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CHARLES I, CLEMENT COKE, AND SEDITION*

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ABSTRACT. *Clement Coke was a minor figure of the early Stuart period, especially in comparison to his brilliant and prominent father, Sir Edward Coke. People seem to have taken note of 'Fighting Clem' only when he engaged in a duel or punched another member of parliament. In the parliament of 1626, however, he briefly gained notoriety when he faced an unusually formidable adversary, Charles I, who accused him of making a seditious speech. A close analysis of this episode reveals much about the broad concept of sedition and the unstable atmosphere in the House of Commons. Coke's case also had repercussions later in this parliament and perhaps even in the next parliament where his father championed the Petition of Right. Yet the most interesting aspect of Coke's case is what it reveals about the mindset of the king. In contrast to the stereotypical view of Charles as prickly and paranoid, he appears here to have been both perceptive and prescient. Thus, this article, like work by the late Mark Kishlansky, concludes that we should take Charles I's view of the political landscape more seriously.*

I

Clement Coke was not an important person. He did not merit an entry in the *Oxford dictionary of national biography*. He was not even mentioned by name in the entry for his illustrious father, Sir Edward Coke, the legal scholar, jurist, and prominent parliamentarian in the early Stuart period. Clement was Sir Edward's youngest son. From the very little we know about Clement, he appears to have lived in the shadow of his famous father. He may have wished to follow in his father's footsteps but lacked the talent to do so. Although he studied the law, he never practised it. He died in 1630 without having accomplished anything of note, and one can sense the disappointment of his father in the inscription placed on Clement's tomb: 'Being a Fellow of the

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Inner Temple.'[1] Yet even Clement had a brief brush with fame in 1626 when his speech in the House of Commons attracted the attention and ire of Charles I. The best account of this episode amounts to little more than one page.[2] A more thorough analysis reveals much about the dangerously broad concept of sedition at this time, the unstable emotional state of the Commons, and the viewpoint of King Charles, which turns out to have been more perceptive and valid than most previous historians have appreciated.

Coke stepped into the limelight at an exceptionally volatile moment. Charles had become embroiled in the Thirty Years War under the impression that he had gained the support of parliament for this action back in 1624, the last year of his father's reign.[3] Much of that support, however, was based on the dream of a renewed naval war against Spain, harking back to the heroic era of Sir Francis Drake. By contrast, under King James's influence, the subsidy money from 1624 had been spent on an ignominious land expedition led by the mercenary soldier Count Mansfeld. It was intended to intervene directly in the battle for the Palatinate, but it landed on the continent in the dead of winter and quickly disappeared due to weather, disease, and desertion. Meanwhile, in an abortive effort to enlist France as an ally, Charles had entered into a highly unpopular marriage with Louis XIII's sister, Henrietta Maria. As part of the marriage arrangement, Charles had secretly agreed to relax enforcement of the penal laws against Catholics, a concession that was strongly suspected and opposed by the English who were virulently anti-Catholic. Reacting against these developments, Charles's first parliament in 1625 had already demonstrated that it was quickly backing away from any ownership in the ineffectual war effort and its accompanying pro-French diplomacy. The Commons denied having made any 'engagement' for the war and gave Charles a mere fraction of the supply he urgently needed to prosecute it with any hope of success. After the parliament of 1625, the war effort went from bad to worse. Charles did at last dispatch a fleet against Spain, but it limped home after a fruitless and humiliating assault on the Spanish seaport of Cadiz. Meanwhile, the projected alliance with France was unravelling. English ships loaned to the French as an inducement to that alliance were being used by Louis XIII to suppress a Huguenot rebellion, a shocking turn of events that made Charles appear to be siding with a Catholic monarch against his

[1] Until recently the only scholar who took much interest in Clement was Catherine Drinker Bowen. See her *The lion and the throne: the life and times of Sir Edward Coke* (Boston, MA, 1956), pp. 346, 401, 402, 443–4, 474, 527–9, 534.

[2] This account occurs under the entry for Clement Coke in Andrew Thrush and John P. Ferris, eds., *The House of Commons, 1604–1629* (6 vols., Cambridge, 2010), III, pp. 556–60.

[3] Conrad Russell suggested these were more 'Buckingham's and Charles's wars, and not Parliament's wars', in *Parliaments and English politics, 1621–1629* (Oxford, 1979), pp. 78–9. By contrast, Thomas Cogswell found more support for war in parliament: *The blessed revolution: English politics and the coming of war, 1621–1624* (Cambridge, 1989), especially pp. 222–5, 309–22. Historians have generally adopted Cogswell's view. For a contrary interpretation, see Michael B. Young, *Charles I* (Basingstoke, 1997), pp. 22–7.

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Protestant subjects. Meanwhile, the English seized French ships, one in particular named the *St Peter*, on the charge of carrying contraband to Spain, whereupon the French retaliated by imposing a crippling embargo on the wine trade and seizing English goods in France. The disruption of trade with both Spain and France was causing economic hardship with no apparent benefit. Since the duke of Buckingham was the architect of this foreign policy and the leader of the floundering war effort in his capacity as lord admiral, he bore the brunt of criticism. He was also blamed for failure to stop the depredations of pirates on the English coasts and in the Narrow Seas. On a more personal level, Buckingham was resented because of his inordinate power and accumulation of lucrative offices. An explosive mixture of disappointment, alienation, suspicion, and anger had been percolating since 1625 and boiled over in 1626.

The parliament of 1626 was the last good chance for Charles and the political nation to reach a working accord. Instead, the Commons attacked Buckingham by way of impeachment, and Charles learned unequivocally that he was on his own with respect to the war, thereby driving him toward the Forced Loan and the momentous events that followed in its wake. The situation may not have been hopeless after 1626, but it was infinitely more difficult. Given the importance of this parliament, it might be assumed that we already know all there is to know about it, but that is emphatically not the case. Two historiographic trends have prevented a definitive account of parliamentary history in this period. First, the classic whig account by S. R. Gardiner and his successors was undermined decades ago by revisionists, most prominently Conrad Russell. Yet Russell's own account was so eccentric and biased in the opposite direction that it has not endured as a reliable alternative. As Kevin Sharpe observed, Russell, although 'rightly critical of the fuzzy lines of the big Whig picture, was nevertheless wrong to claim that he had placed seventeenth-century parliaments in perspective'. Sharpe called for historians to 'put the pieces together again', but no new comprehensive or master narrative of early Stuart parliaments has appeared.[4] Instead, parliamentary history and more particularly constitutional history fell out of fashion.[5] Historians shifted their attention to the ways in which political issues were represented more broadly in cultural practices and artefacts, especially literature and the visual arts, as well as the ways in which political news was disseminated in the nation at large. This trend away from a narrow

[4] Kevin Sharpe, 'Re-writing the history of parliament in seventeenth-century England', in Kevin Sharpe, *Remapping early modern England: the culture of seventeenth-century politics* (Cambridge, 2000), p. 275. David L. Smith's *The Stuart parliaments, 1603–1689* (London, 1999) is an excellent survey, but it covers the entire seventeenth century, making it necessarily brief on the 1620s. It devotes only one page to the parliament of 1626 (p. 115).

[5] Looking back on this development near the end of his career, Sharpe wrote, 'historians – especially younger scholars – have taken "a cultural turn" and, as some scholars lament, traditional political narrative has become an unfashionable form'. Kevin Sharpe, *Reading authority and representing rule in early modern England* (London, 2013), p. 5.

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focus on parliament to the broader political culture immeasurably enhanced our understanding of the public sphere, but it diverted attention away from the 'high politics' of parliament.[6] Secondly, revisionists found numerous extenuating circumstances to excuse King Charles, including structural defects, functional breakdown, factional strife, and multiple kingdoms. However, with the notable exception of Sharpe, they did not fundamentally change the overall estimation of the king's character. The best example of this failure is Russell who, when he turned his attention to the era of the Civil War, heaped blame on Charles and found him 'unfit to be a king'.[7]

Happily, both these historiographic trends have shown recent signs of reversal. Parliament is receiving new and illuminating attention. For example, Chris R. Kyle acknowledges that the '1620s were all about news', but he adds the important qualification that we cannot focus so exclusively on the periphery that we forget it was parliament that 'moved more and more toward the center stage'. Parliament was 'the center of the post-Reformation public sphere'.[8] Markku Peltonen has restored 'adversarial politics' to the parliaments of the 1620s.[9] Even constitutional history has made an impressive reappearance in Alan Cromartie's *The constitutionalist revolution*.[10] Meanwhile, on another front, Mark Kishlansky, in a series of brilliant essays, advocated a more

[6] Sharpe epitomizes this movement. He began by writing about parliament, subsequently produced a massive study of Charles during the eleven years when the king ruled without parliaments, and wrote numerous important works on the way power was represented in literature and the visual arts. See *Faction and parliament* (Oxford, 1978); *The personal rule of Charles I* (New Haven, CT, 1992); *Criticism and compliment: the politics of literature in the England of Charles I* (Cambridge, 1987); and *Image wars: promoting kings and commonwealths in England, 1603–1660* (New Haven, CT 2010). Sharpe also edited, along with Peter Lake, *Culture and politics in early Stuart England* (Stanford, CA, 1993). Richard Cust wrote a groundbreaking essay in this field that deserves mention: 'News and politics in early seventeenth-century England', *Past and Present*, 112 (1986), pp. 69–90. See also Peter Lake and Steven Pincus, eds., *The politics of the public sphere in early modern England* (Manchester, 2007). See also Alastair Bellany, 'Libels in action: ritual, subversion and the English literary underground', in Tim Harris, ed., *The politics of the excluded, c. 1500–1850* (Basingstoke, 2001), pp. 99–124, and several of Bellany's articles cited below in relation to libels and sedition. Another prodigious contributor to this field is Thomas Cogswell. See his 'The politics of propaganda: Charles I and the people in the 1620s', *Journal of British Studies*, 29 (1990), pp. 187–215; 'Underground verse and the transformation of early Stuart political culture', *Huntington Library Quarterly*, 60 (1997), pp. 303–26; '"The symptomes and vapors of a diseased time": the earl of Clare and early Stuart manuscript culture', *Review of English Studies*, n.s., 57 (2006), pp. 310–36; 'John Felton, popular political culture, and the assassination of the duke of Buckingham', *Historical Journal*, 49 (2006), pp. 357–85.

[7] Conrad Russell, *The causes of the English Civil War* (Oxford, 1990), p. 207.

[8] Chris R. Kyle, *Theater of state: parliament and political culture in early Stuart England* (Stanford, CA, 2012), pp. 84–5, 182.

[9] Markku Peltonen, *Rhetoric, politics and popularity in pre-revolutionary England* (Cambridge, 2013). See especially chs. 9 and 10.

[10] Alan Cromartie, *The constitutionalist revolution: an essay on the history of England, 1450–1642* (Cambridge, 2006).

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sympathetic and appreciative view of King Charles.[11] Although Kishlansky's efforts were firmly resisted before his untimely death, it seems likely that in the long run his legacy will have been to make historians less deeply prejudiced against Charles. These two recent developments – renewed interest in parliament and a less hostile view of Charles – make this an opportune time to examine the case of Clement Coke for what it reveals about both parliament and the king. Kishlansky recognized the convergence of these topics in 1626. He wrote: 'No assembly of his subjects had a greater impact on Charles's attitude towards parliaments than that of 1626.' It was 'the hinge on which an open door swung shut'.[12] In his brief treatment of this pivotal event, Kishlansky incorporated only three quotations from the House of Commons; one of those three consisted of the controversial words attributed to Clement Coke. It is time, then, to see what all the fuss was about.

II

There is no mystery about why Charles summoned the parliament of 1626: he urgently needed money to finance the war. The cost of keeping the war afloat exceeded £1,000,000.[13] But the Commons were loath to vote on the critical issue of supply. They preferred to dwell on grievances such as the way previous subsidies had been spent, the seizure of the *St Peter*, and the growth of popery. After a month of this foot-dragging, Charles decided to intervene. On 10 March, Sir Richard Weston, the chancellor of the exchequer, delivered a message from the king. He implored the Commons to cease its 'slow and cold proceedings' and to provide the necessary supply for the war without further delay.[14]

It was at this juncture that Clement Coke spoke his fateful words. One parliamentary diarist, Bulstrode Whitelocke, summarized those words as follows:

> The inbred occasions of the subject [are] as pressing as the foreign occasions. That both should be redressed; it is better to suffer by a foreign hand than at home.
>
> That a select committee may be [appointed to] draw a petition to the King to give us leave to go hand in hand with our occasions at home and those abroad.[15]

Coke's motion to petition the king died, presumably because there was no reason for the Commons to ask the king for permission to do what they could simply do of their own accord. Although this stillborn motion would

[11] Mark Kishlansky, 'Tyranny denied: Charles I, Attorney General Heath, and the Five Knights' Case', *Historical Journal*, 42 (1999), pp. 53–83; 'Charles I: a case of mistaken identity', *Past and Present*, 189 (2005), pp. 41–80; 'Reply', in 'Debate: Charles I: a case of mistaken identity', *Past and Present*, 205 (2009), pp. 212–37; 'Mission impossible: Charles I, Oliver Cromwell and the regicide', *English Historical Review*, 125 (2010), pp. 844–74.

[12] Mark Kishlansky, *Charles I: an abbreviated life* (London, 2014), pp. 26–9.

[13] William B. Bidwell and Maija Jansson, eds., *Proceedings in parliament, 1626* (4 vols., New Haven, CT, 1992–6), II, p. 350.

[14] Ibid., II, pp. 248–9.

[15] Ibid., II, p. 250.

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not have pleased the king, it was the earlier part of Coke's speech that attracted his attention. What caused a furor was Coke's assertion that suffering at the hands of a foreign enemy was preferable to suffering at home. How do we know that Coke actually made this assertion? John Morrill has cautioned historians not to mistake the hasty scribbling of parliamentary diarists for the actual words that were spoken. Morrill urges us to collate all existing accounts.[16] That approach is impossible in this case because Whitelocke's version is the only one we have from that day. However, as we shall soon see, the king's reaction and debate in the Commons on subsequent days leave little doubt that Coke had generally asserted that it was better to suffer at the hands of a foreign enemy than it was to suffer at home.

It is curious that Coke's speech became a *cause célèbre* because what he said was not fundamentally different from what other speakers in the Commons said. For example, Whitelocke tells us that earlier on the same day, Christopher Wandesford declared, 'To look abroad till we be right at home will be to little purpose.' And later in the day, William Coryton declared, 'If we do not take care of things at home, we shall do little good abroad.'[17] Why, then, would Coke's words be singled out as particularly offensive? Perhaps by alleging that the English were suffering at home, Coke personalized the issue, insinuating that Buckingham or Charles was responsible for inflicting that suffering. It is more likely, however, that Coke's words proved provocative simply because of who he was. Clement's father had become so forceful a critic of the crown that he was intentionally excluded from this parliament by appointing him sheriff. It might have been suspected that the son was now acting as a surrogate for his father. Charles and the privy councillors in the Commons may simply have been prejudiced against Clement and more inclined to take offence at anything he said because of their dislike for his father. Making an issue of Clement's speech may also have been an indirect way of issuing a warning to Sir Edward. Of course, much depended upon how exactly Coke's words were reported to the king, but we do not know who conveyed the message or in what manner. One of the most probable reporters, Weston, expressly denied responsibility, asserting that 'he knew not where the King had these words'.[18]

It would be easy to assume that Coke's words provoked a reaction because he spoke with greater emotion or vehemence than others who said essentially the

[16] John Morrill, 'Paying one's D'Ewes', *Parliamentary History*, 14 (1995), pp. 179–86. For Maija Jansson's reply and Morrill's rebuttal, see 'Dues paid' and 'Getting over D'Ewes', *Parliamentary History*, 15 (1996), pp. 215–30. For another opinion about the reliability of D'Ewes, see J. Sears McGee, 'Sir Simonds D'Ewes: a "respectable conservative" or a "fiery spirit"?', in Charles W. A. Prior and Glenn Burgess, eds., *England's wars of religion, revisited* (Farnham, 2011), p. 150 n. 9. For a survey of the circumstances under which these diaries were composed and their authors, see Kyle, *Theater of state*, pp. 65–79.

[17] Bidwell and Jansson, eds., *Proceedings, 1626*, II, p. 250.

[18] Ibid., II, pp. 290, 292. On this point, the diaries of Whitelocke and Nathaniel Rich support one another.

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same thing. It is true that Coke was a combative man. Catherine Drinker Bowen noted that he was known as 'Fighting Clem'.[19] He had a history of what we today would call 'anger management' issues. Back in 1616, he had fought a duel. In 1621, he actually struck a fellow member of parliament. On that occasion, parliament itself had imprisoned him in the Tower and only released him after a tearful speech by his father.[20] In the 1626 parliament, Coke had demonstrated his belligerence from the outset: when Sir John Eliot condemned the mismanagement of the war, Coke was practically alone in eagerly supporting Eliot's call for an investigation.[21] Nevertheless, there is no evidence that Coke's speech on 10 March was especially impassioned or hostile. No one objected to it on the day of its delivery. In later debate, one person allegedly described it as 'rather rash', and another characterized it as 'somewhat harsh'.[22] Otherwise, however, there is simply no way of knowing the manner in which Coke spoke. It is sheer hyperbole for one recent author to describe Coke's speech as an 'outburst', and it is an even grosser exaggeration to claim that Coke's words 'implied that the government was tyrannical'.[23]

The first reaction to Coke's speech occurred the very next day, and it came from an unlikely source – a fellow member of the Commons, Sir Walter Earle. Since Earle was on his way to becoming a fairly prominent critic of the crown in this parliament and one of the defendants in the Five Knights' Case for refusing to pay the Forced Loan, his motive in this instance is puzzling.[24] Later, he claimed that he was trying to do Coke a favour, giving him a chance to apologize. But that purpose is not at all clear from the cryptic record of the exchange that survives. According to that record, Earle observed that a certain gentleman, whom he did not name, had good intentions but spoke words that could be misconstrued. Coke knew he was the gentleman in question. He attempted to defend himself, but others judged that it would be better to ignore Earle's challenge. The Commons told Coke, in effect, to sit down and shut up. Sir Nathaniel Rich recorded in his diary: 'Mr. Coke would have spoken but cried down; not to hear [further].' Whitelocke recorded: 'The House would hear no further of this business', but rather 'fit it should die'.[25] That should have been the end of the

[19] Bowen, *Lion and the throne*, pp. 443–5.

[20] Thrush and Ferris, eds., *House of Commons*, III, pp. 557–8.

[21] Bidwell and Jansson, eds., *Proceedings, 1626*, II, p. 18. When Coke spoke a few days later about the controversial exclusion of his father and others from this parliament, Whitelocke recorded that 'his passion transported him', but it appears here that Clement was actually exercising restraint, acknowledging that if he were to speak his full mind, he would be overcome with emotion. Ibid., II, 34. That is the interpretation of Whitelocke's diary in Thrush and Ferris, eds., *House of Commons*, III, p. 558.

[22] Bidwell and Jansson, eds., *Proceedings, 1626*, II, pp. 290, 293.

[23] Thrush and Ferris, eds., *House of Commons*, IV, p. 153. This language comes from the entry for Sir Walter Earle, not the one for Clement.

[24] Earle's 'ambiguous role' is discussed in ibid. See also Richard Cust, 'Erle [Earle], Sir Walter (1586–1665)', *Oxford dictionary of national biography* (*ODNB*).

[25] Bidwell and Jansson, eds., *Proceedings, 1626*, II, pp. 255, 258, 262, 289, 292.

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affair, especially since Sir John Savile explained that, according to the ancient rules of the House, exception could only be taken to a member's words at the time they were spoken; and that opportunity had passed. Besides, later on 11 March Dr Samuel Turner launched the direct attack on Buckingham with a list of charges that would evolve into articles of impeachment.[26] One might have expected Coke's short speech to be quickly forgotten after Turner's much more high-profile, inflammatory performance, but that is not the way things turned out.

On 14 March, Weston delivered a stunning message from the king to the Commons. As Weston reported it, Charles viewed the situation as follows. Charles had 'taken notice of a seditious speech uttered in the House by Mr. Coke, to this effect: That it was better to die by an enemy than to suffer at home.' Nevertheless, Charles had refrained from proceeding against Coke because he thought the House itself would act first to 'correct such an insolency'. But no one had punished Coke, and 'now his Majesty finds that his patience has brought forth an ill effect, by giving boldness to another [Dr. Turner] to do the like in a strange, unusual manner'. Weston concluded that the king now 'requires justice at the House against these 2 delinquents'. If the House refused to act, then it would 'constrain him to use regal authority to right himself against these 2 persons'.[27]

Thus, Turner's speech, instead of drawing attention away from Coke's speech, actually cast it in an even worse light. Coke was now viewed as an instigator who had emboldened Turner to attack Buckingham. Coke got caught up in the royal backlash against Turner because the king saw a connection between the two men's speeches. They were now considered co-conspirators, the '2 delinquents' or '2 persons' who needed to be punished. We have no way of knowing whether Charles made this connection on his own or whether he was steered in this direction by whoever it was who informed him about the two men's speeches. In either case, Coke was suddenly in deep trouble. The question now was how would the Commons react to the king's demand for justice. Coke himself quickly retreated, disavowing any seditious thoughts. In the words of the 'Commons Journal', Coke claimed he was free from 'any intention to speak anything tending to sedition'. Similarly, according to Rich's diary, Coke called this the 'greatest affliction that ever befell him to be thought seditious'.[28] The House put off debating the issue till the following morning. It must have been a nerve-racking wait for Coke.

The day of reckoning was 15 March. The records that survive from that day of deliberations suggest that most members of the Commons wanted to clear Coke of the charge, but the question was how to achieve this objective. The easiest way to exonerate Coke was to deny that he had spoken the words in question. As we

[26] Ibid., II, pp. 261–2.
[27] Ibid., II, p. 285. See also II, pp. 278, 282, 284.
[28] Ibid., II, pp. 278, 282, 285.

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saw above, Coke's words as recorded in Whitelocke's diary were: 'it is better to suffer by a foreign hand than at home'.[29] By contrast, Coke's words as stated in the king's complaint were: 'it was better to *die* by an enemy than to suffer at home', a more extreme formulation but substantially the same.[30] This congruence leaves little doubt that Coke said essentially what he was accused of saying, but that did not stop some members of the Commons from flatly denying the fact. Edward Whitby asserted: 'That these words in the message were not spoken.'[31] Whitby was backed up by another member who declared: 'These words not spoken nor any tending to sedition.'[32] Sir John Finch claimed that Coke 'used not those particular words'.[33] These defenders of Coke were probably not intentionally lying. Chances are that they honestly had not heard or remembered what Coke said. Given the size and environment in the Commons, it is possible that a majority of the members now debating the question had not heard or did not clearly remember what Coke had spoken. In any case, as John Glanville pointed out, if the House could just agree that the offensive words simply had not been spoken, then that would suffice to invalidate the charge. Whitelocke recorded Glanville's escape route succinctly: 'denial of the words charged takes off the charge'.[34]

The problem with this tactic was that some people did remember Coke speaking the offensive words. Of course, chief among these was Weston. He declared not only that 'he was present when the words were spoken' but also that 'they offended his ears as well as other men's'.[35] Three other privy councillors are known to have participated in the debate of 15 March. None of these took quite so strong a position as Weston. Sir Humphrey May, chancellor of the duchy of Lancaster, noted that he was not present when the words were spoken and he made the quite sensible suggestion that no one could decide the issue without determining first what Coke had said. He moved for a select committee to interrogate Coke and find out exactly what he had said.[36] But the House showed no appetite for this inquisition. Sir Thomas Edmondes, treasurer of the Household, claimed vaguely that 'some words fell from him [Coke] which were not well'.[37] He urged the House to consider whether those words did or did not constitute sedition. The remaining privy councillor, Sir John Suckling, comptroller of the Household, acknowledged that he was present when the words were spoken and 'disliked' them. Unlike Weston and Edmondes, however, Suckling expressed the opinion that Coke had moderated

[29] Ibid., II, p. 250.
[30] Ibid., II, pp. 284–5. Italics mine.
[31] Ibid., II, pp. 289, 291.
[32] Ibid., II, p. 289.
[33] Ibid.
[34] Ibid., II, p. 290.
[35] Ibid.
[36] Ibid., II, pp. 290, 291.
[37] Ibid., II, p. 293.

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his tone so much ('the gentleman checked himself') that he put it out of his mind, 'thinking not to have heard of it after'.[38] Thus, Suckling agreed with Edmondes that Coke's speech had somehow been troubling, but his opinion that Coke 'checked himself' made it seem as if it was unwarranted to raise the issue now, which actually undercut the king's demand for justice.

This range of opinion among the privy councillors may seem surprising, but they were in a difficult position. As members of the Commons, they participated in debates and were even expected to some degree to lead those debates. Yet they were also members of the court and reported back to the court what they observed in the Commons. Travelling between these two arenas, acting as intermediaries, they needed to maintain a smoothly working relationship with both the king and the Commons. When conflict developed between these two entities, the privy councillors were caught in the middle. Coke's case created one such dilemma. Forced to deliver the king's stern demand for justice, Weston took the strongest line against Coke. However, the other privy councillors palliated more. The historian David H. Willson thought that their aim was to press the Commons for as much action as seemed realistically possible and hope that this would be enough to satisfy the king. Theoretically, it might seem as if the privy councillors had a better chance of securing the king's desire if they had made a unified and adamant case against Coke, but this course would have run the risk of alienating the Commons over a relatively minor issue when its co-operation was needed on much more important issues. In general, the Coke incident illustrates the larger point Willson made long ago that the privy councillors were losing their ability to dominate business in the Commons.[39] As Kyle observed more recently, 'government speakers gave way to those who critiqued government policy in the 1620s'.[40]

Other members of the Commons who spoke on 15 March found various ways to excuse Coke. Coke himself appears to have been prudent enough to dodge the issue of what his exact words were. According to Whitelocke, Coke only claimed that he had spoken 'with a loyal and true heart' and that some of his listeners had approved of what he said by crying out 'a good motion'.[41] Finch defended Coke on the grounds that his 'intent was good', or he had not spoken 'maliciously'. In any case, like Suckling, Finch believed that Coke had checked or explained himself sufficiently to exonerate himself. Furthermore, Finch observed, one sentence lifted from a speech has to be judged in the larger context of the whole speech.[42] Others made this same point that a few words lifted out of context could lead to misinterpretation. For example, Sir William Spencer observed: 'If speeches may be divided and the beginning

[38] Ibid., II, p. 290.
[39] David H. Willson, *The privy councillors in the House of Commons, 1604–1629* (Minneapolis, MN, 1940), pp. 307–8.
[40] Kyle, *Theater of state*, p. 4.
[41] Bidwell and Jansson, eds., *Proceedings, 1626*, II, pp. 290–1.
[42] Ibid., II, pp. 289, 292.

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and ending taken away, strange sense may be made thereof.'[43] And William Coryton agreed that the king had only a part of the speech.[44]

Although members of the Commons disagreed about what Coke had said and sought ways to excuse him, it nevertheless could not be denied that his speech had provoked the king. A consensus therefore developed that somehow his words must have been objectionable. The diary accounts of Whitelocke and Rich show members of the Commons gravitating in this direction. Charles Price is recorded as observing, 'something fell from Mr. Coke that was liable to exception'.[45] Sir Dudley Digges expressed a similar opinion that 'something was spoken that was not fit'.[46] Even Finch conceded that Coke's words were 'amiss'.[47] This consensus allowed the Commons to agree with Charles that Coke's words had been in some degree offensive but to disagree that they rose to the level of sedition. Confused as Sir George More's view appears in the record, it was not far from where the House ended up: 'He protests he heard the words; they sounded not well but what they were he knows not.'[48] The House passed two resolutions reflecting this position: '1. Resolved on question that the words spoken by Mr. Coke were not to a seditious effect. 2. Resolved that some words spoken by Mr. Coke did displease the House.'[49] Since the Commons expressed itself displeased at Coke's words, a subcommittee was appointed to consider 'what satisfaction is to be given to the House by Mr. Coke'.[50] Later on 15 March, Charles complained again about Coke and Turner. But he took note of the apparent progress that was being made in Coke's case: 'I hear you have it in agitation, and do presume you will do me right therein.'[51] As it turned out, Charles was too optimistic.

Two weeks later, on 29 March, Lord Keeper Coventry made a long speech to both Houses expressing the king's anger over the attack on Buckingham. He attributed parliament's obstreperousness to 'the irregular humors of some particular persons', naming Coke again ahead of Dr Turner. 'Whereas a seditious speech was uttered among you by Mr. Coke', Coventry explained, 'the House did not, as they ought, censure and correct him.' Although the king demanded justice, 'yet his Majesty has since found nothing but protraction and delay'.[52] When Coventry was finished, Charles spoke for himself in even angrier words. This is the well-known speech in which Charles complained bitterly that parliament had urged him into war, and now that he was deeply engaged beyond the

[43] Ibid., II, p. 289.
[44] Ibid.
[45] Ibid., II, p. 292.
[46] Ibid.
[47] Ibid., II, pp. 289, 292.
[48] Ibid., II, p. 291.
[49] Ibid., II, pp. 291, 293.
[50] Ibid., II, p. 291.
[51] Ibid., II, p. 294.
[52] Ibid., II, pp. 391–2. See also n. 4.

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point of return, 'you begin to set the dice and make your own prize'. This is also the speech where Charles reminded his listeners 'that parliaments are altogether in my power for the calling, sitting, and continuance of them'. And between these two memorable passages, Charles focused one more time on Coke's words. 'Mr. Coke told you that it was better to be eaten up by a foreign enemy abroad than to be destroyed at home', said Charles. By contrast, Charles now told his listeners, 'I do think it is more honor to be destroyed by a foreign enemy than to be despised at home and abroad.'[53] This new phrasing by Charles is highly suggestive and will be analysed below.

On 5 April, the Commons replied to the speeches of Coventry and the king with a long remonstrance that contained their final statement on the subject of Clement Coke's words. In fact, it was the very first item they addressed. Once again, they asserted that 'neither the words mentioned by your Majesty's message nor any other of a seditious effect were spoken by him'. They declared that this was the unanimous opinion of the House, it having been resolved 'without one negative voice'. On the other hand, it was true that Coke had 'let fall some few words that might admit an ill construction; whereat the House, being displeased, gave a general check'. Up to this point, the Commons were just recapitulating the events we traced above through 15 March. According to the remonstrance, the balance of the story was that Coke had given a satisfactory explanation of his words, in light of which the House had delayed taking further action against him, but now they had decided what to do, and the effect thereof would have appeared sooner if the House had not been diverted by the king's other pressing business.[54] It is not clear whether the authors of the remonstrance were alluding to some sort of apology or reprimand; and it is not clear whether any such action ever in fact occurred. It probably did not. Before the remonstrance was presented to the king, Coke had asked that the final words of the section dealing with his case be deleted. No one supported Coke's request, but it is intriguing that he made it.[55] In essence, he objected to the claim that any punitive action either had been taken against him or was about to be taken against him. It seems unlikely that he would have made this request if it amounted to a bald falsification of the record. It is more likely that the words of the remonstrance exaggerated what had been done regarding Coke in the hope that this would placate Charles. One member of the House, Lord Henry Carey, wrote to his father that the task of the committee appointed to look into the matter was merely 'to think upon some acknowledgment or some slight recognition which

[53] Ibid., II, p. 395.

[54] Ibid., II, p. 432. In fact, the committee appointed to look further into Coke's case had been scheduled to meet on 29 March when they had to attend the speeches of Lord Keeper Coventry and King Charles instead. Ibid., II, pp. 367, 369.

[55] Ibid., II, p. 427.

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Mr. Coke should make'.[56] For a while, it was thought that Coke 'should ask forgiveness upon his knee at the bar', but that idea was abandoned.[57] If the House did in the end demand any act of contrition, it was so slight that it failed to enter the historical record. The controversy over Coke's words thus ended with the unsubstantiated claim by the House that they had resolved the matter.

III

Certainly, the matter had never been settled in the king's mind. Perhaps what is most interesting about this whole affair is the window it opens into the king's mind. Charles's fixation on the few words spoken by Coke seems out of proportion. The verbs were particularly telling. As we have seen, according to Whitelocke's diary, Coke had said on 10 March, 'it is better to *suffer* by a foreign hand than at home [italics mine]'. According to Weston's report on 14 March, the king was upset by Coke's claim that 'it was better to *die* by an enemy than to *suffer* at home [italics mine]'. And on 29 March, Charles himself had complained: 'Mr. Coke told you that it was better to be *eaten up* by a foreign enemy abroad than to be *destroyed* at home [italics mine].' For his own part, Charles declared, 'I do think it is more honor to be *destroyed* by a foreign enemy than to be *despised* at home and abroad [italics mine].' Each succeeding complaint about Coke's words made them seem worse. The final formulation by Charles reveals how much he took Coke's words as a personal insult. Coke had empathized with the suffering of ordinary Englishmen. But Charles turned Coke's words around on himself, drawing the inference that he was 'despised at home and abroad'. From Charles's point of view, therefore, Coke's words were not about a suffering nation but a despised king.

It is worth bearing in mind that Charles had been king for just one year, and he was only twenty-four years old. These circumstances help to explain how stinging Coke's words must have seemed to Charles. He had been on the throne barely a year, and he was desperately trying to wage a war against a formidable enemy with inadequate resources. Yet people in the Commons like Coke, instead of funding the war, were attacking his chief minister and closest friend, which necessarily reflected on his own judgement and leadership. Far from being revered, Charles saw himself as despised. Moreover, this was a bitter reversal from the exhilarating events of 1624 when Charles had been wildly popular for championing war. It should be remembered that Clement's father, Sir Edward, had been one of the most enthusiastic supporters of war back in 1624. The prospect of war, he exclaimed at that time, made him feel seven years younger.[58] By 1625, however, Sir Edward, like many others, had

[56] Ibid., II, p. 258. Toward the end of March, Joseph Mead probably reflected the public impression when he wrote that Turner and Coke were 'both cleared'. Ibid., IV, p. 275.

[57] Ibid., IV, pp. 273, 274 n. 6.

[58] Robert E. Ruigh, *The parliament of 1624* (Cambridge, 1971), p. 205.

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changed his tune and become a vocal critic. Now Clement appeared to be perpetuating his father's criticism. His very presence was an embodiment of the young king's sharp reversal of fortunes. This was personal for Charles. His popularity was evaporating; he was no longer the hero of the day.[59] Coke's few words captured the essence of these radically changed circumstances. This explains the location of the reference to Coke in Charles's angry speech to both Houses on 29 March. First came the general complaint about parliament leaving him in the lurch. Then came the specific complaint against Coke who personified that betrayal.

Even the connection that Charles made between the speeches of Coke and Turner was not entirely fanciful. Coke may have been singled out unfairly for the reasons discussed above, but it was not unreasonable to suspect that if he or others like him had been reprimanded or silenced immediately on 10 March, then Turner might have refrained out of fear from attacking Buckingham on 11 March. Events simply spiralled out of control too quickly for Charles to control them, and perhaps his biggest mistake was not in trying to make an example of Coke but in trying too late. The mildness of the king's approach should also be appreciated. There was an implied threat in Weston's original message of 14 March that Charles could have acted on his own to punish Coke, but in the event he did not. Instead, he respected the privilege of the Commons and left the matter in their hands. He asked them for justice. This might also seem like a mistake because Coke escaped relatively unscathed, but it was prudent of Charles to avoid angering the Commons while there was still any chance of extracting supply for the war from them; and there was in any case little to be gained by making a martyr out of so poor material as Clement Coke.

Nevertheless, it might seem that Charles over-reacted or went overboard when he accused Coke of sedition. To the modern reader, no matter which version of Coke's words we accept, it may seem far-fetched to equate those words with sedition. However, sedition was a surprisingly ambiguous concept at this time in England. Of course, everyone knew that sedition was a sin. Worshippers following the litany in the *Book of common prayer* routinely prayed to be delivered from 'all sedition and privie conspiracy'.[60] But what exactly did that mean? The much more heinous offence of treason was defined by a series of statutes adhering closely to the original statute of 1352 that required treason somehow to encompass the killing of the monarch. Treason therefore referred to physical assaults on the monarch, although it was also interpreted

[59] Already in the summer of 1625, the earl of Kellie observed: 'You can not beleive [sic] the alteratione that is in the opinione of the world tuiching his Majestie.' Historical Manuscripts Commission, *Supplementary report on the manuscripts of the earl of Mar & Kellie* (London, 1930), p. 231.

[60] *The Booke of common prayer and administration of the sacraments, and other rites and ceremonies of the Church of England* (London, 1625), sig. B1v. STC 16365.

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more broadly to encompass utterances that provoked such assaults. The growing power of the state and the violent forces unleashed by the Reformation led to an expansion of treason laws under the Tudors. Nevertheless, the critical distinction between words and deeds was never lost. In fact, it was sharpened by a case at the beginning of Charles's reign. Within months of Charles's accession to the throne, Hugh Pyne compared him to a child and declared him unfit to be a king. Pyne was promptly charged with treason, but the judges in his case determined that his words, no matter how insulting, would only have been evidence for treason if they had been accompanied by an overt assault on Charles.[61] In contrast to this clarity regarding treason, sedition was a murkier concept. Obviously it was a lesser offence, a misdemeanour, although David Cressy labels it a 'high misdemeanour'.[62] It was not a capital offence like treason, but the punishments for sedition were far from trivial; they included fines, imprisonment, and physical mutilation such as cropping ears and branding with the letters 'SL' for seditious libeller. The fundamental question remained what exactly constituted sedition (or seditious libel as it was otherwise known), and some progress was made toward answering that question in the late sixteenth and early seventeenth centuries in a series of cases prosecuted in the Court of Star Chamber.[63]

The single individual who did most to define and promote the prosecution of seditious libel in the early 1600s was – of all people – Clement's father, Sir Edward Coke. The historian Roger Manning observes: 'By his vigorous prosecution of cases of seditious libel in the Court of Star Chamber while he was attorney general…Sir Edward Coke persuaded the judges of the Court of Star Chamber to accept his doctrine of sedition.'[64] Alastair Bellany has been particularly instrumental in highlighting the importance of libels in this period, and he similarly notes: 'Sir Edward Coke's influential report "De Libellis Famosis" argued that libels on courtiers and royal officials were…inherently seditious in their capacity to undermine royal authority by tarnishing the king's

[61] David Cressy, *Dangerous talk: scandalous, seditious, and treasonable speech in pre-modern England* (Oxford, 2010), pp. 115–31.

[62] Ibid., p. 42.

[63] For the law of treason, see D. Alan Orr, *Treason and the state: law, politics and ideology in the English Civil War* (Cambridge, 2002), especially the introduction and chapter 1; W. S. Holdsworth, *A history of English law* (16 vols., 3rd edn, London, 1945), v, pp. 207–11; Theodore F. T. Plucknett, *A concise history of the common law* (Boston, MA, 1956), pp. 444, 488–90; Debora Shuger, *Censorship and cultural sensibility: the regulation of language in Tudor–Stuart England* (Philadelphia, PA, 2006), especially pp. 72–5, 80, 87–91, 96–101, 120–1; and Cressy, *Dangerous talk*, pp. 41–3, 115–31.

[64] Roger Manning, 'The origins of the doctrine of sedition', *Albion*, 12 (1980), pp. 99–121, at p. 118. See also pp. 117, 120, and 121. Clement's case adds special irony to Manning's further observation (p. 120): 'By the end of the 1620s a reaction against Coke's doctrine of sedition had become apparent. It was one thing to use the doctrine of sedition against socially inferior persons, but when the doctrine was used against members of Parliament it came to be viewed as an instrument of tyranny.'

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reputation.'[65] In his detailed study of one such case in 1605, Bellany concluded that 'the extreme position taken by Star Chamber and by Coke's report could have limited the possibility of even constructive, loyal criticism of royal ministers'. It was fast becoming 'possible to depict any criticism as inherently libelous and seditious'.[66] Sir Edward has even been credited with exclaiming in Star Chamber that a libel 'is a breach of the peace, and is not to be suffered but punished – this is as poison in the commonwealth'.[67]

How poisonous were the words of Sir Edward's son Clement in 1626? That was a matter of opinion, and we should not be too quick to discount King Charles's opinion. We have already seen that the Commons declared him innocent of sedition. However, if Coke had been put on trial in the Court of Star Chamber, he might very well have been found guilty because, applying his own father's standard, his words tended to undermine, defame, or bring scandal upon the government. Nor did it matter whether Clement had the duke of Buckingham or King Charles in mind when he charged that Englishmen were suffering at home. As Sir Edward explained in 'De Libellis Famosis', to malign magistrates was tantamount to maligning the king who appointed them.[68] Criticism of the royal favourite could not help but reflect on the sovereign who empowered him. It was fashionable for a while in the later twentieth century to argue that figures like Buckingham acted like lightning rods to draw criticism away from the king, but this interpretation has fallen out of favour, not least because King Charles himself observed that he was implicated in any criticism of the duke. When Dr Turner enumerated his charges against Buckingham, Charles characterized this as 'an inquiry upon articles against the Duke of Buckingham as he pretends, but indeed against the honor and government of himself and his blessed father'.[69] Likewise, when Sir John Eliot compared Buckingham to the notorious Roman favourite

[65] Alastair Bellany, 'Railing rhymes revisited: libels, scandals, and early Stuart politics', *History Compass*, 5 (2007), pp. 1136–79, at p. 1151. See also Bellany, 'The embarrassment of libels: perceptions and representations of verse libelling in early Stuart England', in Lake and Pincus, eds., *Politics of the public sphere*, pp. 146–52.

[66] Alastair Bellany, 'A poem on the archbishop's hearse: puritanism, libel, and sedition after the Hampton Court Conference', *Journal of British Studies*, 34 (1995), pp. 137–64, at p. 163. See also Bellany, 'Raylinge rymes and vaunting verse: libellous politics in early Stuart England, 1603–1628', in Sharpe and Lake, eds., *Culture and politics*, pp. 285–310; and Gary Schneider, 'Libelous letters in Elizabethan and early Stuart England', *Modern Philology*, 105 (2008), pp. 475–509. Most recent works on libels have focused on written libels. Bellany has uncovered one example of fiddlers convicted of seditious libel in Star Chamber for libels set to song: 'Singing libel in early Stuart England: the case of the Staines fiddlers, 1627', *Huntington Library Quarterly*, 69 (2006), pp. 177–94. The most extensive study of spoken libels is Cressy's *Dangerous talk*. For slander, see M. Lindsay Kaplan, *The culture of slander in early modern England* (Cambridge, 1997).

[67] Holdsworth, *History of English law*, v, p. 211. Sir Edward also compared libels to poison in his discussion of 'De Libellis Famosis', in *Fifth part of the reports...* (London, 1612), fol. 125v.

[68] 'De Libellis Famosis', in Coke, *Fifth part of the reports*, fol. 125r.

[69] Bidwell and Jansson, eds., *Proceedings, 1626*, II, p. 285.

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Sejanus, Charles understood that logically he must then be analogous to the Emperor Tiberius.[70] Furthermore, at the end of the 1626 parliament, Charles issued a proclamation reiterating his opinion that the attack on the duke 'contained many things which tend much to the dishonour of his now Majestie and of his late Majestie, his Royall Father…whereby, through the sides of a Peere of this Realme, they wound the honour of their Soveraignes'.[71] Charles consistently adhered to the belief that he was the true target of any inquisition into the conduct of his ministers. He expressed this view most emphatically later, in 1629, after the assassination of Buckingham. Dispelling any doubt on this point, Charles declared, 'it is manifest, the *Duke* was not alone the mark that those men shot at, but was only as a neare minister of Ours taken up on the by, and in their passage to their more secret designes; which onely were to cast Our affaires into a desperate condition, to abate the powers of Our Crowne, and to bring Our governement into obloquie'.[72] Consistent with the legal opinion of Sir Edward Coke, Charles refused to believe that attacks on his ministers were not aimed at him and his regime as well. And that being the case, it was entirely plausible for him to consider Clement Coke's remark seditious.

Several recent works have called attention to Charles's refusal to separate criticism of his ministers from criticism of himself. Curtis Perry concluded that 'attacks on favorites, at least from the 1620s on, were frequently understood by all parties to imply criticism of the monarch'.[73] Other authors on this subject emphasize how this recognition de-stablilized politics by eliminating the charade or subterfuge of the 'evil counsellor'. Parliament could no longer hide behind the excuse that they were merely attempting to remove an evil counsellor from the king with no reflection on the monarch himself. Richard Cust explains that Charles rejected this false distinction 'out of a mixture of stubbornness and conscientious scruple', but he still finds that the king's refusal 'to play the game' was 'harmful'.[74] David Colclough observes that because Charles was 'unwilling' to separate criticism of Buckingham from criticism of himself, 'this broke down one of the only mechanisms by which the

[70] Thomas Birch, ed., *The court and times of Charles I* (2 vols., London, 1849), I, p. 101; James Orchard Halliwell, ed., *The autobiography and correspondence of Sir Simonds D'Ewes* (2 vols., London, 1845), II, p. 186.

[71] *A proclamation prohibiting the publishing, dispersing and reading of a declaration or remonstrance, drawen by some committees of the Commons-House of the late dissolved parliament* (London, 1626). STC 8826.

[72] *His Majesties d[e]claration to all his loving subjects, of the causes which moved him to dissolve the last parliament* (London, 1628/9), p. 41. STC 9249. Richard Cust calls this declaration 'one of the most revealing political statements to survive from this period'. He explains that 'Charles probably did not write it himself', but it 'very clearly reflected Charles's own views'. Richard Cust, *Charles I: a political life* (London, 2005), p. 119.

[73] Curtis Perry, *Literature and favoritism in early modern England* (Cambridge, 2006), pp. 135–6.

[74] Cust, *Charles I*, p. 80. See also Smith, *The Stuart parliaments*, p. 115.

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Commons could express serious grievances about misgovernment'.[75] Alastair Bellany agrees that this operating principle was 'central to Charles's political mentality', but he makes it seem less blameworthy by linking it to the king's 'acute sense of royal honor'.[76] Honour does appear to be the crucial link. Lord Keeper Coventry declared that 'there was never king more jealous of his honor' yet 'he finds that the honor of his father is stained and blemished and his own no less'.[77] In Charles's view, attacking Buckingham was not just an indirect way of attacking the monarch; it was a more general assault on the whole system of honour that gave pride of place to dukes and monarchs. Attacking Buckingham 'stained and blemished' the honour of James and Charles because both of them had judged the duke 'fit to be honored' or deserving of 'all honor'.[78] Consequently, a remark like Coke's was considered subversive by Charles not just because it brought his government into obloquy but also because it dispelled the protective aura of honour surrounding the crown. Charles was in the best possible position to observe this erosion of respect and to be alarmed by it. When Charles defiantly proclaimed that he would consider it 'more honor to be destroyed by a foreign enemy than to be despised at home and abroad', he was reaffirming his personal devotion to a code of honour and simultaneously expressing his fear that the English monarchy was becoming more despised than honoured. If Clement Coke did not consciously intend to dishonour the king with his words, Charles can nevertheless be excused for sensing the air of disrespect inherent in them.

Mark Kishlansky believed that Charles is still despised. He described Charles as 'the most despised monarch in Britain's historical memory'.[79] He argued that historians harbour an 'anger about this long-dead Stuart monarch', and they have an 'emotional investment' in upholding the traditional, negative view of Charles.[80] It is true that modern historians have been predisposed to sympathize with the king's opponents, who appear to be advancing the cause of subjects' liberties and parliamentary government, more than with Charles, who appears to be standing in the way of progress by defending the royal prerogative and the institution of monarchy. Indeed, instead of viewing Charles as an honourable ruler who was thrown on the defensive by a rising tide of sentiment against the crown, historians have tended to characterize him as paranoid. Conrad Russell pronounced him 'possibly mildly paranoid'.[81] L. J. Reeve described him as 'paranoid about loyalty'.[82] Richard Cust wrote that as

[75] David Colclough, *Freedom of speech in early Stuart England* (Cambridge, 2005), pp. 189–92.
[76] Bellany, 'Raylinge rymes', p. 293; Bellany, 'A poem on the Archbishop's hearse', p. 163. Bellany also notes the irony of Sir Edward Coke's role.
[77] Bidwell and Jansson, eds., *Proceedings, 1626*, II, pp. 392–3.
[78] Ibid., II, pp. 285, 294.
[79] Kishlansky, *Abbreviated life*, p. ix.
[80] Kishlansky, 'Reply', in 'Debate', p. 213.
[81] Russell, *Causes*, p. 205.
[82] L. J. Reeve, *Charles I and the road to personal rule* (Cambridge, 1989), p. 175.

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early as 1627, Charles 'seems to have been in the grip of something approaching paranoia'. He further describes Charles as 'prickly and hypersensitive', a ruler with an exaggerated 'sensitivity to slights and challenges to his authority'.[83] Yet it is odd that a man should be deemed paranoid when in the end he was killed by quite real enemies. Charles's sensitivity looks less hyper in light of the fact that slights and challenges culminated in regicide. Cust has also argued that Charles's behaviour has to be judged in light of his ideology or rather 'demonology', his theory that there was a popular conspiracy afoot, 'the stuff of his nightmares'.[84] Attributing paranoia, nightmarish fantasies, and conspiracy theories to Charles makes him look irrational or delusional, but it could be argued that he simply read the political landscape correctly. Kishlansky concluded that an impartial re-evaluation of Charles and the Five Knights' Case provided 'one less reason to think that he was paranoid'.[85] An impartial analysis of Clement Coke's case provides yet another.

Cust does acknowledge that the concept of sedition, whether justified or not, was central to Charles's view of the world. As early as 1621, when he first attended parliament as a member of the House of Lords (four years before he became king), Charles already took note of men he considered seditious in the Commons and advised his father to make an example of them. Cust concludes from this that Charles shared James's 'perception of the popular threat'.[86] But was it only a matter of perception? If both James and Charles thought they were witnessing a popular threat, then maybe that threat was real. Jonathan Scott, like Kishlansky, urges us to take Charles's view of the situation more seriously. Scott emphasizes that Charles was on the defensive, attempting to rule a kingdom where royal power was no longer automatically obeyed. Charles, far from being paranoid or the prisoner of a false conspiracy theory, quite rightly understood that 'the extent and survival of royal power' were at stake.[87] At heart, what upset Charles about people like Clement Coke was that they no longer displayed the visceral, unquestioning reverence for the monarchy that was necessary to sustain it. The aura of majesty was dissolving under the searching scrutiny of critics in the Commons, and Charles was hardly mistaken to call this 'insolency' and 'impudency'.[88] Charles faced unprecedented challenges to his authority that his predecessors would hardly have accepted with equanimity. He quite naturally interpreted these challenges as threats to

[83] Cust, *Charles I*, pp. 80, 466–7, 469, 474.

[84] Richard Cust, 'Charles I and popularity', in Thomas Cogswell, Richard Cust, and Peter Lake, eds., *Politics, religion and popularity in early Stuart Britain* (Cambridge, 2002), pp. 236–8, 257.

[85] Kishlansky, 'Tyranny denied', p. 83.

[86] Richard Cust, 'Prince Charles and the second session of the 1621 parliament', *English Historical Review*, 122 (2007), pp. 427–41, at pp. 439–40.

[87] Jonathan Scott, *England's troubles: seventeenth-century English political instability in European context* (Cambridge, 2000), pp. 44–5, 52, 63, 109–10.

[88] Bidwell and Jansson, eds., *Proceedings, 1626*, II, p. 285.

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monarchy in general. He saw sedition and took it as a harbinger of rebellion. Given the way things turned out, that was not a far-fetched suspicion. As for Clement Coke's speech, although it may not seem overtly seditious to the modern eye, it was not unreasonable for Charles to believe that its underlying presuppositions and its ultimate implications were.

Charles may have been exceptionally well positioned to recognize a growing disrespect for the monarchy, but he was not exceptional at all in his belief that words betrayed that disrespect. As Cressy has emphasized, 'Early modern monarchs were especially sensitive to challenges to their authority, and took pains to guard against verbal affronts.' It was a widespread cultural assumption in Tudor–Stuart England that loose or unguarded speech or an unbridled tongue threatened the whole socio-political order. As Cressy succinctly expressed it: 'Nobody thought that words were harmless.' Quite the opposite, it was assumed that a superficial slip of the tongue inadvertently exposed deeper and more transgressive thoughts. It was a commonplace assumption of the king's contemporaries that unruly speech led to unruly behaviour, that insolent speech would escalate to sedition, and that sedition in turn would lead to treason.[89] Charles's efforts to restrain or moderate political speech, therefore, should not be attributed to a peculiar psychological abnormality. It was the speakers who were deviating from the norm.

Charles was subjected to an unprecedented level of verbal abuse. In Cressy's summation, 'from the very beginning of his reign, dozens of Charles I's subjects spoke of him in ways that the authorities deemed dangerous, dishonourable, scandalous, disgraceful, disloyal, uncivil, seditious, or treasonous'.[90] Given this barrage of criticism, Cressy faults Charles for not acting upon it. He attributes this inaction to 'the blindness of Charles I', but Charles saw quite clearly what was at stake.[91] He refused to cede ground to his critics because, in his mind, that would have been tantamount to compromising the monarchy itself. Ultimately, of course, he paid a high price for his steadfast adherence to such an aloof concept of kingship, but it was more a function of principle or idealism than mere obliviousness. Viewed this way, Charles was not so much a villain as a tragic figure because he appreciated the enormity of the danger but was temperamentally incapable of averting it.

IV

Charles was correct in believing that the attitude, rhetoric, and actions of some members in the Commons verged on sedition or worse. In this respect, he knew the minds of those members better than they themselves did. While Clement Coke's case leads us to a better understanding of Charles's state of mind, it

[89] Cressy, *Dangerous talk*, pp. 3–7.
[90] Ibid., p. 115.
[91] David Cressy, *Charles I and the people of England* (Oxford, 2015), pp. 308–13.

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also illuminates the confused and erratic thinking that occurred in the Commons. Scott argues that parliament, like Charles, was on the defensive in this period, as worried for the fate of parliaments as Charles was for the fate of the monarchy.[92] Simultaneously, as Alan Cromartie observes, parliaments were being pushed in the opposite direction, becoming more aggressive under the influence of a vocal phalanx of self-important lawyers in the Commons who viewed the common law as a bulwark against excessive royal power.[93] This combination of fear and assertiveness made for an unstable atmosphere in the House. Furthermore, Markku Peltonen argues that early modern rhetoric was 'thoroughly adversarial', making parliamentary debates 'exercises in adversary politics', and substantiating the opinion of Thomas Hobbes that the schoolmasters of early Stuart England fostered 'seditionists'.[94] Nor were debates always orderly and rational. Chris Kyle has vividly shown that members of the Commons could stoop to the behaviour of unruly boys in a grammar school. He highlights the stage and the soundscape of the House, the clamour and tumult, the histrionic gestures and noises. Formal debate could quickly degenerate into shouting, hissing, weeping, coughing, spitting, murmuring, and, when all else failed, churlish shunning or stunned silence.[95] Taken together, these recent works highlight that the House of Commons was a volatile and dangerous forum where countervailing forces were at work. The House fluctuated, sometimes quite wildly, between acting defensively and offensively, agreeably and aggressively, rationally and irrationally. Passive professions of loyalty to the crown alternated with aggressive assaults on royal ministers and policies. If there is one psychological term that best describes that behaviour, it is 'passive-aggressive'. This ambivalence of the Commons was evident in the way they went about resolving Clement Coke's case. As we saw, in the end, they agreed that Coke had not spoken the words that we have every reason to believe he had in fact spoken. Furthermore, while many members of the House could not remember Coke's words, they nevertheless decided that those words 'were not to a seditious effect', though they were somehow displeasing. That convoluted conclusion captured the oscillating defiance and submissiveness of the House as they allowed Coke to escape the king's charge of sedition while they simultaneously agreed with the substance of what he had said by drawing up their own impeachment charges against Buckingham.

These same contradictory dynamics continued throughout the parliament of 1626 and show that Coke's case had lasting repercussions. The most obvious effect is visible in May when Sir Dudley Digges and Sir John Eliot used exorbitant language in presenting the impeachment charges against Buckingham to

[92] Scott, *England's troubles*, pp. 56, 59.
[93] See Cromartie, *Constitutionalist revolution*, especially ch. 7.
[94] Peltonen, *Rhetoric, politics and popularity*, pp. 65, 186–7, 198–209, 217, and 240–2.
[95] See especially the first two chapters of Kyle, *Theater of state*.

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the Lords. Charles had clearly learned from the failure of the Commons to take any action against Coke and Turner that in the future he would have to act on his own. He imprisoned both men even though this violated the privilege of the House that made all its members immune from arrest while parliament was in session.[96] 'I have been too remiss heretofore in punishing those insolent speeches that concerned myself', Charles explained.[97] Next, the Commons demonstrated that they, too, had learned from their earlier experience with Coke; they repeated the same ploy they had pioneered in his case. Although Charles was reported to have consulted four or five sets of notes regarding the speeches of Digges and Eliot, the Commons insisted that he had been misinformed. In the case of Digges, they passed a stout resolution declaring 'before God and the House, and by the faith of a Christian', that Digges had not been authorized to speak the words that were complained of, that they themselves had not heard such words, and that 'they did not believe that he did speak them'.[98] Charles relented and released Digges. Eliot's case was more complicated, but he was released a few days later and allowed to explain away his offensive speech on the floor of the Commons. One cannot help but be reminded of John Glanville's advice in Clement Coke's case: 'denial of the words charged takes off the charge'.

Another repercussion from Coke's case illustrating the strange dynamics in the Commons can be seen in an obscure incident that occurred in June of 1626. On 3 June, a minor member of the Commons named John More began to speak on the subject of tyranny. The point he appears to have been leading up to was that no one could succeed in establishing a tyranny in England. Yet his patriotic rhetoric was immediately misconstrued. In the volatile atmosphere of the House while impeachment proceedings against Buckingham were underway, the mere mention of tyranny provoked a hostile response. This time, Weston showed that he had learned his lesson from the Coke case. He immediately interrupted More and objected to his words. What is most interesting, however, is the way the full House reacted: they quickly agreed with Weston and ordered More 'to be sent to the Tower during the pleasure of the House for his offense in speaking the words now reported'. More's colleagues in the Commons seemed determined to punish him. There was none of the evasiveness and very little of the sympathy that had accompanied Coke's case. Even Eliot, only three weeks after his own release, now vigorously advocated More's imprisonment. Eliot conceded that More's intention was innocent enough, but his words by themselves were so offensive that the House could not let them pass without censure. To express their loyalty and give satisfaction to the king, Eliot argued, the House had to punish More.[99]

[96] Smith, *Stuart parliaments*, p. 65.

[97] Bidwell and Jansson, eds., *Proceedings, 1626*, I, p. 398. Later in this same speech, Charles said, 'I have not hitherto punished those insolent speeches against myself.'

[98] Ibid., III, p. 256. The House of Lords joined in this resolution. Ibid., III, p. 285.

[99] Ibid., III, pp. 350–65.

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There are several rational explanations for the punitive reaction of the Commons against More. His words were more subject to an unfavourable interpretation than Coke's had been. He did not have a revered father, and he was not a popular man. Months earlier, a committee investigating More's patent for a new method of making salt had determined that it was an illegal monopoly. The Commons had unanimously declared it a grievance; and on that occasion More was admonished by the Speaker to abandon the patent and avoid any other projects in the future.[100] Consequently, More was a vulnerable target. Yet the virulence of the reaction against More was so striking that it suggests irrational forces were also at work. The Commons had gone so far in attacking Buckingham and alienating the king that they apparently leapt at this opportunity to demonstrate their loyalty. Taking a slightly longer view, the unfortunate More also gave them a chance to atone for their foot-dragging in the earlier cases of Coke and Turner. The House promptly did to More what they had assiduously avoided doing to Coke and Turner. They turned against the poor fellow almost gleefully and demonstrated an unseemly eagerness to imprison one of their own.[101] The hasty condemnation of More adds to the impression that emotion and bias were significant factors in the process of singling out speakers for punishment. That process was neither predictable nor fair, but it was a tactic or tool that both parties employed. It is true that Charles appears at first to have employed this tactic to no good effect because he failed to get satisfaction regarding Coke and Turner. However, judging from the way the House turned against More, especially the way Eliot turned against him, Charles did sometimes manage to intimidate the Commons into a more respectful posture.[102]

[100] Ibid., II, pp. 215 n. 7, 387–9, III, pp. 168, 170–1, 175. Thrush and Ferris, eds., *House of Commons*, IV, pp. 412–15.

[101] With the approval of the king and Weston, the House voted to free More from the Tower on 7 June. Bidwell and Jansson, eds., *Proceedings, 1626*, III, pp. 384, 386.

[102] Our subject is only the House of Commons. The two closest cases in the House of Lords in 1626 are not quite comparable. Charles did imprison the earl of Arundel, and he did ultimately bow to the Lords' demand that Arundel be released to take his seat in the Lords. But Arundel was arrested before parliament met, ostensibly for allowing his son to marry a woman other than the one Charles had intended for him, but more likely because of his opposition to Buckingham. He was, therefore, not singled out for words spoken in parliament or accused of sedition. The case of the earl of Bristol is somewhat closer to those in the Commons. Charles placed Bristol under house arrest prior to the meeting of parliament and attempted to charge him with treason while parliament was in session for his accusations against Buckingham. But the Lords refused to prosecute the charge of treason. After parliament was dissolved, Charles arrested Bristol, releasing him about three months later. Each man spent only about three months in the Tower, and both were loyal to Charles later, a result that supports the interpretation that temporary imprisonment was used as an effective tool by Charles. Bristol said that simply incurring the displeasure of the king was as hurtful as imprisonment. As Richard Cust explains, the primary hope of the noblemen who fell out of favour during Buckingham's ascendancy 'was that they could now make their peace with the king and enjoy the "grace and favour" that they craved'. Richard Cust, *Charles I and the aristocracy, 1625–1642* (Cambridge, 2013), pp. 46–50, 56–7, 67–72; Russell, *Parliaments and*

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There may have been one more significant repercussion from the Clement Coke episode. As noted above, Charles probably found Clement's words particularly irksome because of who he was. Yet being the son of Sir Edward Coke cut both ways. While, on the one hand, it prejudiced the king and privy councillors against Clement, it also, on the other hand, helped spare him from severe punishment in the Commons. It was Sir John Savile who expressed what must have been on the minds of many members of the Commons: 'That considering his father, we should do him what favor we can.'[103] Two years later, Sir Edward Coke was back in the parliament of 1628, leading the assault on the royal prerogative that produced the Petition of Right. The fact that Sir Edward knew his own son had suffered under the charge of sedition in 1626 could not have helped the king's cause.

The case of Clement Coke was not an isolated incident. Charles consistently attempted to curb seditious speech in the Commons, an effort that culminated in his arrest of several members after the session of 1629. In that instance, Eliot was charged along with two of the others with trying to 'raise sedition' and with speaking 'malicious and seditious words'. Charles referred this case to the Court of King's Bench, and the judges there confirmed the existence of a 'conspiracy between the defendants to slander the State, and to raise sedition'.[104] This verdict vindicated the king's sustained effort to discourage seditious speech in the Commons, but the political atmosphere had deteriorated so badly by this time that it proved to be too little too late. Back in 1626, threats alone were sufficiently intimidating. Nobody was physically harmed. Coke was never imprisoned; Eliot, Digges, and More were imprisoned only briefly. However, returning to Kishlansky's metaphor, the door to an amicable accommodation slammed shut after 1626. The Forced Loan and other desperate expedients employed by Charles to sustain the war generated what Thomas Cogswell describes as a 'political tsunami'.[105] While some of those arrested in 1629 came to heel and were released without harm, what is most striking is the extent to which defiance had hardened. As is well known, Eliot was implacable by this time and died in prison in 1632. Two others refused to capitulate and were not released until 1640 on the eve of the Short Parliament. In fact, two of those arrested in 1629 were among the five members Charles attempted to

English politics, pp. 287, 312–21; R. Malcolm Smuts, 'Howard, Thomas, fourteenth earl of Arundel, fourth earl of Surrey, and first earl of Norfolk (1585–1646)', *ODNB*; and David L. Smith, 'Digby, John, first earl of Bristol (1580–1653)', *ODNB*.

[103] Bidwell and Jansson, eds., *Proceedings, 1626*, II, p. 289.

[104] J. P. Kenyon, *The Stuart constitution: documents and commentary* (Cambridge, 1966), pp. 51–2. For a detailed account of this case, see Reeve, *Road to personal rule*, pp. 118–56.

[105] Thomas Cogswell, 'The human comedy in Westminster: *The House of Commons, 1604–1629*', *Journal of British Studies*, 52 (2013), pp. 370–89, at p. 384.

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arrest in 1642.[106] These later events make the cautious, tentative testing of boundaries that we witnessed back in 1626 seem naïve by comparison. The contest was turning deadly now; and sedition, as Charles had rightly foreseen, was escalating to treason.

[106] Reeve, *Road to personal rule*, pp. 155–6. The two who remained imprisoned until 1640 were Benjamin Valentine and William Strode. The two who were among the five members Charles tried to arrest were Strode and Denzil Holles.

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