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**Of Rule, Write, and Right:  
The Production of Absolutist Political Writings by King James I of England**

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HIST 302: The Capstone Experience

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## Part I: Introduction to the Context

### I. Introduction

The pamphlet, *The Trew Law of Free Monarchies*, was a document first written and published anonymously by King James VI of Scotland in 1598, distributed and intended for the public audience. The main focus of this document is its publication and distribution in England in 1603 when King James VI of Scotland was crowned King James I of England. Before James was King James I of England, he was King James VI of Scotland, crowned at just thirteen months of age when his mother, Mary Queen of Scots, fled to England due to a Calvinist and Catholic rebellion in Scotland, and abdicated the throne to James.<sup>1</sup> James was an educated literary scholar, taught by “George Buchanan, one of the most famous classicists of the age.”<sup>2</sup> James VI became James I of England when Queen Elizabeth I died, with the heir being her cousin James. James sought to “rule with strong monarchical power to prevent religious civil war and maintain order”<sup>3</sup> and published his political writings, such as the *Trew Law of Free Monarchies* to prevent monarchical uprising.

The context of the source of *The Trew Law of Free Monarchies* needs to be examined and critically and thoroughly analyzed in order to answer the research question of “in what methods and ways did King James I of England produce ideas of divine right along with absolutist measures?” The central argument of this paper is to prove the position of the post-revisionist interpretation that James I was indeed an absolutist monarch who utilized and referenced the power of religion to support his political ideologies of the monarchy.

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<sup>1</sup> Thomas Cogswell, *James I: The Phoenix King* (London: Allen Lane and Imprint of Penguin Books, 2017), 9-11.

<sup>2</sup> King James VI and I, *King James VI and I: Political Writings*, Edited by Johann P. Sommerville, (*Cambridge Texts in the History of Political Thought*, Cambridge: Cambridge University Press, 1995), XVI.

<sup>3</sup> *Ibid*, XVII.

## Part II: Historiographical Analysis of the Ideas and Literature of King James I and What Drove

### His Production and Distribution of Divine Right and Absolutism Writings

#### I. Introduction to the Historiography

King James I of England utilized his vernacular, power, and scholarly talents in writing to prostrate his ideals of the theory of divine right.<sup>4</sup> The work by James I, *The Trew Law of Free Monarchies*, will allow for a distinct outlook on how he supported his role as king. Dissimilar historical lenses and interpretations by different historians with divergent approaches to historical thinking perceived the methods and ways James produced ideas of absolute monarchy and on what basis. The historical research done on similar subjects relating to this particular topic has much of the research being written in the later part of the twentieth century into the early twenty-first century.

The research on this subject tends to be about the debate of the definition of absolutism in the Stuart monarchy and if it existed due to limitations of the monarchy. Historians also disagree on what drove James I's creation of political ideas centered around the theory of divine right as well as an absolutist monarchy that complemented the political writings to promote the implementation of the theory of the divine right of kings and absolutism. It is important to understand and note that at this point in time, theology based positions regarding the hierarchy and structure of the family were not to be debated by subjects of the throne. In addition, James referenced the ancient English constitution along with English customs, all of which are a necessary part of his drive to produce his political writing of *The Trew Law of Free Monarchies*

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<sup>4</sup> David Wootton, "Introduction" and "Notes on the Texts (Chapter One: The Divine Right of Kings)" from *Divine Right and Democracy: An Anthology of Political Writing in Stuart England* (See specifically 'Notes on Text' sections) (New York: Hackett Publishing Company, ed. 2003), 91.

and support his role as a monarch. Research on this topic should be guided by an appreciation for how James used religion tactically as well as the king acting as a patriarchal figure to control the populace in a politically uncertain time period.

## II. The Whig Interpretation

The first major interpretation of this subject of divine right of kings, specific to King James I of England, was by historian John Neville Figgis in 1896 in his work *The Divine Right of Kings*, with the second edition of this text published in 1914. Figgis's work is very close to that of the Whig approach to historiography. Figgis, in this particular text, takes what would be a Whig historian's interpretation of a monarchical rule utilizing the ideals of the divine right theory and attributes of absolutism as a necessary step towards a later democratically centered government, or what would be considered an 'ideal present.' This historical analysis is one of the first works that sparked this focus on and study of James's political writings on this particular subject. Figgis references the primary source *The Trew Law of Free Monarchies* written by James I detailing that this was the primary tool of explaining his thoughts on the Divine Right of Kings theory.<sup>5</sup>

Furthermore, Figgis focuses mainly on the incorporation of the divine right theory into James I's reign in England.<sup>6</sup> In the text, Figgis reflects on the necessity for James I to preserve the theory of divine right by referencing the theological ideals as well as patriarchal references, but, as Figgis explains, these are not what drove James's ideas of divine right and absolutism. Figgis mentions that "the basis of the theory [divine right theory] is utilitarian"<sup>7</sup> and later repeats this idea at the end of the section stating that "meanwhile the older method of argument by

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<sup>5</sup> John N. Figgis, *The Divine Right of Kings* (Cambridge: Cambridge University Press, 1914), 137.

<sup>6</sup> *Ibid*, 137.

<sup>7</sup> *Ibid*, 163.

means of a medley of Scripture texts had given place to the contention, that monarchy and obedience, are a part of the natural order and therefore Divine...The basis of the theory was no longer Biblical and theological, but historical and utilitarian.”<sup>8</sup> In this context, Figgis uses the word utilitarian to say that the divine right theory during James’s reign in England was a practical and functional aspect that was bound to occur in order for democracy and the modern meaning of a constitutional governing body. Figgis does not mean to say that James was intending to bring modern democracy to England, however, the Whig interpretation, using teleological approach, inherently joins this idea of monarchy needing to happen in order for future democracy to develop and unfold. Monarchy was a necessary step in government structure that would eventually lead to democratic insights.

Also, Figgis states that the patriarchal theory, which James mentions quite often in his writing, is not the fundamental structure of the need for or promotion of the divine right theory, nor that theological reasoning was the basis of it either; but rather that utilitarianism is the foundation of this apparatus. That is, Figgis exclaims that “monarchy is proved to be the most perfect form of government by reason of its antiquity, its universality, its conformity with human nature, and of the fact that it satisfies the great ends of all action, the instinct of self-preservation, and the desire of happiness.”<sup>9</sup> Figgis is proclaiming the transfiguration of monarchy to current democratic thought and that this form of governance was bound to take action, specifically how James defines it, in order for human government to progress. Figgis is not stating that James I was looking to push England from a monarchy to a democracy, but looking back historically this transition was bound to occur. The author is specifying the attributes of causal destiny to the reasoning behind James’s use and focus on divine right and absolutism.

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<sup>8</sup> Ibid, 163, 176.

<sup>9</sup> Ibid, 163-164.

Ultimately, the conclusion of Figgis's work is that his interpretation did not reject the idea that divine right had a biblical ancestry, nor that it held a patriarchal sentiment, in James's viewpoint; but, it was particularly a transitory form of government from a medieval one to that of more modern politics and political theory.<sup>10</sup> This is where the Whig trait rests within Figgis's work, with the interpretation of the process of moving from a more oppressive or less freedom to the populace, to one reflecting the modern forms of liberal democracy or constitutional governance. As Figgis states in his work, it was "necessary as a transition stage between medieval and modern politics...Even where religion is invoked as a sentiment, theology is not expected to solve the problems of statesmanship."<sup>11</sup> The point that Figgis is addressing is that divine right and absolute monarchy were a political and social necessity that needed to occur in order to bring humanity to the next step in political life and that James's political approach was bound to occur and this is what drove James I to promote these archetypes. Figgis's interpretation is that the divine right theory and the implementation of absolutism is a bridge to close the gap between medieval governments and modern governments, other historians have not agreed with this conclusion of a Whig historian approach, thus bringing about the historical perspectives that challenge and argue against this Whig approach thought process.

### III. The Revisionist Interpretation

The revisionist interpretation that argues against the Whig which can be found in Glenn Burgess's work "The Divine Right of Kings Reconsidered." Burgess holds a revisionist perspective of this topic at hand. He proclaims that "the implication of my argument is that early Stuart history has often been written as if it were later Stuart history. At least, this is true for the

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<sup>10</sup> Ibid, 176.

<sup>11</sup> Ibid, 258.

history of political thought.”<sup>12</sup> Burgess wants to look at early Stuart England with a fresh take and remove the traditionalist and accepted view of the historiography surrounding that time period. He points out what he views as the flaws in the Whig interpretation on this subject. Burgess states, “broadly speaking, Restoration Whigs saw their early Stuart predecessors with eyes misled by parliamentary lenses... We can look at the early Stuart period with our own eyes, unaided but also undeceived...”<sup>13</sup> Burgess wants to look at the political thoughts and ideals of early Stuart Englishmen as true historians, unimpacted by past experiences or notions. This position of Burgess and the revisionist interpretation contrasts with Figgis and more broadly with the Whig interpretation because Burgess states that Whig historians look at this time period with a teleological viewpoint and seek this history as progressing to what the current day beholds. As British historian Herbert Butterfield explains it, “the Whig method of approach is bound to lead to an over-dramatisation of the historical story; it tends to make the historian misconceive both parties to any struggle that takes place in any given generation.”<sup>14</sup> Butterfield’s commentary explains directly what Burgess says is the issue with the Whig interpretation and how the Whig interpretation is clouded by this teleological effect, and Figgis’s study aligns with this viewpoint.

Moreover, Burgess goes on to discuss the conclusions that he reaches in regards to the relationship between monarchy and the populace. Here he is exemplifying his idea of how the subjects were governed and ruled and how this was infused in the matrix of monarchy in early Stuart England. Burgess states that

in the early modern period the main contention for the support of which divine-right theory was used was that the authority of kings was derived from God directly, and hence

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<sup>12</sup> Glenn Burgess, *Absolute Monarchy and the Stuart Constitution* (New Haven: Yale University Press, 1996), 2.

<sup>13</sup> *Ibid*, 2.

<sup>14</sup> Herbert Butterfield, *The Whig Interpretation of History* (London: G. Bell, 1931), 34.



was not derived from their people. This did not, even for some of the arch-exponents of the idea, rule out the possibility that kings might be elected or chosen by their people. It did, however, rule out the possibility that the people could resist or actively disobey theory kings, whether they had elected them or not. This was indeed the main function of the theory in post-Reformation political thought.<sup>15</sup>

Burgess concludes that James I developed his political thought with the role of religion, but also that of the ancient English constitution and Common Law. For example, Burgess sympathizes with the statement that “even the view that kings derived their authority *immediately* from God – was perfectly compatible with the view that kings were also limited by the law.”<sup>16</sup> Burgess marries these two attributes together to develop the resolution that James was looking through both lenses, understanding that a monarch needed to follow ancient codes of the polity, as well as the theological aspect with the belief in his faith and that belief of the subjects as well. The revisionist interpretation centers around James being a constitutionalist, meaning that he as the monarch holds to constitutional conventions within the role of the king and that he does not claim absolute control over the state. This all refers to the idea that revisionists do not believe that James held an absolutist mindset and that he believed that the monarchy was restricted by both written law and custom, highlighting the revisionist idea of James I being a constitutional monarch.

Furthermore, Burgess critiques Figgis’s work by discussing the relationship between the monarch and the law. To begin, Burgess examines the ideals that absolute monarchy does not mean that the king is above the law, and that in particular, he is under God’s law.<sup>17</sup> Burgess

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<sup>15</sup> Burgess, *Absolute Monarchy and the Stuart Constitution* (New Haven: Yale University Press, 1996), 96-97.

<sup>16</sup> *Ibid*, 95.

<sup>17</sup> *Ibid*, 93-94.

argues that in the seventeenth century Stuart-ruled England the king had to abide by the old English Constitution. This framework is stated in the opening paragraph and also as well as in primary works of James himself. This is important for Burgess to note extensively due to the fact that Figgis does not acknowledge this contemporary construct that bound the king to the people.<sup>18</sup> Instead, Figgis actually states that the monarch who holds this divine right *is* above the law.<sup>19</sup> In addition, Burgess references primary documents to refute Figgis in this way; ultimately stating that

James pointed the lesson clearly enough: ‘every just King in a settled Kingdome is bound to observe the paction made to his people by his Lawes.’ James said also that even to debate the power of kings in the abstract was wrong, the equivalent to debating what God could and could not do. Nevertheless, the concrete powers of kings were declared in their laws, and like all good kings James promised to ‘rule my actions according to my Lawes.’ He would rule England, that is to say, ‘according to the ancient forme,’ by the terms of the ancient constitution.<sup>20</sup>

Burgess uses this statement to depict how Figgis’s terminology and production of analyses was incorrect because he neglected to study the primary accounts of James I in this sense. Burgess disagrees with Figgis because he depicts James as an absolutist and that Figgis sees James as basically using the position of religion in a secular discourse to ultimately maintain control of the populace. Burgess sees James’s religious reference as true to belief in his faith and not in a utilitarian sense. Essentially, Burgess is criticizing Figgis’s lack of citation for evidence for this

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<sup>18</sup> Ibid, 93.

<sup>19</sup> Figgis, *The Divine Right of Kings* (Cambridge: Cambridge University Press, 1914), 5-6.

<sup>20</sup> Burgess, *Absolute Monarchy and the Stuart Constitution* (New Haven: Yale University Press, 1996), 105.

conclusion in his work.<sup>21</sup> Also, Burgess attributes the continued existence of this idea to Sommerville's work. Burgess points out that Sommerville excels the idea that absolute monarchy holds itself above the law; but describes how James I himself acknowledged that the monarch is not above the law because he is not above God.<sup>22</sup>

#### IV. The Post-Revisionist Interpretation

Another major approach to historiography is that of the post-revisionist view. The post-revisionist approach of the creation of absolutist and divine right ideas of James is illustrated by Johann P. Sommerville and Peter Lake. Sommerville and Lake are classified as post-revisionists because this historical approach takes into account both the Whig and the revisionist interpretations and that it rejects the traditionally accepted historical beliefs of a particular event or occurrence.<sup>23</sup> The post-revisionist interpretation is that James I of England was an absolutist monarch, and that he believed that neither written law nor custom restricted him from his duties of being a king. This is in contrast to the revisionist interpretation of James I being a constitutionalist. To use Sommerville's words,

to claim that English and Continental ideas closely resembled each other, and that absolutism flourished on both sides of the Channel, is to challenge not only the old Whig interpretation of English history but also the newer views of so-called revisionists. True, the revisionists often say that they reject Whig ideas. But in fact they adopt some of the central contentions of the Whigs.<sup>24</sup>

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<sup>21</sup> Also see Glenn Burgess, "The Divine Right of Kings Reconsidered" (*The English Historical Review* 107, no. 425 (October, 1992), 837-861. This portion of the text in specific is a review of mainly Sommerville's and Figgis's works.

<sup>22</sup> Burgess, *Absolute Monarchy and the Stuart Constitution* (New Haven: Yale University Press, 1996), 93-96.

<sup>23</sup> Johann P. Sommerville, "English and European Political Ideas in the Early Seventeenth Century: Revisionism and the Case of Absolutism" (*Journal of British Studies*, 1996), 168.

<sup>24</sup> *Ibid*, 168-169.

In this context specifically, the post-revisionist view of Sommerville and Lake is that James based his writings around the use of theology as an instrument of authority. Revisionists do not deny this, however, the revisionist interpretation takes into account Common Law and the ancient English constitution. Sommerville and Lake agree with the position that Burgess takes on the specific argument “that the authority of kings was derived from God directly, and hence was not derived from their people.”<sup>25</sup> However, what Burgess and Sommerville do not agree upon is the way in which James I shaped his political writings on divine right and absolutism.

In his introduction to *King James VI and I: Political Writings*, Sommerville discusses this process of James I basing the majority of his writings on absolutism and divine right on the idea of theology.<sup>26</sup> He states that James structures “his case on Scripture, reason and history, the king argued that subjects must obey their monarch’s ‘commands in all things, except directly against God’ and that they could never actively resist him.”<sup>27</sup> What Sommerville is depicting here is that the subjects of the kingdom, specifically at this time, valued these Protestant ideals of biblical authority, and James knew that these attributes were to be unquestionably obeyed by the people, therefore, allowing for these social and religious characteristics to be the main driving factor of James’s political thought and sovereignty. It is also important to note here that Sommerville uses the terminology of “reason and history”<sup>28</sup> in a similar manner as Figgis uses the nomenclature of “historical and utilitarian.”<sup>29</sup> The connection here is that “reason” and “utilitarian” are ultimately meaning the same thing between the Whig and post-revisionist perspectives that divine right was being implemented by James not for religious reasons, but rather for practical reasons of

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<sup>25</sup> Burgess, *Absolute Monarchy and the Stuart Constitution* (New Haven: Yale University Press, 1996), 96-97.

<sup>26</sup> James I, *King James VI and I: Political Writings*, Edited by Johann P. Sommerville, (*Cambridge Texts in the History of Political Thought*, Cambridge: Cambridge University Press, 1995), XVII.

<sup>27</sup> *Ibid*, XVII.

<sup>28</sup> *Ibid*, XVII.

<sup>29</sup> Figgis, *The Divine Right of Kings* (Cambridge: Cambridge University Press, 1914), 163, 176.

authority. This is where the question comes in as if James I truly believed in this religious authority, or was the divine right theory instated for efficient and pragmatic matters. This is also where Burgess states that Sommerville reawakened the Figgisian stance on this particular argument.<sup>30</sup>

Furthermore, Sommerville points out that James understood the deliberate nature of religion within the populace. He describes James's tactical, or as Figgis coins it utilitarian, and political usage of religion in ways of maintaining his position, in figurative and literal terms. For example, Sommerville declares that

like many of his contemporaries, he looked to strong monarchical power to prevent religious civil war and maintain order. He held that kings possess a monopoly of political power, which they derive from God alone. Active resistance to monarchs is always sinful. If our king commands us to do things which contravene the law of God, we must disobey him, for we should always obey God rather than man. But if the monarch calls us to account for our disobedience, we should meekly accept whatever punishment he inflicts upon us. Kings, James argued, had a duty to rule in the public interest and (except in cases of necessity) to abide by the law of the land.<sup>31</sup>

James utilizes the establishment and institutionalization of Christianity and obedience as the main framing of his political works.<sup>32</sup> The mental understanding that James has of the subjects of the English throne is crucial for James to draw upon in his production of writings due to religion being a central part of the domestic life as well as the political life of the subjects in the kingdom. Also, when Sommerville says "he [James] looked to strong monarchical power to prevent

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<sup>30</sup> Burgess, *Absolute Monarchy and the Stuart Constitution* (New Haven: Yale University Press, 1996), 96-98.

<sup>31</sup> James I, *King James VI and I: Political Writings*, Edited by Johann P. Sommerville, (*Cambridge Texts in the History of Political Thought*, Cambridge: Cambridge University Press, 1995), XVII.

<sup>32</sup> *Ibid*, XVIII.

religious civil war and maintain order,”<sup>33</sup> he is describing this utilitarian aspect of James implementing religion and the divine right theory in order to control the populace.

To continue, in his other works with this subject of political writings of James, Sommerville produces a chapter to specifically “examine the political ideas of one man - King James I - in the hope of shedding light on some of his political actions...”<sup>34</sup> Sommerville exclaims that the revisionist way of interpretation involves the thought that in early Stuart England, there was only one uniform ideology dealing with both monarchs and subjects basing all power, privileges, and liberties on the ancient constitution and Common Law; Common Law being what was the cornerstone of James I’s political writings and development of such writings.<sup>35</sup> Sommerville’s other work complements this exact notion of an invariable principle that all Englishmen held, including the monarch. The text mentions that “traditionally, James I has been seen as an absolutist thinker who endorsed the Bodinian concept of sovereignty and whose ideas contrast with the common-law constitutionalism of Sir Edward Coke. Recently, the king has been portrayed as a constitutionalist by Paul Christianson and Glenn Burgess.”<sup>36</sup> Sommerville effectively disagrees with this revisionist approach, highlighting and supporting his interpretation with the historical past and domestic upbringing of James, detailing and evolving his own ideology regarding the divine right theory and absolutism. What he alleges is that

the king’s [James VI and I] early thinking was shaped in large part by Scottish Presbyterianism. In theory, the Scottish church claimed only spiritual power over kings. In practice, it used its power to depose James’s mother from the throne, and to place

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<sup>33</sup> Ibid, XVII.

<sup>34</sup> Johann P. Sommerville, “Chapter 4: James I and the Divine Right of Kings: English Politics and Continental Theory” In *The Mental World of the Jacobean Court* (edited by Linda L. Peck, 1991), 55.

<sup>35</sup> Ibid, 57.

<sup>36</sup> Johann P. Sommerville, “English and European Political Ideas in the Early Seventeenth Century: Revisionism and the Case of Absolutism” (*Journal of British Studies*, 1996), 171.

stringent limitations upon his own authority. James resented this, and reacted vigorously against the Presbyterian ideas...Kings, James argued, derived their powers immediately from God, and not from the people.<sup>37</sup>

James utilized these religious references to demonstrate to his subjects that God chose the monarch to rule over them, and if there is disobedience, in essence, the subjects are disobeying God. The idea of religion was constructed and organized James's political ideas and political writings centered around absolute monarchy and the divine right of kings.

Furthermore, historian Peter Lake's approach falls into the post-revisionist category of histories, siding with the conclusions of Sommerville on this subject. His position stands with the idea that

there were such things as free hereditary monarchies and both Scotland and England were prime examples of that type of polity, founded on the free exercise of royal will and/or on the right of conquest. Within such free hereditary monarchies there could be no legitimate right to resist the monarch nor any residual right to alter or divert the succession inhering in the commonweal or social whole.<sup>38</sup>

Lake is describing the idea that James was an absolutist and not a constitutionalist as what the revisionist stance proclaims. In addition, he points out the idea of conditional obedience, adding to the tone of divine right.<sup>39</sup> Lake takes into account the different reactions of James in his political writings and how he wanted to be viewed by the public; not just looking at the political writings of James like Figgis does in his work. For example, he states that

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<sup>37</sup>Johann P. Sommerville, "Chapter 4: James I and the Divine Right of Kings: English Politics and Continental Theory." In *The Mental World of the Jacobean Court* (edited by Linda L. Peck, 1991), 58-59.

<sup>38</sup> Peter Lake, "The King (The Queen) and the Jesuit: James Stuart's "True Law of Free Monarchies" in Context/s" (*Transactions of the Royal Historical Society* 14:243-260, Cambridge University Press, 2004), 250.

<sup>39</sup> *Ibid*, 250.

James was well aware of the danger of being painted into such a polemically unappealing corner, of being portrayed not merely opponent of the right to resist and defender of hereditary succession, but also as a charter member of the party of Saul and Nero, a veritable spokesman for tyranny. To avoid this fate James used his own reading of the crucial passage from Samuel to triangulate between the positions adopted by Blackwood and du Belloy, on the one hand, and Buchanan and Parsons, on the other. He used Samuel's speech to the Israelites to make two points: first, that kings were of God and could be removed by and were accountable to no one but him and, second, that even they were initially elected (as Saul was) by the people, the transfer of power thus effected was neither conditional nor reversible. Rather it constituted a once and for all grant or transfer of power.<sup>40</sup>

What Lake is doing with this quote from his work is that the author is deciphering how James I's writings utilized the writings of his supporters and opponents, as well as biblical reference, to shape his own work to be as accepting from the public as possible. James understood that the basis of Christianity would not be subjected to question by the populace, and henceforth, employed the tactic, or utility, of theology into his own writings about divine right, absolutism, as well as the reverence of the monarch in general.

Finally, to wrap up the post-revisionist interpretation of this history, Sommerville's research deals greatly with religion's role, figuratively and literally, in the adoption and implementation of the divine right theory and determining that religion was a proponent used to justify the theory and the action of the king. The post-revisionist historical approach concludes that the reference and use of religion is rooted in the theory and employment of absolutism and

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<sup>40</sup> Ibid, 254.



that the clergy was the main component to amplify this proponent of the monarchy. Unlike Figgis, Sommerville and Lake do not imply that the establishment of an absolute monarchy was a bridge between medieval and modern politics in its entirety.<sup>41</sup>

## V. Conclusion

A conclusion can be reached in which there are many opposing viewpoints within this historiography in the realm of James I being a constitutionalist or an absolutist, but also ones that have similarities in their consensuses about what drove James I to present his ideas in *The Trew Law of Free Monarchies* in a theological way. The Whig and post-revisionist views hold that religion was an utilitarian, or tactical, stance for James to gain the authority that he desired. The revisionist viewpoint was that religion was part of James's argument, but Common Law and English custom and constitution were a part of James's beliefs. Whig historians, revisionist historians, and post-revisionist historians all have a similar ground when discussing the understanding that religion played a role in the development of James's political writings. However, the main area of disagreement is whether this usage of religion was one of utility or of true belief by James. The historians and their works dive deeper into the mindset of why the theory of the divine right of kings came to be and why it occurred. This seems necessary only in the slightest and most general forms for which are discussed, for example deciding why the theory developed, however, not looking at the philosophical destiny that the theory held in history. Instead, this paper is deducing the idea of what the theory of the divine right of kings was meant to do. In other words, what was the purpose of implementing, or attempting to implement, this treatise by the beholder of the power himself. This can be concluded through the lens of James I's own writings and what he viewed as the most foreseeable way of rule and law.

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<sup>41</sup> Also See Johann P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-1640* (New York: Longman, 1999).

What these three historical interpretations have in common are the theological and social elements that drove James I to partake in the writing of *The Trew Law of Free Monarchies* in regards to what was said previously. Such historians like Figgis disagree in full that religion powered the crafting of political works dealing with divine right by James, and rather explains that divine right monarchy was just a necessary step in history to move government from a monarchy to a present-day democratic government. Figgis acknowledges that religion played a role in the works of James, but that is not what was a driving factor of his reasoning for divine right. Revisionists like Burgess interpret this history as James taking a religious stance of divine right and supporting this characteristic with evidence from the Bible, but that at the same time, absolutism did not exist because James was a constitutionalist, stating evidence as well from the ancient English constitution and customs. Finally, the post-revisionist stance, like that of Sommerville and Lake, is that James was an absolutist who referenced constitutional ideology in his works, and that religion was a significant aspect of support and a driving factor to his argument in his political work of *The Trew Law of Free Monarchies*. Overall, it is important to seek and understand the interpretations of these historians in order to analyze the source itself.

The weakness within the historiography include Burgess's and the revisionist stance that James did not hold an absolutist mindset and that he believed that the monarchy was restricted by both written law and custom. The revisionist thought is that absolutism did not exist in Stuart England during the reign of James I due to English custom and constitutional laws. The post-revisionist view acknowledges that these laws and customs were in place and that James understood that to be true as well, however, absolutism existed due to the monarch holding central authority, of which, James proclaimed. This disagreement along with the division on the use of religion between these two interpretations leads to the analysis of the *Trew Law of Free*

*Monarchies* and to further investigate the ways in which James seeks absolutist ideals as well as how he uses religion in order to gain the power he pursues.

### Part III: Analysis of *The Trew Law of Free Monarchies*

#### I. Introduction

During the reign of King James I, the source for absolute monarchy, in James's view, existed when power was bestowed by God on the monarch. James was not the leading theorist nor the first to idealize this theory of divine right, however, he sought to gain complacency and stable power under this theory.<sup>42</sup> Concerning and drawing off of religious texts, customs, and political heritage, he sought to rule in accordance with the theory and religious genealogy of divine right. James, a skilled writer and a scholar, immersed in literature from an early age, developed powerful mechanisms of approach for this unearthly claim to power.<sup>43</sup> He desired a unified kingdom of subjects under the patronage of an absolute monarch, holding divine right by God, as the patriarchal figure. With the theory of divine right and absolute monarchy being popularized and promoted from the ideas of James I of England, authoritative-aligned literature was published and distributed in order to promote this idea to the populace. He needed to argue for his sovereignty and legitimize his political authority utilizing religious references and social constructs of family and social life revolving around patriarchy.

#### II. A Brief Background of the Theory of the Divine Right of Kings and Absolute Monarchy

The political ideal of the divine right of kings, furthered in scope by King James I of England, was in direct contrast with the power invested in the Pope of the Catholic Church by

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<sup>42</sup> Wootton, "Introduction" and "Notes on the Texts (Chapter One: The Divine Right of Kings)" from *Divine Right and Democracy: An Anthology of Political Writing in Stuart England* (See specifically 'Notes on Text' sections) (New York: Hackett Publishing Company, ed. 2003), 91.

<sup>43</sup> *Ibid*, 91.

God.<sup>44</sup> This is best explained by historians Pečar, van der Voort, and Neuheiser, where the state that the “discourse of divine right played a prominent role in a number of contexts: in the fundamental clash over hereditary monarchy; in the conflict with the Roman Curia over whether or not the Pope had authority over European kings...”<sup>45</sup> Although England was already a Protestant-based kingdom during the reign of King James I, this was the beginning of multiple leaders claiming that their powers were invested in the monarchs by God.<sup>46</sup> Prior to the Protestant Reformation, the Pope was the only official appointed by God Himself on Earth; until leaders in the Protestant Reformation challenged this previously presupposed Catholic act by declaring and enacting divine right.<sup>47</sup>

In order to understand the stance and significance of King James I and his fascination with the divine right of kings theory and the ideal of an absolute monarchy, it is highly important to understand the history of the early English ancient constitution in relation to this particular topic of King James I’s political writings. The ancient constitution consists of such documentations, such as Parliamentary laws and acts, as well as Common Law and unwritten political and social customs.<sup>48</sup> In addition to this, the *Magna Carta* of 1215, although not a formal part of the ancient constitution, is the first formal writing of English law of which the main thesis is that neither the king nor the government is above the law.<sup>49</sup> This context is important to understand because nowhere in King James I’s political writings does he insist that

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<sup>44</sup> Andreas Pečar, Jozef van der Voort, and Jennifer Walcoff Neuheiser, “Apologists for Crown Authority: The Divine Right of Kings,” In *The Power of Scripture: Political Biblicism in the Early Stuart Monarchy between Representation and Subversion* (1st ed. Berghahn Books, 2022), 108.

<sup>45</sup> Ibid, 108.

<sup>46</sup> Burgess, “The Divine Right of Kings Reconsidered” (*The English Historical Review* 107, no. 425 (October, 1992), 842.

<sup>47</sup> Ibid, 842.

<sup>48</sup> J. G. A. Pocock, *The Ancient Constitution and the Feudal Law* (Cambridge University Press, 1987), 21, 265, 271.

<sup>49</sup> James C. Holt, “Chapter 9: The Achievement of 1215.” In *Magna Carta*, 297-346 (Cambridge University Press, 2014), 298.

the monarch is not bound by the law. In reality, in James I's political writings, James I does insist that the king's powers must stay in accordance with that of the law. The reason that James I can acclaim this is because an absolute monarch develops and creates his own laws, even if a constitution and customs exist.

### III. Analysis of *The Trew Law of Free Monarchies*

The central argument of this paper is to prove the position of the post-revisionist interpretation that James I was indeed an absolutist monarch who utilized and referenced the power of religion to support his political ideologies of the monarchy. James references the ancient English constitution and political customs, however, this does not make him a constitutionalist, nor does it nullify the idea of absolutism existing due to the fact that the monarch had the power to issue laws. This does not mean that all aspects of constitutionalist thought were disposed, however, that the thinking and actions of James proved that elements of absolutism existed within the kingdom, but were not necessarily an 'official' ideology of absolutism in Stuart England, as the revisionist perspective claims the post-revisionist interpretation states. There is room for such coexistence of these two elements, if the term 'absolute' is taken lightly, in the sense that the monarchy held a great deal of power with very minimal true opposition.

The context of the source of *The Trew Law of Free Monarchies* needs to be examined and critically and thoroughly analyzed in order to answer the research question of "in what methods and ways did King James I of England produce ideas of divine right along with absolutist measures?" The term "produce ideas" refers to the process of action of justifying the theory, for example, writings, and not necessarily only the process of thought on the theory. It is important to note that the idea of divine right and absolutism existed before this source; however,

King James I needed to ‘produce ideas’ on how to justify the implementation of the theory. The dialogue of religion and social role in King James’s work and the framework around it points to the idea in which James I crafted this work to preach his means and way of interpretation. For instance, with James I mainly pulling divine right from the Bible, it is interesting to observe and research the use of bold religious references as well as the use of the Bible and religion to justify ideas, actions, thoughts, and other such related contexts to answer this proposed question. This source can be used to analyze the thoughts of King James I and his personal opinions and attributes based on this subject.

The pamphlet, *The Trew Law of Free Monarchies*, was a document written and published anonymously by King James VI of Scotland in 1598, distributed and intended for the public audience. However, the main focus of this document is its publication and distribution in England in 1603 when King James VI of Scotland was crowned King James I of England. This pamphlet was meant to justify the role of an absolute monarch in and of his kingdom, as denoted in the previous paragraph.<sup>50</sup> This document came into being due to the past experiences of James’s family life in Scotland and the Scottish church claimed only spiritual power over kings.<sup>51</sup> As Sommerville states, “it [the Scottish Church] used its power to depose James’s mother from the throne, and to place stringent limitations upon his own authority. James resented this, and reacted vigorously against the Presbyterian ideas.”<sup>52</sup> These events shaped the thoughts of James in his reign in Scotland, but with his reign in England as well. With the deposition of James’s mother, Mary Queen of Scots, by a rebellion, James sought to prevent such infringement

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<sup>50</sup> James I, *King James VI and I: Political Writings*, Edited by Johann P. Sommerville (*Cambridge Texts in the History of Political Thought*, Cambridge: Cambridge University Press, 1995), 63.

<sup>51</sup> Sommerville, “Chapter 4: James I and the Divine Right of Kings: English Politics and Continental Theory.” In *The Mental World of the Jacobean Court* (edited by Linda L. Peck, 1991), 58-59.

<sup>52</sup> *Ibid*, 58-59.

upon his authority during the political turmoil erupting in England and “looked to strong monarchical power to prevent religious civil war and maintain order.”<sup>53</sup> The reason for James to publish the *Trew Law of Free Monarchies* in England in 1603 was to justify his authority and right to the English Throne. This document can be a reliable source to answer the research question because James speaks to his own thoughts of rule and how the authority of the monarch should be accepted by the subjects. This document is a persuasion tool that was distributed to the subjects of James I detailing his right to the monarchy.

King James I incorporates a persuasive argument to the text, leading to rhetorical questions, extracts of religious obedience, and proponents of questions and answers to those stated questions. The methods that King James I used to publicize King James I’s political thoughts in respect to the monarchy consisted of literature written, by James I as well as his supporters, that were distributed to the common people, advocating for the acceptance of James I’s views. To begin, King James I’s writing, *The Trew Law of Free Monarchies*, discussed the distinction between God, a King, and the King’s subjects. In accordance with the text, God is the superior entity who designates the role of King as well as the characteristics of the King.<sup>54</sup> The King is the destined earthly ruler and embodiment of God to whom the subjects of the throne are to obey, because the “Kings are called Gods by the prophetical King Daud, 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 Justice and Judgement to the people, as the same Daud saith: To aduance the good, and punish the euill , as he likewise saith: To establish good Lawes to his people, and procure obedience...”<sup>55</sup> What James I is depicting in this statement is that kings are a

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<sup>53</sup> James I, *King James VI and I: Political Writings*, Edited by Johann P. Sommerville, (*Cambridge Texts in the History of Political Thought*, Cambridge: Cambridge University Press, 1995), XVII.

<sup>54</sup> *Ibid*, 65.

<sup>55</sup> *Ibid*, 64.

living comparison of a god, meaning that kings hold a divine status that common subjects, or any other level of hierarchy do not. Referring to his statement that “Kings are called Gods by the propheticall King Daud,”<sup>56</sup> James sets the tone that kings hold a definitively high status in society and that kings are appointed to rule the subjects of their respective kingdoms. Kings are the godly entity superimposed on Earth, answering and taking orders only from God. James is insisting, with the use of religious references, that God sent specific people to Earth in order to rule over others and to make sure that the subjects of these selected people perform religious duties and follow good statues and laws. James I then continued to describe that God places a king on Earth

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.<sup>57</sup>

King James I stressed this point of the king being the protector of the liberties and religion of the subjects and to act as the prime judge of the subjects in accordance to the laws of the land, containing both political and religious, although at this point in time a majority of these two attributes were directly connected to one another. Multiple times throughout this section and sections stated prior about the pamphlet, James I words his ideas in such ways that proclaim the necessity of a divine monarch. This includes the wording of the monarch being the maintainer of

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<sup>56</sup> Ibid, 64.

<sup>57</sup> Ibid, 64-65.



laws, both previously enforced and those newly developed, protect the liberties of the subjects of his kingdom, and to protect the religion of the state. These elements are essential to James's work in order for him to justify his absolutist vision of rule as well as to endorse the public belief and acceptance of the divine right theory.

In addition, James proclaimed that the government "is grounded vpon the mutuall paction and adstipulation (as they call it) betwixt the King and his people, at the time of his coronation: For there, say they, there is a mutuall paction, and contract bound vp, and sworne betwixt the king, and the people"<sup>58</sup> in order to demonstrate the relationship between the king and people. This last portion describes the relationship between the king and his subjects in such ways of religious, political, and social obedience. James I breaks down each portion of the hierarchy of the subjects and the monarch to propose the stature of the king in relation to the common people. To further James's pronouncement, while discussing the king and his duties, James I declared that the only system to which the king answers is "by remitting them [errors and intolerable abominations] to God (who is their onely ordinary Iudge)."<sup>59</sup> This statement exemplifies the accountability over the king as being virtually non-existent on Earth, all but by the decision and confession to God. The term 'ordinary' in this context refers to the king being a delegate to God and God being the judge of the actions of the king. Henceforth, James I is proclaiming that kings have no Earthly equals or superiors, allowing for this essence of absolute rule to be established within their kingdom.

In continuation, King James I focused on subdivisions of support and justification for King James I's idea of absolute rule and divine right. Religion, in this context, is used as a tactic or method of alignment and a form of social control. This can be concluded through the lens of

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<sup>58</sup> Ibid, 81.

<sup>59</sup> Ibid, 83.

theology during this time period, with Christianity being a large part of social and domestic life. As one reads through the pamphlet, the audience is bound by the traditions of religion, particularly Christianity, to abide by the will of God and not to question the gospel of Him. Religion, being of major concern and importance in the government of England at this point in time, offered a form of societal role. Whether James truly believed in this theory, or was using this format as a crowd-controller, as previously stated in the historiography that Sommerville and Figgis phrase as utilitarian, the usage of religious references and God's word, in the ways in which James presents it, would have been obeyed without question by believers. The Christian, and in the case of England, the Protestant value in biblical authority would have allowed for this obedience. One of the most compelling examples of this incorporation on the basis of Christian belief is of the following:

Shortly then to take vp in two or three sentences, grounded vpon all these arguments, out of the lawe of God, the duetie , and alleageance of the people to their lawfull king, their obedience, I say, ought to be to him, as to Gods Lieutenant in earth, obeying his commands in all things, except directly against God, as the commands of Gods Minister, acknowledging him a Iudge set by GOD ouer them, hauing power to iudge them, but to be iudged onely by GOD, whom to onely hee must giue count of his iudgement; fearing him as their Iudge, louing him as their father; praying for him as their protectour; for his continuance, if he be good; for his amendement , if he be wicked; following and obeying his lawfull commands, eschewing and flying his fury in his vnlawfull , without resistance, but by sobbes and teares to God, according to that sentence vsed in the primitiue Church in the time of the persecution.<sup>60</sup>

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<sup>60</sup> Ibid, 72.

James's utilization of religion to justify his God-inspired tactical or methodological approach to justification for the absolute rule of monarchs. His recurrence of reference to religion and God enforces the idea of not questioning God's judgment, which, in James's understanding and viewpoint are in correlation to those actions of the monarch, and therefore in turn, not judging the monarch's actions. This correlation implies the absolute power of the monarch due to God investing and delegating those powers to said monarch, such as the King of England.

In relation to the previous method pointed out, James I makes reference to holy texts, distinctly the Christian Bible, to justify the power invested in monarchs by God. James invokes the Bible in his text for religious justification for the obedience of the subjects of the throne. He incorporates the ideal of the *Scripture* (the Christian Bible) in that of which he claims the religious reasoning for subjects being obliged to the king. For instance, he began with, "and if any will leane to the extraordinarie examples of degrading or killing of kings in the *Scriptures*, thereby to cloake the peoples rebellion, as by the deed of Iehu, and such like extraordinaries: I answeare, besides that they want the like warrant that they had, if extraordinarie examples of the Scripture shall bee drawne in daily practise."<sup>61</sup> James sought to provide a religious-based answer for this reasoning, and states a quote by God that embraces this paragraph. These references to the Bible and God Himself embrace the notion of Christian subject; which at this time period, a majority, if not, all people were Christians, to hold faith, understanding, and divine belief in the king. The Christian ideals align with the theological ideals of English society, but are also used by James to justify the actions of a monarch in accordance with his understanding of divine right. The text asserts "and to conclude, the practise through the whole *Scripture* prooueth the peoples obedience giuen to that sentence in the law of God: *Thou shalt not rayle vpon the Judges, neither*

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<sup>61</sup> Ibid, 71.

*speake euill of the ruler of thy people.*”<sup>62</sup> James adduced the literal word of God to affirm his own statement of not enacting in public criticism towards the king, because, in context, the person is criticizing God Himself. This statement is extremely powerful in James’s work because it induces religious responsibility as well as fear into the subjects of the king due to the divine right of kings, allowing for absolute monarchy to exist.

Furthermore, James made the critical point to identify that a monarchy does not always consist of tyranny. As he enacted this idea is that a true monarch, bound by divine right, holds absolute power; therefore, being responsible for the wellbeing of his subjects.<sup>63</sup> James phrased this obligation as a relationship of a father to his children.<sup>64</sup> This patriarchal outlook develops a sense of entitlement to the king, therefore removing the idea of tyranny and abuse of powers. In accordance to this, James articulated the ‘father state’ of a king in such a way “to maintaine concord, wealth, and ciuilitie among them, as a louing Father, and careful watchman, caring for them more then for himsele, knowing himsele 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.”<sup>65</sup> This statement derives the duty that the king is in existence for the people in which he rules and must rule in the best interest of his subjects. James remarked apropos to a patriarchal standing due to social dynamics of England at this time. The reasoning for this is that a patriarch in a family is the highest ranking and most dominant male in the family. Therefore, this comparison in James’s writing is that the king is the patriarch of the kingdom and that the subjects are to be in obedience to the king as a family member to the patriarch in the family. In addition, this particular statement, quoted from

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<sup>62</sup> Ibid, 71.

<sup>63</sup> Ibid, 77-80.

<sup>64</sup> Ibid, 75-80.

<sup>65</sup> Ibid, 65.

James above, paints a picture of a selfless image of the characteristics of a monarch and that the subjects of the monarch are more important to the king than the king himself. For methodological reasons, James most likely incurs this because it breaks that notional bond between tyrant and divinity of a monarch.

In direct relation to the inquiry stated in the prior, for context, James refers to a tyrant and an abusive monarch as being a form of the wrath of God.<sup>66</sup> For example, he promoted that “I grant indeed, that a wicked king is sent by God for a curse to his people, and a plague for their sinnes: but that it is lawfull to them to shake off that curse at their owne hand, which God hath laid on them, that I deny, and may so do iustly.”<sup>67</sup> James portrays that the actions of the king are that of the will of God due upon the people of the kingdom for a variety of reasons relating to misdeeds.<sup>68</sup> It is important to understand that what James is relating is that the monarch cannot be overthrown or be dawned upon by active resistance from his subjects due to this propitious power encapsulating the monarch. The translation is that the monarch’s actions are justified by that of the right or wrong of the public and that of God’s intentions; and therefore, ought not be mingled with.

In addition, James manufactured the idea of absolute rule and unlimited supreme power as no different than that of other leaders in other areas of life. To capture this image of words, the text declared,

and since in all inferiour iudgements in the land, the people may not vpon any respects displace their Magistrates, although but subaltern: for the people of a borough, cannot displace their Prouost before the time of their election: nor in Ecclesiasticall policie the

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<sup>66</sup> Ibid, 79.

<sup>67</sup> Ibid, 79.

<sup>68</sup> Ibid, 79.

flocke can vpon any pretence displace the Pastor, nor iudge of him: yea euen the poore Schoolemaster cannot be displaced by his schollers: If these, I say (whereof some are but inferiour, subaltern, and temporall Magistrates, and none of them equall in any sort to the dignitie of a King) cannot be displaced for any occasion or pretext by them that are ruled by them: how much lesse is it lawful vpon any pretext to controll or displace the great Prouost, and great Schoole-master of the whole land: except by inuerting the order of all Law and reason, the commanded may be made to command their commander, the iudged to iudge their Iudge, and they that are gouerned, to gouerne their time about their Lord and gouernour.<sup>69</sup>

The reasoning that James analyzed such a duty in conjunction with such roles is to bring about the idea of the inability to remove a divine monarch from power. The perspective that James composed dealt with placing a common societal ideal on something less tangible to the common person. This characteristic of the divine right of kings theory allows for the power to be fulfilled, in the most absolutist measure, allowing for an absolute monarchy to exist without question of removal of powers.

Another position that James made apparent in his work is that of the ancient English constitution, common law, and statutes and customs. In his work James acknowledged that these laws are of importance and that these laws and customs exist due to past monarchs. This subject is what leads revisionists to say that James I was a constitutionalist and that absolutism could not have existed with such circumstances. However, it is important to note exactly what James said in his work pertaining to laws and customs. For example he stated that it is the monarch's job to "procure the weale and flourishing of his people, not onely in maintaining and putting to

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<sup>69</sup> Ibid, 76.

execution the olde lowable lawes of the countrey, and by establishing of new but by all other meanes possible to fore-see and preuent all dangers.”<sup>70</sup> James sees the importance of upholding laws, but these laws are created by the king, or by past kings. Since the monarch can create laws, does that not allow for characteristics of absolutism to exist? To further this idea, James also declared “that the kings were the authors and makers of the Lawes, and not the Lawes of the kings.”<sup>71</sup> meaning that the king has the authority to draw upon these laws and establish them, but the laws did not establish the monarchy. Also, James said that in order for Parliament to pass any laws or statutes, there needs to be permission from the monarch.<sup>72</sup> James makes it clear that the creation of laws and statutes are up the discretion of the monarch and that “the king make daily statutes and ordinances, enioyning such paines thereto as hee thinkes meet, without any aduice of Parliament or estates; yet it lies in the power of no Parliament, to make any kinde of Lawe or Statute, without his Scepter be to it, for giuing it the force of a Law.”<sup>73</sup> The idea of absolutism can live in this realm even if the monarch is not above the law, that is because the monarch determines the law.

#### IV. Conclusion

A conclusion can be reached on the question of the methods and ways in which James produced ideas of absolute monarchy with the context of the document *The Trew Law of Free Monarchies*, written by King James I of England. James utilized writing as a main proponent of delivering his view and message on the divine right of kings and absolute rule as well as justifying those perspectives with God’s will and power given to monarchs, reference to the Christian Bible, consulting the idea that monarchy does not mean tyranny referencing a

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<sup>70</sup> Ibid, 65.

<sup>71</sup> Ibid, 73.

<sup>72</sup> Ibid, 74.

<sup>73</sup> Ibid, 74.

patriarchal connection, and contemporary comparisons to leaders in society. James needed to argue for his sovereignty and legitimize his political authority employing religious references and social constructs of family and social life revolving around patriarchy.

James enlightened and propagated an idea that allowed him to stand with his words of being an absolute ruler on the basis of divine right. James's resurrection of the absolutist ideals and the divine right of kings to the subjects of the Protestant-based English kingdom through literature allowed him to call for more political stability deploying the weapon of ink and paper. James was able to draft political writings that were distributed in order to persuade the public on the ideals in which he believed and speculated to enact during his reign. Religion was the basis of these methods used, encompassing the religious nature of the subjects of the English kingdom. James's jurisdiction over the government and the people of his kingdom lied solely upon the shoulders of religion and the fear of God in respect to the Protestant stance, providing him with a wide-ranging basis of control.

Overall, the position of the post-revisionist perspective concluding that James I was indeed an absolutist monarch who utilized and referenced the power of religion to support his political ideologies of the monarchy is the most compelling position in the historiography due to James, as detailed in his own work, having an absolutist mindset and using religion as a tactic of control and obedience. Although James references constitutional and customary aspects in his political writing of *The Trew Law of Free Monarchies*, this does not provide a strong case that would allow for the revisionist interpretation to take a strong hold and conclude that he was a constitutionalist. As mentioned previously, these aspects, similar to those of religion and patriarchy, are supporting and necessary remarks that drove James to deliver this political writing and to gain the support from his subjects in the kingdom while all holding an absolutist mindset.



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