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Nathan Greenhaw
ngreenhaw@smu.edu

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The Little God of England: The Divine Right of James I and the English Response

Nathan P. Greenhaw

ngreenhaw@smu.edu

Mentor: Dr. Kathleen Wellman¹

ABSTRACT

This paper analyzes the development of James I's theory of divine right in England and how its application elevated the sovereignty of the monarch to the extent of absolutism in the early seventeenth century. Since divine right ultimately conflicted with the ancient laws and customs of the English government, James's theory provoked newfound interpretations of the political and judicial authority of the ruler. From a plethora of political treatises, religious sermons, and parliamentary records, these interpretations ultimately affected how governmental institutions, such as Parliament and the courts, interacted with the monarchy. Parliamentarians became more submissive to the king's will, the importance of constitutional law was diminished, and political theories grew more in favor of divine right. As such, by the end of James's reign, divine right was no longer a theory but rather a political reality, a development which enabled the king to rule with absolute power, all at the expense of parliamentary autonomy, constitutional supremacy, and individual liberty. Therefore, discourse over the true nature of monarchical government not only became more prevalent, but divine right itself became significantly entrenched within the English monarchy. This development altered the English political landscape entirely, inevitably leading the kingdom to civil war in the 1640s and a fervent resurgence of divine right with the restoration of Charles II in 1660. Thus, this paper reveals that divine right during the reign of James I was paramount towards the transformation of the monarchy in early modern England, for it created a myriad of unique and complex understandings of rulership that would ultimately lead to the expansion of absolutism, civil conflict, and political unrest for the remainder of the century.

At the turn of the seventeenth century, James Stuart asserted the divine right of kings through the publication of his books *Basilikon Doron* and the *Trew Lawe of Free Monarchies* before he ascended to the English throne in 1603. Unequivocal in his assertions, James argued that the essence of monarchy was divine and supreme in power, authority, and status. All subjects, whether clergymen, nobles, or ordinary citizens, were subservient to his sovereignty. The king claimed to be a little god over his domain, and he articulated his understanding of the nature of monarchy as such:

Kings are called Gods by the [prophetical] King *David*, because they sit [upon] God his Throne in the earth, and have the count of their administration to give [unto] him... since [God] that hath only the power to make him, hath the [only] the power to [unmake] him; and ye [only] to obey.²

James's relatively centralized power in Scotland before the Union of the Crowns might well have given him the rationale for his theory of divine right and led him to believe it was well founded. While he consolidated royal authority in Scotland, James rejected the political theories of his humanist tutors, namely George Buchanan and Andrew Melville. Buchanan had argued that kings had been appointed by their subjects, and Melville that the monarch was "but God's silly vassal."³ These assertions were extreme challenges to royal authority, which provoked James to define a political theory of divine monarchical sovereignty. This political position enabled the king, with the support of the Church of Scotland, to effectively solidify his royal authority and power within the extant Scottish establishments.

James faced an entirely different situation with the foreign institutions of England, which became increasingly less receptive to any understanding of the king's power as divine right. After his accession in 1603, James struggled constantly with Parliament and the courts to make his claims to authority a genuine reflection of political reality. Some of

¹ Dr. Wellman is the Dedman Family Distinguished Professor and Altshuler Distinguished Teaching Professor in Dedman College's Department of History.

² James I Stuart, *The Political Works of James I*, ed. Charles H. McIlwain (Cambridge, MA: Harvard University Press, 1918), 54-7.

³ S.J. Houston, *James I* (New York, NY: Longman Publishing, 1995), 3-11.

his conflicts with Parliament were due to its conventional objections to the king's lavish personal expenditures, but the king's divine right theory provoked staunch resistance based on the ancient traditions and institutions of the English. The Church of England under Henry VIII and Elizabeth I had asserted the religious authority of the monarch before the reign of James I, but the theory of divine right expanded the monarch's authority to all aspects of government, not solely religious affairs.⁴ As a result, the publication of James's works and his ideological conflicts with the English government generated a complex period of rapid ideological change, which continued throughout the English Civil Wars and even after the Restoration. James's concept of divine right would influence the ideas of John Milton, Thomas Hobbes, John Locke, and other notable political theorists who debated the true purpose and form of government. Even though James himself failed to completely overrule the demands of the parliamentarians and the courts, divine right itself significantly affected English political theory and the monarch's influence in government.

Discussions of divine right became prominent during the English Civil Wars, as royalists and parliamentarians fought furiously over monarchical authority, but responses during James I's reign laid the foundations for these conflicts and affected English politics and laws.⁵ Each response addressed James's divine right claims by discussing his power in relation to the establishments of England, citing scriptures, medieval texts, and the king's own works to refute or endorse the absolute supremacy of his political authority. The issue was especially complicated because the monarch was the head of both the English church and the state. Nevertheless, divine right asserted the primacy of the king's political authority with respect to the law, which protected certain rights of English subjects and the judicial authority of the courts from the absolute power of the monarch. The Tudor monarchs had mostly ruled within this reality, but James effectively negated all practices to assert his sovereignty. His ensuing struggles with Parliament and the courts incited discussion of divine right itself, with proponents and opponents further complicating the matter with their own beliefs and understandings of law and religion.⁶

In recent decades, the true impact of James's divine right theory has been fiercely debated, with historians either refuting or affirming that the king's beliefs influenced the understanding of the monarchy and English government in the early seventeenth century. J.P. Sommerville claimed that James's predecessors had promoted variations of divine sovereignty, rejecting the notion that most subjects would

have completely disregarded or opposed his divine right theory.⁷ In contrast, S.J. Houston claimed that the king's beliefs were effectively inconsequential, for many parliamentarians and other government officials still passionately refuted James's divine right theory by the end of king's reign.⁸ However, the fact that James faced considerable opposition to his beliefs does not indicate that his theory failed to provoke new viewpoints and perspectives on the true nature of monarchy and government. In fact, the extremism of the king's political theory incited a myriad of responses, each one attempting to interpret divine right with respect to the English political landscape. This paper examines how James's theory of divine right brought him into conflict with English customs and establishments after his accession to the English throne, provoking newfound interpretations of the political and judicial authority of the ruler. Thus, the theory of divine right also provided greater opportunities to discuss the true nature and ideal form of a monarchical government in the following decades.

In the beginning of James's reign in England, the reception of divine right was generally supported due to the potential benefits its application could provide to the various Protestant sects. As "Defender of the Faith," James was directly entrusted with the religious affairs of the English church through the grace of God, as claimed by Henry VIII in the *Articles of Religion*. As a result, most English Protestants eventually accepted James's claim in order to promote their own interests.

As James Doelman points out, the Puritans used James's book *Basilikon Doron* to petition the king for greater church reformation.⁹ They all argued that James alone had the authority to remove the popish practices still remaining after Henry VIII's break from Rome in 1534. His claim to divine right could nullify the influence of the "popish" Anglican bishops and officials, whom the Puritans believed were too Catholic in their positions and rituals. They also appreciated James's Presbyterian upbringing in Scotland, which was influenced by the humanist and Calvinist teachings of the king's tutors.¹⁰

Like the Puritans, the Anglicans too were initially hopeful of James's assertion of divine right, for his views in *Basilikon Doron* promoted a reverent, traditional understanding of a ruler's religious responsibilities.¹¹ Monarchs were to be sincere in their religious observations, and they had to interpret scripture in a manner that did not stray towards excessive piety.¹² Skeptical of the Reform Protestants, such as his Presbyterian tutors, James was also more sympathetic towards the traditional structure of the Church of England, making him the perfect ruler to preserve

⁴ Conrad Russell, "Divine Right in the Early Seventeenth Century," in *Public Duty and Private Conscience in Seventeenth-Century England*, eds. John Morrill, Paul Slack, and Daniel Woolf (Oxford: Clarendon Press, 1973), 119.

⁵ J.P. Sommerville, "James I and the Divine Right of Kings: English Politics and Continental Theory," in *The Mental World of the Jacobean Court*, ed. Linda Levy Peck (Cambridge: Cambridge University Press, 1991), 70.

⁶ Russell, "Divine Right," 102-4.

⁷ Sommerville, "James I and the Divine Right of Kings," 66.

⁸ Houston, James I, 31-4.

⁹ James Doelman, "'A King of Thine Own Heart': The English Reception of King James VI and I's BASILIKON DORON," in *The Seventeenth Century* 9, no. 1 (1994), 4.

¹⁰ Houston, James I, 57.

¹¹ Doelman, "'A King of Thine,'" 4.

¹² Stuart, *The Political Works*, 14-5.

the religious rites of the Anglicans. He also enjoyed the religious and political authority his position in the English church provided him. Unlike in the Church of Scotland, James's religious supremacy was unquestionable in England, and he did not have to spend years consolidating his power against the Presbyterian bishops who plagued his early reign in Scotland.¹³ Most Protestants in England viewed James as an authoritative monarch capable of supporting their beliefs through his divine religious authority. By the time of his accession in 1603, no English subject denied the king's divine right theory. The new ruler embodied a great potential for either religious reformation or conservatism.

Furthermore, Parliament was not initially resistant to James's claims of divine right, primarily because they misunderstood the true extent of the king's proposed authority. For example, many parliamentarians and petitioners to the king cited *Basilikon Doron* from the perspective of English law and custom, perhaps wrongly assuming that James knew the political landscape of his newly acquired kingdom.¹⁴ They also believed that James was simply reinforcing the religious responsibilities and authority given to him through his status of a ruler, claims which were no different from his predecessors' since Henry VIII.¹⁵ The bulk of James's ideas in *Basilikon Doron* and *Trew Lawe of Free Monarchies* were supported by scriptural citations, reinforcing the monarch's religious obligations. However, most of his claims were entirely susceptible to interpretation, including assertions that were not particularly religious:

And according to the fundamentall Lawes already alledged, we daily see that in Parliament... the laws are but craved by his subjects, and only made by him at their roagation, and with their advice.¹⁶

Any parliamentarian reading this could well have assumed that James acknowledged, or at least suggested, a noticeable degree of political independence and cooperation between the monarchy and Parliament. Furthermore, the parliamentarians interpreting his books viewed his claims within the context of the political and religious organization of the English government, not the more centralized one that James had developed in Scotland three decades earlier. Thus, when James spoke of his authority and sovereignty with respect to the English government, parliamentarians mistakenly believed that the king was emphasizing the traditional understanding of the English monarchy, rather than advocating for the application of absolute divine right.¹⁷

However, some subjects supported the more extreme understanding of James's divine right theory from the beginning of the king's reign in England, recognizing the absolute supremacy of the monarch with respect to Parliament and other institutions. Sir John Hayward, a notable historian and member of Parliament during Elizabeth I's reign, wrote directly on divine right shortly after James's accession. Considering that Hayward was incarcerated after his implication in Robert Devereux's treason plot in 1600, he probably created this work to seek clemency or patronage.¹⁸ Nevertheless, the work itself was a thorough and dense reflection about the divine right of kings in relation to succession, and it more accurately examined James's theory than any other interpretation at the time:

Parliaments in al places have bin erected by kings... All nations very few excepted, do consent in this form of government; first, to bee under one prince; secondly, to accept him by succession, according to propinquitie of blood... It is God only who seateth kings in their state; it is he only who may remove them.¹⁹

Hayward also provided historical precedents for the monarch's supremacy in relation to other government entities, claiming that Parliament and the law were initially created by the ruler. Furthermore, he claimed that most government institutions, with the exception of religious establishments, were natural and manmade, undermining their authority and autonomy in relation to the divine monarch.²⁰ These claims are nearly identical to James's own in his *Trew Lawe of Free Monarchies*, and although Hayward was appealing to the king directly, his text demonstrated a willingness by a member of Parliament to forsake the traditional understanding of English politics in favor of James's concept of divine right. Most officials would not have conceded such extreme theory, considering its absolutism, but perhaps Hayward recognized the likely personal benefits of endorsing it. If the king had managed to turn his belief into political reality, Hayward might have gained the king's favor, essentially transforming him from a relatively disgraced individual into an influential and trusted politician. Politicians, clergymen, and courtiers could thus use divine right as a method for increasing their prominence and authority through royal patronage, rather than having to deal with the machinations of Parliament or any other institution. As a result, Hayward's document demonstrates how divine right theory, while it overlooked English law and government, attracted individuals who sought greater political influence and power. Divine right theory provided

¹³ Houston, *James I*, 10.

¹⁴ Doelman, "'A King of Thine,'" 5-6.

¹⁵ Sommerville, "Divine Right of Kings," 62.

¹⁶ Stuart, *Political Works*, 62.

¹⁷ Houston, *James I*, 33.

¹⁸ David Womersley, "Sir John Hayward's Tacitism," in *Renaissance Studies* 6, no. 1 (1992), 48, accessed through JSTOR at <http://www.jstor.org/stable/24412406> on October 12, 2020.

¹⁹ John Hayward, *An Answer to the First Part of a Certain Conference Concerning Succession* (London: Thomas Chard, 1603), 34-46, accessed through ProQuest at <https://www.proquest.com/docview/2240894559/> on October 12, 2020.

²⁰ Hayward, *An Answer*, 29.

officials, especially those disgraced or relatively unknown, a means to gain political prominence and authority over the more longstanding and independent parliamentarians, who ultimately took issue with this unforeseen development.

Despite the existence of documents supporting James's radical interpretation of divine right at the beginning of his reign, such as Hayward's, most of these were congratulatory and flattering in nature. Treatises on divine right were directly addressed to the king and written for the author's own benefit. Many were panegyrics, which concentrated more on congratulating the king for his accession than on thoroughly examining his radical political theory. Such innocuous remarks likely show that parliamentarians and Puritans thought they had little reason for concern over these texts. These works primarily contributed to the extravagant welcome James received in England during his accession, as well as the neglect of the implications of his *Basilikon Doron*.²¹ Therefore, with the widespread misunderstanding of the king's theory and the excess of flattering works, the actual amount of texts explicitly supporting James's interpretation of divine right was likely unanticipated by the parliamentarians and the Puritans, who became thoroughly surprised by the king's authoritarian actions after his accession.²² Perhaps James would recognize their initial reflections and responses to his ideas as admiration of the king's "wisdom" or even as flattery. They doubtless hoped to curry favor with the Scottish king in a foreign court. Nevertheless, the early responses to James's promotion of divine right by both the Puritans and the parliamentarians underestimated its significance as they attempted to interpret divine right in ways that best suited their interests.

The Puritans' interpretations of the theory became much divided, primarily because they disagreed over James's handling of church affairs. This disagreement arose through the Hampton Court Conference of 1604, in which James refused to abolish Anglican bishops and to remove certain "popish" ceremonies. The moderate Puritans believed James had justly addressed their petitions and respected his assertions. The radicals, who would become extremely influential during the reign of Charles I and the English Civil Wars, were more skeptical.²³ Their doubts were reinforced by the king's proclamation of Canon 36, which required all clergymen to concede to the king's religious authority. Sir Jacob Henry, one such radical and opponent to the Anglican church, responded to James's assertion of divine right in a treatise addressed directly to the king himself:

Finally our Adversaries will object, that by these assertions and defences we detract from the

Kings authorities & power... We honor the King as a man next vnto God, and inferior to God only... We gladlie acknowledge that the King is, & ought to be Supreme governor even in all causes and over all persons Ecclesiasticall... But he is not *Author* or *Minister* of any Ecclesiasticall thing or Cōstitution whatsoever.²⁴

Henry's sentiments were similar to the Presbyterian beliefs of Melville, who was one of the king's tutors in Scotland. Melville claimed that James's supremacy allowed him to oversee church affairs, not to control them entirely:

There is two Kings and two Kingdoms in Scotland. There is Christ Jesus the King, and his kingdom the Kirk [Church of Scotland], whose subject James the Sixth is... whom Christ has called and commanded to watch over his Kirk, and govern his spiritual kingdom... which no Christian King nor Prince should control and discharge.²⁵

Although Henry's refutation was not as blunt or scathing as Melville's, he too noticed the greater conflict between James's divine right theory and the Puritan beliefs, which were noticeably similar to those of the Presbyterians in Scotland.²⁶ The only difference was that the reform Church of Scotland did not explicitly declare the religious hegemony of the monarch as the Anglican Church asserted in the *Articles of Religion*. Nevertheless, perhaps Henry's argument revealed an inherent conflict between James's divine right theory and the beliefs of the reform Protestants, further elucidating the conflict and frustrations between Puritans and the monarchy that characterized James's later reign.

Furthermore, the Puritan interpretations of the king's divine right conflicted largely due to how moderate and radical followers viewed his divine supremacy. Moderate Puritans undoubtedly revered James as head of the Anglican church, and even though they might have disagreed with him on certain aspects of divine right, they still were bound by the *Articles of Religion* to respect his decisions.²⁷ They certainly still misconstrued divine right and thought they could sway the king, but even if these endeavors failed, they obeyed him nonetheless.²⁸ However, the radical Puritans, as Henry's text suggests, were more passionately argumentative and captious about James's divine right. They understood the divine right of the king as the authority that permitted James to oversee church affairs, not to decide or to create them.²⁹ The radical Puritans likely

²¹ Doelman, "'A King of Thine,'" 2-5.

²² Houston, *James I*, 34-5.

²³ Houston, *James I*, 58-60.

²⁴ Jacob Henry, *Reasons Taken Out of Gods Word and the Best Humane Testimonies*. (Middleborough: Richard Schilders, 1604), 56-57, accessed through ProQuest at <https://www.proquest.com/docview/2240897142/> on October 12, 2020.

²⁵ Robert Ashton, ed., *James I by his Contemporaries* (London: Hutchinson of London, 1969), 175.

²⁶ Sommerville, "Divine Right of Kings," 57-58.

²⁷ Houston, *James I*, 59.

²⁸ Ashton, *Contemporaries*, 189.

²⁹ Henry, *Reasons Taken Out*, 56-57.

purposely overlooked James's claim in *Basilikon Doron* that emphasized the monarch's supreme authority in religious matters:

Thinking it one of your fairest styles [as king], to be called a louing nourish-father to the Church, seeing all the Churches within your dominions planted with good Pastors... the doctrine and discipline preserued in puritie, according to Gods word.³⁰

James clearly regarded the ruler's authority as absolute and supreme in dealing with religious matters, but the dissatisfied Puritans could skillfully use the king's own words to promote their own interests.³¹ After all, James had decided to preserve the Anglican bishops and the traditional rites leftover from Henry VIII's break with Rome, so perhaps they believed the king should be limited in his religious authority, which itself was established on the principle of divine right. Therefore, by recognizing the extreme interoperability of James's theory, the radical Puritans exemplified a key development in the debate of divine right for the remainder of the king's reign. James's divine right was to be refuted and supported not only through the traditional understanding of English politics and religion, but also through the misuse of his own works, a strategy Parliament and the courts would use in their own struggles against the king's growing absolutism.

While the Puritans grew divisive and concerned over James's divine right, parliamentarians also began interpreting James's theory against him, defining divine right as an authority incapable of being entirely supreme in relation to preexisting laws and customs. This development arose through the Parliament of 1604, only a few months after the Hampton Court Conference, when the House of Commons petitioned James to intervene in the election of Sir Francis Goodwin, a parliamentarian declared outlaw by the Court of Chancery.³² The House of Commons insisted that Goodwin was unlawfully declared an outlaw, and they petitioned the king to judge the case against the claims of the Court of Chancery. Ambivalent about the case, James proclaimed that he would decide the matter with impartiality, and if the parliamentarians disliked his decision, they were to remember that the House of Commons "derived all matters of privilege from him, and by his grant, he expected they should not be turned against him."³³ Not expecting such an extreme assertion, the parliamentarians fiercely responded by drafting the *Form of Apology and Satisfaction*, a document which bluntly asserted parliamentary independence and autonomy against the king's sovereignty. Ironically, as Doelman mentions in his

study of *Basilikon Doron*, the parliamentarians intentionally referred to James's work to imply his ignorance of the English political landscape, mockingly stating that his books provided them a "strong and undoubted assurance" of his misinformed understanding of the English government.³⁴ They then plainly refuted his notion of divine right by directly asserting the monarch's political limitations with respect to Parliament:

We know, and with great thankfulness to God acknowledge, that he hath given us a King of such understanding and wisdom as is rare to find in any prince in the world. Howbeit, seeing no human wisdom, how great soever, can pierce into the particularities of the rights and customs of people... The prerogatives of princes may easily and do daily grow; the privileges of the subject are for the most part at an everlasting stand.³⁵

No doubt some of this hostility was the result of anti-Scottish sentiments or leftover bitterness from Elizabeth I's own rather authoritarian reign, but the document itself shows a definitive understanding of James's concept of divine right.³⁶ The authors directly acknowledged the king's view of monarchy as absolute and divine, only to refute this claim as misinformed and inherently incompatible with the ancient rights of the English subjects. They also thoroughly listed their protections and liberties against the ruler's authority, citing established laws and precedents since the reign of Henry III.³⁷ Despite the document's reasonable objections and strong arguments against James's claim of divine absolute authority, it is unlikely that it was presented to the king. The drafters of the document had clearly ridiculed James to an extent dangerously interpretable as treason, and they boldly refused to acknowledge any validity in his arguments from *Basilikon Doron* or the *Trew Lawe of Free Monarchies*.

The parliamentarians could more effectively serve their interests by adapting their traditional beliefs to compete with James's unprecedented claim of divine right. They could then better argue and articulate their ideas in opposition to the king without seeming disrespectful or insolent. Thus, the parliamentarians invoked more traditional and medieval understandings of the monarch's role within government, asserting that the ruler, despite having divine right, was still required to follow extant laws and customs. For example, Sir Edward Forset, a prominent politician and writer since the reign of Elizabeth I, incorporated a traditional view of monarchy into James's theory in 1606. This interpretation was published in his

³⁰ Stuart, *Political Works*, 24.

³¹ Doelman, "A King of Thine," 5.

³² Eric N. Lindquist, "The Case of Sir Francis Goodwin," in *The English Historical Review* 104, no. 313 (1989), 672-673, accessed through JSTOR at <http://www.jstor.org/stable/25715509> on October 12, 2020.

³³ Houston, *James I*, 35.

³⁴ J.R. Tanner, ed., *Constitutional Documents of the Reign of James I, A.D. 1603-1625* (Cambridge: Cambridge University Press, 1960), 220.

³⁵ Tanner, *Constitutional Documents*, 222.

³⁶ Houston, *James I*, 34.

³⁷ Tanner, *Constitutional Documents*, 227.

Comparative Discourse of the Bodies Natural and Politic, in which he explained divine right in regards to the medieval principal of dual-body monarchy, also known as the king's two bodies.

Dual-body theory of monarchy had been well known by the time of Elizabeth I. According to Edmund Plowden, one of the queen's most prominent royal attorneys, the ruler had two bodies: the body natural and the body politic.³⁸ The body natural dealt with the mortal body of the ruler, which was similar to that of any other subject, and the body politic was the literal embodiment of the kingdom, including politics and religion. However, the monarch was not supposed to rule absolutely as James asserted with divine right, but rather through cooperation with Parliament and the courts. Forset attempted to make this concept accord with James's beliefs:

The ruler should wholly inendeuour the welfare of his people, and the subject ought... to comforme vnto his soueraigne... [however] it was not in the power of the body either to chuse or refuse the soule, but his right of admission depended only on the pleasure of his immediate maker.. that in this high point of principalitie [the monarch], God hath reserued to himself this prerogative of bestowing that diginitie.³⁹

Forset acknowledged James's divine right through his appointment by God, but he claimed that the monarch still had to serve for the welfare of his subjects in order to rule legitimately. The subjects, including those in Parliament and the courts, could also not prosper without the ruler, whose appointment by God made him the sole authority in overseeing the government.⁴⁰ Therefore, according to Forset, divine right was not necessarily an absolute declaration of authority, but rather an innovation in the theory of the king's two bodies. Parliamentarians composed the body politic of the king and owed fealty to him, but James ultimately had sovereignty through God, which he was required to use for the welfare of his subjects and his kingdom. Forset appealed directly to parliamentary sentiments, but he neither dismissed nor contested the king's authority. He wholly acknowledged the divine sanctioning of the monarch, and he conceded the king's authority over other governmental entities, so long as the ruler cooperated with these institutions to serve the welfare of the state.⁴¹ As a result, Forset's work promoted a newfound political theory that could reconcile the inherent differences between James's concept of divine right and the traditional beliefs of

the parliamentarians, who struggled to communicate their understanding of English politics with respect to the king's theory.

Despite the parliamentarians' attempts to interpret and reconcile divine right through more traditional theories, royalist support for the king's absolute divine supremacy increased significantly. They argued that James's beliefs were protected under the legal pretext of the royal prerogative. This claim was proposed by the royalist jurist John Cowell, who compiled his argument in an extremely controversial law dictionary, *The Interpreter*, in 1607. Seeking to promote James's political authority and undermine the parliamentarians, Cowell promoted divine right through king's royal prerogative, which, due to its vague sense, James could use to justify any action against the will of Parliament.⁴² Therefore, Cowell defined the royal prerogative expansively:

Praerogative of the King is that especiall power, preeminence, or priuiledge that the King hath above other persons, and above the ordinarie course of the common lawe, in right of his crowne... all that absolute height of power that the Civilians call... subject only to god.⁴³

According to Cowell, the royal prerogative, the legal definition of the monarch's power, was divine right itself, which no subject, government entity, or legal institution could refute. His definition even undermined Parliament, stating that the "king was above the Parlement" as well as the "positive lawes of his kingdom."⁴⁴ Furthermore, Cowell acknowledged the king's sovereignty as supreme over the law. This development was significant, because unlike Hayward's earlier interpretation, which addressed the king's authority with respect to Parliament and the Church of England, Cowell's understanding of divine right provided James legitimate judicial authority. If *The Interpreter* had become a prominent law dictionary used to define legal principles throughout the kingdom, James could have swiftly turned his theory of divine right into reality. Parliamentarians relied significantly on English law to protect their traditional rights, as they expressed thoroughly in the *Form of Apology and Satisfaction*. If legal definitions of these liberties were so weakened to strengthen the monarch's prerogative, their rights would have been effectively nullified. Nevertheless, Cowell's *The Interpreter* would never become the bastion of divine right as the jurist had hoped, nor would it become a standard in the

³⁸ Edmund Plowden, *Commentaries or Reports of Edmund Plowden* (Dublin: H. Watts and W. Jones, 1792), 213, accessed through Hathi Trust at catalog.hathitrust.org/Record/008928713 on November 25, 2020.

³⁹ Edward Forset, *A Comparative Discourse of the Bodies Natural and Politique*. (London: Elliot's Court Press, 1606), 3-6, accessed through ProQuest at <https://www.proquest.com/docview/2240880500/> on October 12, 2020.

⁴⁰ Forset, *Comparative Discourse*, 18.

⁴¹ Forset, *Comparative Discourse*, 56.

⁴² Jocelyn Simon, "Dr. Cowell," in *The Cambridge Law Journal* 26, no. 2 (1968), 268, accessed through JSTOR at <http://www.jstor.org/stable/25715509> on October 12, 2020.

⁴³ John Cowell, *The Interpreter: Or Booke Containing the Signification of Words* (Cambridge: John Legate, 1607; Ann Arbor: Text Creation Partnership, 2011), sec. 22, accessed through Early English Books at <http://name.umdl.umich.edu/A19476.0001.001> on December 1, 2020.

⁴⁴ Cowell, *The Interpreter*, sec. 22.

interpretation of English law.⁴⁵ However, Cowell's work introduced a new legal interpretation of divine right that would come to the forefront of debates about it, forcing James into greater legal, political, and religious conflicts than those he faced at the beginning of his reign.

After the publication of Cowell's *The Interpreter*, jurists, fearing James growing legal and political authority, began to change their understandings of divine right to refute the theory entirely, rather than attempting to reconcile it with the extant customs of the English government. However, they still acknowledged the necessity of refuting James's theory through more diplomatic and considerable terms, rather than the more backhanded, insulting approach the drafters of the *Form of Apology and Satisfaction* had used in 1604. The greatest example of this development was the Case of Prohibitions of 1607, in which Sir Edward Coke, then Chief Justice of the Court of Common Pleas, wittily refuted James's divine right and prerogative as inferior to English law. The case arose through Richard Bancroft, the Archbishop of Canterbury, who argued that the king's divine right enabled him to intervene in any legal case that might conflict with his interests.⁴⁶ He defined the king's judicial authority as "clear in Divinity that such Authority [belonged] to the King by the Word of God in the Scripture," providing James the authority to intervene in the courts whenever he deemed necessary.⁴⁷ With this support, the king then decided to intervene in a land dispute sent to the Court of Common Pleas, although it remains unclear why he did so.⁴⁸ Perhaps he wanted to test the court's reaction to his intervention and test whether the justices would protest against Bancroft's understanding of divine right. Nevertheless, the reaction James received was far from supportive. Coke responded by explaining his interpretation of common law to James in conference, arguing the authority of the law against the king's divine right and prerogative:

A controversy of Land between parties was heard by the King, and sentence given, which was repealed for this, that did belong to the Common Law... God had endowed his Majesty with excellent Science, and great endowments of nature; but his Majesty was not learned in the Lawes of his Realm of England... they are not decided to be decided by naturall reason but by the artificiall reason and judgment of Law.⁴⁹

Coke, much like the drafters of the *Form of Apology and Satisfaction*, refuted the king's divine authority based on the king's failure to understand English law. However, Coke did

not reject James political authority, as the parliamentarians had done in defense of their own rights, but rather subsumed it under the law. Divine right gave the king supremacy in political and religious matters, but because the law was created through the courts and Parliament, he did not have the "artificial reason" that allowed him to make court decisions. By stating that the law was artificial and not divine, Coke skillfully countered James's argument that the monarch was a supreme judge through his divine right. The Chief Justice argued that the king's divine right was insufficient to deal with the complex, manmade workings of the law, thus invalidating the claims of James and his supporters.

Although Coke primarily defended English law, the parliamentarians were quick to use his interpretation to bolster their own arguments against the king's supremacy. By 1610, Parliament, growing deeply concerned by James's authoritarian behavior and the lingering existence of the *The Interpreter*, resisted helping James with his financial struggles. The parliamentarians, now clearly aware of how capacious divine right theory could be, effectively forced James to suppress the publication of Cowell's dictionary; they refused to grant him his annual income unless he agreed. They reinforced their threat with another proclamation of their rights and liberties. Unlike the assemblies in previous years, the parliamentarians were conscious of James's infringements on their rights. He had intervened in Parliament, disrupted court proceedings, and ignored English customs all under the pretext of divine right. Furthermore, he applied divine right itself more frequently over the course of his reign. Royalists, such as Cowell and Hayward, also actively used the theory to change the fundamental understandings of the English government. As a result, Parliament more actively contested the king over nearly every government affair, becoming significantly more reluctant to fund James's expenditures as his reign progressed. With Parliament's offensive actions and Coke's firm control over the English law, hostile reactions to divine right became more prominent.⁵⁰

As the second decade of the king's reign in England approached, Parliament's hostile reactions to James's theory of divine right were displayed through both proclamations and financial restraints, limiting the king's policymaking and extravagances and isolating his supporters. In the Parliament of 1610, the restless parliamentarians argued fiercely with James over his understanding of the monarch's prerogative, restating their grievances and the arguments they had made in the *Form of Apology and Satisfaction* six years earlier.⁵¹ These

⁴⁵ Houston, *James I*, 32.

⁴⁶ Ulrike Müßig, "Coke's 'Tales' about Sovereignty," in *Journal of Constitutional History* 1, no. 34 (2017), 30, accessed through Gale Academic OneFile at <https://go.gale.com/> on November 26, 2020.

⁴⁷ Edward Coke, *The Selected Writings and Speeches of Sir Edward Coke*, ed. Sheppard Steve (Indianapolis: Liberty Fund, 2003), 1:479.

⁴⁸ D. Hulme and S. Peté, "Vox Populi? Vox Humbug! - rising tension between the South African executive and judiciary considered in historical context - part one," in *PER: Potchefstroomse Elektroniese Regsblad* 15, no. 5 (2012), 47, accessed through SciELO at <http://www.scielo.org.za/> on November 26, 2020.

⁴⁹ Coke, *Selected Writings*, 1:481.

⁵⁰ Houston, *James I*, 39.

⁵¹ J.H. Hexter, "'Power Struggle, Parliament, and Liberty in Early Stuart England" in *The Journal of Modern History* 50, no. 1 (2020), 41, Accessed through JSTOR at <https://www.jstor.org/stable/1878705> on November 24, 2020.

complaints were then followed by a series of debates and speeches, in which the parliamentarians began to reinforce the importance of their rights and undermine the king's authority by rejecting his encroachments and monetary demands.⁵² One parliamentarian was Sir Thomas Hedley, who claimed that the law and the king were dependent solely upon Parliament:

The judges nor the king himself without the parliament could never have made them [statutes] laws... But then you will say, the parliament, which is nothing else in effect but the mutual consent of the king and people, is that which gives matter and form... to the common law. No... the parliament hath his power and authority from the common law, and not the common law from the parliament... the common law doth bind, and lead or direct the right of the crown.⁵³

Hedley's argument was that Parliament manifested the law itself, which in turn provided authority to the courts and the king. Since James's application of divine right was chiefly dependent on the royal prerogative, which itself was bounded to English law, his power thus depended upon the will of Parliament. Hedley then stated that this understanding was accepted by "all the King's learned counsel," who by unequivocally supporting James's divine right, were effectively committing sedition against the principles of the English government.⁵⁴ Any official agreeing to uphold the sanctity and integrity of the English law could not, by the virtue of their position, support an ideology or theory that inherently conflict with the ancient customs of the kingdom. Therefore, Hedley undermined not only James's authority and the claims of the royalist jurists, but also the members of Parliament seeking to gain power and prominence through the king's favor. Divine right was becoming less of a matter of debate and interpretation and more of a conflict with increasingly polarized viewpoints, with each side of the argument willing to take more drastic proclamations and measures. Hedley's speech demonstrated this development by isolating supporters of James's theory and advocating for the limitation of the ruler's authority, asserting that the king had no supremacy over Parliament through the law, which he contested in order to increase his prerogative.⁵⁵ For the parliamentarians, James's theory of divine right became intolerable, and considering Hedley's examination of the monarch's role in government, the frustration with the king's theory definitively reached its apex. Unfortunately for the parliamentarians, James was thoroughly prepared to defend his divine right as king.

Equally as irritated with the parliamentarians as they were with him, James responded to their protests and financial prohibitions with a speech of his own, a speech which would reassert the king's political authority and undermine his critics. Remaining true to his sentiments and continuing to advocate for divine right, James told Parliament:

The State of MONARCHIE is the supremest thing vpon earth: For Kings are not onely Gods Lieutenants vpon earth, and sit vpon GODS throne, but even by GOD himselfe they are called Gods...for that they exercise a manner or resemblance of Divine power vpon earth.⁵⁶

In distinction to his views in *Basilikon Doron* or the *Trew Lawe of Free Monarchies*, the king appealed to a sense of English identity to reinforce his claim. He stated that the ancient English institutions existed to help him govern with divine right:

For after I had told as a Divine, what was due by the Subjects to their Kings in general, I would then have concluded as an Englishman, shewing this people, That as in generall all Subjects were bound to relieve their King... as we lived in a settled state of a Kingdom which was gouerned by his owne fundamentall Lawes and Orders... to consider how to helpe such a King as now they had.⁵⁷

By appealing to Parliament as an Englishmen and expressing his willingness to cooperate with the English government, James ultimately undermined his critics, who used any means necessary to resist his executive decisions and assert their autonomy.⁵⁸ Fortunately for the king, his appeal worked. In a letter from Sir John More to Sir Ralph Winwood, two parliamentarians present during James's speech, More described the reception of the address as a "Great Contentment of all Parties."⁵⁹ He also admired the ending of James's speech, which he recalled as "*the Sovereignty of Kings was absolute in general, yet in particular the Kings of England were restrained by their Oath and the Privileges of the People.*"⁶⁰ This conclusion was likely another misunderstanding of James's intentions and political theory. Most of James's reasoning was from was taken directly from his own *Trew Lawe of Free Monarchies*, which claimed a just ruler should consider and assess laws, not be restrained by them.⁶¹ The king would make this understanding clearer in his future unsuccessful struggles with Parliament later in his reign, but the

⁵² Hexter, "Power Struggle," 41-42.

⁵³ Elizabeth Foster, ed., *Proceedings in Parliament 1610*, vol. 2 (New Haven, CT: Yale University Press, 1966), 173-174.

⁵⁴ Foster, *Proceedings*, 188.

⁵⁵ Foster, *Proceedings*, 179-180.

⁵⁶ Stuart, *Political Works*, 107.

⁵⁷ Stuart, *Political Works*, 108.

⁵⁸ Hexter, "Power Struggle," 41-42.

⁵⁹ Ashton, *Contemporaries*, 67.

⁶⁰ Ashton, *Contemporaries*, 68.

⁶¹ Sommerville, "Divine Right of Kings," 64.

immediate effect of James's speech was a resounding success. The parliamentarians considered James a more considerate and knowledgeable king than they initially believed, and perhaps they feared his true capabilities as a ruler more than ever. One conclusion from this event was clear. After the king's lofty and masterful speech, James and his supporters were certain to fight more fiercely for divine right and become more aggressive towards their opponents.

In the years immediately following the Parliament of 1610, divine right became an ideology imposed on almost every English institution, including the courts and Parliament. They struggled to resist the king's influence as his followers became more abundant. By 1614, James's support had increased so significantly since his accession that Parliament was effectively in gridlock, thus giving that year's assembly the notorious name the "Addled Parliament," in which not a single bill or piece of legislation was passed. The more traditional parliamentarians, still vying for political autonomy in opposition to James's divine right proponents, refused to give James any amount of support for his continued financial struggles, going so far as to even threaten to remove impositions from his prerogative. Impositions were a right given to the king to impose taxes on imported goods, which although were beneficial to James's royal income, were obviously detrimental to the incomes of parliamentarians whose interests involved trade with continental Europe. Not willing to relinquish this right, Parliament halted its proceedings until James grew impatient and dissolved it entirely. He then began arresting prominent parliamentarians under the justification of their insolence and decided to rule without any assembly for the remainder of the decade.⁶² Although he no longer received any financial aid from Parliament or could pass any legislation without the assembly, this development, nonetheless, temporarily benefitted divine right. Without parliamentary proclamations against the theory, James was able to more freely establish divine right within the framework of the English church and government.⁶³ The king chose to rule without Parliament and its consent, even if that meant losing a large sum of his royal income. The main protestations against divine right were subsequently formulated through the king's conflicts with the courts.

Even though James now could implement divine right without the interference of Parliament, he still faced issues with jurists interpreting his theory with respect to English law. Coke, who was moved from the Court of Common Pleas to the Court of the King's Bench in 1613, still resisted the king's attempts to intervene in the judiciary process.⁶⁴ Remaining faithful to his understanding of

English law, Coke refused the king's use of the royal prerogative in the Commendams Case of 1616, in which the Court of the King's Bench debated the right of the king to order commendams, or temporary ecclesiastical offices.⁶⁵ James, as head of the Church of England, granted the Bishop of Coventry and Lichfield permission to continue his position in commendam.⁶⁶ Unsure about the legality of the king's issuance of commendams through the royal prerogative, Coke and the other justices debated the matter without James's presence, who after learning this, demanded that they halt the investigation in a letter sent by Sir Francis Bacon.⁶⁷ Coke refused to delay the case due to the justices' oaths, which prohibited the justices from any delays in court proceedings. Even though the case concerned the prerogative of the king, and the king's command was issued through his prerogative as well, Coke, along with the other justices, believed his oath to the law overruled James authority:

your Majesty's Judges, upon their oaths, and according to their best knowledge and learning, are bounde to deliver the true underaundinge faithfully and uprightly. And the case is between subjects for private interest and inheritance, earnestly called on for just and expedition [by Bacon's letter]. Wee holde it our duties to informe your Majestie that our oathe is in their express words: That in case anie letters come unto us contrary to lawe, that wee doe nothinge by such letters, but certefie your Majestie thereof, and goe forth to doe the lawe.⁶⁸

Coke's reaction was not surprising, considering the last twenty years of his judicial career were characterized by efforts to subvert the king's prerogative and contest divine right theory. Nevertheless, the justices' reactions to James's rebuttal were very interesting. After James refuted Coke's response in a fierce address to the Court of the King's Bench, each justice, except Coke, submitted to his authority, completely disregarding their oaths and pleading for the king's forgiveness.⁶⁹ They did not assert the authority of the law over the king's prerogative, as Coke did, nor did they even attempt to defend the law at all. A reasonable explanation for their rather cowardly reactions is that James's divine right was becoming a reality within the English government, at least to the degree that his authority felt more powerful than the protection of the law. If the justices truly believed the law was supreme over the king's prerogative and divine right, then they would have supported

⁶² Houston, *James I*, 47-9.

⁶³ Mark Fortier, "Equity and Ideas: Coke, Ellesmere, and James I" in *Renaissance Quarterly* 51, no. 4 (1998), 1274, accessed through JSTOR at <https://www.jstor.org/stable/2901967> on November 15, 2020.

⁶⁴ P.B. Walter, "The Struggle of Prerogative and Common Law in the Reign of James I" in *The Canadian Journal of Economics and Political Science / Revue Canadienne D'Economique Et De Politique* 25, no. 2 (2020), 143, accessed through JSTOR at <https://www.jstor.org/stable/139057> on November 25, 2020.

⁶⁵ Coke, *Selected Writings*, 3:1310.

⁶⁶ John Kerrigan, "The Political and Religious Thought of James I" in *Master's Theses*, no. 2468 (1970), 20, accessed through Loyola University Chicago at https://ecommons.luc.edu/luc_theses/2486 on November 28, 2020.

⁶⁷ Kerrigan, "Political and Religious Thought," 20.

⁶⁸ Coke, *Selected Writings*, 3:1313.

⁶⁹ Coke, *Selected Writings*, 3:1321.

Coke's defense, in which he claimed that he would simply judge each case fairly, regardless of James's demands.⁷⁰ Despite the strong defense of the law that Coke and the courts advanced against the king's application of divine right at the beginning of his reign, the judicial fortifications were finally weakening. By 1616, James apparently could threaten and force his opponents into submission with his mere presence, as the Commendams Case clearly demonstrated. Much like with the parliamentarians, James finally gained authority over the very courts that caused him so many struggles earlier, exhaustingly imposing his theory on the jurists until they had essentially little to no defense against his sovereignty. Divine right was no longer a simple debated political theory, but rather an integral aspect of the monarchy itself.

In addition to James directly and forcefully implementing divine right by dissolving Parliament and threatening the courts, this development was greatly supported by Anglican preachers, whose interpretations of the theory expanded the king's authority over the other institutions. For example, in a sermon at Paul's Cross in 1614, John Rawlinson, an Anglican preacher, fully supported divine right and undermined the authority of the courts. He asserted that the king's appointment by God gave him the sole authority to interpret the law and govern justly:

the Law is the worke of the Prince; the Prince is the image of GOD digesting and ordering all things... a Prince is then indeed the Image of God, when carefull to make good Lawes, & no lesse careful to execute them, that his people liuing vnder him in security and safety, may have iust cause to pray for his safety.⁷¹

However, Rawlinson was not advocating absolutism, as he claimed that a "king in his absolute and [unlimited] power is able to do more than a good King will [do]."⁷² Instead, the monarch was the interpreter and defender of the law. Because the law was derived from the works of monarchs, they alone had the ability to understand it. This position directly refuted Coke's earlier statements in the Case of Prohibitions in 1607, which argued that the monarch's natural reason was insufficient to govern in conformity with artificial laws.⁷³ Although Rawlinson did not necessarily agree with the complete absolutism implicit in claims to divine right, he did support James's arguments about the ruler being the sole interpreter of the law and having to rule with fair judgment:

a good King, although hee be aboue the Law, will subiect and frame his actions thereto, for

examples sake to his subjects, and of his owne free-will, but not as subiect or bound thereto.⁷⁴

Therefore, the ruler was the ultimate authority with respect to interpreting the law, over the courts and Parliament, who deemed that James was incapable of understanding it. Rawlinson countered the institutions that asserted the James's ineptitude by reversing their own argument. He claimed that the law derived from monarchs with divine appointment. The law was thus incomprehensible to individuals with artificial reasoning. Through Rawlinson's interpretation of divine right, James now had a valid counter to the arguments of his inability to understand the law that the courts and Parliament had leveled against him for so many years. His supporters would use variations of this reasoning to further promote and expand upon divine right.

For example, expanding upon Rawlinson's argument, Williamson Dickinson, an Anglican preacher at Oxford in 1619, argued that the king's divine right made him the supreme judge of any law or matter, regardless of any preexisting custom or institution. However, unlike Rawlinson, Dickinson believed that the monarch's judgment and will was absolute, arguing that the ruler could set any law they deemed appropriate:

But to be *The Iudge*, is to be that Maiesty and Architectonicall power, which out of its owne absolutenes setteth downe a Law, and appointeth a publike measure... to be an absolute Prince and *Lord* ouer them, and to order and dispose of things so... which shew that he was not onely to haue *Jurisdictionem* [Jurisdiction], but *Dominium* [Dominion] ouer their persons and estates.⁷⁵

The reason for Dickinson's emphasis on the ruler's role as a supreme judge was obviously to reinforce James's judicial authority with respect to the courts', but his understanding of divine right was much more extreme than that of Rawlinson's in 1614. The explanation for the difference between these interpretations of divine right is that by 1619, James faced little direct opposition against his theory. Parliament had been dissolved for five years by the time of Dickinson's sermon, and with Coke's removal from the Court of the King's Bench in 1616, the courts had little incentive to go against James's wishes.⁷⁶ The only significant protestations against the king's sovereignty that remained were those of the radical Puritans, but even their complaints were overshadowed by the majority of content Anglican churchgoers.⁷⁷ Therefore, Dickinson's extremism demonstrated the growing support for the absolutist

⁷⁰ Kerrigan, "Political and Religious Thought," 21.

⁷¹ John Rawlinson, *Vivat Rex, or A Sermon Preached at Paul's Cross*, etc. (Oxford: John Lichfield and James Short, 1619), 18, accessed through ProQuest at <https://www.proquest.com/docview/2248554563/> on October 22, 2020.

⁷² Rawlinson, *Vivat Rex*, 6.

⁷³ Coke, *Selected Writings*, 1:481.

⁷⁴ Stuart, *Political Works*, 64.

⁷⁵ Williamson Dickinson, *The King's Right Briefly Set Down in a Sermon*, etc. (Oxford, UK), 6-7, accessed through ProQuest at <https://www.proquest.com/docview/2240897738/> on October 12, 2020.

⁷⁶ Kerrigan, "The Political and Religious Thought" 21.

⁷⁷ Houston, *James I*, 66.

interpretation of divine right that James's had expressed in his works, rather than the more adaptive understandings which arose earlier in the king's reign. Despite Dickinson's sermon more strongly asserting divine right than evaluating it as a political theory, his sentiments became prominent amongst theorists and politicians toward the end of James's reign.

By 1621, James's divine right was more supported and discussed than at any other period of his rule in England. Although the king had severed any chance of working with Parliament again, his theory was essentially inseparable from the understanding of monarchy in England. Since divine right, now with de facto absolutism, was an apparent aspect of the English monarchy, the parliamentarian viewpoint of the monarchy itself began to shift towards fear and hatred, an outlook which would later spark the bloodshed of the English Civil Wars nearly two decades later.⁷⁸ In contrast, royalists and supporters of the king appeared to write more about divine right than in the previous years of James's reign, with many theorists supporting the absolutism of divine right rather than trying to adapt it with medieval or traditional political concepts. Some theorists even changed their viewpoints entirely, shifting from their original interpretations to staunchly supporting the king's divine sovereignty. The most compelling explanation for this development was that the outbreak of the Thirty-Years War in 1618 compelled theorists to assert the religious and political authority of Protestant rulers over Catholic monarchs and Rome. Thus, many documents emphasized James's supremacy with respect to the Papacy in both religious and civil affairs.⁷⁹ Theorists may have primarily supported James's theory to reinforce the monarch's supremacy over Rome, but they do not state that the monarch was below the law or any civil institution either. Since divine right was already becoming more associated with the monarchy and because anti-Catholic sentiment in England was at its apex, James's divine right was perhaps more widely accepted in this increasingly chaotic and tense political atmosphere.

A clear example of the growing argumentation in favor of absolute divine right is a political treatise by Thomas Proctor, an English writer, who in 1621 defined the monarch as supreme over all subjects and institutions, including religious and civil institutions. Even though his argument concentrated on the king's supremacy over Rome, Proctor believed that the monarch's authority was supreme in every matter, not just religious affairs. He argued this claim by stating that monarchs were judges appointed by God, like Dickinson's argument, and that the judgment of the king was above all else:

Princes of whom our Lord testifies (as before I have shewen) that they are called Gods, are also Iudges; therefore the word given to them, is

given to them as Iudges... Princes are not barely as executioners, to reward the good, and punish evill doers, but they are constituted also Iudges by the Lord, that they also may iudge in all things, to which the word already reveal from God, stretcheth.⁸⁰

As the quote reveals, Proctor also appealed to James's belief that monarchs were effectively smaller forms of God, who were appointed by him to "rule over other men."⁸¹ This connection is significant because Proctor argued from James's works, not by invoking the framework of the English government or some traditional theory of monarchy. Proctor wholeheartedly endorsed the monarch's religious and political authority through the very sentiments James expressed throughout his entire reign in England. He made no effort to even acknowledge any other authority than that of the king. Furthermore, Proctor's arguments were almost as blunt as Cowell's and Hayward's in James's early reign, but his treatise was published in 1621 with apparently no record of controversy or censorship. Proctor's treatise thus provides a clear indication that divine right was becoming more accepted in the later period of James's reign, even though Proctor's anti-Catholicism no doubt contributed towards his endorsement of the king's theory. The religious turmoil and conflict in continental Europe compelled many English subjects to accept divine right in a time when anti-Catholic prejudice was at its highest in English society.⁸² Nevertheless, the primary significance of Proctor's treatise is that the authority of the monarch was emphasized above all religious and civil institutions. Even though this emphasis was highly controversial throughout the majority of James's reign, it was likely undisputed by the time of this work's publication.

Thus, although James had struggled with Parliament, the courts, and the Puritans for nearly the entirety of his reign in England, his theory of divine right in the kingdom was a sort of Pyrrhic victory, in which the support for his theory became more prevalent, but so did the views of those who opposed it. The trust between Parliament and the monarchy was effectively destroyed, and many of the king's opponents, such as Coke, would spend the remainder of their lives opposing James's son, Charles I, after the king's death in 1625.⁸³ Although James was also able to impose his application of divine right by dissolving Parliament and removing opposition in the courts, his actions created bitterness and hatred towards the monarchy among parliamentarians that would culminate in the English Civil Wars in 1642. These parliamentarians were also joined by the radical Puritans, who felt betrayed by James's refusals to remove rites and traditions within the Church of England that they deemed popish. All of these parties vehemently opposed divine right because of James drastic actions to impose it upon the English government, which inarguably

⁷⁸ Houston, *James I*, 104.

⁷⁹ Sommerville, "James I and the Divine Right of Kings," 58-9.

⁸⁰ Thomas Proctor, *The Right of Kings Conteyning a Defense of their Supremacy*, etc. (1621), 14, accessed through ProQuest at <https://www.proquest.com/docview/2240950115/> on October 12, 2020.

⁸¹ Stuart, *Political Works*, 12.

⁸² Houston, *James I*, 66.

⁸³ Houston, *James I*, 102.

led to more negative consequences than benefits for the monarchy.

However, despite James's failure to completely apply his theory within the English political landscape, divine right undoubtedly changed political theory and discourse about the English monarchy for the remainder of the century. James radical theory of divine right was completely incompatible with the extant institutions of the English government. Despite this inherent incompatibility, political theorists, parliamentarians, jurists, and clergymen all attempted to interpret and understand divine right through their own beliefs and understandings of the English government. Some individuals tried adapting divine right to medieval theories and traditional concepts, while others wholeheartedly accepted the extremism of James's views. Although James's actions greatly polarized his subjects into two politically separated factions, divine right did become a significant political theory, with which most government officials had to grapple at some point or another. This paper demonstrates that James's theory of divine right greatly changed how the English perceived the monarchy with respect to other governmental institutions, especially Parliament and the courts. Although the king did face considerable opposition to his beliefs, the impact of divine right theory was definitely not insignificant or negligible towards the development of the English political landscape in the early seventeenth century. The significance of divine right during the reign of James I was that it provoked newfound interpretations of the political and judicial authority of the ruler, a development which would subsequently provide greater opportunities to discuss the true nature of monarchy and government in the decades following the king's accession.

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