

Revolution in England – The English Bill of Rights

Part A - History

Revolutions involve more than changing leaders or replace one ruling faction with another. Revolutions bring about political changes in the political order itself, often resulting in the transfer of power from one social group to another. Revolutions reshape legal systems, education, religious life, and economic practices and redefine relationships between rich and poor, males and females, old and young.

Because revolutions occur in societies already undergoing intellectual, economic, and social transformations, it is not surprising that history's first revolutions took place in Western Europe and the Americas in the seventeenth through nineteenth centuries. This was when the growth of commerce and industry undermined old social hierarchies (systems), and the emergence of new secular (material) values weakened the foundations of divine right monarchies and privileged churches. Nor is it surprising that in recent history revolutions have spread to other parts of the world, as new ideologies and economic and social changes have affected one society after another.

In the 1600s England experienced two revolutions:

The Puritan Revolution 1640s and 1650s (also known as the English Revolution or English Civil War) and **The Glorious Revolution** from 1688 to 1689

They limited royal authority, confirmed the fiscal (financial) and legislative powers of Parliament, and guaranteed many basic rights for the English people, especially those with property. They also affirmed the constitutional principle that governments must operate by established laws that apply to subjects (citizens) and rulers alike, not according to the whims (sudden wishes or changes of mind) of individual rulers.

The acceptance of the English Bill of Rights in 1689 ended a clash between the Crown (Royal Families) and Parliament that had torn apart English politics for almost a century. They argued over the fact that the monarchy controlled religious, economic, diplomatic and political issues which the people believed should be under the control of parliament.

A dispute over new taxes levied by King Charles I started a civil war. A Puritan, Oliver Cromwell raised an army and seized power. For the next eleven years he imposed strict Protestant beliefs on the English people. When Cromwell died in 1658 his party lost powers and the old royal family came back into power in 1660.

The next two kings, Charles II (1660-1685) and James II (1685-1688) also upset the people because they were pro-French and pro-Catholic and they did not believe that the country should have a parliamentary government. The Protestant majority in England did not want a long line of future Catholic kings so they started the Glorious Revolution of 1688-1689. The British parliament made the daughter of James II – Mary (who was a protestant) queen and her husband, William of Orange (from Holland), king of England. James II did little to fight against this takeover and fled the country.

British parliament created the English Bill of Rights in 1689 and it was signed by the new royal family, now King William II and Queen Mary II. By becoming the new king and queen they agreed on the limitations set by parliament on royal authority that was to become a permanent part of England's constitution.

Part B – Primary Document Reading

The following is an extract from the English Bill of Rights. Read the document carefully then answer the questions that follow on a separate sheet of paper.

Whereas the late King James II, by the assistance of diverse evil counselors, judges and ministers employed by him, did endeavor to subvert (sabotage) and extirpate (uproot and destroy completely) the Protestant religion and the laws and liberties of this kingdom;

By assuming and exercising a power of dispensing with and suspending of laws and the execution of laws without the consent of Parliament;

By committing and prosecuting diverse worthy prelates (high ranking church officials such as archbishops and bishops) for humbly petitioning to be excused from concurring (agreeing) with the said assumed power;

By issuing and causing to be executed a commission under the great seal for erecting a court called the Court of Commissioners for Ecclesiastical Causes;¹

By levying money for and to the use of the Crown by pretense of prerogative (privilege) for other time and in other manner than the same was granted by Parliament;

By raising and keeping a standing army within this kingdom in time of peace without consent of Parliament, and quartering (housing) soldiers contrary to law;

By violating the freedom of election of members to service in Parliament;....

And whereas of late years partial corrupt and unqualified persons have been returned and served on juries in trials, and particularly diverse jurors in trials for high treason which were not freeholders (landowners);

And excessive bail hath been required of persons committed in criminal cases to elude (escape) the benefit of the laws made for the liberty of the subjects;

And excessive fines have been imposed;

And illegal and cruel punishments have been imposed;

And several grants and promises made of fines and forfeitures before any conviction or judgment against the persons upon whom the same were to be levied;

All which are utterly and directly contrary to the known laws and statutes and freedom of this realm (kingdom);

And whereas the said late King James II having abdicated (given up) the government and the throne being thereby vacant, his Highness the Prince of Orange (whom it hath pleased Almighty God to make the glorious instrument of delivering this kingdom from popery [Catholicism] and arbitrary power) did...cause letters to be written to Protestant leaders, and other letters to several countries, cities, universities, boroughs and Cinque ports, ² for the choosing of such persons to represent them as were of right to be sent to Parliament, to meet and sit at Westminster upon the 22nd day of January, 1688³ in order to make such an establishment as that their religion, laws, and liberties might not again be in danger of being subverted (threatened and challenged)....

...the Lords Spiritual and Temporal and Commons (Protestant church officials, members of the House of Lords and the House of Commons) pursuant to their respective letters and elections, being now assembled...asserting their ancient rights and liberties declare;

¹ A special royal court established to try religious cases

² Five maritime towns in southeast England that during the Middle Ages gained the right to send representatives to parliament in return for aiding the naval defense of the nation

³ Until the 18th century, the English New Year began on March 25, not January 1; by modern calculations, the year should have been 1689!

That the pretended (illegal) power of suspending of laws or the execution of laws by regal (royal) authority without consent of Parliament is illegal;

That the pretended power of dispensing with laws or the execution of laws by regal authority, as it hath been assumed and exercised of late, is illegal;

That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious (evil);

That levying money for or to the use of the Crown....without grant of Parliament....is illegal

That it is the right of the Subjects to petition the king, and all commitments (penalties) and prosecutions for such petitioning are illegal;

That the raising or keeping a standing army within the kingdom in time of peace, unless it is with the consent of parliament, is against the law;

That the subject which are Protestants many have arms for their defense suitable to their conditions and as allowed by law;

That election of members of Parliament ought to be free;

That the freedom of speech and debates or proceedings in Parliament ought not to be impeached (put on trial) or questioned in any court or place out of Parliament;

That excessive bail ought not to be required, nor excessive fines imposed not cruel and unusual punishments inflicted;

That jurors ought to be duly impaneled (chosen) and returned, and jurors which pass upon men in trials for high treason ought to be freeholders (landowners);

That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void;

And that for redress (restoring) of all grievances, and for the amending, strengthening and preserving of the laws, Parliaments ought to be held frequently.....

Part C – Short Answer Questions

Answer the following questions on a separate sheet of paper and in full sentences.

1. What abuses of royal power seem to have most disturbed the authors of the English Bill of Rights?
2. Were the authors most concerned with political, economic, or religious issues? Explain your answer using specific examples from the reading
3. What role does the Bill of Rights envision (predict) for the British Monarchy?
4. When the Bill of Rights speaks of “rights” to whose rights does it refer?
5. In what ways might the common people of England benefit from the Bill of Rights?
6. Bonus Question (5 points maximum). What issues are similar in the English Bill of Rights and the Enlightenment in regard to Enlightened Despots?