

THE INSTITUTE FOR ANACYCLOSIS

EXCERPT FROM
HIS MAJESTY'S ANSWER
TO THE NINETEEN PROPOSITIONS OF BOTH HOUSES OF PARLIAMENT
BY CHARLES I, KING OF ENGLAND, SCOTLAND, AND IRELAND

1642 A.D.

Note: This text reproduces part of Charles I's response to a list of proposals submitted by Parliament. These proposals sought to expand the authority of Parliament at the expense of the Crown. Charles rejected these proposals. His rationale was based partly on the argument that the English Constitution embodied the mixed constitution of Polybius and that granting Parliament's requests would throw the constitution into disequilibrium. Recall that the Polybian constitution consisted of a balanced mixture of the base constitutional forms of monarchy, aristocracy, and democracy. Recall also that Polybius' variant of the mixed constitution was specifically expressed by Polybius as a brake to Anacyclosis. Polybius believed that since Anacyclosis proceeded because each base constitution was corrupted when unchecked, the best constitution must consist of a balanced mixture of all three base constitutional forms. The reason was that such arrangement would naturally produce checks and balances to prevent rapid or violent political revolution. It is interesting that a sitting monarch used Polybius in a practical setting, and indeed Charles I described the checks and balances produced by the mixed constitution he argued to exist. It is also interesting to note that Charles, in his explanation of the pros and cons of each unchecked constitutional form (in the first paragraph below) basically lays out Anacyclosis in proper sequence. It is most probable that the Framers of the American Constitution, in addition to the being familiar with Polybius, were also familiar with this argument which was issued to Parliament just two months before the English Civil War began. Finally, it is noteworthy that this segment of Charles' answer closes with something of a prediction that if the mixed constitution were disturbed, the government of the realm would eventually be usurped by one or more popular leaders.

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There being three kindes of Government amongst men, Absolute Monarchy, Aristocracy and Democracy, and all these having their particular conveniencies and inconveniencies. The experience and wisdom of your Ancestors hath so moulded this out of a mixture of these, as to give to this Kingdom (as far as human prudence can provide) the conveniencies of all three, without the inconveniencies of any one, as long as the Balance hangs even between the three Estates, and they run jointly on in their proper Chanell (begetting Verdure and Fertilitie in the Meadows on both sides) and the overflowing of either on either side raise no deluge or Inundation. The ill of absolute Monarchy is Tyrannie, the ill of Aristocracy is Faction and Division, the ills of Democracy are Tumults, Violence and Licentiousnesse. The good of Monarchy is the uniting a Nation under one Head to resist Invasion from abroad, and Insurrection at home. The good of Aristocracie is the Conjunction of Counsell in the ablest Persons of a State for the publike benefit. The good of Democracy is Liberty, and the Courage and Industrie which Libertie begets.

In this Kingdom the Laws are jointly made by a King, by a House of Peers, and by a House of Commons chosen by the People, all having free Votes and particular Priviledges. The Government according to these Laws is trusted to the King, Power of Treaties of War and Peace, of making Peers, of chusing Officers and Councillors for State, Judges for Law, Commanders for Forts and Castles, giving Commissions for raising men to make War abroad, or to prevent or provide against Invasions or Insurrections at home, benefit of Confiscations, power of pardoning, and some more of the like kinde are placed in the King. And this kinde of regulated Monarchie having this power to preserve that Authoritie, without which it would be disabled to preserve the Laws in their Force, and the Subjects in their Liberties

and Proprieties, is intended to draw to him such a Respect and Relation from the great Ones, as may hinder the ills of Division and Faction, and such a Fear and Reverence from the people, as may hinder Tumults, Violence, and Licenciousnesse. Again, that the Prince may not make use of this high and perpetuall power to the hurt of those for whose good he hath it, and make use of the name of Publike Necessitie for the gain of his private Favourites and Followers, to the detriment of his People, the House of Commons (an excellent Conserver of Libertie, but never intended for any share in Government, or the chusing of them that should govern) is solely intrusted with the first Propositions concerning the Levies of Moneys (which is the sinews as well of Peace, as War) and the Impeaching of those, who for their own ends, though countenanced by any surreptitiously gotten Command of the King, have violated that Law, which he is bound (when he knows it) to protect, and to the protection of which they were bound to advise him, at least not to serve him in the Contrary. And the Lords being trusted with a Judicatory power, are an excellent Screen and Bank between the Prince and People, to assist each against any Incroachments of the other, and by just Judgements to preserve that Law, which ought to be the Rule of every one of the three. ...

Since therefore the Power Legally placed in both Houses is more than sufficient to prevent and restrain the power of Tyrannie, and without the power which is now asked from Us, we shall not be able to discharge that Trust which is the end of Monarchie, since this would be a total Subversion of the Fundamentall Laws, and that excellent Constitution of this Kingdom, which hath made this Nation so many yeers both famous and happie to a great degree of Envie; since to the power of punishing (which is alreadie in your hands according to Law) if the power of Preferring be added, We shall have nothing left for Us, but to look on; since the incroaching of one of these Estates upon the power of the other, is unhappie in the effects both to them and all the rest; since this power of at most a joint Government in Us with Our Councillors (or rather Our Guardians) will return Us to the worst kinde of Minoritie, and make Us despicable both at home and abroad, and beget eternall Factions and Dissentions (as destructive to publike Happinesse as War) both in the chosen, and the Houses that chuse them, and the people who chuse the Chusers; since so new a power will undoubtedly intoxicate persons who were not born to it, & beget not only Divisions among them as equals, but in them contempt of Us as become an equall to them, and Insolence and Injustice towards Our people, as now so much their inferiors, which will be the more grievous unto them, as suffering from those who were so lately of a neerer degree to themselves, and being to have redresse only from those that placed them, and fearing they may be inclined to preserve what they have made, both out of kindnesse and policie; since all great changes are extreemly inconvenient, and almost infallibly beget yet greater changes, which beget yet greater Inconveniencies.

Since as great an one in the Church must follow this of the Kingdom; Since the second Estate would in all probabilitie follow the Fate of the first, and by some of the same turbulent spirits Jealousies would be soon raised against them, and the like Propositions for reconciliation of Differences would be then sent to them, as they now have joined to send to Us, till (all power being vested in the House of Commons, and their number making them incapable of transacting Affairs of State with the necessary Secrecie and Expedition; those being retrusted to some close Committee) at last the Common people (who in the meantime must be flattered, and to whom Licence must be given in all their wilde humours, how contrary soever to established Law, or their own reall Good) discover this Arcanum Imperii, That all this was done by them, but not for them, grow weary of Journey-work, and set up for themselves, call Parity and Independence, Liberty; devour that Estate which had devoured the rest; Destroy all Rights and Proprieties, all distinctions of Families and Merit; And by this meanes this splendid and excellently distinguished form of Government, end in a dark equall Chaos of Confusion, and the long Line of Our many noble Ancestors in a Jack Cade, or a Wat Tyler.

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