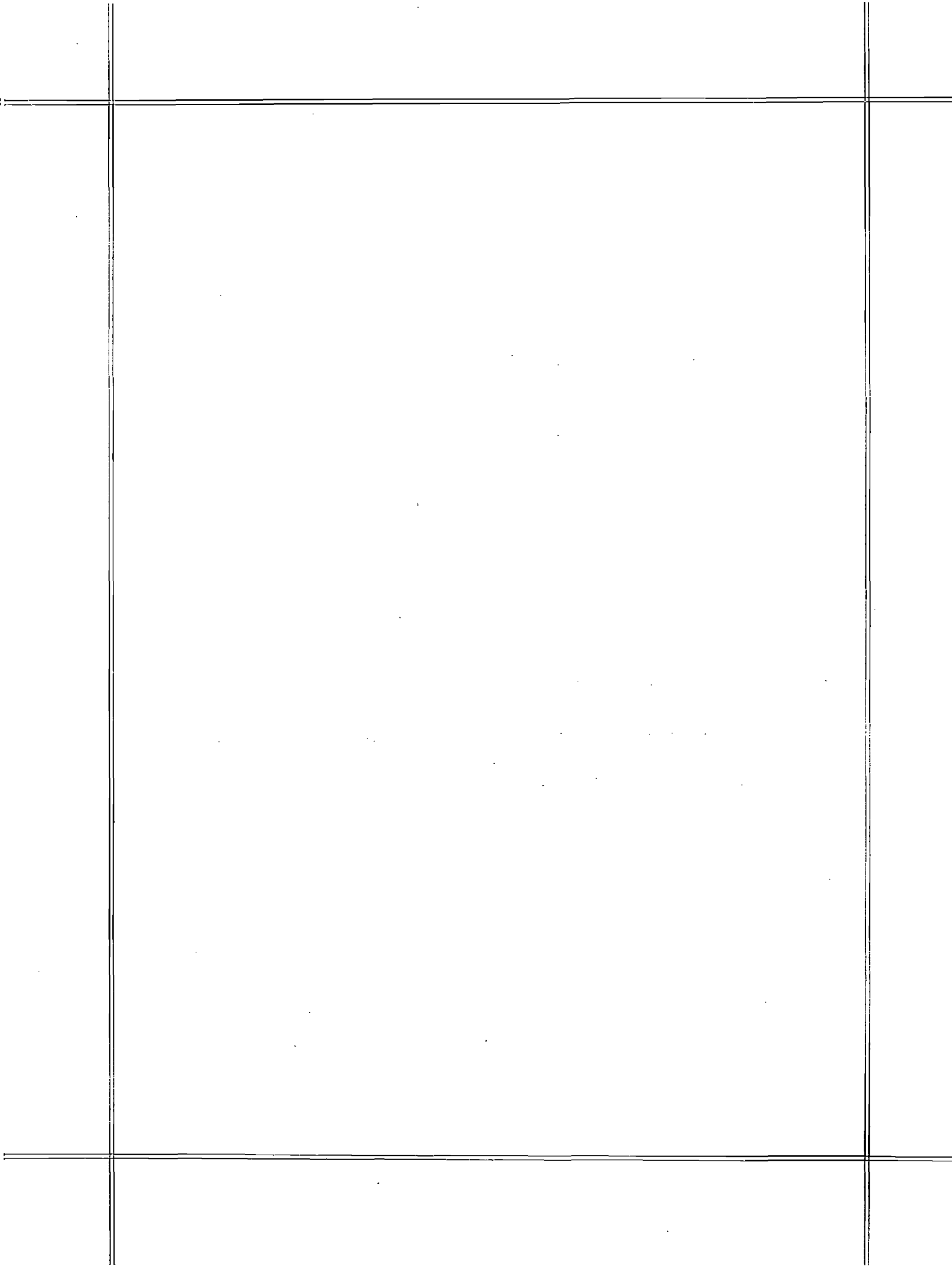


The Glorious Revolution of 1688

A Research Paper  
Submitted to the Faculty  
Of Saint Meinrad College of Liberal Arts  
In Partial Fulfillment of the Requirements  
For the Degree of Bachelor of Arts

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May, 1985  
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St. Meinrad, Indiana



## INTRODUCTION

The last Catholic King of England, James II, was dethroned in the bloodless revolution of 1688 which history has dubbed "Glorious." This event marked a major stage in the development of modern parliamentary government and cemented the shift in power which had begun prior to the English Civil Wars.

In the article "Is There a Case for James II?" Maurice Ashley demonstrates that the Whig perspective of this event is James' constant goal was to impose his own Catholic religion on his kingdom, and that when this was realized all the classes of society joined together to overthrow a monarch who was a threat to their religious freedom and liberties.

While contemporary historians may contest some aspects of "Whig perspective," those who popularize history have persisted in portraying James as a bigot and despot set on returning England to the Catholic fold. One only needs to read the pertinent section of A Short History of England, published as recently as 1968, to find that this biased Whig view of the Revolution still thrives, for author William McElwee.

The question must be asked; is the Whig perspective true? Was it James' intention to impose Catholicism on England which was the cause of the Revolution?

I shall show that James had no such intention. Rather, that in attempting to bring about religious toleration for all Christians he was the champion of a cause whose time had not yet come, and was inept at turning his policies into political

reality. I will show him to be an anomaly: a man of the past having a deep conviction in a belief of the future.

In order to show this I will first present a brief outline of those events in the reign of Charles II which demonstrate that the question of the legality of the royal prerogative was an issue during that reign. This will clarify the fears and motives of James and the other parties involved in the drama of 1688.

The use of the prerogative by James' predecessor to override Parliament had emphasized a question left unanswered at the time of the Restoration, namely the relationship between the executive and legislative branches of the Government. James forced the issue by his aggressive use of the prerogative powers on behalf of an unpopular cause.

Although religion was the motivating force of politics at this time, I shall attempt to show that what the popularizers would have us believe is that the chief grievance the Revolution redressed was in fact merely its catalyst. In reality, fear of "popery" was a convenient sham used by those who recognized that the days of a monarch's "divine right" to reign without a free Parliament were ended.

James, who hated weakness, was in fact a weak ruler and lost his crown because he was unable to grasp the political situation of his day.

While religious motives add an aura of nobility to the cause, the roots of the Revolution were firmly embedded in the need for a balance in government which could recognize and

respond to the social, economic and religious realities of the day.

James was unwilling to face the seriousness of this need until it was too late to preserve his throne. By changing his allegiance between opposing forces and surrounding himself with extremists whose views deprived him of realistic advice, he maneuvered himself into a position where opponents of his political, religious and foreign policies rendered him powerless. Those seeking a truly parliamentary style of rule could not have hoped for a better target to join their common aspirations than James Stuart. Even had James been an avowed Protestant a revolution would have come about during his reign due to his peculiar character and lack of political perception; his Catholicism and hope for religious toleration simply provided a convenient spark to ignite an already explosive situation.

## CHAPTER ONE

In order to fully appreciate the causes of the Glorious Revolution one must begin observing events from the restoration of Charles II to the throne. The restoration of the monarchy and the old order were intended to end the divisions caused by the civil war and the Commonwealth. However, basic questions about the balance of the constitution and the distribution of power between King, Parliament, the Church and the electors were left unsettled.<sup>1</sup>

Early in 1660 the Convention Parliament invited Charles to return from exile. In reply to this invitation Charles issued the Declaration of Breda in which he promised, among other things, to allow as much religious toleration as would be permitted by Parliament.<sup>2</sup>

The consent of Parliament on such issues was a victory toward establishing the "co-equal right of legislation" that James II would later fail to recognize.<sup>3</sup>

The Convention which restored Charles agreed that it should hold new elections, and in 1661 the Cavalier Parliament was formed, opening an era in English politics in which the power of political parties would soon be felt. Among its first acts was the restoration of Anglicanism as the state religion and the imposition of stiff penalties on nonconformists by the passing of a series of statutes named after Charles' Chief Minister, the First Earl of Clarendon. These statutes excluded from public life all those whose religious views differed from those who presently held power in Parliament. This was done mainly through the first of these statutes, the Corporation Act (1661), by which all holders of municipal office were required to take communion according to the rites of the Church of

England.<sup>4</sup>

The apparent religious content of this act, however, did not hide the attempt by the court to gain a direct and permanent control over the boroughs, which was a prerequisite of effective control over Parliament itself. This attempt to predetermine the membership of Parliament to those pre-disposed to the will of the court would be used both by Charles and James and would ultimately lead to the situation from which James could not escape.<sup>5</sup>

The Corporation Act was augmented by the Act of Uniformity (1662), which ejected from their parishes all clergymen who refused to subscribe to and use the Book of Common Prayer and the Conventicle Act (1664) which set penalties for attending non-Anglican religious services.<sup>6</sup>

In addition to limiting those who could participate in the public life of the nation, Parliament also had control over royal revenue. Prior to the Restoration the King was able to raise funds without Parliament's consent, and if they refused him he could dismiss them and go elsewhere for financial support. After the Restoration the Crown could only collect those revenues that were authorized by Parliament. Throughout most of Charles' reign the revenues that were authorized by Parliament for "normal peacetime expenditures" were inadequate.<sup>7</sup>

The first indication of trouble occurred with the proclamation of the above mentioned Act of Uniformity when Charles announced that he intended to ask Parliament to recognize his royal prerogative of dispensation from penal restrictions, which he evidently meant to use in favor of his Catholic subjects. Parliament refused and the bill was defeated in committee.<sup>8</sup>

He also attempted to bypass their control over the royal purse

through a secret treaty with Louis XIV of France. This Treaty of Dover (1670) would provide Charles with French economic aid to pursue a war against the Dutch in return for Charles' promise to convert England to Catholicism when the proper moment arrived. This alliance emboldened Charles to do independently what he could not do with the co-operation of Parliament.<sup>9</sup>

Recognizing that Parliament would not cooperate in lifting the Penal Laws, Charles attempted to get his way by using his prerogative powers nonetheless. He issued the Declaration of Indulgences (1672) which confirmed the status of the Church of England as a whole, but also abrogated penal laws against Catholics and Puritans. This action took place only one year after Charles' brother, James, converted to Catholicism.<sup>10</sup>

The following year Charles challenged Parliament openly with his royal prerogative. The challenge failed and Parliament asserted again that no law could be abrogated by royal privilege but only by parliamentary enactment. In reaction to Charles' attempt to establish the Royal prerogative as a means of governing without them, the Parliament countered with the Test Act of 1673.<sup>11</sup>

Here we see the stage set for a rehearsal of what, fifteen years later, would become the Glorious Revolution. A King who in effect had been invited in 1660 to rule the nation in partnership with Parliament was now making treaties, soliciting funds and threatening the state religion, all without regard to the consent of that body. In the not too distant future, James too would attempt to rule without Parliament, but in such an aggressive way and for a cause so unpopular that many would perceive the very foundation of the constitution to be threatened.<sup>12.</sup>



At this point one must notice the activities of Sir Anthony Ashley-Cooper, the Earl of Shaftesbury. Credited with founding the Whig party, Shaftesbury had been a parliamentarian and member of Cromwell's Council of State. After the Restoration he was first Charles' Chancellor of the Exchequer, a member of the Cabal and, in 1672, Lord Chancellor.<sup>13</sup>

Shaftesbury designed the Test Act as a direct attack on James, then Duke of York, to force him to resign his post as Lord High Admiral. The Test Act was passed to exclude from public office all persons refusing to take oaths of allegiance and supremacy to the Crown or to receive the sacraments according to the rites of the Church of England.<sup>14</sup>

James was known to be a Catholic, and this was one of several attempts by Shaftesbury to prevent the heir apparent from coming to the throne. The Earl also counseled Charles that he either divorce his barren wife and remarry or legitimize the Duke of Monmouth, Charles' bastard son. In 1673 Shaftesbury was dismissed as Chancellor and joined the opposition in Parliament, where his legislative attempts to exclude James from the succession would later cause Charles to dissolve that body in 1681.<sup>15</sup>

The assault on James continued when an Exclusion Bill was introduced into the House of Commons on May 15, 1679, which called for James to be removed from the line of succession. Since Charles had no legitimate heir to follow him on the throne, that right fell to his brother James. In James' place some members of Parliament proposed that James Scott, Duke of Monmouth and Captain General of the Army, be named next in line of succession. Monmouth was the illegitimate son of Charles by a prostitute he met while in exile, and he was named mainly because he was a Protestant.<sup>16</sup>

Charles was not willing to recognize Monmouth as an heir, but he was willing to make concessions to Parliament to allow James to succeed him.<sup>17</sup>

The Exclusion Crisis continued when the King dissolved Parliament on July 10th, 1679. This provocative act was seen as an aggressive use of the prerogative. In August, Charles fell seriously ill and James quickly moved to save his right to the succession.<sup>18</sup>

For the next two months as the King was recuperating, James took over and was able to impose a strongly conservative pattern on the Government. During that short time James had the King dismiss the Duke of Monmouth as Captain-General of the Army and send him into exile; Shaftesbury was removed from the Privy Council and Parliament was prorogued from October to January without a meeting.<sup>19</sup>

James did not approve of showing weakness. In his memoirs he expressed the belief that the civil war would never have come about if a tough policy had been followed. It is certain that from the impressions of his early years, James disliked Parliament and distrusted Puritans, (though in later years he would strive to achieve toleration even for them). The attempts made in Parliament to exclude him from the succession only intensified this dislike. In 1679 he wrote:

The Exclusion Bill destroys the very being of the monarchy which, I thank God, yet has had no dependency on Parliaments nor on nothing but God alone, nor never can, and be a monarchy.<sup>20</sup>

Like Elizabeth I he believed that Parliaments should be obedient and kept in order.<sup>21</sup>

The last four years of Charles' reign were relatively quiet in comparison to the Exclusion Crisis. The Whig Party had been all but ruined, the press was censored, and those speaking out against the Government were punished like the Catholics had been a few years earlier. Protestants and dissenters, who formed the base of the Whig party, were persecuted while

laws against Catholics were ignored.<sup>22</sup>

Town corporations were compelled to surrender their independent charters and take new charters of the King's will. Charles was able to pack those new corporations with Tories and Royalists. If Parliament had been summoned, the House of Commons would be Tory and Royalist by an overwhelming majority.<sup>23</sup>

Since the Restoration there was never such a gap in summoning Parliament, a situation which was illegal by the terms of the Triennial Act of 1664. Charles could have had a House of Commons willing to follow his lead, but he preferred to reign without them until his death on February 6, 1685.<sup>24</sup>

James' correspondence during these last years of his brother's reign reveals much about his view of the situation. He was extremely naive, distrusting Parliament, fearing Monmouth, and critical of any measures which might detract from the absolute power of the throne.<sup>25</sup>

From this an understanding of his view of kingship can be formed. He considered the ruler to be a divinely appointed patriarch, governing through a wise Council and a docile Parliament which represented a satisfied people.<sup>26</sup>

Because of the incidents which occurred during his father's reign, not to mention the weakness he perceived in his brother, James was determined to be a strong ruler.<sup>27</sup>

His antiquated notions of government and the peculiarities of his perception of people and events would be the cause of his difficulties. He was incapable of appreciating the complex economic, social or political stresses of his time. In judging James' actions one must realize that he thought differently than does modern man. Like most of his contemporaries

he believed in the regular intervention of God in all human affairs. He saw himself as divinely appointed to rule the Nation. He saw things only in terms of black or white - loyalty or treachery, obedience or rebellion.<sup>28</sup>

Because of this his future projects were not flawed by bigotry but by qualities and prejudices that were independent of religious belief.<sup>29</sup>

## CHAPTER TWO

James II succeeded his brother "unchallenged and loudly acclaimed." For the previous five years his popularity had grown among the Tories by the mere fact that the Whigs had tried to exclude him from the throne.<sup>30</sup>

One of the new King's first acts was to summon Parliament for grants of lifelong revenues similar to those Charles had received. Because town corporations had been restructured, 200 of the 513 members were now directly dependent upon the King for their livelihood, and James had no trouble receiving the money he asked for. These grants, along with increased revenues from custom and excise taxes, put James in a stronger financial position than any of his predecessors.<sup>31</sup>

Upon his ascension the King promised Parliament and the Privy Council that he would preserve the laws of the land and support the Church of England. This was guarantee enough for the loyalist House of Commons to vote him revenues for life. Free of financial control James, once he had quarreled with Parliament, now undertook to dismiss them and rule on his own - a situation which would lead to his undoing.<sup>32</sup>

His spirits lifted by the generous revenues and support given him by Parliament, James confidently began to consider bold policies for the future. In one of the many letters to Louis XIV, the French Ambassador, Barrillon, stated that James' aim was "to establish the Catholic religion with the French King's assistance."<sup>33</sup> The meaning of the word "establish" must

be questioned. Even during the reign of Charles, James had expressed his belief in liberty of conscience for all Christians. As early as 1669 James claimed that he was against "all persecution for conscience sake,"<sup>34</sup> believing it to be un-Christian and absolutely against his conscience. Writing in 1683, Dr. Burnet observed that James "seemed very positive in his opinion against all persecution for conscience sake."<sup>35</sup> In one of his other reports home the French Ambassador claimed that James did not intend to go so far as to make Roman Catholicism the State Religion, "for it was a project so difficult to carry out, not to say impossible to carry out, that sensible people do not fear it."<sup>36</sup> Barrillon had also written at another time that James "had thoroughly explained to him his intention with regard to the Catholics, which is to grant them entire liberty of conscience in the free exercise of their religion; this is a work of time and it can be brought about only step by step."<sup>37</sup> Thus, what James in fact intended was to "establish the Catholic religion in such a manner that it could not be ruined or destroyed"<sup>38</sup> after his death.<sup>39</sup>

From this it becomes clear that, from the start, James intended to ask Parliament to end the Penal Laws that prevented Catholics from worshiping freely, and the requirement that they attend Church of England services. Later he hoped to abolish the Test acts and restore Catholics to equal civic opportunities with their fellow citizens.<sup>40</sup>

In fact, the penal laws were by now almost a dead letter. Enforcement depended on the outlook of the local magistrates,

so that in some districts the Penal Laws were enforced while in others they were only selectively applied or not applied at all. The Test Act was a different matter. To most Englishmen, it was the nature of things that authority should be exercised only by those who accepted the State's religion. Even Locke did not consider the Test Act a threat to liberty of conscience.<sup>41</sup>

Two other opinions shored up the belief that the Test Act should not be removed. One was the fear of centralization on the French pattern. England was a country of corporations and country squires, opposed to intervention of any kind in their affairs. The English distrusted the men of humble origin and administrative ability whom the Stuarts had been gradually advancing. They feared that James favored the French model in order to create a centralized government that would drain power away from the squires and impose uniformity on administration. They also mistakenly believed in the existence of a vast international Catholic conspiracy. The alliance of the Pope and the Emperor, even though the alliance was directed against the Turks and indirectly the French, made this belief all the more plausible.<sup>42</sup> It was no surprise, then, that following past precedents Parliament's Grand Committee on Religion asked the King to publish a proclamation for "putting the laws in execution against all dissenters whatsoever from the Church of England."<sup>43</sup> Annoyed, James told the House he would not accept its resolution. The Commons gave in and even proved cooperative in money matters if only because the royal government was threatened with a rebellion at that very moment.<sup>44</sup>

In June 1685 the Duke of Monmouth landed in England and proclaimed himself King in the southwest part of the country. James needed to call for the return of three Scottish and three English regiments which had been serving in Holland to defend his position. Monmouth was quickly defeated at Sedgemoor and executed on July 15.<sup>45</sup>

However, James became disturbed when he realized that his army was so small that he was actually dependent upon troops from abroad to stay on the throne. James approached the second session of his Parliament with straightforward demands. It was his conclusion that the rebellion demanded a strengthening of the Crown through an increase in the size of the standing army. The new regiments, which had been raised on a temporary basis to oppose Monmouth, were now to be continued, and the men who had been enlisted for the emergency were to continue serving. Considering how strong were the memories of Cromwell's military rule, and given the opposition of the cavalier Parliament to the continuance of the armies raised in 1672 and 1678, James' proposals made many uneasy. Even more so, since he admitted that many Catholics had been commissioned during the crisis, and that he was determined to retain them despite the provisions of the Test Act. This greatly strengthened the fears that he intended in the near future to ask for total repeal of the Test Acts and all the penal laws insofar as they concerned Catholics. These demands were interpreted as a danger to Constitution and liberties because they seemed to be but the first of a series of demands, and because James' attempts to



increase the power of the Crown were closely associated with his attempts to improve the position of his fellow Catholics. This inevitably renewed the suspicions of the squires and aristocracy that the executive was attempting to centralize the government.<sup>46</sup>

It should be noted that, although Commons' reaction to James' proposal was unfavorable, it was not hostile or rebellious during the second session. It did not charge the King with breaking the law (as he had) but merely repeated that Catholics could not hold office. In the House of Lords it was proposed the judges should be consulted on the legality of the commissions of the Catholic offices. It was this possibility that made James decide on an emergency prorogation of Parliament.<sup>47</sup>

James was unable to appreciate the reasons which underlaid anti-Catholicism, and especially the extent to which these were the product of fear, a fear which was symbolized above all by Louis XIV, and especially in this year of 1685 with the revocation in France of the Edict of Nantes. For James, anti-Catholicism was offensive and subversive, and those who held this position were insincere and aggressive. He believed that the anti-Catholic legislation of Charles' reign had been political and not religious in its motivation, and that its aim, especially typified by the Test Acts, had been to reduce or undermine the authority of the King. While this was certainly true in regard to the Whigs, it now led James to distrust even the loyalty of the Tories who refused to accept the demands

being made on behalf of Catholics. He could not understand the Tory plea that the Test Acts were purely defensive, but rather interpreted this opposition to his repeal of these Acts as a challenge to his authority.<sup>48</sup>

Unable to get the support he wanted, the King prorogued Parliament on November 20, 1685. Three days later he issued a dispensation to his Catholic officers and, within the next week, ordered an expansion and reorganization of the army. The King was now defining his objectives and systematically began to develop new ways to achieve them. He was determined that the repeal of the Test Act and penal laws should be made legal by the existing Parliament. To this end, members of Parliament and Lords were intensely canvassed in a process that took much of 1686.<sup>49</sup>

This canvassing was done by "closeting" members of Parliament, that is to say by personal interviews conducted by the King. The generally disappointing responses which the King received from closeting members of Parliament showed that the next session of Parliament, should there be one, would in all probability prove to be unfriendly. The prorogation (repeated on February 10 and May 10) angered opinion, and closeting was resented as a form of intimidation. James was in the process of trapping himself. By increasing his prerogative powers as a direct substitute for statutory legislation, the fear grew that he, like the King of France, would use absolutist governmental techniques and Catholic fervor for his own ends. To many, James seemed to be confirming the old Whig arguments

that had been used to justify Exclusion.<sup>50</sup>

In the Spring of 1686 the King moved ahead in his plans for religious tolerance. The King gave permission for the printing of Catholic books, and in the summer a military camp of 14,000 was established at Hounslow with a chapel where Catholic officers could attend daily Mass. A general pardon was also issued to 1200 Quakers, and both they and the Anabaptists made public their gratitude to the King.<sup>51</sup>

He continued issuing dispensations and protections, and got the judges to recognize his right of dispensation in the case of Godden vs Hales (June 1686). However, even this was not enough. He recognized that only a regularly enacted statute could give absolute constitutional security to his Catholic subjects, and even this could be repealed by his Protestant successor. James could only hope to achieve his objectives by leading the Anglican church to accept toleration.<sup>52</sup>

James believed that the Anglican clergy would come around because of their attachment to the often asserted principle of divine right. His first move in his attempt to obtain their cooperation for his pro-Catholic policies was a private approach to the archbishops and to Compton, the Bishop of London, asking them to suppress Sunday afternoon lectures. These were supposed to be courses on the catechism, but James believed they were used to instill anti-Catholic opinions. When he was ignored he ordered the bishops to issue and enforce Directions to Preachers. He intended the Directions to produce an atmosphere of enforced toleration, but their announcement on

March 5 coincided with a period of intense proselytizing by Catholics which led the Anglican clergy to believe that their religion was truly in danger . The major confrontation with the Anglican Church came when a protege of Bishop Compton preached sermons which were considered to be anti-Catholic in nature. James was incensed, considering these sermons as a direct defiance of the Directions, and ordered Bishop Compton to suspend the preacher. When the Bishop refused James established the Ecclesiastical Commission, which derived its jurisdictional authority from the King's prerogative powers over the Church.<sup>53</sup>

The High Commission had been officially abolished in 1641. James attempted to meet this objection in the letters patent of July 14, 1686, asserting that he had the right to establish such a court by his supreme authority and prerogatives royal. This claim was consistent with the decision of Godden vs Hales, but infuriated the Tories and Anglicans. To the public, it was a frightening event. The powers conferred on the Ecclesiastical Commission allowed it to deal with spiritual, ecclesiastical and moral cases. It could summon, try, suspend or deprive any cleric, and had the power to excommunicate anyone, cleric or layman. Furthermore, it was to supervise and regulate universities, colleges, schools and cathedrals, and had the power to investigate and revise their statutes. To the ordinary person this looked like part of a systematic plan to put the King into a position of unlimited and irresponsible power, especially in church affairs.<sup>54</sup>

Although the Commission suspended Compton from office,

James told the Spanish Ambassador in August of that year that "he would force no man's conscience, but only aimed at the Roman Catholics being no worse treated than the rest, instead of being deprived of their liberties like traitors."<sup>55</sup>

The first radical change in James' policy came at the end of 1686. Recognizing that the allegiance of the Tories demanded retention of the Tests, James looked for new supporters. Only by a complete change of allies could he hope to remain a free agent, able to work for an increase in royal authority and give Catholics a permanent security. This change of tactics came between November 1686 and April 1687. It entailed a sharp break with James' former supporters. At court this purge left an inner group of Catholic ministers with Sunderland in a position of strength. In the country, Tories were replaced by dissenters and former Whigs, James' old enemies, whom he now hoped to change into instruments of royal policy and strength. The Declaration of Indulgence of April 4, 1687, represented the King's formal bid for their support. His new tactic was completed by the dissolution of Parliament on July 2, a move that showed that James had given up on the Tories and was placing his hopes in the election of a new Parliament filled with his supporters who would repeal the Test Acts and Penal Laws.<sup>56</sup>

It is important to note that almost all the controversy created by James' policies of toleration focused on their political aspects. Toleration itself, which at one time had been a subject of violent controversy, was now accepted almost

as a matter of course by the Anglican laity and all but the older Anglican clergy. The attacks on James' policy of toleration were entirely politically oriented. They concentrated on the prerogative methods of establishing toleration, that is, by the use of the suspending power and of the supposed hidden advantages that Catholics were intended to gain. The political aspects of the toleration question made the issue of the Test Acts a central issue. For Anglicans these Acts, passed in 1673 and 1678, were meant to prevent Catholic dominance. For James their repeal meant that the crown would no longer be restricted in its choice of ministers and officers. He interpreted the Tests as an invasion of his prerogative power, and could not accept the sincerity of anyone who argued that they were a necessary safeguard for the Protestant religion. James had often intervened on behalf of individual dissenters and even whole congregations, and had never made any secret of his consistent dislike of the Anglican reliance on legal coercion to enforce religious uniformity.<sup>57</sup>

Even while saying this it should be remembered that James had a certain affection for lay Anglicans "who," he told his first Parliament, "had showed themselves so eminently loyal in the worst of times."<sup>58</sup> His respect for the Anglican Church even survived the progressive disappointments of the years 1685 to 1688. His final anger against it only highlights his previous attachment to it.<sup>59</sup>

### CHAPTER THREE

The first Declaration of Indulgence issued on April 4, 1687, was more than just a restatement of Charles II's Declaration of 1672. Its basic thesis was the same: the need to abandon coercion because it had failed to achieve religious uniformity and had actually increased political tension while inflicting serious economic damage on the nation. James wanted it known that this time toleration would be a permanent feature of the constitution. This was essential if the dissenters were to join him. Furthermore, to make his policy acceptable, James was equating the enjoyment of property with religious freedom. This emphasis on the economic benefits of toleration was an old argument of the country opposition and the Whigs. His promises of wealth, prosperity, peace and security were designed to win not only passive acceptance of toleration but also to enlist active support for the campaign to obtain a Parliament which would see these policies through. By using these Whig assumptions and arguments he was targeting them as his new allies.<sup>60</sup>

Furthermore, by holding out the prospect of ending the economically harmful execution of the penal laws, James even hoped to sway urban and semi-urban communities (which elected a majority of MP's) to his side. He wrote:

"Civil interest is the foundation and end of civil government . . . . The good of the whole must needs be the interest of the whole, and consequently the interest of the

whole is the reason and end of government."<sup>61</sup>

In other words, a wise government would refrain from persecution, because this would prevent citizens from identifying their own best interests with those of the government. He was attempting to show that, although he might further his own religion, as a sovereign he would be guided by the knowledge that the use of force to establish Catholicism would disrupt not only the peace but also the prosperity of his Kingdoms.<sup>62</sup>

The Anglicans felt they had real cause for alarm, since the Declaration of 1687 differed from that of 1672 in a major point. Charles had expressly restated and approved the privileges of the Church of England as a body, but James now offered assurance only to Anglicans as individuals. They feared that occupants of ecclesiastical offices who might convert to Catholicism would be given dispensation to maintain that office, and so piece by piece the English church would be transformed into the Church of Rome.<sup>63</sup>

Nonetheless, during 1687 the Anglican clergy in general did nothing to actively oppose the Declaration or hamper toleration until James confirmed their fears, and this in the field of education. This led to the first of several direct clashes which would ultimately culminate in a serious church-state crisis. Upon the death of the President of Magdalen College at Oxford, James attempted to nominate a Catholic as his replacement. Proposed as the King's nominee was Anthony Farmer, a 29-year old Catholic, who for several reasons



was completely unsuitable. The royal mandate appointing Farmer was dispatched to Magdalen on April 5, the day following the issue of the Declaration of Indulgence.<sup>64</sup>

This not only convinced Anglicans that they were about to enter a time of trial, but those writing on the subject were quick to point out that if the Ecclesiastical Commission deprived the Fellows of their livelihood - which was considered to be their real property - then James could not be trusted in his claims that toleration would lead to prosperity.<sup>65</sup>

In July 1687 the King abandoned all hope for obtaining support from his existing Parliament and decided to fashion another that would obey his will. The Lieutenants of the counties were instructed to call together those under them and ask them individually whether, if they were chosen members of Parliament, they would be in favor of removing the Test Acts and penal laws. They were also to ask if they would assist in the election of members who were so committed and if they would support the King's declaration of liberty of conscience by living on friendly terms with Christians of all persuasions. Most of the existing Lords Lieutenant preferred to resign or be dismissed rather than have to put these three questions to their subordinates. The King appointed new Lords Lieutenant, some of whom were Catholics, and these were sent on their rounds to find the names of suitable Catholics and non-conformists to add to the Justices of the Peace. The King himself embarked on a royal "progress" through the west of England in an attempt to persuade his subjects on the point of

liberty of conscience. However, throughout the Kingdom the local gentry evaded the pressure to commit themselves in advance of an election. In all, his attempt to handpick members for Parliament who would be favorable to a repeal of the Test Acts failed.<sup>66.</sup>

In November 1687 Queen Mary Beatrice announced that she was pregnant. Optimistic that the child would be a boy, James and his advisers considered a general election early in 1688.<sup>67.</sup>

Thus throughout the Winter of 1687-88 and the early Spring of 1688, the policy of trying to pack a Parliament continued. In March there was a rumor that such a Parliament would actually be called in May.<sup>68.</sup>

On May 14 the King took steps to have the republished Declaration of Indulgences read in all churches after a service in two weeks time. This order had an unusual feature, because it placed the responsibility for seeing that it was carried out on the bishops.<sup>69.</sup>

On May 28 seven bishops met at Lambeth in order to draw up a petition to the King requesting that they not be made to read the Declaration. On the next day six of the bishops met with the King at Whitehall. When he read these words toward the end of the petition the King was livid:

Among many other considerations...from this especially, because that Declaration is founded upon such a dispensing power, as hath often been declared illegal in Parliament; and.....your petitioners cannot in prejudice, honor, or conscience so far make themselves party to it.....<sup>70</sup>

The Gooden vs Hales decision was being threatened; this was the Magdalen incident on a national scale.<sup>71</sup>

Printed copies of the petition soon spread throughout London, and the boycott on the following Sunday was almost complete. But the news that in the whole Diocese of London only four or five churches followed the King's order was overshadowed by the news that the heads of the established Church had defied the King. This public excitement would be the mount on which the Revolution would ride.<sup>72</sup>

On June 6 they were given two weeks notice to appear before the Privy Council. The bishops' tactics were quite clear. This was not to be a private protest; they would risk imprisonment to gain maximum publicity. Two avenues were available to the Government: the Ecclesiastical Commission or the ordinary courts, and of these two the ordinary courts seemed safest to James. However, an appearance in the King's Bench would mean that the bishops would have to give bail, and this they absolutely refused to do. Since they would not post bail the only alternative was that they be jailed. When the bishops emerged to be taken by barge to the Tower both banks of the Thames were lined with multitudes.<sup>73</sup>

Two days after the bishops were incarcerated Queen Mary Beatrice gave birth to a son. This birth in the midst of the emotion-filled situation of the bishops added to the popular fever as one dramatic event followed another against the background of probable war with the Dutch.<sup>74</sup>

The trial of the bishops for seditious libel began on July

8 in Westminster Hall. Behind the scenes James was counselled to show amnesty in honor of the new Prince of Wales and thus dispose of an awkward situation. But James was immovable, determined to impose crippling fines on the bishops. The point of the trial revolved around the relevance of the dispensing powers. Justice Powell put it this way:

My Lord, they must necessarily fall upon this point; if the King hath no such power (as clearly he hath not in my judgment) the natural consequence will be that this petition<sup>75</sup> is no diminution of the regal power.

Powell went on in another place to say:

James would use his prerogative powers in such an aggressive way that many would perceive the very foundation of the constitution to be threatened. If there be no such dispensing power there can be no libel in the petition which represented the declaration founded on such a pretended power to be illegal. Now gentlemen, this is a dispensation with a vengeance; it amounts to an abrogation and utter repeal of all the laws; for I can see no difference, nor know of any in law, between the King's power to dispense with laws ecclesiastical, and his power to dispense with any other laws whatever. If this be once allowed of, there will need no Parliament; all the legislature will be in the King.<sup>76</sup>

This statement put the royal prerogative on trial. If the jury acquitted the bishops it would, in effect, be finding the King guilty not only of breaking the law but replacing the law altogether. The verdict of "not guilty" was returned the next morning. But before James could consider the consequences of his defeat the invitation to William was ready. The seven signers of the document wrote to the Prince:

Your Highness may be assured there are nineteen parts of twenty of the people throughout the Kingdom, who are desirous of a change."<sup>77</sup>

These words would not have been written if the incident of the bishops had not taken place.<sup>78</sup>

The request from the English Protestant leaders (the Immortal Seven) hastened William's preparation for a military expedition. Three months later he was ready to make his move and published a declaration condemning arbitrary rule and the conspiracy of James' "evil counsellors" against Protestantism in England and Scotland. It was soon after this declaration was published that James realized his fate was sealed.<sup>79</sup>

When William set out for England on November 1, 1688 his expressed intention was to oblige James to call a free and lawful Parliament. William's unopposed landing and the abortive attempts to call a free Parliament were too much for James who fled to France a broken man.<sup>80</sup>

Sir James MacKintosh wrote in his History of England published in 1830, that James II was an "ill fated prince" who "rushed with the blindness of a bigot and the presumption of a despot to his doom." A century earlier Dr. James Wilwood noted that the King had a "Grand Design" and that was to restore the full glory of the Roman Catholic religion at the price of the ruin of the Established Church. Even today, as Ashley observes, "the view that James was a stupid bigot willing to blow the existing Establishment sky high is seldom questioned."<sup>81</sup>

Actually, he had a respect for law and the authority of

Parliament with which he is not usually credited. He suspended certain statutes, but he never pretended to abrogate them. When he thought of suspending the Second Test Act in 1687 Sunderland told him that it would be unconstitutional to tamper with a statute defining the composition of Parliament. With unaccustomed docility he agreed. However, he was no more capable of appreciating the complex economic, social or political stresses of his time than any of the country gentry of that day. His projects were not flawed by bigotry but by qualities and prejudices that were quite independent of religious belief.<sup>82</sup>

The traditional Whig story that James' sole and constant objective was to reimpose his own religion on the entire Kingdom. is not true. David Hume, a 18th century historian who does not reflect the Whig view, observed in his History of England that James "was become a great patron of toleration and an enemy to all those persecuting laws which, from the influence of the Church, had been enacted against the dissenters and the Catholics."<sup>83</sup>

Furthermore, James' approval of religious toleration can be traced back to a time when, in 1667, New Amsterdam had been acquired by an expedition he managed while Duke of York. For the next twenty years New York would develop under his supervision. Central to his ideas here were religious toleration and authoritarian government. In 1687 he abolished charters of five of the northern colonies and consolidated them into the "Dominion of New England," with no local assemblies,

an omnipotent governor, and religious toleration.<sup>84</sup>

He also had made it known to the Spanish Ambassador in London that he abhorred the French tactics used against the Huguenots and that he considered military missionaries as politically unrealistic and unchristian. He stated that his only aim was fair and equal treatment for his co-religionists.<sup>85</sup>

Another contemporary witness, William Penn, stated that, at the beginning of James II's reign "Popish lords and gentry went to Whitehall to Mass daily." Nevertheless, he insisted that the King had personally told him that "he desired not that a peaceable people should be disturbed for their religion."<sup>86</sup> Penn himself was satisfied that the King was consistent and honest and had no deep-seated plan to impose Roman Catholic supremacy under cover of helping non-conformists to worship unmolested.<sup>87</sup>

It is my conclusion, then, that the causes for the Glorious Revolution were political and not religious in nature. In trying to secure the abolition of the penal laws and the Test Acts, which had previously safeguarded the position of the Church of England, James had asked for too much too soon. By pushing Catholics into many of the most important offices of State, by having them in the Privy Council and in command of the Army and Navy, by favoring them in Oxford and Cambridge Colleges, by changing the borough franchises, all by use of his prerogative powers, he angered a wide range of influential people and made them fear that he intended to undermine the

Constitution.<sup>88</sup>

The Whig interpreters of history from Locke to Macaulay argued that the rights of the Monarchy remained what they had been after the Revolution. It was James or his predecessors who had infringed upon them. In fact, the power of the Monarchy was reduced after 1688. The restrictions and conditions that William III was compelled to accept, such as the regular meeting of Parliaments and the independence of the Judiciary, meant that a Constitutional Monarchy was in the process of becoming a political reality. The power Parliament had asserted by the trial and execution of Charles I was confirmed as a real check on the executive when James fled for France.<sup>89</sup>

It can be argued that James, with his ideas of liberty of conscience for all Christians, was the true revolutionary. Only at the very end did he appreciate that the time was not right for any revolutionary changes in the attitude to liberty of conscience in England, and this at the cost of his throne.<sup>90</sup>

James was incapable of pushing through his policies and lost his throne, not because his ideas were not noble, but because he was weak of character. In the final analysis James was his own worst enemy.<sup>91</sup>



## ENDNOTES

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