

# **The Questioning of Personal Alliances during the Glorious Revolution as illustrated by the actions of the 2nd Earl of Clarendon between 1688 and 1689**

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## **Introduction**

Personal alliances were and still are relevant in the political world and naturally these relationships could be questioned. During the tumultuous reign of James II this was no different, as the case of Henry Hyde, 2nd Earl of Clarendon will show. The Earl was a key High Church Tory and, along with his brother Laurence Hyde, Earl of Rochester, held key positions in the first year of James's reign, namely Lord Lieutenant of Ireland and Lord Treasurer respectively. Clarendon, along with his brother, was also James' brother-in-law through the King's first marriage to their sister Anne Hyde and therefore had a personal alliance to James. Clarendon also had a personal alliance to his brother, being part of the same political faction for the entirety of their political careers. However, in the aftermath of the Glorious Revolution, Clarendon would stay loyal to James and not swear the oath of allegiance to William III and Mary II, whilst simultaneously abandoning the personal alliance with his brother who opted to swear the oath. This article seeks to look at the questioning by Clarendon of these personal alliances between the years 1688 to 1689 in order to answer the key research question of why Clarendon made the choice to abandon a political and familial alliance with his brother despite sharing the same ideology yet keep his political and familial alliance with a usurped monarch, who at times he opposed. We will be looking at this through two sub questions; firstly, why Clarendon opposed several policies of James II and secondly why he did not then swear the oath of allegiance, remaining loyal to James. It will look at the Earl of Clarendon through an episodic framework from his support of the Seven Bishops to his non-swearing of the oath in 1689. Whilst acknowledging that personal relationships play a role in political decisions, one's political principles and conscience cannot be understated in the questioning and abandonment of personal alliances.

Henry Hyde's political principles were built upon several key pillars: the doctrine of passive obedience and the right and lawful succession of the Crown, as well as the maintaining

of the Church of England in its then current state. There was no attempt from Clarendon to remain politically neutral during the reign of James II. His strong High Church Tory beliefs led him to both support and oppose James during his reign. In addition, the fact he would disagree with his brother over the Oath of Allegiance, demonstrates to us that even the closest members of the High Church Tory political grouping could split with each other over such a significant issue. As such Henry Hyde presents historians with an interesting case in that when people end their personal alliances, is it because of ideology or because not doing so would be political suicide.

In the early 1680's Clarendon, along with his brother, emerged as the leaders of a political grouping known as the High Church Tories. A High Church Tory is hard to define but there are several key principles which they would have adhered to. They believed in the divine right and 'absolute sovereignty of a hereditary monarch' coupled with a duty of 'non-resistance' among the monarch's subjects.<sup>1</sup> The Duke of Ormonde, a prominent member of the same grouping exemplified in his oath to Bishop Fell what Clarendon would have believed in. He pledged that he would 'through all dangers maintain and support the religion of the Church of England as it is this day taught, practiced and established by law and the monarchy and Crown of England in a right and lawful succession'.<sup>2</sup> In the High Church Tory principle of passive obedience 'prayers and tears were the only weapon against a rightful monarch'; yet they did have the right to abstain from a monarch's decision if it went against the laws of God.<sup>3</sup>

The issue with these beliefs is that ultimately, they were subjective and could be used to justify different actions to the same situation. However, the problems faced by High Church Tories were not just restricted to merely the interpretation of their beliefs. There were also tensions within the group revolving around James's actions, that perhaps were only revealed when put under serious stress by the Revolution; indeed, Clarendon himself would alternate between opposing and supporting James's actions between 1688 to 1689.

### **Out of Office**

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<sup>1</sup> Spurr 2012: 111.

<sup>2</sup> Chancellor Ormonde letter to Bishop Fell 23 July 1679: Dublin.

<sup>3</sup> Spurr 2012: 111-112.

The dismissal of Clarendon from his role as Lord Lieutenant of Ireland in 1687 marked the end of a long partnership between James and the Hyde brothers, with only a few High Church Tories remaining in office such as George Jeffreys and Sir Edward Herbert. After this split with the majority of Tories James embarked upon his landmark policy, a Declaration of Indulgence. The First Declaration of Indulgence was issued on 4<sup>th</sup> April 1687, promising religious tolerance for Roman Catholics as well as dissenters such as Anabaptists and Quakers. This Declaration of Indulgence was issued for a second time in April 1688 with the added requirement that it be read out by the clergy in their services for two consecutive Sundays. In this document James swore to continue to ‘protect and maintain’ the Church of England ‘in the free exercise of their religion as by law established, and in the quiet and full enjoyment of all their possessions.’<sup>4</sup> However, he also promised to suspend all penal laws against those who did not want to attend Church of England services or receive communion. It also allowed people from other sects to worship in either private houses or chapels as well as ending the legal obligation for people to have to take the required Test Act in order to gain civil or military positions. This caused huge uproar amongst the Clergy with only 200 churchmen out of over 9000 complying with James’s order.<sup>5</sup>

Having met with the High Church Clergy on several occasions Clarendon was at the heart of the resistance opposing the King’s order to read out the Declaration. Indeed, on 12<sup>th</sup> May 1688, he dined with the Archbishop of Canterbury and, along with the Bishops of London, Ely, and Peterborough, they decided that they would refuse to read it out in their upcoming services.<sup>6</sup> Clarendon was also with the Bishops of St Asaph and Ely the night before they presented the King with their petition that they should not be required to read the Declaration and he was part of a group of noblemen who put up bail for the Seven Bishops, thus showing that he was publicly committed to the cause.<sup>7</sup>

After the trial of the Seven Bishops, rumours began to spread that William of Orange was set to invade England. James invited Clarendon to a meeting where he signalled that he was preparing to resurrect his alliance with the Anglican Church and the High Church Tories. He then held a meeting with the bishops where he promised to treat them with kindness. The

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<sup>4</sup> <http://www.jacobite.ca/documents/16870404.htm> (date accessed 31st July 2022).

<sup>5</sup> Harris 2006: 26.

<sup>6</sup> Singer 1828: 171.

<sup>7</sup> Yates 1934: 480.

bishops, who were unsatisfied with this vague commitment, presented a series of demands to the King which included amongst others the reversion of two of James's controversial policies surrounding the Ecclesiastical Commission and the running of Magdalen College at Oxford University. The King formally accepted these demands on 3<sup>rd</sup> October 1688 and then summoned all of the Lords Temporal, who were in London, for a meeting. However, Clarendon refused to sit at the council table whilst Father Petre (a Catholic courtier) remained part of the meeting. The King agreed to Clarendon's request and from this point onwards Clarendon continued to meet with the King on a regular basis.<sup>8</sup>

What is important to note here is that from this point onwards it is clear that the King has the absolute loyalty of Clarendon. Clarendon would have been reassured by the King acquiescing to the clergies demands and by granting the request made by Clarendon, which would only have deepened this reassurance. Despite Clarendon's brother, the Earl of Rochester, being absent from these meetings, the brothers still maintained their personal alliance with each other. On 8<sup>th</sup> November 1688, Clarendon had dinner with Rochester and the Bishops of St Asaph and Peterborough, during which they discussed how they wanted to advise the King. Namely, they wanted to ask him to call a Parliament 'to prevent the shedding of Blood'.<sup>9</sup> At this moment in time both Clarendon and Rochester believed that a compromise could be reached with James.

When William of Orange landed in Torbay on 5<sup>th</sup> November 1688 and marched to Hungerford, several army officers including Clarendon's son, Cornbury, defected to William. James then sent three commissioners, Lord Halifax, Lord Nottingham and Lord Godolphin to negotiate with him over the calling of a free and lawful parliament. Clarendon then decided on his own initiative to also visit William. This was a seemingly strange action but with upcoming elections to parliament and with his estate situated close to Hungerford, Clarendon would have been seeking to ensure his own candidates were elected. He arrived ahead of the three commissioners on 3<sup>rd</sup> December and was warmly greeted by William. On 8<sup>th</sup> December the commissioners arrived and on the same night William's secretary Jepson asked Clarendon if he would join his advisors to negotiate with the King's Commissioners and, surprisingly, Clarendon agreed.<sup>10</sup> Wrongly, this is seen by some historians as an attempt by Clarendon to

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<sup>8</sup> Singer 1828: 195-196.

<sup>9</sup> Ibid, 201.

<sup>10</sup> Ibid, 220-221.

gain power under William. However, his son's defection would most certainly have clouded his judgement, and it appears that Clarendon was taking the word of both James and William to be true. James appeared to want to compromise, and William only wanted to secure a free and lawful parliament. Clarendon then was merely trying to resolve what he saw as an increasingly dangerous situation. These efforts proved to be in vain when James fled England on 12<sup>th</sup> December and William no longer had to restrict himself to his Declaration.

### **The Convention of 1689 and the Oath of Allegiance**

The Convention was opened on 22<sup>nd</sup> January 1689 and Clarendon found himself in a difficult situation in that he did not want William and Mary to be crowned either on their own or as joint monarchs.<sup>11</sup> The outcome of the Convention and the subsequent Oath of Allegiance would not only lead to Clarendon maintaining his personal allegiance to a usurped monarch but would also lead to him severing his ties with his brother, Rochester.

At the time there were numerous views surrounding the issue of what do in the wake of James's flight. At one end of the spectrum, some wanted the recall of James and the removal of William's army from England. At the other end, people such as the Bishop of London, William Compton, one of the seven who had signed the letter inviting William over, wanted James to be forced to abdicate and for William to be crowned monarch. Clarendon's position was rather puzzling and changed as the situation developed during the Convention Parliament of 1689. Wanting James back as King but realising this was politically impossible, he called for a regency. After the regency vote failed in the Lords on 29<sup>th</sup> January 1689 by 51 votes to 49 votes, his position once again shifted. He attempted to persuade parliament to recall the Prince of Wales, James' son, from France to take up the throne. After this was rejected, he was of the view that Mary should be crowned as sole monarch. Instead, Parliament voted to give the crown to both William and Mary as joint monarchs, and they were duly crowned on 11<sup>th</sup> April 1689. Clarendon's shifting actions demonstrates to us how his personal allegiance to James was constantly present in his thoughts. What is of wider significance is how this demonstrates that a politician's beliefs do not always translate into their political actions. The need to compromise in order to reach a practical solution is very much apparent in Clarendon's actions from Hungerford to the Convention Parliament. He is seeking to keep James on the throne in some capacity until it is politically impossible thus demonstrating to us his personal

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<sup>11</sup> Ibid, 246.

allegiance to James as well as the fact that politicians' actions do not always reflect their ideology.

By 1<sup>st</sup> August 1689, all men serving in office, either in ecclesiastical or civil roles, had to have sworn the Oath of Allegiance to William and Mary, or face suspension from their positions. Clarendon had not done this, yet his brother had, ensuring that Clarendon maintained a personal allegiance to the deposed James II, yet he had simultaneously damaged his relationship with his brother. This decision was based on Clarendon's views surrounding the three major debates; namely the primary debate on whether one can take the Oath when the previous King was still alive and the secondary debates on whether an abdication actually took place and whether one owed an allegiance to a de facto monarch rather than a de jure monarch. There is no direct evidence of how Clarendon was thinking. However, there were a number of pamphlets published that debated these exact issues and they advocated the position that he settled upon. They may indicate how Clarendon thought through the issues and reached the conclusion that he did.

Many pamphlets were produced which dealt with the issue of whether one can take the Oath when the previous King was still alive. In a Tory pamphlet printed for Samuel Smith titled *A Friendly Conference concerning the New Oath of Allegiance to K. William and Q. Mary*, there is a conversation between two people, one of whom is trying to persuade the other that taking the Oath of Allegiance is the correct thing to do. The person who is being persuaded asks 'is it not treason in the highest nature that can be, to swear Allegiance to a new King, when my old and true K. is alive? And is not treason a capital crime?'.<sup>12</sup> Indeed in a non-juror pamphlet titled, *Two Letters Written to the Author of a Pamphlet, Solomon and Abiatharit* it stated, 'and now Sir, if you will give me the same liberty to put together, which you take; I cannot learn from all this, how our old Laws and Oaths binds us to your new Allegiance; but that rather our constitutions and oaths binds us to King James and not to William'.<sup>13</sup> What this pamphlet was suggesting was that an old oath cannot tie someone to a new monarch, when he is a usurper. When it came to Clarendon, it was not a surprise that he became a non-juror, indeed, in his diary on 14<sup>th</sup> January 1689, he wrote 'that I knew the common talk of the town was that the prince should be proclaimed King...that for my part, I could not agree to it; nor

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<sup>12</sup> Fraser. *A Friendly Conference concerning the New Oath of Allegiance to K. William and Q. Mary* 1689: London.

<sup>13</sup> Grascome *Two Letters Written to the Author of a Pamphlet, Solomon and Abiatharit* 1692: London.

could I absolve myself from the oaths I have taken to the King'.<sup>14</sup> Clarendon held a view that he could not be absolved from his oath to James and thus the pamphlet potentially gives us an insight into his thinking. Furthermore we know that when asked by William Lloyd, Bishop of Asaph to accept the oath (a longtime friend and ally), Clarendon replied that 'I could not be absolved from the oaths that I had taken; that, having already taken the former oaths, my allegiance was due to King James, and not in my power to dispose of...and could not admit of any explanations to be put upon them; which would look, in my opinion, but as equivocations against the letter of the oath'.<sup>15</sup> For Clarendon then, the oaths were sacrosanct and could not be broken whilst James was still alive.

The secondary debate of whether abdication had taken place was very clear for Clarendon in that he was not willing to accept that James' abdication had taken place, if William came to the throne either as a sole monarch or a joint monarch with Mary. Unlike his brother, Clarendon continued to pursue the line that there was no historical precedent for abdication and as such James had not abdicated. Therefore, one cannot simply transfer their allegiance from James to William as the previous monarch had not died. It is impossible to know for certain why Clarendon interpreted his political beliefs in the way he did; for him James was still the rightful monarch. Charles Leslie, who was Clarendon's friend and chaplain, became a prominent non juror. Given that Clarendon reached the same conclusion as Leslie in respect of the same issues, we can infer that they had the same reasoning. As his chaplain, Clarendon probably sought spiritual advice from Leslie during this time and thus, their views were likely similar. The conversations that Leslie had with Clarendon show us that conscience was very much part of one's political principles and would affect one's political behaviour. Leslie wrote many political tracts that may well have reflected the views of Clarendon. He was a figure who first and foremost believed that religion was the 'most ridiculous' reason for rebellion.<sup>16</sup> Writing in his first major work *Answer to a Book*, he argues 'True Religion is not Propagated by the Sword: It is a small still Voice that cannot be heard in War. It is built like Solomon's Temple, without the noise of a Hammer; War confounds it and debauches it'.<sup>17</sup> These comments by Leslie are as much about conscience as they are about political ideals,

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<sup>14</sup> Singer 1828: 246.

<sup>15</sup> Ibid, 266. This piece takes a literal interpretation of Clarendon's Diary. It tells us not his thought processes but his immediate and unscripted reaction to events.

<sup>16</sup> Leslie 1692: 36.

<sup>17</sup> Ibid, 36.

showing that taking the Oath of Allegiance was not just solely about one's political beliefs but that political beliefs were intertwined with matters of conscience.<sup>18</sup>

The final debate over the Allegiance Controversy was whether one owed allegiance to a de facto monarch rather than to a de jure monarch and whether William being a de facto monarch equated to him being a usurper. One could still have accepted William as a de facto monarch without swearing the Oaths because if one lived peacefully in the kingdom, accepting the situation, then you have effectively recognised the name the laws are exercised in. In practice one is then accepting William as de facto monarch. This was very different to swearing the oaths, with the former being a passive action and the latter an active one. However, Clarendon and many non-jurors viewed a de facto monarch and a usurper as diametrically opposed concepts.<sup>19</sup> Their belief in the doctrine of the divine right of kings ensured that they concluded that a monarch was God's representative on earth, and this combined with their view that William was a usurper ensured they could not accept him as a de facto monarch; thus, they considered James to be the rightful monarch and therefore they could not swear allegiance to William.

Whilst we cannot say for certain is that Clarendon was influenced by these sorts of arguments, we can say that Clarendon's close relationship with many of the non-juring bishops and clergy ensured that he may have been influenced by these arguments and these relationships were certainly key in explaining why he did not swear the Oath of Allegiance and subsequently became a non-juror.

## **Conclusion**

The position that Clarendon took when it came to the Oath of Allegiance was very much part of a wider spectrum of views on the issue. These views were shaped by personal alliances which were in themselves shaped by, not only personal relationships, but also political ideology and conscience. Furthermore, what was also at hand was the problem of keeping one's political actions consistent with one's political beliefs. Clarendon opted to not swear the Oath due to his personal relationship with James, his political ideology, his conscience and the desire to

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<sup>18</sup> Conscience formed part of Charles I decision making as shown by Eikon Basilike. It would be highly unlikely that Clarendon would not have read and been influenced by this.

<sup>19</sup> Nenner 1995: 210.

reconcile his political actions with his beliefs. In doing so he kept his personal alliance with James but abandoned his brother.

The interaction between political ideology, personal relationships and conscience all contribute to whether one keeps or abandons personal alliances. What is also at play is whether one can be content with knowing that your political actions were not consistent with your political ideology. Clarendon was clearly not satisfied with this and did not swear the Oath despite showing opposition to James on a key occasion since he did not believe that William and Mary had succeeded to the throne lawfully. In doing so he kept his personal alliance to James yet abandoned the one he had with his brother showing us that political decisions ultimately have huge ramifications upon one's personal relationships.

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