united to provide opposition to the Royalists and the Scots. The House of Commons, in their Vote of No Addresses, determined to receive no further proposals from the King. In his confinement on the Isle of Wight, Charles, too, noticed immediately a change in the treatment accorded him. Instead of the respect and courteous treatment which had previously been shown him, he now found himself subjected to rigorous restraint and his attendants were dismissed. Word was received that a Scottish army was preparing to invade England in the Royalist cause.

To determine what course should be followed, Cromwell summoned a meeting of officers at St. Albans where they should

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wrestle with God, examine their consciences, enjoy a feast of religious enthusiasm, and determine whether they had something with which to reproach themselves. The prayer meeting was conducted amid all the emotional display that accompanies a revival. Cromwell made known his penitence "if ever from carnal motives he had seemed to compromise in the matter of Charles Stuart." 34

The officers did not separate without setting down that "Charles Stuart, that man of Blood, be called to an account for the blood he had shed." 35 Thus fortified in spirit, they marched forth to meet the foe. Cromwell quelled a vigorous uprising in South Wales, and then marched north to engage the Scots at Preston, where he again displayed his military genius by routing the enemy. "In less than a fortnight Cromwell had well-nigh destroyed the invading army and had confused the hopes of the royalists in both kingdoms." 36 The Second Civil War was "the supreme crisis of the rebellion; the supreme moment for Cromwell," 37 for, as Tanner explains it,

Marston Moor and Naseby had been victories of Presbyterianism over Episcopacy. Preston is a greater and still more glorious victory—of armed independence over Presbyterianism. From this time forward

34 Belloc, Cromwell, 224.


36 Morley, Oliver Cromwell, 240.

37 Ibid., 242.
Cromwell was greater than ever by reason of his quick and complete victory; he was more than ever the glory of his men, and more than ever able to carry out his plan. What that plan was, and how the people feared its author may be seen from the contemporary Warwick:

The army were now modelling a government without a king, and without distinction of lords; and therefore, to prevent the conjunction of king and parliament together, they resolve that the king should be immediately disowned, and his head cut off, and no more kings acknowledged; that out of every county a choice person (that is, one of their party) should be selected to frame a new model of government, whereby the people of England should be acknowledged the sovereign power of this land, and other stuff of this nature. If this was not to subvert the government and the old constitution of it, (and so high treason,) I know not what can be. 39

Alarmed at this sudden turn of events, Parliament attempted a desperate last stand by repealing its Vote of No Addresses and reopening negotiations with the King on the Isle of Wight. The Army's answer was to remove Charles to Hurst Castle where he was actually imprisoned. Parliament passed a resolution that the King had been removed to Hurst Castle without their knowledge or consent, and another resolution that the King's answers to their late propositions were grounds for the

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38 Tanner, *English Constitutional Conflicts*, 150.

settlement of the kingdom. Such action proved to be but the last
gasp of a dying man, for it left the Army, i.e. Cromwell, no al-
ternative but to dissolve or purge the Parliament. Without or-
ders from General Fairfax, Colonel Pride executed his famous
purge by occupying the entrances to Parliament, and turning back
or arresting the undesirable members, leaving only creatures of
the Army. This Rump Parliament did not represent the nation, but
it was a mere group of public men depending upon the soldiers for
power and even for safety.

The Rump Parliament, completely under the domination of
Cromwell and the Independent Army, immediately adopted a resolu-
tion that "by the fundamental laws of this kingdom, it is Treason
in the king of England, for the time being, to levy war against
the parliament and kingdom of England." They also passed an
ordinance "for erecting a High Court of Justice for the Trying
and Judging Charles Stuart, king of England," naming 135 com-
missioners to try the King. The next day, behind closed doors,
the following resolutions were passed:

That the Commons of England, in parliament assembled,
do declare, That the People are, under God, the orig-
inal of all just power. And do also declare, That
the commons of England, in parliament assembled, be-
ing chosen by, and representing the people, have the

41 Ibid.
Supreme Power in this Nation. And so also declare, That whatsoever is enacted, or declared for law, by the commons in parliament assembled, hath the force of law; and all the people of this nation are concluded thereby, although the consent and concurrence of king, or house of peers, be not had thereunto.  

In regard to the trial of the King, Cromwell is reported to have said:

If any man whatsoever have carried out this design of deposing the King and disinheriting his posterity, or if any man still have such a design, he must be the greatest traitor and rebel in the world; but since the Providence of God has cast this upon us I cannot but submit to Providence, though I am not yet prepared to give you my advice.  

So widespread and so powerful was the sentiment against bringing a sovereign to trial, and such were the doubts and scruples even of those who had taken part in the last revolution, that when the high court of justice first assembled on January 8, only fifty-two of the 138 commissioners named were present. Some who were present soon followed the example of General Fairfax and appeared no more. On January 20, the first day of the trial, when the clerk called the name of Fairfax, Lady Fairfax cried from the gallery "He has more wit than to be here." When the charge was read, and it was stated that it proceeded "from the King's subjects" another lady shouted that it came not from the King's subjects but only from traitors and rebels. Moreover,

42 Ibid., 1257.

43 Charles Firth, Oliver Cromwell, N.Y., 1900, 216.
when Bradshaw, the President of the Court, in the name of the good people of England required the King to answer the charge, Lady Fairfax again cried out "It is a lie, not a half nor a quarter of the people of England. Oliver Cromwell is a rogue and a traitor."\(^{44}\)

Throughout the trial, the King refused to recognize the court in any way, as he stated in his first comment, "I will answer...so soon as I know by what Authority you do this."\(^{45}\) He contented himself with saying that "I never took up arms against the people, but for the laws,"\(^{46}\) and added when sentence had been passed, "I am not suffered for to speak: Expect what Justise other People will have."\(^{47}\)

The sentence was read finding him guilty of the charges of levying war against the Parliament and the people, and furthermore, as author of the Civil War, he was guilty of high treason, and of all the "murders, rapines, burnings, spoils, desolations, damage, and mischief" committed during the War. "For all of which treasons and crimes this Court doth adjudge that he,

\(^{44}\) *State Trials, V, 1146.*  
\(^{45}\) *Ibid.*, 1000.  
\(^{46}\) *Ibid.*  
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. It remained but to carry out the sentence.

To the end Charles maintained his self-possession and his regal bearing. Addressing a few words to Bishop Juxon and his custodian Colonel Tomlinson, he swore solemnly to his innocence, saying "all the world knows that I did never begin a war with the two Houses of Parliament; and I call God to witness, to whom I must shortly make an account, that I did never intend to encroach upon their privileges; they began upon me." In a spirit of forgiveness he added "I pray God, with St. Stephen, that it be not laid to their Charge." And then, with almost his last words, harking back to his sovereignty over the people he said:

For the people, truly I desire their Liberty and Freedom as much as any body whatsoever; but I must tell you, that their Liberty and Freedom consist in having government, those laws by which their lives and their goods may be most their own. It is not their having a share in the government—that is nothing appertaining to them. A subject and a sovereign are clean different things....Sirs, it was for this that now I am come here. If I would have given way to an Arbitrary Way, to have all Laws changed according to the power of the sword, I needed not to have come here;

48 Ibid., 1017.
49 Ibid., 1137-39.
and therefore I tell you (and I pray God it be not laid to your charge), that I am the Martyr of the people.50

It was so much a matter of principle with him that he preferred to give up life itself rather than the doctrine of Divine Right of Kings.

50 Ibid., 1139.
CHAPTER VII

CONCLUSION

In the English Monarchy is reflected the spirit of the various ages. Various theories of political philosophies of government find expression in the changing position of the Crown in England. Each theory of government in turn rose to prominence, played its role, and passed on, giving way to its successor. Each served its purpose and made its contribution, and, having outlived its usefulness, sank into oblivion as another rose to take its place.

From the accession of William the Conqueror, the first of the Normans, to the accession of Henry VII, the first of the Tudors, a feudalistic monarchy prevailed in one form or another. The people of England adopted that form of government as their own, regarding the Monarch as the symbol of their unity and their strength. The average subject paid little heed to details of State and had little personal contact with his Monarch, regarding him as his rightful Sovereign whom he was to serve and obey. This type of government symbolized and characterized the spirit of the Middle Ages.
With the first of the Tudor monarchs begins the period of modern English history, for the Tudors succeeded in firmly establishing themselves as Absolute Sovereigns in the realm. Especially is this true of Henry VIII, and, to a lesser extent, of Elizabeth, who brooked no opposition. Their will was law, from which there was little or no recourse. A strong and absolute Monarchy succeeded in establishing itself throughout the kingdom, and gave promise of remaining in control for some time to come.

But whereas the Tudors were content merely to exercise this dominion, James, the first of the Stuarts who succeeded the Tudors, would not rest here, but must speculate, and explain the reasons why absolute authority was vested in the Monarch. Thus did the "wisest fool in Christendom" succeed in turning many of his subjects against him. This political theory of the Divine Right of Kings, as explained by James I, provided the norm for the early Stuarts according to which they administered the realm. Based upon a theological theory of politics, it is seen as the bridge between the Middle Ages and modern times, marking the transition from medieval to modern modes of thought.

The period of the Stuarts was a turbulent one, marked by an almost constant conflict between King and Parliament. From the compromised settling of these differences evolved the present
system of the limited Monarchy in democratic England. But these compromises were not easily effected. Before a final and satisfactory settlement could be concluded England was forced to undergo Civil Wars and Bloodless Revolutions.

When the long series of conflicts through the succession of the years is viewed in panorama it is readily apparent that the conflicts are not merely disconnected chance occurrences, but rather an ordered series, one succeeding and based upon the other.

For the sake of convenience, in our study of these conflicts between King and Parliament in the reign of Charles I, these struggles have been reduced to four main heads: conflicts over advisers, over foreign affairs, over finance, and over religion. It is not to be thought that these categories are mutually exclusive, so that the events of the one are isolated from those of the other; rather, as is to be expected, there is considerable overlapping and dependence between them. They are, indeed, but different aspects of the one fundamental conflict, for "the difference of opinion between the King and the House of Commons was thus reduced to a contest for power."¹ The struggle between the King's doctrine of Divine Right and Parliament's

theory of a limited and constitutional monarchy was becoming more clearly defined.

Regardless of what particular form the struggle was to assume, the underlying conflict remained the same. It is true, for example, that Buckingham aroused personal antagonism among the members of Parliament, and many objected to his policies. More fundamental, however, was their opposition to the Duke's influence upon the King, for they considered it their position to advise and direct the monarch. Realizing that the time was not yet ripe for a direct attack upon the Crown, the pursued the more prudent course of attacking the King's ministers. Hence the charges levelled against the Duke of Buckingham, resulting in his impeachment and the drawing up of the Remonstrance. And when these charges were spread among the people, they burned so deeply as to lead directly to the assassination of the Duke. Successful in this first endeavor, Parliament pushed relentlessly on, using the same procedure against other advisers of the King. In this way the more fortunate were hounded into exile, Laud and Wentworth were lead to the block, and finally the King himself was done to death.

In foreign affairs, too, a similar procedure was followed. Time and again Parliament was to invite the King to a declaration of war, and then refuse to grant him adequate subsidies to prosecute the war. Such was the situation in the wars
with Spain, France, and Scotland. The King was lead right up to the brink of war, when suddenly Parliament would withdraw its support, leaving the royal army with no equipment, no supplies, no money, and no recruits. Such an expedition was doomed to inevitable and disastrous defeat. The consequent blame and disgrace redounded, not to Parliament, but to the King and his advisers. Such parliamentary action won the signature of the King to their famous Petition of Right, granting them further demands and undermining his own authority. The delicate balance was shifting gradually to the Parliament.

Following the familiar, Parliament again attacked the Crown indirectly in the field of finance. Herein lies the key to parliamentary power, for the Crown was always in need of money to administer the kingdom, and financial support could be received only through the Parliament. "This poverty of the Stuart Kings is a fundamental fact in the history of the period, because it established a vicious circle,"² whereby it forced the King to summon frequent Parliaments for money, and frequent Parliaments enabled that body to organize and criticize the Crown. So impossible was the situation that the King decided to embark upon an independent rule. In the absence of Parlia-

² Tanner, English Constitutional Conflicts, 9.
ment, however, he was compelled to provide for all the funds required for the efficient administration of the realm. Several means were devised, the most profitable and the most famous of which was ship-money. When John Hampden refused payment he became the figurehead of parliamentary opposition. So long as extraordinary situations were avoided, the King was able to conduct the government efficiently. When war with Scotland threatened, however, additional funds were required, which necessitated another Parliament. Parliament was again in position to drive another hard bargain with the Crown. Once again the King is forced to make certain concessions to the Parliament, so that the Crown is losing its independent and Divine Right status, and is restricted more and more by parliamentary restrictions.

Religion, too, was a source of conflict between King and Parliament. The Presbyterian tendencies of Parliament were not in accord with the Anglicanism of the King. Consequently when the King, as head of the Church of England, would make his spiritual regulations, the Presbyterian Parliament would take the opportunity to oppose his policies. So intent were they in following this course of action, that Parliament eventually actually sided with the Presbyterian Scots rather than with the Anglican Monarch. When the Bishops' Wars with the Scots were threatening, the King was forced to summon Parliament once again for the grant of additional subsidies. From the outset Parlia-
ment took the initiative and drew up the Grand Remonstrance, listing all their grievances against the Crown. When, at length, the King heard that even the person of the Queen was threatened, he attempted an unsuccessful coup d'etat. With the failure of this last resort short of violence, war was inevitable. Control of the purse strings provided Parliament with the trump card in this struggle for power. Little by little they restricted the power of the Crown, now in one field, now in another, until the only recourse was to war. The end was to be only in the complete victory of the one and the complete defeat of the other.

The reign of Charles I was a turbulent one. It could not be otherwise when a determined King was met and opposed at every turn by a Parliament, just as determined. There were conflicts over advisers, over foreign affairs, over finance, over religion. But the basic conflict resulted from two incompatible theories of government. Rather than give up the Stuart idea of absolute sovereignty embodied in the theory of Divine Right, Charles preferred to adhere to his principles, fighting for them to the end, even though the way led to the block. Both King and Parliament were adamant, so that no compromise could be effected. Begun in the reign of James, and inherited by his son Charles, the conflict was not to cease until it culminated in a bloody Civil War, the decapitation of the King, and the overthrow of Monarchy in England.
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The thesis submitted by Robert E. Beckman, S.J. has been read and approved by three members of the Department of History.

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The thesis is therefore accepted in partial fulfillment of the requirements for the degree of Master of Arts.

September 28, 1953

Date

Signature of Adviser