

Class Session 13 - 2023-01-10 - King Charles I - Petition of Right

PRAYER

QUIZ

1. What year was the Authorized, or King James Version, first published?
2. Was the King James Version, as originally published, in Old English, Middle English, or Modern English?
3. Is it more accurate to say that the King James Version was produced by a small number of obscure scholars, or by a large number of prominent scholars?
4. Whose reign was more tumultuous, that of King James 1 or that of King Charles 1?
5. Is King Charles I better described as drunken and frivolous, or as serious and religious?

TIMELINE

- 1509 King Henry VIII ascends the throne of England
- 1526 Tyndale's complete New Testament in English is printed
- 1534 The Act of Supremacy officially separates the Church of England from the pope
- 1547 King Edward VI ascends the throne
- 1553 Queen Mary I ascends the throne
- 1558 Queen Elizabeth I ascends the throne
- 1560 Geneva Bible is published
- 1588 Spanish Armada is defeated
- 1603 King James I ascends the throne
- 1604 In the Hampton Court Conference, King James agrees to a new Bible translation
- 1611 The Authorized or King James Version is published
- 1625 King Charles I ascends the throne

READING ASSIGNMENT

Synge: "The Misrule of the Stuarts - Charles I and the 11 Years' Rule without Parliament"

BIBLE

1 Kings 12:3-7

LECTURE

As shown in the Hampton Court Conference, King James would side with the bishops against the Puritans. So, the Bishops, and to some extent the House of Lords, would be the King's allies. The Puritans, whose petitions had been largely rejected by the king, had the majority in the House of Commons; so the Commons would be at some antagonism against the king.

(Mention Parliament's bicameral system.)

House of Commons

House of Lords Spiritual and Temporal

The board was set, then:

King and Bishops versus House of Commons and Puritans

House of Commons rendered somewhat ineffective because House of Lords typically with king

March 27, 1625 King James I died

King Charles I

born November 19, 1600

second son of King James I; but older brother Henry died

married to French princess Henrietta Maria (Roman Catholic)

began to reign up death of his father March 27, 1625

son Charles (Charles II)

daughter Mary (married William of Orange)

son James (James II)

Charles needed money to pursue the ongoing 30 Years War in Europe

Whenever he called for Parliament, they placed conditions on funding, which Charles would not accept, but rather dismissed the Parliament.

For example, in one of his parliaments, the members were proceeding toward impeaching his highest official, the Duke of Buckingham

Charles was married to a Roman Catholic; he was suspected of being sympathetic toward Rome and his AofC William Laud was anti-Puritan

Thus, whenever Charles called for Parliament

-he wanted funding for war

-they wanted redress of grievances before they would vote funds

-he eventually would dissolve/dismiss the parliament

So, Charles resorted to levying various taxes on the people; some of the nobility refused to pay.

This led to arrest of five prominent noblemen.

They appealed to court, The Case of the Five Knights

They were released December 1627

Lack of funding for the military led to a series of problems:

-soldiers unpaid

-soldiers billeted in private homes

-problem resulted

-soldiers committing crimes; civil courts unable to deal with them

-martial law expanded to deal with resulting problems

-martial law created even worse problems

-civilians tried by military court

-civilians detained with no charge or trial

Religious moves

married Roman Catholic (while still Prince of Wales)

supported Richard Montagu, well-known anti-Calvinist; made him royal chaplain

appointed William Laud AofC

1628 - June 7 -Petition of Right

1628 - Charles the First's Third Parliament

Calls for king to recognize and protect these rights of English subjects:

-not to pay taxes not levied by Parliament

-not to have soldiers billeted in their homes

-not to be imprisoned without just cause (including right to *habeas corpus*)

-not to be subject unnecessarily to martial law

excerpt:

divers of your subjects have of late been imprisoned without any cause showed; and when for their deliverance they were brought before your justices by your Majesty's writs of *habeas corpus*, there to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your Majesty's special command, signified by the lords of your Privy Council, and yet were returned back to several prisons, without being charged with anything to which they might make answer according to the law.

habeas corpus “You should have the body.”

Is a legal remedy to unlawful detention. A person imprisoned, or someone acting on his behalf, may petition a court for a writ of habeas corpus. The court issues it as an order from the court for the custodian to bring the prisoner before the court and prove legal authority to hold him. If the court judges the prisoner to be held illegally, he is released.

along with Magna Carta and the Bill of Rights of 1689, the Petition of Right forms what the American colonists would consider England’s constitutions

Principle: The executive branch of the government, by its military and law enforcement agencies, may not do anything to the people that is not an established custom or an act of the legislature.

This is not a statement of religious liberty *per se*, but is a tremendous development in the progress of liberty in general.

Lords having sided with Commons against the will of the king was a turning point

1629 still third parliament

- opposed king on treatment of MP John Rolle, whose goods were confiscated for non payment of illegal tax
- Charles ordered parliament adjourned
- members held speaker down in chair long enough to pass resolutions against
 - Catholicism
 - Arminianism
 - tonnage and poundage taxes
- King dissolved parliament
- King arrested nine parliament leaders

11 years personal rule or tyranny