

Moral Reasoning 74:
The Theory and Practice
of Republican Government

Lecture 07:
The Revolt against Absolute Monarchy

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Revolution – Major Themes

- I. The Rise of Commons & Summit of Conflict (IV. from previous lecture)
- II. Civil War
- III. Explosion of Levelling Thought
- IV. The Headless Monarchy: Trial and Execution of Charles I

III. Legitimacy Fading

A. Thirty Years' War (b. 1618)

New taxes

- Subsidy
- Forced loan (Five Knights Case [1627])
- Ship Impositions (case of 1637)
- Increased \$, but Political conflict

B. Duke of Buckingham

Again, divine right limits powers of crown

IV. Rise of Commons

- A. Crown's Dependence on Parliament for funds leads to claims of liberties.

Petition of Right (1628): "They do therefore humbly pray your most excellent Majesty that no man hereafter be compelled to make or yield any gift, loan, benevolence, tax or such like charge without common consent by act of parliament. . . .and that your Majesty would be pleased to remove the said soldiers and mariners, and that your people may not be so burdened in time to come."

IV. Rise of Parliament

Petition of Right [continued]:

"All which they most humbly pray of your most excellent Majesty as their rights and liberties according to the laws and statutes of this realm, and that your Majesty would also vouchsafe to declare that the awards, doings, and proceedings to the prejudice of your people in any of the premises shall not be drawn hereafter into consequence or example. And that your Majesty would also be graciously pleased for the further comfort and safety of your people to declare your royal will and pleasure, that in the thing aforesaid all your officers and ministers shall serve you according to the laws and statutes of this realm as they tender the honour of your Majesty and the prosperity of this kingdom."

Dissolution (and Dependence upon) Parliament

Dissolution (1629), then reconvention due to needed funds (1640).

Morgan [p. 35]: "They [Parliament] could not, however, take their eyes off the throne while so many of the king's subjects seemed bent on sharing it, and in the course of pulling down others they had moved ever closer to sharing it themselves." The movement for power sharing accelerated, primarily because "the king's majesty had somehow been tarnished, his divinity diluted, by the company he kept during the years he had avoided theirs. The 'visible God' had crept too far from the true God. The kings body natural had betrayed his body politic."

Dependence of Popular Sovereignty Notions upon Strength of Monarchy

“If English-speaking people anywhere want to know the source of the self-government which is their peculiar contribution to the world in the sphere of politics, it is to be found as far back as the Tudor tradition – perhaps even earlier – of co-operation between government and subject: a co-operation to be found nowhere else in the Europe of that day. For the origin of English liberties we have to go back further to the fact – paradoxically enough – that the medieval English kings were more powerful than their continental counterparts, the country more integrated and more governable.”

A. L. Rowse [Oxford], *The England of Elizabeth* (1950), 350.

Questions

Could a regime that grew self-government be more stable and more free because of its origins in monarchy? Why?

Does the commitment of the crown to the welfare of all people presuppose a kind of democracy and political equality?

Civil War: Bloody and Symbolic Conflict

Begins 1640: Scottish invasion [coincides with Short and Long Parliament]

1. Charles attempts to arrest five gentry; loses trust of Commons
2. Parliament and King raise separate armies, go to war.
3. New Model Army [Cromwell] asserts independence.

Charles I's Response to 19 Propositions of Parliament

Invokes metaphor of mixed regime to defend his prerogatives:

"There being three kinds of government among men (absolute monarchy, aristocracy, and democracy), and all these having their particular conveniences and inconveniences, the experience and wisdom of your ancestors has so moulded this out of a mixture of these as to give to this kingdom (as far as human prudence can provide) the conveniences of all three, without the inconveniences of any one, as long as the balance hangs even between the three states, and they run jointly on in their proper channel (begetting verdure and fertility in the meadows on both sides), and the overflowing of either on either side raise no deluge or inundation."

"A Declaration, or Representation"

"...we shal proceed to propound such things as we humbly desire for the settling and securing of our own and the Kingdomes common right, freedome, prace, and safety, as followeth.

1. [Purge abusive members of Parliament]
2. ["Disable" Officials who have abused liberties, Parliament and the Army]
3. "That some determinate period of time may be set, for the continuance of this and future Parliaments, beyond which none shal continue, and upon which new Writs may of course issue out, and new Elections successively take place according to the intent of the Bill for Triennial Parliaments.

"A Declaration, or Representation"

4. That secure provisions may be made for the continuance of future Parliaments, so as they may not be adjournable or dissolveable at the Kings pleasure...
5. That some Provision may now be made for such Distribution of Elections for future Parliaments, as may stand with some Rule of Equality or Proportion, as near as may be, to render the Parliament a more equal Representative of the whole; as for instance, That all Counties or Divisions and Parts of the Kingdom...may have a Number of Parliament-Men allowed to their Choice, proportionably to the respective Rates they bear in the Common Charges and Burdens of the Kingdom, and not to have more; or some other such like Rule."

**“The Case of the Armie”:
parliamentary supremacy.**

[HD, 78]: “4. Whereas Parliaments rightly constituted are the foundation of hopes of right and freedom to this people, and whereas the people have been prevented of Parliaments...that therefore...a law peramount be made, enacting to it, to be unalterable by Parliaments that the people shall of course meet without any warrants or writs once in every two yeares upon an appointed day in their respective Countyes, for the election of their representors in Parliament, & that all the freeborn at the age of 21.yeares and upwards, be the electors, excepting those that have or shall deprive themselves of that their freedom....”

**“The Case of the Armie”:
parliamentary supremacy.**

[HD, 78]: “Whereas al power is originally and essentially in the whole body of the people of this Nation, and whereas their free choice, or consent by their Representors is the only originall or foundation of all just government; and the reason and end of the choice of all just Governours whatsoever is their apprehension of safety and good by them, that it be insisted upon possitively. That the supream power of the peoples representors or Commons assembled in Parliament, be forthwith clearly declared as their power to make lawes, or repeal lawes, (which are not, or ought not to be unalterable) as also their power to call to an account all officers in this Nation whatsoever, for their neglect or treacheries in their trust for the peoples good....”

**The Trial and Execution
of Charles I**

1. Charges of treason. Trial a sham, but highly symbolic.
2. Debate over proper existence of monarchy vis-à-vis other institutions, but also distrust of Long Parliament, and of Army.
3. Cromwell pushes to have Charles executed.



The Execution of Charles I

"The Execution of Charles I, 1649," EyeWitness to History, www.eyewitnesstohistory.com (2003).



HIS MAJESTY KING CHARLES I
PASSED THROUGH THIS HALL AND
OUT OF A WINDOW NEARLY OVER
THIS TABLET TO THE SCAFFOLD
IN WHITEHALL WHERE HE WAS
BEHEADED ON 30th JANUARY 1649

Explicit Concern re Concentrated Authority

Justice John Bradshaw's speech to the court, on the sentencing of Charles I:

It is and hath been found by experience, that the office of a king in this nation and Ireland, and to have the power thereof in any single person, is unnecessary, burdensome, and dangerous to the liberty, safety, and public interest of the people, and that for the most part, use hath been made of the regal power and prerogative to oppress and impoverish and enslave the people."
