

James I (Stuart) of England

Selections From King James' *The Trew Law of Free Monarchies*, 1598.

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I haue chosen then onely to set downe in this short Treatise, the trew grounds of the mutuall duetie, and alleageance betwixt a free and absolute Monarche, and his people; not to trouble your patience with answering the contrary propositions, which some haue not bene ashamed to set downe in writ, to the poysoning of infinite number of simple soules, and their owne perpetuall, and well deserved infamie: For by answering them, I could not haue eschewed whiles to pick, and byte wel saltly their persons; which would rather haue bred contentiousnesse among the readers (as they had liked or misliked) then sound instruction of the trewth: Which I protest to him that is the searcher of all hearts, is the onely marke that I shoot at herein.

First then, I will set downe the trew grounds, whereupon I am to build, out of the Scriptures, since Monarchie is the trew *paterne* of Diuinitie, as I haue already said: next, from the fundamental Lawes of our owne Kingdome, which nearest must concerne vs: thirdly, from the law of Nature, by diuers similitudes drawne out of the same: and will conclude syne by answering the most weighty and appearing incommodities that can be objected.

The Princes duetie to his Subjects is so clearely set downe in many places of the Scriptures, and so openly confessed by all the good Princes, according to their [oath in their Coronation](#), as not needing to be long therein, I shall as shortly as I can runne through it.

Kings are called Gods by the propheticall King Dauid, because they sit vpon GOD his Throne in the earth, and haue the count of their administration to giue vnto him. Their office is, To minister Iustice and Iudgement to the people, as the same Dauid saith: To aduance thegood, and punish the euill, as he likewise saith: To establish good Lawes to his people, and procure obedience to the same as diuers good Kings of Iudah did: To procure the peace of the people, as the same Dauid saith: To decide all controuersies that can arise among them, as Salomon did: To be the Minister of God for the weale of them that doe well, and as the minister of God, to take vengeance vpon them that doe euill, as S. Paul saith. And finally, As a good Pastour, to goe out and in before his people as is said in the first of Samuel: That through the Princes prosperitie, the peoples peace may be procured, as Ieremie saith.

And therefore in the Coronation of our owne Kings, as well as of euery Christian Monarche, they giue their Oath, first to maintaine the Religion presently professed within their countrie, according to their lawes, whereby it is established, and to punish all those that should presse to alter, or disturbe the profession thereof; And next to maintaine all the lowable and good Lawes made by their predecessours: to see them put in execution, and the breakers and violaters thereof, to be punished, according to the tenour of the same: And lastly, to maintaine the whole countrey, and euery state therein, in all their ancient Priuiledges and Liberties, as well against all forreine enemies, as among themselues: And shortly to procure the weale and flourishing of his people, not onely in maintaining and putting to execution the olde lowable lawes of the countrey, and by establishing of new (as necessitie and euill maners will require) but by all other meanes

possible to fore-see and preuent all dangers, that are likely to fall vpon them, and to maintaine concord, wealth, and ciuilitie among them, as a louing Father, and careful watchman, caring for them more then for himselfe, knowing himselfe to be ordained for them, and they not for him; and therefore countable to that great God, who placed him as his lieutenant ouer them, vpon the perill of his soule to procure the weale of both soules and bodies, as farre as in him lieth, of all them that are committed to his charge. And this oath in the Coronation is the clearest, ciuill, and fundamentall Law, whereby the Kings office is properly defined.

By the Law of Nature the King becomes a naturall Father to all his Lieges at his Coronation: And as the Father of his fatherly duty is bound to care for the nourishing, education, and vertuous gouernment of his children; euen so is the king bound to care for all his subjects. As all the toile and paine that the father can take for his children, will be thought light and well bestowed by him, so that the effect thereof redound to their profite and weale; so ought the Prince to doe towards his people. As the kindly father ought to foresee all inconuenients and dangers that may arise towards his children, and though with the hazard of his owne person presse to preuent the same; so ought the King towards his people. As the fathers wrath and correction vpon any of his children that offendeth, ought to be by a fatherly chastisement seasoned with pitie, as long as there is any hope of amendment in them; so ought the King towards any of his Lieges that offend in that measure. And shortly, as the Fathers chiefe ioy ought to be in procuring his childrens welfare, reioycing at their weale, sorrowing and pitying at their euill, to hazard for their safetie, trauellfor their rest, wake for their sleepe; and in a word, to thinke that his earthly felicitie and life standeth and liueth more in them, nor in himselfe; so ought a good Prince thinke of his people.

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Hearken to the voice of the people.

And to presse to dissuade them from that, which he then came to grant vnto them, were a thing very impertinent in a wise man; much more in the Prophet of the most high God. And likewise, it well appeared in all the course of his life after, that his so long refusing of their sute before came not of any ambition in him: which he well proued in praying, & as it were importuning God for the weale of Saul. Yea, after God had declared his reprobation vnto him, yet he desisted not, while God himselfe was wrath at his praying, and discharged his fathers suit in that errand. And that these words of Samuel were not vttered as a prophecie of Saul their first Kings defection, it well appeareth, as well because we heare no mention made in the Scripture of any his tyrannic and oppression, (which, if it had beene, would not haue been left unpainted out therein, as well as his other faults were, as in a trew mirrour of all the Kings behaiours, whom it describeth) as likewise in respect that Saul was chosen by God for his vertue, and meet qualities to gouerne his people: whereas his defection sprung after-hand from the corruption of his owne nature, & not through any default in God, whom they that thinke so, would make as a step-father to his people, in making wilfully a chaise of the vnmeetest for governing them, since the election of that King lay absolutely and immediatly in Gods hand. But by the contrary it is plaine, and euident, that this speech of Samuel to the people, was to prepare their hearts before the hand to the due obedience of that King, which God was to giue vnto them; and therefore opened vp vnto them, what might be the intollerable qualities that might fall in some of their kings, thereby preparing them to patience, not to resist to Gods ordinance: but as he would haue said; Since God hath granted your importunate suit in giuing you a king, as yeehaue else committed an errour in shaking off Gods yoke, and ouer-hastie seeking of a King; so beware yee fall not into the next, in casting off also rashly that yoke, which God at your earnest suite hath laid vpon you, how hard that euer it seeme to be: For as ye could not haue obtained one without the permission and ordinance of God, so may yee no more, for hee be once set ouer you, shake him off without the same warrant. And therefore in time arme your selues with patience and humilitie, since he that hath the only power to make him, hath the onely power to vnmake him; and ye onely to obey, bearing with these straits that I now foreshow you, as with the finger of God, which lieth not in you to take off.

And will ye consider the very wordes of the text in order, as they are set downe, it shall plainly declare the obedience that the people owe to their King in all respects.

First, God commandeth Samuel to doe two things: the one, to grant the people their suit in giuing them a king; the other, to forewarne them, what some kings will doe vnto them, that they may not thereafter in their grudging and murmuring say, when they shal feele the snares here fore-spoken; We would neuer haue had a king of God, in case when we craued him, hee had let vs know how wee would haue beene vsed by him, as now we finde but ouer-late. And this is meant by these words:

Now therefore hearken vnto their voice: howbeit yet testifie vnto them, and shew them the maner of the King that shall rule otter them.

And next, Samuel in execution of this commandement of God, hee likewise doeth two things.

First, hee declares vnto them, what points of justice and equitie their king will breake in his behauiour vnto them: And next he putteth them out of hope, that wearie as they will, they shall not haue leaue to shake off that yoke, which God through their importunitie hath laide vpon them. The points of equitie that the King shall breake vnto them, are expressed in these words:

11 He will take your sonnes, and appoint them to his Charets, and to be his horsemen, and some shall run before his Charet.

12 Also he will make them his captaines ouer thousands, and captaines ouer fillies, and to care his ground, and to reape his haruest, and to make instruments of warre, and the things that serue for his charets.

13 He will also take your daughters, and make them Apothecaries, and Cookes, and Bakers.

The points of Justice, that hee shall breake vnto them, are expressed in these wordes:

14 Hee will take your fields, and your vineyards, and your best Olive hees, and give them to his servants.

15 And he will take the tenth of your seede, and of your vineyards, and give it to his Eunuches and to his servants: and also the tenth of your sheepe.

As if he would say; The best and noblest of your blood shall be compelled in slauish and seruile offices to serue him: And not content of his owne patrimonie, will make vp a rent to his owne vse out of your best lands, vineyards, orchards, and store of cattell: So as inuerting the Law of nature, and office of a King, your persons and the persons of your posteritie, together with your lands, and all that ye possesse shal serue his priuate vse, and inordinate appetite.

And as vnto the next point (which is his fore-warning them, that, weary as they will, they shall not haue leaue to shake off the yoke, which God thorow their importunity hath laid vpon them) it is expressed in these words:

18 And yee shall crie out at that day, because of your King whom yee haue chosen you: and the Lord will not heare you at that day.

As he would say; When ye shall finde these things in prooffe that now I fore-warne you of, although you shall grudge and murmure, yet it shal not be lawful to you to cast it off, in respect it is not only the ordinance of God, but also your selues haue chosen him vnto you, thereby renouncing for euer all priuiledges, by your willing consent out of your hands, whereby in any time hereafter ye would claime, and call backe vnto your selues againe that power, which God shall not permit you to doe. And for further taking away of all excuse, and retraction of this their contract, after their consent to vnder-lie this yoke with all the burthens that hee hath declared vnto them, he cranes their answere, and consent to his proposition: which appeareth by their answere, as it is expressed in these words:

19 Nay, but there shall be a King otter vs.

20 And we also will be like all other nations: and our king shall iudge vs. and goe out before vs and fight our battels.

As if they would haue said; All your speeches and hard conditions shall not skarre vs. but we will take the good and euill of it vpon vs. and we will be content to beare whatsoever burthen it shal please our King to lay vpon vs. aswell as other nations doe. And for the good we will get of him in fighting our battels, we will more patiently beare any burthen that shall please him to lay on vs.

Now then, since the erection of this Kingdome and Monarchic among the Iewes, and the law thereof may, and ought to bee a paterne to all Christian and well founded Monarchies, as beeing founded by God himselfe, who by his Oracle, and out of his owne mouth gaue the law thereof: what liberty can broiling spirits, and rebellious minds claime justly to against any Christian Monarchic; since they can claime to no greater libertie on their part, nor the people of God might haue done, and no greater tyranny was euer executed by any Prince or tyrant, whom they can object, nor was here fore-warned to the people of God, (and yet all rebellion countermanded vnto them) if tyrannizing ouer mens persons,

sonnes, daughters and servants; redacting noble houses, and men, and women of noble blood, to slauish and seruile offices; and extortion, and spoile of their lands and goods to the princes owne priuate vse and commoditie, and of his courteours, and seruants, may be called a tyrannic?

And the agreement of the Law of nature in this our ground with the Lawes and constitutions of God, and man, already alledged, will by two similitudes easily appeare. The King towards his people is rightly compared to a father of children, and to a head of a body composed of diners members: For as fathers, the good Princes, and Magistrates of the people of God acknowledged themselues to their subjects. And for all other well ruled Common-wealths, the stile of Pater patriae was euer, and is commonly vsed to Kings. And the proper office of a King towards his Subjects, agrees very wel with the office of the head towards the body, and all members thereof: For from the head, being the seate of Iudgement, proceedeth the care and foresight of guiding, and preventing all euill that may come to the body or any part thereof. The head cares for the body, so doeth the King for his people. As the discourse and direction flowes from the head, and the execution according "hereunto belongs to the rest of the members, euery one according to their office: so is it betwixt a wise Prince, and his people. As the lodgement comming from the head may not onely imploy the members, euery one in their owne office as long as they are able for it; but likewise in case any of them be affected with any infirmitie must care and prouide for their remedy, in-case it be curable, and if otherwise, gar cut them off for feare of infecting of the rest: euen so is it betwixt the Prince, and his people. And as there is euer hope of curing any diseased member by the direction of the head, as long as it is whole; but by the contrary, if it be troubled, all the members are partakers of that Paine, so is it betwixt the Prince and his people.

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As to this contract alledged made at the coronation of a King, although I deny any such contract to bee made then, especially containing such a clause irritant as they alledge; yet I confesse, that a king at his coronation, or at the entry to his kingdome, willingly promiseth to his people, to discharge honorably and trewly the office giuen him by God ouer them: But presuming that thereafter he breake his promise vnto them neuer so inexcusable; the question is, who should bee iudge of the breake, giuing vnto them, this contract were made vnto them neuer so sicker, according to their alleageance. I thinke no man that hath but the smallest entrance into the ciuill Law, will doubt that of all Law, either ciuill or municipal of any nation, a contract cannot be thought broken by the one partie, and so the other likewise to be freed therefro, except that first a lawfull triall and cognition be had by the ordinary Iudge of the breakers thereof: Or else euery man may be both party and Iudge in his owne cause; which is absurd once to be thought. Now in this contract (I say) betwixt the king and his people, God is doubtles the only Iudge, both because to him onely the king must make count of his administration (as is oft said before) as likewise by the oath in the coronation, God is made iudge and reuenger of the breakers: For in his presence, as only iudge of oaths, all oaths ought to be made. Then since God is the onely Iudge betwixt the two parties contractors, the cognition and reuenge must onely appertaine to him: It followes therefore of necessitie, that God must first giue sentence vpon the King that breaketh, before the people can thinke themselves freed of their oath. What justice then is it, that the partie shall be both iudge and partie, vsurping vpon himselfe the office of God, may by this argument easily appeare: And shall it lie in the hands of headlesse multitude, when they please to weary off subjection, to cast off the yoake of gouernement that God ath laid vpon them, to iudge and punish him, whom-by they should be judged and punished; and in that case, wherein by their violence they kythe themselves to be most passionate parties, to vse the office of an ungracious Iudge or Arbiter? Nay, to speake trewly of that case, as it stands betwixt the king and his people, none of them ought to iudge of the others breake: For considering rightly the two parties at the time of their mutuall promise, the king is the one party, and the whole people in one body are the other party. And therefore since it is certaine, that a king, in case so it should fal out, that his people in one body had rebelled against him, hee should not in that case, as thinking himselfe free of his promise and oath, become an vtter enemy, and practice the wreake of his whole people and natue country: although he ought justly to punish the principall authours and bellowes of that vniuersall rebellion: how much lesse then ought the people (that are alwaies subject vnto him, and naked of all authoritie on their part) presse to iudge and ouerthrow him? otherwise the people, as the one partie contractors, shall no sooner challenge the king as breaker, but hee as soone shall iudge them as breakers: so as the victors making the tyners the traitors (as our prouerbe is) the partie shall aye become both iudge and partie in his owne particular, as I haue already said.

... [T]he duty and alleageance, which the people sweareth to their prince, is not only bound to themselues, but likewise to their lawfull heires and posterity, the lineall succession of crowns being begun among the people of God, and happily continued in diners Christian common-wealths: So as no objection either of heresie, or whatsoever priuate statute or law

may free the people from their oath-gluing to their king, and his succession, established by the old fundamentall lawes of the kingdome: For, as hee is their heritable ouer-lord, and so by birth; not by any right in the coronation, commeth to his crowne; it is a like unlawful (the crowne euer standing full) to displace him that succeedeth thereto, as to elect the former: For at the very moment of the expiring of the king reigning, the nearest and lawful heire entreth in his place: And so to refuse him, or intrude another, is not to horde out vncomming in, but to expell and put out their righteous King. And I trust at this time whole France acknowledgeth the superstitious rebellion of the liguers, who vpon presence of heresie, by force of armes held so long out, to the great desolation of their whole countrey, their natiue and righteous king from possessing of his owne crowne and naturall kingdome.

Not that by all this former discourse of mine, and Apologie for kings, I meane that whatsoever errors and intollerable abominations a souereigne prince commit, hee ought to escape all punishment, as if thereby the world were only ordained for kings, & they without controlment to turne it vpside down at their pleasure: but by the contrary, by remitting them to God (who is their onely ordinary Iudge) I remit them to the sorest and sharpest schoolemaster that can be deuised for them: for the further a king is preferred by God aboue all other ranks & degrees of men, and the higher that his seat is aboue theirs, the greater is his obligation to his maker. . .

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