

HISTORY (PRINCIPAL)

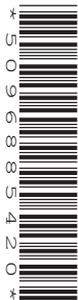
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Paper 5e Special Subject: The Reign of Charles I, 1625–1649

May/June 2017

2 hours

Additional Materials: Answer Booklet/Paper



READ THESE INSTRUCTIONS FIRST

If you have been given an Answer Booklet, follow the instructions on the front cover of the Booklet.

Write your Centre number, candidate number and name on all the work you hand in.

Write in dark blue or black pen.

Do not use staples, paper clips, glue or correction fluid.

DO NOT WRITE IN ANY BARCODES.

Answer Question 1 in Section A.

Answer **one** question from Section B.

You are reminded of the need for analysis and critical evaluation in your answers to questions. You should also show, where appropriate, an awareness of links and comparisons between different countries and different periods.

At the end of the examination, fasten all your work securely together.

The number of marks is given in brackets [] at the end of each question or part question.

The syllabus is approved for use in England, Wales and Northern Ireland as a Cambridge International Level 3 Pre-U Certificate.

This document consists of **3** printed pages and **1** blank page.

Section A

Answer the following question.

Nominated topic: The years of Personal Rule (1629–1640): the Bishops' Wars and the recall of Parliament in 1640

- 1 Study the following documents and answer all the questions which follow. In evaluating and commenting upon the documents, it is essential to set them alongside, and to make use of, your own contextual knowledge.

- A** *In February 1637 Charles I obtained a decision from the judges upholding the legality of ship-money. Here a Justice of the Peace records the reactions of people in Kent to the announcement of this judgement by one of the judges.*

Some held that more could not be expected from a king than that in a weighty matter he should proceed on the advice of his judges. They felt that the declaration the judges had made was fully to the point and showed the King had full right to impose ship-money. They concluded that if the kingdom were in jeopardy, it ought not to be lost for want of money, if there was money to be had, and said we should accept what the King had said about his need for money. Others argued very differently, that in a judgement that not only may, but does, affect every man in so high a point, every man ought to be heard which could only be in parliament. This was the greatest cause, according to the general opinion, that was ever heard in the law courts, rather than in parliament. And the common people are much concerned at any loss of liberty which is linked to the parting with money.

Sir Roger Twysden, Memorandum, 1637.

- B** *One of the judges delivers his verdict in the case of John Hampden, who challenged the legality of ship-money.*

Mr Hampden's lawyer has argued that it is a fundamental principle that if the King wishes to exact money from his subjects at his pleasure, he should be restrained, since he cannot take anything from his subjects without the common consent of Parliament. The lawyer is utterly mistaken in this. I agree Parliament is a most ancient and supreme court where the King and Peers are present and the whole body of the Commons is represented. But I utterly deny the argument put forward. The law knows no such policy restricting the King. The law is of itself an old and trusty servant of the King's. It is the instrument by which he governs his people. The King by his right ought to have supply and the people are duty-bound to yield supply for the defence of the kingdom to the King.

Sir Robert Berkeley, Judgement in the case of John Hampden, 1637–1638.

- C** *Another of the judges delivers a different verdict.*

I shall deliver my reasons to show that judgement ought not to be given against Mr Hampden. The writ directed to the sheriff of Buckinghamshire to provide a ship paid for by the inhabitants of the county is against the common law, for it does not have assent from Parliament. No prerogative or royal power and no pretence of necessity or danger can make it good. We are not here to judge according to convenience or state policy, but according to the common law and custom of England. This gives subjects possession of their goods and estates, so that, without their consent, given personally or on their behalf in Parliament, these cannot be taken from them. In this case a charge is demanded from the free subject without his consent and so is not warranted by the law.

Sir George Croke, Judgement in the case of John Hampden, 1637–1638.

D *The wife of a Parliamentarian writes about events in the 1630s.*

The King persisted in his designs of enslaving the kingdom and found ministers ready to serve his self-willed ambition, such as Noy, his attorney-general, who set on foot that hateful tax, ship-money, and many more illegal exactions. Ten of the judges in Hampden's case perverted justice by declaring the imposition legal. But there were, even at that time, two honest judges, who dared to judge rightly against the King, even though he had changed the terms of their commission, so that they held office at the King's pleasure, rather than during their good behaviour. Other flatterers tried hard to turn the King against his honest, godly subjects and to get power from him to punish those who would not submit to their insolent rule.

Lucy Hutchinson, *Memoirs of Colonel Hutchinson*, written in the 1660s.

E *Parliament declares that the judgement given in the case of John Hampden was invalid.*

It is enacted by the King and the Lords and Commons in this present Parliament, that the charge imposed upon the subject for the providing and furnishing of ships, commonly called ship-money, and every one of the writs and the opinion of the majority of the judges and the judgement given against John Hampden, were and are contrary to the laws and statutes of this realm. They are contrary to the right of property, the liberty of the subject, former resolutions in Parliament and the Petition of Right of 1628.

Act declaring the illegality of ship-money, August 1641.

- (a) How far are the views expressed in Document B about the King's rights to tax his subjects supported by Document A? [10]
- (b) How convincing is the evidence provided by this set of documents for the view that the main issue over ship-money was the role and rights of Parliament? In making your evaluation, you should refer to contextual knowledge as well as to all the documents in this set (A–E). [20]

Section B

Answer **one** of the following questions. Where appropriate, your essay should make use of any relevant documents you have studied as well as contextual knowledge.

- 2 How significant was the role of John Pym in the period 1640–1642? [30]
- 3 Assess the significance of the army revolt in 1647. [30]
- 4 What best explains the proliferation of radical ideas in this period? [30]

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