



PALIAMENTARY RESISTANCE TO ROYAL DICTATES UNDER KING JAMES I (1603 - 1625)



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ABSTRACT

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The parliamentary institution in early Stuart England had not been a good experience for King James I (r.1603–1625) in that not only did it resist the royal dictates and protest its rights but it had also sought to impose itself on the political scene. In this regard, the parliamentary institution under the leadership of the house of commons refused to proceed according to the monarch's wishes on the premise that he had overstepped his legal rights. Furthermore, it criticised his policies regarding taxation, religion and foreign affairs. It had also challenged any breach of privilege and stated that in return for grants of subsidies, the monarch should take its views on policy formulation and execution into account. Motivated by a genuine desire to preserve its privileges and play a greater role in the affairs of the kingdom, this institution provoked a confrontation with the monarch in order to give it a pretext for bargaining and cementing a gradual expansion of its power. Its independent stance, adherence to its convictions, and unwillingness to bow readily to royal policies are obvious throughout James I's reign. During each parliamentary session, privilege matters were at the forefront of Commons business.

Contribution/ Originality: This article offers new insight into how parliamentary resistance contributes to the evolution of English parliamentarism in early Stuart England. The manuscript is also original in its extensive use of primary sources.

1. INTRODUCTION

Before 1603, there have been ebbs and flows on the relational level between the parliamentarians and the crown. In the subsequent years, there emerged a clash between the two entities. As a matter of fact, the legislative institution showed a stubborn resistance to royal dictates, and made clear statements that reflect its evolutionary character. The element that set the parliamentary machinery in motion seems to be the monarch's leaning toward royal absolutism. Given the fact that King James I (Cannon & Hargreaves, 2009) declared his intention of ruling in accordance with the doctrine of divine rights (Brian, 2019) and behaved in a way that disregarded the existence of the parliamentary body, it is not surprising that the parliamentary members realized the breadth of the challenge in a sense that the adoption of such doctrine could soon jeopardize many parliamentary achievements. For this reason, not only did they resist the crown's whims but they also endeavoured to safeguard their privileges and obtain new ones in the way that they elevated their status, thereby contributing to the evolution of the

parliamentary process. However, the hypothesis put forward did not receive due attention. Historians mostly focus on the nature of the relationship between the king and the parliamentary houses. At this point, it is necessary to mention that conflict between the parliamentarians and the first Stuart King has been of abiding interest to academic historians who diverge upon the nature of relationship between the parliamentarians and the royal power under King James I. For roughly a century, historians interpreted this issue in predominantly constitutional terms. Gardiner (1883-84a) and Zaller (1971) saw the monarch's relationship with parliament as characterized by tension and conflict. Revisionist historians such as: Conrad (1979); Kenyon (1986a) and Coward (2003) disagreed with this type of assessment and instead focused on harmony on the ground that James's power was greater. However, the main challenge to the first thesis came from Conrad Russell who painted a negative impression of the parliamentarians' status. In his book, 'Unrevolutionary England, 1603-1642' (Conrad, 1990) the English Parliament was portrayed as a frail and down-turning body whose members were in short of any sound determination of a constitutional nature.

However, in the 1980s, this interpretation had been contested by post revisionist historians such as: Cust and Hughes (1989); Cogswell, Cust, and Lake (2002). These ones asserted that James's rule was characterized by a conflict of a constitutional ground between the monarch and his parliamentary subjects. The former believed on absolute power and the latter considered themselves as representatives of a people whose liberties were under the mercy of an ambitious monarchy. In other words, the implicative relation implies the existence of two incompatible thoughts: the divine idea of kings versus the secular one of parliamentarians. In order not to indulge in these speculations, a thorough examination of parliament's attitude and actions under the reign of the first Stuart monarch is required. To make this come true, a detailed consideration is given to James's behaviour as an expedient to ease the grasp of the nitty-gritties of the subject under study. This does much to explain parliament's recalcitrance. In this regard, this paper argues that parliamentary resistance to royal dictates represents a step forward in the evolution of English parliamentarism. This study aims to better understand the position of parliament in relation to royal authority by highlighting the path and attitude of this institution from an evolutionary perspective. It thus makes it possible to follow the evolution of this institution and the relationships that it maintains. Without dwelling exclusively on the nature of the conflict, this paper attempts to show that parliamentary resistance to King James I and to the negative influence of its privy council, is only the expression of self-defence of the parliamentary rights previously acquired and the deepening of these ones. Indeed, by examining both primary and secondary sources, and by considering parliamentary sessions, it will be possible to contextualize parliamentary resistance and identify the factors that hardened parliamentary attitude and determined future parliamentary orientation under King James I (r.1603-1625).

2. JAMES' S FIRST PARLIAMENT, 1604 -1610

During the first session (19 March - 7 July 1604) of the first Parliament of James I (31 January 1604-9 February 1611) (Andrew & Ferris, 2010a) parliamentarians expressed their disagreement with the royal authority upon matters related to royal prerogatives. A heated debate took place between the monarch and his Parliament during which King James I claimed to wield regal powers and parliament claimed to have natural liberties regarding a disputed election for a parliamentary member in Buckinghamshire (Andrew & Ferris, 2010b) In this context, the MPs who had already been suspicious about the king's intentions following his reaction towards the Succession Act (Tanner, 1930a) issued a written statement called 'The Form of Apology and Satisfaction.' Although entitled as the Apology of the Commons, it was in fact a strong affirmation of their privileges. In it, they explained that their rights were rooted in the parliamentary practice. It read in part:

"Our privileges and liberties are our rights and due inheritance no less than our very lands and goods and cannot be withheld from us, denied or impaired, but with apparent wrong to the whole state of the realm. 'The prerogatives of Princes may easily and doe daily growe: the priviledges

of subjects are for the most part at an everlasting stand” (Richard, Salisbury, Giuseppi, & Owen, 1973).

They added that “this High Court of Parliament . . . gives laws to other courts, but from other courts receives neither laws nor orders (House of Commons Journal, 1802a). The centrepieces of the Commons’ apology were their inherited privileges: gained through custom and practice along with their representative character; two matters that a foreign king might not be aware of them. Although the Commons’ right to judge the election of its members had been finally rendered legitimate by the crown, with the lord chancellor responding: ‘The Petitions made before by the Speaker, were answered and granted of Course’ (House of Commons Journal, 1802b) the lower house found itself again in a shaky position following the king’s objection to the idea of representation expressed in the apology:

“This house doth not so represent the whole commons of the realm as the shadow doth the body, but only representatively. Impossible it was for them to know all that would be propounded here; much more all those answers you would make to all propositions” (Kenyon, 1986 b).

Such apprehension increased amid the monarch’s declaration to rule according to the doctrine of “Divine Right of Kings”. This constituted a challenge of ideological and constitutional nature since it centred on legal limits of parliamentary privilege (Erskine, 2004). He explained how he conceived the royal authority stating that although Parliament might make laws, the monarch could unmake them, or pass laws on his own. The king’s proclamations provoked a storm of protest from the Commons mainly following James’s proposal for the union of Scotland and England. Unlike the Lords (Willson, 1931a) the MPs argued that the issues of commerce and unity of laws should come first on the ground that if the name of Great Britain was adopted, the other problems might be settled before Parliament could investigate the manner with which they would be achieved (House of Commons Journal, 1802c). The following speech delivered by an MP named Sir Edwin Sandys, on April 26, 1604, illustrates a form of contestation that was justified on constitutional grounds. According to Sandys:

“There was no precedent, for a change of England's name to Great Britain; if this were accomplished the old kingdom and its law would disappear. It would riot be able to give its laws to Britain since it was but part of the whole. Furthermore, it was feared that a uniform system of laws for both countries would be based on Ro man Civil Law” (Journal of the House of Commons, 1803).

He added:

“If this were the case, the Common Law would sink to the insignificant role of the municipal and general laws of Scotland, and the English Parliament would become similar to the Scottish Parliament, a feudal court ruled, as James said, by "his pen" from England” (Willson, 1931b).

This desire to preserve parliamentary gains had probably awakened the lords’ political consciousness and led them to reposition themselves in the political spectrum. By agreeing to participate in a joint commission: House of Lords and House of Commons to discuss the project union on May 1, 1604, the House of Lords made the first move in this process of insight and awareness. A fact which tends to accredit the thesis defended above. On the whole, during the five sessions of the first Parliament of James I (1604-1610), the members of the House of Commons were outraged for the following reasons: James’s strategy to increase revenues, his foreign policy and reliance on royal favourites, the costs of running the Court, together with his excessive financial spendthrift on his family (Ashton, 1969). These reasons were accentuated by the King’s revival of the idea of the divine right and the union project with Scotland.

The way King James I acquired and used money raised the stakes and tensions during the second (21 Jan. 1606, 27 May 1606) and third (18 Nov- 4 July 1607) sessions. In the first meeting, the Commons criticised his introduction of all sorts of controversial financial measures, and in the belief that James had overstepped his legal rights, they denounced the monarch’s deed regarding his profit from John Bate’s affair (Fritze & Robison, 1996). In the second meeting, they adopted a counter-attitude following the delivery of Bate’s verdict (Cobbett, 2018a) and

the imposition of high taxes (Smith, 1999a) which seemingly posed a major threat to parliamentary control of taxation. In this regard, they reminded the king that these exactions were in violation of a statute of Edward I, many times reaffirmed, providing that no charges could be levied without the consent of Parliament (Winwood, 1972a). They also asked King James I to abolish several feudal practices which were sources of royal income; notably Purveyance and Wardship (Andrew & Ferris, 2010c). Such measures were an attempt to prevent the Crown from having additional revenues; Moreover, the failure of negotiations aiming at securing a regular income of £ 600,000 a year for life from Parliament in return for the abolition of the hated Court of Wards that managed the business of wardship, was another side of controversy. This attitude represents another facet of the parliamentary resistance to the king's wishes.

More daringly, Parliament under the leadership of the lower house condemned the monarch's lavish expenditure on the royal household and expressed its antagonism towards James' stand during the fourth session (9 Feb-23 July 1610) when King James I asked the parliamentarians to pay his debts and grant him a sum of £100,000. In response to James's unsuccessful financial policy, on July 20, 1610, parliamentary leaders such as: Nicholas Fuller and Heneage Finch ingeminated the argument that a monarch could not tax 'the goods of the subjects but by Parliamentary and not by the King's absolute power (Foster, 1966a). In the same perspective, James Whitelock expounded that impositions were not an established royal prerogative and that none were levied before Queen Mary's time except by Parliament. This parliamentary member maintained that James was the inheritor of this right and Parliament should be content with the previously unknown right of debating the King's prerogative, but should only do so with proper order and good sense (Foster, 1966b). As explained by G.M Trevelyan, a British historian, the Commons realized that the power of the purse, the chief safeguard of their liberties would slip from them as trade increased, unless the right to lay Impositions was at once challenged (Trevelyan, 2002).

Indeed, this kind of challenge remained constant all along the sessions and even intensified at the wake of the king's justification of his underestimation of the parliamentary houses on divine motives. For example, in a speech of 1606, King James I determined the functions and limitations of the parliamentary body. According to him, the task of Parliament is limited to its legislative activity in regard to "general matters." He added that the House of Commons 'derived all matters of privilege from him'; it sat, not in its own right, but of his grace (Willson, 1931c). And since Parliament received all its power from the monarch, the two Houses were solely responsible to God (Willson, 1960). In the same perspective, he affirmed that royal prerogatives were out of parliament's jurisdiction and that the right to rule derived directly from God, not from the consent of people:

"Kings are justly called gods for that they exercise a manner ...of divine power upon earth. For if you will consider the attributes of 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. ...And the like powers have the king... accountable to none but God only" (James, 1918).

On the other hand, the members of the Commons who immediately sought to assert their privileges, believed that James I was misinformed about parliamentary privilege. And so, when he challenged their right to discuss the limits of his prerogative, they replied:

"We hold it an ancient, general, and undoubted right of Parliament to debate freely all matters which properly concern subjects and his right or state; which freedom of debate being once foreclosed the essence of the liberty of Parliament is withal dissolved" (House of Commons Journal, 1802d).

These heated speeches reveal that a struggle for supremacy was on the edge between the two sides as suggested by Cowell's definition of Parliament: And of these two one must be true, that either the King is above the Parliament, that is the positive laws of his Kingdom, or else that he is not an absolute King (Cowell, 1637).

In response to these views, Sir Edward Coke, an elected member, made it clear that the King was under the law of the realm, both judicial and legislative, and that this law could only be changed by Parliament (Coke, Thomas,

Fraser, Butterworth, & Sheppard, 2002) Such divergence in institutional matters revived Parliament's desire to exercise control over such questions. Moreover, it made the Commons ready to show opposition by being less and less cooperative. For example, Parliament refused to proceed with the king's project for a union between England and Scotland. The Commons, in particular, rejected categorically the monarch's proposal for a legislative union for it constituted a step towards the fusion of the laws and the governments of the two countries and it would have made the King independent of the Scottish nobles and the English Parliament alike (Kenyon, 1986c). This anti-Scottish prejudice which reveals parliament's resistance to the monarch's policy is also justified on economic grounds. The following declaration from the mouth of Nicholas Fuller, a parliamentarian well embodies the Commons' audacity:

“One man is owner of two pastures, with one hedge to divide them; the one pasture bare, the other fertile and good. A wise owner will not pull down the hedge...if he does, the cattle will rush in multitudes, and much against their will return” (House of Commons Journal, 1802e).

The objection to the incorporation of the two countries was also explained on legal and political grounds during the fifth session (16 Oct 1610- 6 Dec 1610). Fearing serious repercussions, Edwin Sandys, another parliamentarian unwelcomed such move stating that the king cannot preserve the fundamental laws by uniting, no more than a goldsmith two crowns. ...We shall alter all laws, customs, privileges, by uniting (Andrew & Ferris, 2010d). These statements did reveal the ability of parliamentarians to defy royal authority. Furthermore, being daring enough, the lower house criticized the Crown's conduct by virtue of parliamentary right in the petition of May 23, 1610.

“That the Parliament...was the...storehouse wherein these things were safely reposed and preserved, as well as the laws of the land as the rights...of the subjects to their lands and goods. And the special privilege of Parliament is to debate freely of all things...without any restraint or inhibition... [and] that in all ages the King's Prerogative...hath been examined and debated in Parliament, being the highest court of justice in the land” (Kenyon, 1986d).

Accordingly, the 1610 parliamentary sessions prove to be stunning. Not only did the MPs challenge the legality of impositions (Wilding & Laundry, 1972b) but they also disputed the prerogative of the King and freedom of debate (Foster.. 1966c). As a matter of fact, James I became so angry that he made use of his regal power to adjourn the session in December 1610, then dissolve the parliamentary institution on February 9th, 1611. This resistance persisted with the ensuing Parliament.

3. THE ADDLED PARLIAMENT OF 1614

The second Parliament of the reign (5 April - 7 June, 1614) which had been called by King James I with the intention of asking for money to restore his failing finances, refused to accede to the king's requests. In other words, contrary to the monarch's expectations, the Addled Parliament (1614) (Wilding & Laundry, 1972c) was rigorous. It was bent on securing redress of its grievances. The lower house was unwilling to conclude a bargain until it received a compensation in exchange. It affirmed that it would not grant money unless King James I disposed of his favourites (Birch, 1849) and ceased the practice of 'impositions', or money raised without the consent of Parliament. This claim had been clearly spelled out by an MP who informed King James I that until ...it shall please God to ease us of these impositions wherewith the whole kingdom doth groan, we cannot without wrong to our country give Your Majesty that relief which we desire (Frankland, 2012). In the same vein, Thomas Wentworth implied that unless James abandoned impositions he would be murdered like the French king, Henri IV (Andrew & Ferris, 2014). Besides, instead of voting supply, as King James I desired, the Lower House gave two readings to a bill to eradicate impositions, thereby threatening to aggravate the Crown's financial distress. As noted by Maja Jansson, an American historian, the 1614 Parliament emphasized procedure in all their manoeuvres as a protection of the privilege they claimed by custom and right due to the Lower House [...] self-consciously

confirming the institutional identity of parliament, irrespective of whether institutions were in real jeopardy (Jansson, 1988). In other words, a clever stratagem used by the Commons would enable them to secure a valuable deal. On June 7, realising that the parliamentarians had no intention to cooperate, King James I dissolved his second Parliament. Shortly thereafter, he made the following confidences to the Spanish ambassador revealing his strong aversion to the lower house:

“The House of Commons is a body without a head. The members give their opinions in a disorderly manner. At their meetings nothing is heard but cries, shouts and confusion. I am surprised that my ancestors should ever have permitted such institution to come into existence. I am a stranger, and found it here when I arrived, so that I am obliged to put up with what I cannot get rid of” (Kenyon, 1986e).

In fact, parliamentary resistance remained in the proceedings of the third Parliament during which grievances before support and supply were the catch words.

4. THE PARLIAMENT OF 1621

Much more than its predecessors, the third Parliament (Andrew & Ferris, 2010e) proved as unyielding as the last. Moreover, it is notable for its stringent attitude and consistent work mainly during the second session (20 November - 18 December, 1621). In the first session (30 January - 4 June, 1621), the parliamentarians criticised the king's laxness towards Catholics (Notestein & Relf, 1935a) and insisted on the necessity to promulgate laws against recusants. In this respect, Sir James Perrot, a member of the Commons suggested the exclusion of Catholics from London and the seizure of their properties (Notestein & Relf, 1935b). The parliamentarians had also manifested much determination to controvert royal dictates when the monarch intended to meet the financial requirements of the international situation (Andrew & Ferris, 2010f). Far from the king's expectations, they urged him to annul the marriage project between his son Charles, the Prince of Wales, and the Spanish Infanta and to reverse his foreign policy (Smith, 1999b). Their proposals were formulated in a petition that was submitted to King James I on December 3, 1621. In this petition, they asked the monarch for stricter enforcement of the laws against catholic recusants and warned him about the implications of a marriage with a Catholic - proposing a protestant match instead: 'that your Majesty would propose to yourself to manage this war with the best advantage, by a diversion or otherwise, as in your deep judgement shall be found fittest, and not to rest upon a war in these parts only, which will consume your treasure and discourage your people', and that 'our most noble prince may be timely and happily married to one of our own religion' (Notestein & Relf, 1935c).

According to Sir George More, a parliamentary member, the right policy was not a marriage alliance with Spain but war, since diplomacy had failed to restore Frederick to his lands (Notestein & Relf, 1935d). In this context, the funding would be provided for the relief of the Palatinate only, and unless the king yielded to the content of the document and "give life by your royal assent to such bills as before that time shall be prepared for your majesty's honour" (Kenyon, 1986e). Their resistance intensified for the following reasons: the monarch rejected their proposal and asked them not to meddle with anything concerning the government or deep matters of state. He also stated that he felt very free and able to punish any man's misdemeanours in Parliament, and during their sitting as after io' (Notestein & Relf, 1935c). In this respect, King James I delivered a speech (December 11, 1621) to clear up any possible confusion concerning the limits of the rights and privileges of the Commons explaining at length:

“And although we cannot allow of the style, calling it, Your ancient and undoubted Right and Inheritance; but could rather have wished, that ye had said, That your Priviledges were derived from the grace and permission of our Ancestors and Us; (for most of them grow from Precedents, whith shews rather a Toleration than Inheritance;) Yet we are pleased to give you our Royal assurance, that as long as you contain your selves within the limits of your duty, we

will be as careful to maintain and preserve your lawful Liberties and Priviledges, as ever any of our Predecessors were, nay, as to preserve our own Royal Prerogative. So as your House shall only have need to beware to trench upon the Prerogative of the Crown; which would enforce us, or any just King, to retrench them of their Priviledges, that would pare his Prerogative, and Flowers of the Crown: But of this, we hope, there shall never be cause given" (Rushworth, 1659-1701a).

This speech had been supplemented by another declaration in which he reproached the Commons for their disregard to their head and subsequently proclaimed his autonomy from Parliament: I give account only to God and to my people... and he that will have all done by Parliament is an enemy of monarchy and a traitor to the King of England (Larkin & Hughes, 1973). In fact, James's statements merely served to harden the attitudes of the malcontents in the lower house, many of whom clearly thought that the monarch was transcending the scope of his constitutionally prescribed prerogatives. Accordingly, James's declarations drove the Commons to defend their rights. In this regard, Thomas Wentworth took a far different view of the monarch's attempt to restrain debate contending that just as the body provides for the safety of the head so must Parliament which represented the body politic of the commonwealth, provide for the safety of the throne through debate and petition (Erickson, 1970). While discussing the royal marriage, he stressed the need to debate the issue since from Charles' wife would come the future head of England. He went further when he based his argument to petition the royal authority on James's own words regarding the Divine character of kingship, and by enquiring why it was not right to petition "God's Lieutenants" on earth on the ground that Christ instructed His followers to petition the Father by prayers whenever they were in need. In other words, if man could petition God, they should be allowed to beseech those "Little Gods" that sat on the throne of England (Winwood, 1972a). Like wentworth, Mr. Noy and other MPs propounded the same argument in order to reinforce the Lower House's claim of having a right as well as rights (Notestein & Relf, 1935f).

The illustration of their attempts to defend their cause and emphasise their rights is summarised by John Pym, a prominent member of the House of Commons on April 20, during a speech on Sir John Bennet's (Andrew & Ferris, 2010g) offences through which the status of parliament is determined in substantial measure by the functions and purposes of the parliamentary houses:

"This great Parliament is the great watch of the kingdom to find out all faults. For some causes now in two Houses; and, as there is an examination and inquisition and judgment and execution, the first left to us, the latter to them, though not altogether excluding us ... we should reserve this power of inquisition in this business wholly to ourselves. ... So, we may labour then to find the utmost of his faults, first, and to that end every Member of the House to speak his knowledge and then send for all that can speak in it; and so leave nothing but judicature to the Lords." (Andrew & Ferris, 2010h).

This outlook goes a long way towards explaining Parliament's determination to challenge the royal authority through reviving the impeachment (Wilding & Laundy, 1972d) procedure against the monarch's favourites (Kenyon, 1986f). In the same perspective, prominent critics to James I: John Pym and Edward Coke referred to Magna Carta (Breay & Harrison, 2014) to emphasise their precedence in debate and action (Winwood, 1972b). Again, the MPs translated their intention not to comply with the royal exigencies by writing a memorandum called 'the Great Protestation' (18 December 1621). In it, they listed the privileges of the House and reaffirmed their right to deal with the affairs of the realm. They also reasserted their full entitlement to freedom of speech in the face of King James's firm conviction that they had no right to debate foreign policy:

"The liberties, franchises, privileges and jurisdictions of Parliament are the ancient and undoubted birth right and inheritance of the subjects of England; and that the arduous and urgent affairs concerning the King, State and defence of the realm and of the Church of England,

are proper subjects and matter of counsel and debate in Parliament; and that in the handling and proceeding of those businesses every member of the House of Parliament hath, and of right ought to have, freedom of speech to propound, treat, reason and bring to conclusion the same: that the commons in parliament have like liberty and freedom to treat of those matters, in such order as in their judgments shall seem fittest: and that every such member of the said house hath like freedom from all impeachment, imprisonment, and molestation (other than, by the censure of the house itself), for or concerning any bill, speaking, reasoning, or declaring of any matter or matters, touching the parliament or parliament business; and that, if any of the said members be complained of, and questioned for anything said or done in parliament, the same is to be showed to the king, by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information" (Rushworth, 1659-1701b).

At this stage, any attempt to break the deadlock seems impossible mainly at the wake of the king's reaction. James I was so infuriated that he tore up the protestation from the Commons journal (Notestein & Relf, 1935g) proceeded to a series of punishments (Conrad, 1990) and finally dissolved Parliament on January 8, 1622. In fact, the resistance to compromise characterized by politicians' standing on principles anchored in their parliamentary practice did not fade. The actions and attitude of the succeeding parliament did ascertain this conjecture.

5. THE PARLIAMENT OF 1624

Convened to meet the financial needs of the war against Spain, the last Parliament (Wilding & Laundry, 1972e) of James's reign was a unique and unusual assembly: it was industriously run. Although it sat for only one session running from 12 February 1624 to 29 May 1624, it was parliamentary speaking powerful, and legislatively effective. It successfully resisted the monarch's demands of funds. It also insisted that parliamentary grant could not in any way possible without obtaining countervailing benefits in return. It also disagreed with King James I on the way to run the war. In order to proceed further, it seized the occasion to discuss the issue and impose its views. For instance, it urged for a navy war action. In fact, in legislative terms, the upshot of this crisis was the issue of seventy-three acts. However, the most striking pieces of legislation were the subsidy Act of 1624 (Kenyon, 1986g) and the Act of monopolies (Kenyon, 1986h).

The former imposed rigorous restrictions on the manner whereby the sum of £300,000 (Fraser, 1975a) could be used and put. It stipulated that the King could merely spend the sum in question for defensive purposes (Fraser, 1975b) specifying that the money raised by taxation would be spent under the supervision of treasurers chosen by Parliament. By establishing the appropriation of supplies, this Act restrained the monarch from using the funds for his own interest. Moreover, the payment transactions could only be made through instructions from the Council of War whose members would also be appointed by Parliament, and both groups as declared by James himself would be 'answerable and accountable for their doings or proceedings here in to the Commons in Parliament' (Winwood, 1972c). This restriction was itself a step towards a forceful participation in policy-making.

Through prescribing how money was to be spent, the parliamentarians could participate in the formulation of foreign policy. Besides, If the value of this Act lies in the fact that the Commons were wary to limit the king's jurisdiction in matters such as finance and foreign affairs, the one of the second act lies in the fact that the crown's right to make monopoly grants pursuant to the monarchical extensive powers was curtailed. Another noteworthy action which weakened royal authority was the use of the impeachment process whereby the king's privy councillor and treasurer Lionel Cranfield lord treasurer of England was found guilty of corruption, fined and sent to the Tower (Tanner, 1930b). It seems clear that by 1624, Parliament managed to extend its power over prerogative matters that many of its members had stated were reserved for the King in 1610 (Foster, 1966d). These acts were not the only significant pieces of legislation. Another measure (the act against concealments) was passed to prevent the hunting for 'concealed' lands (meaning lands in private ownership that rightfully belonged to the

king) (Andrew & Ferris, 2010i). This implies that the crown's right to confiscate 'concealed' lands was curbed. Indeed, by adopting an intransigent stance, the parliamentary assembly succeeded in obliging the monarch to make some concessions. The following declaration which expresses James's intention to seek advice from Parliament illustrates his undoing position:

"I promise that I would not enter into any peace negotiations to without first acquainting you with it and hearing your advice, and therein go the proper way of Parliament in conferring and consulting with you in such great and weighty affairs" (Cobbett, 2018b).

Parliament's uncompromising attitude is also manifested in matters related to legislation. Due to its conflictual relationship with the King, Parliament became to some extent unwilling to pass laws dictated by the Crown. Therefore, only a modest legislation was enacted to regulate trade and manufacture. It was only during the last parliament that legislation came into force. Definitely, the parliamentary body under the guidance of the lower house showed continuing signs of strength. The parliamentarians had revived the ancient right of ruining ministers by impeachment before the Lords. Not only were they launching an attack on the reigning monarch; but they were also, winning the initiative in the words of Wallace Notestein, an American historian (Notestein & Relf, 1935h). Conscious of their bargaining power, immanent in their privilege of taxation, the Commons were willing to question the royal authority without any reservation and criticised volubly the monarch's attitude. More importantly, they mounted stiff resistance against royal will.

In fact, it is through the three years' struggle ensuing between Parliament and King James I on the Palatinate and marriage questions that 'the know how' and to some extent the power of Parliament in foreign affairs were manifested. This involved the freedom of debate over issues that were initially under the control of the monarch. Thus, Parliament's persistence to have a say in foreign affairs reveals its determination first to antagonise the monarch, and second to participate in shaping foreign policy. Indeed by 1624, Parliament could extend its power over prerogative matters that many of its members had stated were reserved for the King in 1610 (Foster, 1966d). In this connection, thanks to its awareness of its importance in the power equation, the parliamentary body under the leadership of the house of commons managed to obtain such privileges. In this context, the British historian Roger Lockyer goes on to suggest that:

"In James's reign Parliament was quite clearly arrogating more power to itself- over taxation, over commercial policy, over foreign policy- and asserting its own 'liberties', its independent status in the constitution" (Lockyer, 1998).

This goes hand in hand with James I's last words to his son in his death bed when he advised his son in Basilikon Doron to call as few Parliaments as possible and then allow them to make only a few laws. At this specific point he said: "You will live to have your bellyful of Parliaments" (Tanner, 1960). These audacious actions prove that the power and determination of the parliamentary members were greater than those of the privy councillors who sat side by side with the Commons to control the proceedings in favour of royal interests. Yet, despite the fact that King James I made further concessions, the parliamentarians carried on their antagonistic attitude. To face the Crown and to present a common front of opposition, the Commons fought for the exclusion of Privy Councillors under the pretext that their presence was illegal since they were not elected but only nominated by the king. At the end of this first quarter of the seventeenth century, in front of the following configuration: the king yielded more and more of his power in the face of a parliament which had shown resistance and pertinacity on a scale hitherto unknown in England. This trend foreshadows the future development of relations between the two parties.

6. CONCLUSION

In examining parliamentary attitude under King James I, this article espouses the thesis of the reality of a conflict between MPs and the crown. Contrary to those who plead the thesis of the weakness and inability of parliament to show a firm determination towards the crown, this paper shows the will and the strength of this

institution to bring about changes in the balance of power in the sphere of English politics. Indeed, parliamentary resistance to royal dictates helps to explain Parliament's success in elevating its status. Whatever the nature of the conflict, this study does illustrate a great willingness to change on the part of the parliamentary institution under the leadership of the house of commons. This aspiration is combined with financial control over the monarchy. As this power increases, the demands of parliament for a greater role in state affairs become more and more pressing to the point of interfering to the hitherto 'reserved' king's domain. In addition to demanding the right to unlimited debate in matters of war, to have a scrutiny right over royal marriage and foreign affairs, the MPs attempt to impel the King to reform the Anglican Church on the Puritan model. Moreover, by reactivating the impeachment procedure, the parliamentarians dismiss those officials who support the royal will against the wishes of the House of Commons. In doing so, parliament is upsetting traditional political standards by bringing innovation and the will to change.

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- of Jeopardizing the Proposed Spanish Match, James could not stand idly by while the Palatinate was Overrun, but by the same token he could Hardly Persuade the Catholic powers of Europe that he Possessed the means to intervene on Frederick's behalf Unless he had the Promise of Financial Support from Parliament. Retrieved from: <https://www.historyofparliamentonline.org/volume/1604-1629/survey/parliament-1621>. [Accessed 14/01/2020.].
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