

The Powers of the Monarch in England

James I

In England friction between the monarchy and Parliament increased under the Stuart kings, starting with James I. Already the Scottish monarch, James became King of England on the death of Elizabeth in 1603. James had a scholarly background and a reputation for his strong views about the monarchy. One of his clearest presentations of these views was in a speech to Parliament made in 1610. In it, he comments on the nature of the king's power, not simply in England but everywhere.

SOURCE: From J. R. Tanner, *Constitutional Documents of the Reign of James I, c.E. 1603-1625* (Cambridge, England: Cambridge University Press, 1930), pp. 15-16. Reprinted by permission.

CONSIDER: How James justifies the high position and vast powers he feels should rightly belong to kings; the limits to monarchical powers.

The state of Monarchy is the supremest thing upon earth; for kings are not only God's lieutenants upon earth and sit upon God's throne, but even by God himself they are called gods. There be three principal similitudes that illustrate the state of Monarchy: one taken out of the Word of God and the two other out of the grounds of policy and philosophy. In the Scriptures kings are called gods, and so their power after a certain relation compared to the Divine power. Kings are also compared to the fathers of families, for a king is truly *parens patriae*, the politic father of his people. And lastly, kings are compared to the head of his microcosm of the body of man.

Kings are justly called gods for that they exercise a manner or resemblance of Divine power upon earth; for if you will consider the attributes to God you shall see how they agree in the person of a king. God hath power to create or destroy, make or unmake, at his pleasure; to give life or send death; to judge all, and to be judged nor accomptable to none; to raise low things and to make high things low at his pleasure; and to God are both soul and body due. And the like power have kings; they make and unmake their subjects; they have power of raising and casting down; of life and of death; judges over all their subjects and in all causes, and yet accomptable to none but God only. They have power to exalt low things and abase high things, and make of their subjects like men at the chess, a pawn to take a bishop or a knight, and to cry up or down any of their subjects as they do their money. And to the King is due both the affection of the soul and the service of the body of his subjects. . . .

As for the father of a family, they had of old under the Law of Nature *patriam potestatem*, which was *potestatem vitae et necis*, over their children or family, (I mean such fathers of families as were the lineal heirs of those families whereof kings did originally come), for kings had their first original from them who planted and spread themselves in colonies through the world. Now a father may dispose of his inheritance to his children at his pleasure, yea, even disinherit the eldest upon just occasions and prefer the youngest, according to his liking; make them beggars or rich at his pleasure; restrain or banish out of his presence, as he finds them give cause of offence, or restore them in favour again with the penitent sinner. So may the King deal with his subjects.

And lastly, as for the head of the natural body, the head hath the power of directing all the members of the body to that use which the judgment in the head thinks most convenient.