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Understanding the Divine Right Kingship of King
James VI and I, and 16th Century Political Thought
Regarding Temporal Power*

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Abstract

King James VI and I has always been a controversial figure. The question of whether his reign was inferentially beneficial or detrimental for the countries he reigned over, is still present, but what can be stated beyond doubt is that the monarch's decisions have always been associated with the ideas of the Divine Right of Kings, to a lesser or a greater extent, and that is the starting point, given that many questions arise, regarding it. It is undeniable that King James had a complex and deep personality, one that we need to analyze in depth in order to extract conclusions as to the degree of influence of his ideology on his politics. Therefore, did James's ideology dictate his course of action, or maybe the difficulties he had to face in order to achieve his goals forced his hand? In order to address this, it is essential to focus almost exclusively on events that preceded James's ascension to the English throne. There is also a series of questions related to the aforementioned subject: What were the origins of the association of monarchy with divinity? What were the contradicting perceptions and views of monarchy in the sixteenth century regarding its origin, legitimacy and most importantly, its limitations? What was, and what should, be the position of temporal power within society and what was its relationship with spiritual power? How did long-standing concepts of royal power affect sixteenth century theories?

An investigation of these issues, leads to the second group of questions, focused on the divine right of kings itself. Was James's doctrine, arguably articulated most fully in his treatises, a product of vanity? Perhaps a by-product of his religious upbringing and his obsession with protestant beliefs combined with his knowledge of history and the various examples he used as points of reference? Maybe a way to justify the policies he introduced? A defense mechanism against what he regarded as threats? Regardless, James's theory of monarchy, as it was formulated during the first part of his life and specifically during the last decade of the sixteenth century, undoubtedly foreshadowed the controversy and subsequent turmoil that would occur not only during his reign but also after his death. The latter due to the assumption that the events that unfolded in Charles' time half a century later were a result of the so-called divine right absolutism of the Stuarts, the foundations of which were supposedly laid by James.

**Delusions of Divinity or Political
Realism?**

Understanding the Divine Right Kingship of
King James VI and I, and 16th Century
Political Thought Regarding Temporal
Power

By

Angelos Adamopoulos

Thesis submitted for the Degree of Master of Arts by
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through. I wish she could know how important she was and what she meant. She never will, but everyone else has to.

Introduction

Touching the subject of James's Divine Right monarchy and the degree of association of Ideology and Politics in this specific context is a complicated task and clarity is required in order to stay focused on the clear questions set by this dissertation. This research is specifically about James VI and I, not about different sixteenth and seventeenth century ideologies and politics, and certainly not about the Stuarts in general and the English Civil War. There is a huge gap between James's ascension to the English throne and the civil war that broke out almost half a century later, and therefore, it would be not safe to make assumptions about it. Nevertheless, a group of "Revisionist" historians, as studied in depth further down in the introduction, seem to argue that the Civil War did not occur because of underlying and unresolved political issues, in effect disregarding the possibility that ideology can affect politics. On the other hand, this dissertation sets out to explore whether James's political actions were entirely affected by his ideology or whether the social and political status of the turn of the century British isles, along with the difficulties James had to face, played a part in the formation of the monarch's mentality. Undoubtedly, a monarch has to respond to adverse situations, but did those circumstances alone dictate James's actions? This dissertation explores not only the formation of James's ideology until the end of the sixteenth century, or discuss the political theories and the way they were being developed until the point of James's ascension, comparing them to the monarch's own, but also discuss the context in which James's theories articulated, and how it may have affected the monarchs politics along with his ideology.

What I aim to do in this introduction is first to establish a context to James's political thought, not least by examining historiographical views of James. What did his contemporaries think of him? What was the existing view of the association of politics and ideology? After the initial approach to the questions this dissertation will set out to address, it is of paramount importance to discuss the historiography and the issues of revisionism as well as post-revisionism. Last but not least, a few of the core themes of the

dissertation will be introduced, along with an analysis of its structure in the end of the introduction.

King James VI and I has always been a controversial figure, and controversy surrounding the monarch and his policies first arose early in his personal reign of Scotland.

Prominently, James's entire perception and theory of monarchy was believed by some to have dictated at least some of his actions throughout his life, as well as his decisions on matters of religion, administration, diplomacy and war among others. Some information regarding the background of those individuals who reflected on James's rulership is included, in an attempt to establish whether there was impartiality. For instance, it can be presumed that Bishop Thomas Bilson supported the crown's rights and its manifestation by claiming that the king "may justly command the goods and bodies of all their subjects"¹ back in 1585, seemingly in perfect accordance with James's political theory as it was fully displayed years later. Similarly, the Protestant Hadrian à Saravia defended the monarch's limitless authority in his treatise *De imperandi autoritate*, attributing infinite reach to it, under certain circumstances – arguably the definition of absolutism.² Another example is William Westerman. He was an academic theologian and chaplain to Richard Bancroft, the Archbishop of Canterbury. Quoted from his study "The faithful subject or Mephiboseth", a loyal subject should willingly give away their possessions "...for a gracious king if his necessity require it"³, Westerman discussed the possibility of subjects being required to pay subsidies or suffer increased taxes.

On the other hand there were many who objected to James's absolutist tendencies. For example, according to the Jesuit Oswald Tesimond "the king himself was, it could be

¹ Thomas Bilson, *The True Difference Betweene Christian Subiection and Unchristian Rebellion*, (Oxford: Printed by Ioseph Barnes printer to the Vniuersitie, 1585), p.356

² Hadrian Saravia, "De Imperandi Autoritate, et Christiana Obedientia" in *Diuersi tractatus theologici, ab Hadriano Saravia editi: quorum titulos sequens pagina indicabit*, (London: Printed by Richard Field ex typographia Societatis Stationariorum, 1611), pp.120-314

³ William Westerman, *The faithfull subiect: or Mephiboseth And Salomons porch: or A caueat for them that enter Gods house: in two sermons preached at Paules Crosse: allowed by authority and now published vpon occasion: by W. Westerman Bachel: of Divinity, and chapl. to the Right Honourable, and Ri. Reuerend, the L. Archb. of Canturbury*, (London: Printed by William Jaggard for G. Seaton, and Simon Waterson, dwelling in Paules Churchyard, at the signe of the Crowne, 1608), p.36

said, the author of the hardest law that up to this time had been passed against us”.⁴ Furthermore, at a later point he remarks that “...he flayed us beyond measure, and in words so full of bitterness that they would scarcely be believed by any who read them.”⁵ Extracted directly from his testimony during the aftermath of the Gunpowder Plot, it is obvious that Tesimond’s view of James, especially regarding the monarch's religious policy, was far from positive. Arguably, however, Tesimond’s objectivity is in question, due to the fact that he was a Jesuit and openly opposed to James. But that same charge of partisanship can be applied to the supporters of James’s doctrine, considering that the majority of them either were of protestant beliefs or wanted to promote their own selfish goals by supporting the doctrine or James himself: Westerman, as noted, was a chaplain to Archbishop Bancroft,⁶ while Bilson and Saravia contributed to the creation of the King James Bible, the former as one of the two overseers of the final edition (along with Miles Smith) and the latter not only as a member of the First Westminster company, responsible for the production of the bible but also as one of its nominated translators since 1607.⁷

These are some examples of contemporary views on James and his policies and as evident so far, it can be safely assumed that the majority of them are subjective. Nevertheless, there are two distinct examples of seemingly more impartial views towards James found in contemporary sources worth noting. The first one is the treatment of James by Sir Simonds D’Ewes in the latter’s autobiography. It is considered a notable example due to the fact that although a Puritan, D’Ewes acknowledges the monarch’s “care to maintain the doctrine of the church pure and sound”.⁸ A similar treatment of James can be found in Thomas Fuller’s “The Church history of Britain” in which the

⁴ Oswald Tesimond and Francis Edwards (ed.), *The gunpowder plot: The narrative of Oswald tesimond alias greenway, translated from the Italian of the Stonyhurst Manuscript*, (London: Folio Society, 1973), p.41

⁵ Tesimond and Edwards, *The gunpowder plot*, p.43

⁶ Richard Cust (ed.) and Ann Hughes (ed.), *Conflict in Eearly Stuart England: Studies in Religion and Politics 1603-1642*, (London: Longman, 1989), p.50

⁷ Sidney Lee (ed.), *Dictionary of National Biography*, Vol. L., (London: Smith, Elder & Co., 1897), p.300

⁸ Simonds D’Ewes and James Orchard Halliwell-Phillipps (ed.), *The Autobiography and Correspondence of Sir Simonds D’Ewes, Bart., During the Reigns of James I and Charles I, edited by James Orchard Halliwell*, (London: Richard Bentley, New Burlington Street, Publisher in Ordinary to Her Majesty, 1845), p.264

clergyman and prominent English historian even claimed that "...the land being never more wealthy"⁹ in an effort to provide a full account of the king's reign.

James remains a subject of controversy among historians. From the seventeenth century onwards there have been numerous researches and treatises devoted to him and even nowadays, the different opinions expressed in literature bear testament to the monarch's controversial status. The majority of historians have been far from sympathetic towards James. To begin with, historiography of the Victorian era was still largely judgemental. Therefore, one should not focus only on that period and opinions such as those of T.B. Macaulay, who described James as a person "...exhibited to the world stammering, slobbering, shedding unmanly tears, trembling at a drawn sword and talking in the style alternately of a buffoon and a pedagogue".¹⁰ Later, the Italian historian Giorgio Spini was critical of James's political theory expressed in the king's own writings.¹¹ Rather, some views are more justified and backed by solid arguments, such as S.R. Gardiner's treatise of the Stuarts in which he attempts to provide a more unbiased perspective, highlighting James's positive aspects, even though he also argues that James's reign was disastrous and paved the way to the civil war.¹² Similarly, J.R. Tanner criticizes James and his policies.¹³ Like Gardiner, he made sure he remained as objective as possible, by not dismissing the monarch's personal qualities.¹⁴

Until recently, most historians agreed that even though James possessed certain skills and qualities, his reign was catastrophic; the monarch himself is the subject of criticism due to his absolute tendencies, among other things. The famous comment that James was the "wisest fool in Christendom", - a remark commonly associated with Henry IV of France

⁹ Thomas Fuller and John Sherren Brewer (ed.), *The Church History of Britain; From the Birth of Jesus Christ Until the Year M.DC.XLVIII. Endeavoured by Thomas Fuller, D.D. Prebendary of Sarum, a New Edition, In Six Volumes, By the Rev. J.S. Brewer, M.A, Volume V*, (Oxford: University Press, 1845), p.574

¹⁰ Thomas Babington. Macaulay, *The History of England from the accession of James II by Thomas Babington Macaulay*, Vol. I, (Philadelphia: Porter & Coates, 1884), p.77

¹¹ Giorgio Spini, *Storia dell'eta Moderna, 1661 – 1763*, Volume Terzo, (Turin: Giulio Einaudi, 1965), p.511

¹² Samuel Rawson Gardiner, *History of England from the accession of James I to the outbreak of the civil war 1603 – 1642*, (London: Longmans, Green, and Co., 1894-1896), p.316.

¹³ Joseph Robson Tanner, *English Constitutional Conflicts of the Seventeenth Century 1603-1689*, (Cambridge: Cambridge University Press, 1971), IV: p.51.

¹⁴ *Ibid.*, I: p.17

but probably coined by Sir Anthony Weldon, according to David L. Smith,¹⁵ has been recycled and reused numerous times. Weldon provided an elaborate explanation. The “wisest fool”, as “a very wise man was wont to say” about James, is “wise in small things” but “a fool in weighty affairs”.¹⁶ Furthermore, D.H. Willson, another historian who focused his research on the early Stuart period, severely criticizes some of James’ actions.¹⁷ Indicative of Willson’s unsympathetic view of James, is the statement that “his foreign policy proved the most shameful failure of his reign bringing disgrace upon England and ruin upon her allies”¹⁸ and that “with criminal folly he left London before Parliament opened and remained away during his entire meeting”.¹⁹ It is worth noting that even though new evidence concerning the early seventeenth century had surfaced between Willson’s earlier and later work, “King James VI and I” and “A history of England” respectively, he remained completely unsympathetic towards the monarch. In some cases, even James’s positive aspects have been the subject of criticism. One notable example can be found in H.R Trevor-Roper’s “Historical essays” according to which, even James’s political skills that were developed during his reign in Scotland and gave him the ability to manoeuvre in difficult political situations, instead of allowing him to resolve them, in fact backfired, since Charles was the one to “inherit” most of these unresolved issues.²⁰

However, in the context of changing interpretative approaches to James’s reign and in an attempt to provide unbiased and unprejudiced accounts of the monarch, some more recent historians seem more favourable towards James. Thus, J.P. Kenyon revised his earlier work, “*The Stuarts: a study in English kingship*” in his more recent study, “*Stuart England*”, as pointed out by Marc L. Schwarz.²¹ Kenyon had originally adopted and expressed the traditional, unsympathetic, opinion on James but throughout his later work “*Stuart England*”, a more favourable view is evident, with various examples such as the

¹⁵ David L. Smith, “Politics in Early Stuart Britain” in *A Companion to Stuart Britain*, Barry Coward (ed.) (Oxford: Blackwell Publishing, 2003), p. 238

¹⁶ Angus Stroud, *Stuart England*, (London; New York: Routledge, 1999), p. 27

¹⁷ David Harris Willson, *King James VI and I*, (Oxford: Alden Press, 1956), p.273.

¹⁸ *Ibid.*, p.273

¹⁹ *Ibid.*, p.420

²⁰ Hugh Redwald Trevor-Roper, *Historical Essays*, (London: Macmillan, 1957), pp.131-132

²¹ Marc L. Schwarz, “James I and the Historians: Toward a Reconsideration”, *Journal of British Studies*, vol. 13, no. 2, (1974), pp.114-134, www.jstor.org/stable/175090 pp. 114–134

opinion that "...he was a fool in some sense, but in others a great man".²² Thomas Cogswell's opinion towards James is also favourable, and even calls the king "underappreciated", without omitting his negative qualities, in his study of both the public and the personal life of James.²³

Although some converts exist, a historiographical consensus has not been reached yet. Notably, revisionist historians present a different set of views about James. As J.P. Sommerville points out, a group of post-1970 "revisionist" historians share a notion that contradicts most, – if not all, existing views of the Stuarts. This group argues that England was not in a social or a political turmoil during the reigns of the Stuarts, and that the Civil War was something entirely unexpected.²⁴ Revisionists, and especially the most prominent historian among them, Conrad Russell, according to Sommerville, also advocate that there was a political consensus in pre-war England, where all people except a handful of insignificant individuals shared a view of politics.²⁵ Sommerville, on the other hand, strongly disagrees on both the number and the significance of absolutists in early Stuart England, citing this as a reason why the logic of revisionists is flawed.²⁶ An important reason behind this claim about revisionist historians is the revisionist definition of absolutism itself, which according to Sommerville has a wrong basis, and even contemporaries of James would reject that definition, even though they advocated a "traditional" absolutism.²⁷ Conrad Russell specifically seems to have a different set of criteria than most historians, when it comes to defining absolutism. As evident in his *Causes of the English Civil War*, Russell claims that a ruler cannot be defined as an absolutist unless they specifically create laws without the consent of other bodies, thus justifying every other political action of a monarch, even if they ignore existing laws or the consent of other bodies, without calling it absolutism.²⁸ Similarly, Glenn Burgess believes that one cannot be called a "theorist of absolutism" unless they explicitly defend

²² John P. Kenyon, *Stuart England*, (London: Allen Lane, 1978), p.92

²³ Thomas Cogswell, *James I: The Phoenix King*, (London: Penguin, 2018), Introduction

²⁴ Johann P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-1640*, (New York: Routledge, 2014), p.224

²⁵ *Ibid.*, p.225

²⁶ *Ibid.*, p.226

²⁷ *Ibid.*, p.227

²⁸ Conrad Russell, *Causes of the English Civil War (Ford Lectures, 1987 – 1988)*, (Oxford: Clarendon Press, 1990), pp.150-152

the monarch's right to legislate without the consent of their subjects.²⁹ This notion, along with everything else revisionism stands for, is in direct conflict with the wide consensus that was previously mentioned. To rephrase and further add to Sommerville's conclusion, according to the revisionist definition of absolutism, absolutism as an ideology or a concept is more, – if not exclusively, about how monarchical authority is to be perceived and exercised and less about its origins and limitations, - if at all, or whether it is superior to the spiritual authority.³⁰ Therefore, this observation leads to a conclusion that was briefly mentioned earlier and seems to derive from the entirety of the revisionist views: According to them, ideology is not important in politics. It is more about politics in practice and less about how an ideology can manifest in politics, if at all. However, as previously stated, this dissertation aims to explore the degree of influence of James's divine right doctrine in the monarch's course of action.

Whether the Stuarts led England to a civil war or not, however, is not a matter of importance to this study. But without a doubt, James's political doctrine was practiced during the entire Stuart reign and it is important to investigate its roots as well as the monarch's motives. Closer examination of sources regarding James, such as the bulk of his biographies, or studies of the sixteenth and seventeenth century Britain in general, give the impression that the king's later life and his reign in England were far more important than the pre-1603 period. It is a fact that the Scottish reign of James rarely is the primary focal point of historians and biographers of the king. The first part of his life and his Scottish rule are not overlooked of course, but are often used as secondary to the post-1603 period. A look at the work of some historians regarding James, such as D.H. Willson,³¹ R. Lockyer³² and W.B. Patterson³³ confirms this impression that the historiographical focus always revolves around early seventeenth century England. However, for the purpose of this study, James's earlier life and pre-1603 events are of paramount importance, because that is where most of the pieces of this puzzle lie. In

²⁹ Glenn Burgess, *Absolute Monarchy and the Stuart Constitution*, (New Haven: Yale University Press, 1996), p.40

³⁰ Sommerville, *Royalists and Patriots*, p.228

³¹ Willson, *King James VI and I*

³² Roger Lockyer, *James VI and I*, (New York: Longman, 1998)

³³ William Brown Patterson *King James VI and I and the reunion of Christendom*, (Cambridge: Cambridge University Press, 2000)

short, we cannot understand James as king of England without thinking of him first in the context of his reign in Scotland.

Thus far it is evident that there are numerous accounts of James's reign as a whole and of himself as a figure, in the form of biographies. Some of the monarch's decisions are considered positive, some were questioned, some are still the subject of study and controversy still surrounds the subject. But what was the driving force dictating James's course of action? Did his Divine Right Theory ultimately defined his policies?

Although the political theory conceived and expressed by the king himself called the Divine Right of kings is sometimes regarded as the explanation behind what some label as divine right absolutism of the Stuarts (given that some of Charles's policies and what some people call "absolutist tendencies" arguably bear some resemblance to James's) in the turn-of-the-century British Isles, the label absolute monarchy, especially the possibility of it being founded on the basis of divine right theory is itself controversial. Peter Lake once attempted to define absolutism. He was of the opinion that authority with divine origins or granted by the subjects without the right of having it returned to them is absolutism, further adding that when the situation demands it, said authority is limitless and above the rights of the subjects or human law, thus denying the subjects the right to resist.³⁴ But this opinion is not shared by everyone. On the one hand, the French philosopher and writer Paul Alexandre Janet refers to James as an advocate of absolute power and defender of divine right.³⁵ On the other hand, as James Daly remarks, according to some scholars, there were barely any advocates of absolutism based on divine right before the English Civil War, while the entirety of the opposition led by Sir John Eliot in Stuart England claimed that the political system of their time was one of absolute monarchy.³⁶ Revisionist historians, such as Conrad Russell seem to argue that divine right does not equal absolutism and that this subject was not discussed at the time

³⁴ Peter Lake, *Anglicans and Puritans?: Presbyterianism and English Conformist Thought from Whitgift to Hooker*, (New York: Harper Collins Publishers, 1988), p.7

³⁵ Paul A. Janet, *Histoire de la Science Politique dans ses Rapports avec la Morale (2 Tomes; Reimpression de l'edition de Paris, 1913)*, vol. 2, (Geneva: Slatkine Reprints, 2013), p.144

³⁶ James Daly, "The Idea of Absolute Monarchy in Seventeenth-Century England", *The Historical Journal*, vol. 21, no. 2, (1978), p.227, www.jstor.org/stable/2638259

on a serious basis anyway,³⁷ but it is to be expected, given that revisionists disregard the importance of ideology in politics. On the other hand, Sommerville disagrees once again with revisionists, citing three major political theories in the early seventeenth century England.³⁸

Defining political theory and ideology, or the absence of it, is not straightforward, given that there were, and still are, contradicting views. So, first of all, was England ruled by an absolutist regime, or not? How can one be absolute oneself about the validity of one notion or the other? Maybe the truth lies somewhere in between. Besides, using Sir Thomas Smith's words, and according to his political theory about mixing different elements of various political systems, one shall not "finde any common wealth or government simple, pure and absolute".³⁹

Nevertheless, Smith advocates a different kind of doctrine that can be defined only by a non-absolutist point of view. He refers to "absolute administration" as "verie dangerous in time of peace" when everyone can comply with the laws, yet necessary "in time of warre".⁴⁰ Additionally, he regards the parliament as "the most high and absolute power of the realme of Englande".⁴¹ Thus, in Sir Thomas Smith's case, it cannot be asserted that he supported one of the two absolute in their definition claims, that early seventeenth century England was either an absolute monarchy or that absolutism was not in existence.

King James himself developed a political theory that shares similarities and some association with existing political theories, not only contemporary ones but also ones originating in the Middle ages as will be noted later, and thus, James's Divine Right theory can be described as something original, yet a product of evolution. The word "developed" is also important in another sense. James neither was born an absolutist nor did the political status quo of the British Isles change overnight. After all, it is not uncommon for historians to spot sparks of absolutism predating James. For example,

³⁷ Sommerville, *Royalists and Patriots*, p.226

³⁸ *Ibid.*, *Royalists and Patriots*, p.107

³⁹ Thomas Smith and Leonard Alston (ed.) *De republica anglorum, a Discourse on the Commonwealth of England by Sir Thomas Smith edited by L. Alston, Christ's College with a preface by F.W. Maitland, LL.D. Downing Professor of the Laws of England*, (Cambridge: Cambridge University Press, 1906), p.14

⁴⁰ *Ibid.*, p.16

⁴¹ *Ibid.*, p.48

Peter Lake has referred to the reign of Elizabeth I as the “Monarchical Republic of Elizabeth I”, that “even at moments of the most extreme crisis....was not, in fact, republican enough even to attempt in public to articulate itself as such.”⁴² This notion will become even more relevant further in the dissertation. Numerous examples that can be interpreted as signs hinting at the existence of absolutism before the time of James will be referenced later. Therefore, it can be easily argued that the divine right of kings doctrine of the Stuarts or what is now called the Divine Right Absolutism of the Stuarts needs to be studied as something that developed over time.

This dissertation focuses on several core themes in order to reach the goal of interpreting James’s policies and their motives, in an attempt to conclude whether the divine right of kings theory and the entirety of James’s ideologies dictated his actions. In order to accomplish that, it is important to provide the specific context, which is essential. Therefore, said context must precede the discussion of James’s divine right kingship, which will occur in later chapters. The purpose of the first chapter is to set the foundations, by exploring the origins of divine right kingship. The second chapter studies James’s influences and provides essential information of the social and political structure before and during his time. This will not be confined to Scotland. The Elizabethan succession is also a subject of focus, not only due to the unique circumstances surrounding it, that undoubtedly affected the public’s opinion towards James and vice versa, but also, - and most prominently, because of the importance of studying the background and what preceded James in terms of political theory, both in theory and in practice. As previously mentioned, one has to touch the subject of the divine right of kings as something that developed over time. Therefore, the next chapter details the subject in question by studying the evolution of political thought and the debate regarding the limits of the monarch’s reach as well as the interactions of secular and spiritual authority. The analysis is complemented by the addition of the concept of divine right kinship and its development in the equation. Furthermore, the fourth chapter is dedicated in its entirety to James through the years leading to his ascension, and is of paramount

⁴² Peter Lake, “The Monarchical Republic of Queen Elizabeth I (and the Fall of Archbishop Grindal) Revisited” in *The Monarchical Republic of Early Modern England (St. Andrews Studies in Reformation History)*, (Ashgate Publishing Limited, 2007), p.132

importance, in terms of understanding his ideology in comparison to his actions. The exploration of James's motives continues in the fifth chapter, which analyses the contents of the succession tracts and James's own writings, in order to determine how accurately they mapped the king's own mentality. The sixth chapter compliments it by further adding more nuance to the understanding of James's personality and ideology, without disregarding other factors such as the social and political context. All of these, of course are studied in comparison to the king's actions. This indeed is a central theme of the dissertation: to determine whether James's political actions were dictated by his doctrine. Last but not least, the epilogue contains the conclusions of this study.

As for the sources, there are plenty of contemporary ones that shed light into the matter. To begin with, various tracts, treatises and manifestos of political theory, predating James are studied, - most of them written centuries ago, in order to ascertain as much as possible regarding sixteenth century ideologies and politics by studying the way these were developed over time. Furthermore, treatises involving James are of paramount importance to this study. The most important of these are Robert Persons's "*Conference about the Next Succession for the Crown of England*", and most prominently, James's own *True Law of Free Monarchies*, and they are studied comparatively. A number of additional treatises, mostly centered around Elizabeth's succession, hence their name succession tracts, mostly confined to the 1590s, are examined and compared, as a way of further adding to the puzzle. However, most succession tracts were arguably written with the purpose of supporting a specific claim by discrediting the others and were heavily influenced by the succession debate. It cannot be said with certainty that any primary source, in fact, is impartial, and therefore, due to the difficulty of ascertaining their accuracy and reliability, primary sources need to be studied in the round. For example, some of the King's speeches in parliament, or his own treatises provide a starting point and basis for his whole perception of kinship, but on the other hand, said opinions on their own have no validity. They were mostly expressed publicly and cannot be considered more sincere and reliable than his correspondence with various officials. A combination of all available sources is the key into understanding James's mentality.

Opposition to the Stuarts, in both Scotland and England after the union of the crowns, and later historians, as well as those who claim that James ruled as an absolutist, look to the king's own writings as evidence. However, additional factors need to be taken into account, before the doctrine of the divine right of kings itself is analyzed or any attempt is made to attribute the actions the Scottish King opted to follow before succeeding Elizabeth to the doctrine. One such factor is the interpretation of James's influences since his childhood. This is a subject studied in detail by Alan Stewart who unlike other historians, opted to paint a portrait of the king in his study on James with the name "The Cradle King", focusing on the monarch's personality and the way it was developed ever since his childhood amidst a very specific social and political context.⁴³ While we might not understand early seventeenth century England entirely by James's political ideology, my aim with this dissertation is nevertheless to argue that it remains a key element to English politics after 1603.

⁴³ Alan Stewart, *The Cradle King The Life of James VI and I, the First Monarch of a United Great Britain*, (New York: St. Martin's Press, 2003)

Chapter I

The Origins of Divine Right Kingship

What is Divine Right Kingship? Where did it manifest and who developed it? Before discussing James's and sixteenth century England's politics, it is important to establish the definition and comprehend Divine Right Kingship in general. Furthermore, by definition, when a monarch attributes divine power to the crown, another issue arises: How does temporal power interact with the spiritual one when they are unavoidably pitted against each other due to the fact that they both derive from God? Even though the divine right of kings' doctrine and the divine right absolutism of the Stuarts have been attributed to James, ever since the sixteenth century, there were some who argued that the divine right doctrine was James' creation. John Locke for instance used to wonder "by whom this doctrine came at first to be broach'd, and brought in fashion amongst us."⁴⁴

However, undoubtedly, James merely expanded it since he was not the first to attribute divine status to his authority. A key concept in James' textbooks is the monarch's divine properties and his *True Law of Free Monarchies* attempts to fundamentally prove the crown's divine connection, and that the monarch was chosen by God to rule his subjects.⁴⁵ Numerous biblical references and comparisons are used to support the notion that the monarch's authority in both spiritual and political matters is rightfully limitless. Concerning the history of the British Isles, the origin of the notion that a monarch's right is bestowed unto him by god can be traced back to the middle ages. *Dieu et mon droit*, literally meaning "god and my right", and in various instances translated as "God is my

⁴⁴John Locke and Peter Laslett (ed.), *Two Treatises of Government (1690)*. (Cambridge: Cambridge University Press, 1960), pp.160-161

⁴⁵ James I, *The true lavv of free monarchy, or the recipocall and mutuall duty betvvixt a free king and his naturall subjects. by a well affected subject of the kingdome of Scotland*, (London: Printed and are to be sold by T.P. in Queens-head-Alley in Pater noster-row, 1642), pp.6-7, <http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/true-lavv-free-monarchy-recipocall-mutuall-duty/docview/2240953362/se-2?accountid=14533>,

right “, such as in a banner as part of an illumination associated with Henry VI,⁴⁶ is a phrase attributed to Richard I, allegedly coined as a battle cry before the battle of Gisors, that was officially adopted as the royal motto by Henry V.⁴⁷ As it was established that way centuries ago, and was recycled, expanded and reused in the time of James, associating monarchy with divinity was not an uncommon occurrence. Elizabeth, for example, referred to the “princely seat and kingly throne” as something that “God hath constituted” to her, while addressing the House of Commons in 1563.⁴⁸ That occurrence in Britain was not unique and, undoubtedly, kingship throughout history has often been associated with divinity. Ever since the existence of ancient pagan societies, kings and emperors on numerous occasions assumed divine status, either themselves or through the beliefs of their subjects, depending on the given context. “Rex est mixta persona cum sacerdote” is a phrase that since it was first coined⁴⁹ is being used to the present day. Among others, Evans – Pritchard in the introduction of a research of an otherwise irrelevant topic⁵⁰, expresses a widely accepted opinion concerning kingship: That, -as directly translating the quote, kingship everywhere throughout history has always been partially a sacred office.

Francis Oakley discusses the issue of that association having transposed to early Christian societies in the early middle ages, in an attempt to describe in detail how monarchs were regarded as gods by their subjects and what were the effects of that status quo.⁵¹ There were some notable exceptions, occurred in the High and Late Medieval periods that constituted a relatively “radical” attempt to replace this pre-existing view concerning the

⁴⁶ *The Journal of the British Archaeological Association, established 1843 for the encouragement and prosecution of researches into the arts and monuments of the early and middle ages*, vol. 17, (London: Longman, Green, Longman, & Roberts, 1861), p.33

⁴⁷ Juliet Barker, *Agincourt: The King, the Campaign, the Battle*, (Boston (MA):Little Brown Book Group, 2005), p.24

⁴⁸ Allison Heisch, “Queen Elizabeth I: Parliamentary Rhetoric and the Exercise of Power”, *Signs*, Vol. 1, no.1, (1975), p.34, www.jstor.org/stable/3172965,

⁴⁹ *The Grounds and Rudiments of Law and Equity, Alphabetically Digested...By a Gentleman of the Middle Temple*, (Printed by Henry Lintot, 1749), entry 435, p.306

⁵⁰ Edward Even. Evans-Pritchard, “The divine kingship of the Shilluk of the Nilotic Sudan, The Frazer Lecture, 1948”, *HAU: Journal of Ethnographic Theory*, vol.1, no.1, (2011), p.420, <https://doi.org/10.14318/hau1.1.016>,

⁵¹ Francis Oakley, *Empty Bottles of Gentilism: Kingship and the Divine in Late Antiquity and the Early Middle Ages (to 1050) (The Emergence of Western Political Thought in the Latin Middle Ages*, (New Haven (CT): Yale University Press, 2010)

divinity of monarchs, most prominently expressed by the Gregorians in the late eleventh century as well as Pope John XXII in the early 14th, during his attempt to exercise authority over the Holy Roman Empire, potentially as a response to the support that was offered to the Franciscans by Emperor Louis IV, which was analyzed thoroughly by Malcolm Lambert.⁵² Additionally, the notion that monarchs possessed curative powers deriving from their spirituality was an important chapter on which the divine aspects that were attributed to monarchs in the early modern period were partially based. One such opinion was expressed by William of Ockham in the mid fourteenth century, hinting that the anointing ceremony provided them with divine grace, thus giving them curative powers.⁵³ A few years later, in 1379, John Wycliffe described the monarchical title as *ordo in ecclesia*,⁵⁴ order within the church, while Nicholas of Clamanges delivered similar views in his *Opera Omnia* referring to Henry V and the king's divine affiliation,⁵⁵

Kings and Emperors themselves in the late medieval and in the early modern period were not dismissive of this notion. According to Marc Bloch, the French king Charles V was the first Christian monarch to adopt such views and claim divinity in 1380.⁵⁶ He acted accordingly to promote his self-proclaimed sacred status, and one of the means to this end, among countless books referring to his divine status that he amassed, was the *Traité du sacre* treatise written by Jean Golein in 1372, parts of which are included in Bloch's book.⁵⁷ Therefore, as already mentioned, Britain was also affected by that tendency. Kingship was often associated divinity, rather some aspects of it since the middle ages. An author known as Ambrosiaster, whom Oakley discusses extensively and according to

⁵² Malcolm Lambert, *Medieval Heresy: Popular Movements from the Gregorian Reform to the Reformation*, (Hoboken (NJ): Blackwell, 1992), especially p.209

⁵³ William of Ockham, "Octo quaestiones de potestate papae" in *Guillelmi de Ockham Opera Politica*, Volumen 1, Hilary Seton Offler (ed), (Manchester: Manchester University Press, 1940), pp.160-173

⁵⁴ John Wycliffe, Alfred William. Pollard (ed.) and Charles Sayle (ed.), *Tractatus de Officio Regis*, (New York (NY): Johnson Reprint ; Frankfurt am Main: Minerva, 1966), p.11

⁵⁵ Nicholas de Clemangiis and Johannes Lydius, *Cpera Omnia*, (Lugduni Batavorum: 1613), especially p.350

⁵⁶ Marc Bloch and John Edward Anderson (transl.), *The Royal Touch, Sacred Monarchy and Scrofula in England and France*, (London: Routledge and Kegan Paul, 1973), pp.77-78

⁵⁷ *Ibid.*, Appendix, pp.275-282

the latter heavily influenced Wycliffe's views, is indicated as one of the most prominent supporters of such views.⁵⁸

It has been argued by some, such as Nigel Saul, that Richard II developed his theory of monarchy based on such views, having similar ideas with Wycliffe, a topic that Saul thoroughly analyzed.⁵⁹ However, due to the lack of substantial evidence combined with the fact that the existing ones are of questionable sufficiency, this opinion can be challenged, or at the very least cannot be taken for granted.

It can be asserted with certainty that those political theories previously analyzed, from the thinkers of the high middle ages to the early modern period and from John of Salisbury and his contemporary theologians to Sir Thomas Smith, regarding the nature of the office and the properties of temporal authority, slowly evolved through the centuries and the ones adopted and advocated by the Stuarts share an association with them, albeit affected by the political situation of their time and tweaked to be in accordance with them. That will become evident during the analysis of the relevant theories of sixteenth century, and the contemporary elements they also contain, in some instances. Principles set, associated and expressed by the reformation, for example, are present in the political theories expressed in the British Isles since the sixteenth century and the time of Henry VIII.

Additionally, concerning the practical advantages of the divine right of kings, if we try to find a connection or better yet, an interactive relationship between it and the whole reformation, it could be argued that it served its purpose. It is evident that the divine right of kings had more solid foundations during and after the reformation, as provided by the new circumstances. The Protestant belief as a whole, especially after the acts that had been passed before the time of James, granting the monarch authority over the church, and revisiting that relationship by placing the monarch as the head of it, combined with the ever-decreasing church autonomy, fitted the doctrine. Ever since the seventeenth century, the necessity of the doctrine had its supporters. John Maxwell, for instance in his *Sacro-sancta regum majestas* spoke against those opposed to the doctrine, claiming that

⁵⁸ Oakley, *Empty Bottles of Gentilism*, p.98, p.114

⁵⁹ N. Saul, *Richard II* (New Haven (CT): Yale University Press, 1977)

whoever believes in Machiavelli's political theory, "affirming princes are no more tied to Church and Religion...are truly Atheists",⁶⁰ adding that a person's disloyalty or even the simple belief in the political system of the "states", which is "a word incompatible with Monarchy, and of highest Treason", would prove their belief in Popery.⁶¹ Similar views were expressed by Sir Robert Filmer.⁶² These lead to the assumption that from the perspective of the doctrine's supporters, the said doctrine was the only one compatible with Protestantism.

This does not come as a surprise, given that Erastianism, named after Thomas Lieber or Erastus, and the Divine Right of Kings share a lot of similarities. However, both doctrines are often regarded as one and are considered nearly identical by many scholars, the most prominent of them being J.N. Figgis who arguably paved the way for this association, having said among others things "that to the Reformation was in some part due to the prevalence of the notion of the Divine Right of Kings".⁶³ Although the notion that the Divine Right of Kings adopted by the English monarchs originated in the Reformation as Erastianism cannot be disregarded, it can be argued that the former ultimately developed from it, rather than just being its later counterpart. One can even claim that the Divine Right of Kings is an extreme version of Erastianism, which the latter never manifested into, but they cannot be considered the same doctrine.

The reformation is regarded as a revolutionary movement, and that is an important factor that prevented the participation of humanists, with a few exceptions such as the English scholar and later tutor to Edward VI, Sir John Cheke. Nevertheless, humanist thought and teachings influenced the reformation. After all, contemporary accounts claim that Luther

⁶⁰ John Maxwell, *Sacro-sancta regum majestas, or, the sacred and royal prerogative of christian kings. wherein sovereignty is by holy scriptures, reverend antiquity, and sound reason asserted, by discussing of five questions. and the puritanical, jesuitical, antimonarchical grounds are disproved, and the untruth and weakness of their new-devised-state-principles are discovered. dei gratia mea lux*, (London: printed for Tho. Dring, over against the Inner-Temple-Gate in Fleet-street, 1689), p.287, <http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/sacro-sancta-regum-majestas-sacred-royal/docview/2264215047/se-2?accountid=14533>,

⁶¹ Ibid, p.99

⁶² Robert Filmer, "The Anarchy of a Limited and Mixed Monarchy" in *Patriarcha and Other Political Works*, Peter Laslett (ed.), (Oxford: Blackwell's Political Texts, 1949), pp.277-278

⁶³ John Neville Figgis, "Erastus and Erastianism" in *The Divine Right of Kings*, (Cambridge: University Press, 1922),p.15

hatched the chickens from eggs laid by Erasmus. Differences are still present, however and Erasmus himself replied to that argument by saying that he “laid a hen’s egg; Luther hatched a bird of quite a different breed”.⁶⁴ This rather famous line has been reused numerous times but its first documentation is probably in Sebastian Franck’s *Chronica, Zeitbuoch vnnnd Geschichtbibell*.⁶⁵ Reformation and Humanism may have promoted the same course of action, but with an entirely different ultimate goal, and often with different stimuli influencing their actions. On the one hand, the revolutionaries were openly opposed to Popery and the Church of Rome while on the other hand, humanist scholars were of a more conservative belief that aimed to merely purify the church. One of the incentives of the humanists and their detachment was their initial divergence from the tendency of introducing aspects of classical philosophy into a Christian context, a tendency that was common for a long time. The connection between the two had been attempted ever since the middle-ages, and the final attempt was presumably conducted by the Florentine Academy led by Masiglio Ficino and Pico della Mirandola. During the renaissance, what has been referred to as “Christianised Aristotelianism” was gradually abandoned due to the fact that humanists started to notice the differences between classical antiquity and the Christian world, not only in terms of structure but also in terms of ideas.⁶⁶ The above distinction that Whitney described as “the pagan and the Christian Renaissance” exists partially because humanism was also influenced by former beliefs.

Erastus’ theses were published in 1589, 30 years after their creation and 6 years after his death. Erastus’ views, prominently the notion that not the church, but civil authority should punish sins of professing Christians could not find direct application during the time they were initially expressed, before the conclusion of the Council of Trent, after which the “revolution” of those who adopted the ideas of the Reformations assumed the form of schism. Thus, ideas that nowadays constitute the theory of Erastianism, started to become more popular and undeniably affected political thought in the following centuries, and according to Figgis, Thomas Hobbes’ *Leviathan* is a powerful display of

⁶⁴ Charlotte Methuen, “Luther’s Life” in *The Oxford Handbook of Martin Luther’s Theology*, Robert Kolb (ed.), Irene Dinger (ed.) and Lubomir Batka (ed.), (Oxford: Oxford University Press, 2014), p.19.

⁶⁵ Sebastian Franck, *Chronica, Zeitbuoch vnnnd Geschichtbibell*, (Tübingen, 1534), II, LB III 840

⁶⁶ Edward Allen Whitney, “Erastianism and Divine Right”, *Huntington Library Quarterly*, vol. 2, no. 4, (1939), p.378, www.jstor.org/stable/3816083

Erastianism, in which Hobbes' views that "the clergy ought to preach of nothing but the duty of civil obedience" are evident.⁶⁷

Notable differences emerge when comparing the reformation in England and other countries. Monarchies throughout Europe were opposed to the Reformation, struggled to contain it and eventually eradicate it. The Emperor Charles V of the Holy Roman Empire, the initially compromising Francis I and his immoderate successor Henry in France as well as by intervening in the low countries, were all opposed to the Reformation. The English Reformation was an entirely different matter, however. Despite the fact that, as it can be argued, the teachings of the Reformation were not fully understood by the common folk, their growing disaffection towards the far from ideal version of the church that was present during the early sixteenth century combined with the existence of an early form of nationalism which would deem foreign intervention in domestic affairs unacceptable, was enough for the Reformation to occur smoothly compared to the rest of Europe. The people's attitude towards the church is accurately described in A.F. Pollard's *Wolsey*.⁶⁸ The movement might have been supported and embraced by the English government and then modified in order to be taken advantage of, initially and most noticeably by Henry VIII, even though no fundamental doctrinal changes occurred in his time. Henry VIII was given the title "Defender of the Faith" by Pope Leo X due to the fact that he was openly opposed to the Lutheranism and whatever it advocated, regarding religion and politics. Henry's position was originally certified by the king's publication of the "Defence of the Seven Sacraments", dedicated to Leo X in 1521. Not many years later, however, he put forward the schism that gradually emancipated the Church of England. The goal was ultimately fulfilled by his daughter Elizabeth I, putting the Church of England under control of the crown.

The following distinction is necessary however. Henry took advantage of that tendency and the thought of the reformation that gradually spread across the continent for political gains. Henry's endgame was the emancipation of England from the Holy See in general, not the promotion of Lutheran reforms. In that sense, Henry's reformation signified the

⁶⁷ Figgis, *The Divine Right of Kings*, pp.318-319

⁶⁸ Albert Frederick Pollard, *Wolsey*, London; New York; Toronto : Longman's Green and Co., 1929, Chapter II, pp.26-58

jurisdictional struggle, to put an end to the papal universal jurisdiction to the extent that concerned him, meaning that he aspired to achieve at least total, unhindered and unquestioned domestic jurisdiction, preventing the pope from being able to hold the monarch accountable for his actions and intervene in a foreign country. After all, neither he nor Elizabeth acted in accordance with the extremist fraction of the reformation thought. Therefore, contrary to popular contemporary belief expressed mostly by Catholics, their position within England would arguably be way worse if the Reformation was implemented in the way the English Protestants were hoping, following the Geneva standards. That policy is reflected in the Elizabethan Religious settlement and the Acts contained within it, such as her modified Act of Supremacy in 1558 (1 Eliz 1 c 1) which was a revised version of Henry's 1534 one to restore some of its aspects and her 1558 Act of Uniformity (1 Eliz 1 c 2), passed in 1559 deciding on the use of the revised, 1559 version of the Book of Common prayer that was deemed more moderate and more widely acceptable than the original version of 1549 and the even more radically reforming 1552 modification, both of which had been introduced by Edward VI, and generally speaking, Elizabeth aspired to put an end to the religious turmoil present for decades. Nevertheless, the Queen's relationship with Rome can be described as hostile, and the English Catholics were far from satisfied with the crown's policies concerning religion, with the Jesuits repeatedly advocating their fear that Catholics would never enjoy actual religious tolerance.

During Henry VIII's time and despite his defense of the doctrine, which also suggests that the schism occurred for political reasons rather than doctrinal ones, two important acts were passed that would seem to put royal authority in a position similar to the one within Roman Law: The king assuming the role of emperor. Firstly, the Ecclesiastical Appeals Act of 1532 (24 Hen 8 c 12) served the purpose of limiting universal papal jurisdiction that had been troublesome for monarchs for centuries. One such example is Heinrich VII failing to act against Robert the Wise whom he condemned for high treason, due to the latter's appeal to Pope Clement V who subsequently granted it, demonstrating how the Pope rather than the emperor was the one to exercise universal jurisdiction. Secondly, the first Act of Supremacy In 1534 (26 Hen. VIII c. 1) was probably the most important step towards England's emancipation from the Pope. The first act, after

declaring that “this realm of England is an empire” and is regarded as such, proclaimed that it is “governed by one supreme head and king having the dignity and royal estate of the imperial crown of the same” later referring to both spiritual and temporal authorities⁶⁹ while the second act dictated “by the authority of the present parliament” that “the king...his heirs and successors be kings of this realm, shall be taken, accepted and reputed the only supreme head on earth of the Church of England, called *Anglicana Ecclesia*”; the reasons being “the increase of virtue in Christ’s religion within this realm of England, and to repress and extirp all errors, heresies and other enormities and abuses.”⁷⁰ Interestingly, it has to be noted that Henry’s acts did not occur randomly and were not a result of spontaneity. On the 1st of October, 1530, Eustace Chapuys, while serving as the ambassador of the Holy Roman Empire in England, informed the Emperor Charles V of an event that unfolded in the English court. According to the ambassador’s account, during a confrontation initiated by the Papal Nuncio that resulted in a heated exchange, the Dukes of Norfolk and Suffolk as well as the earl of Wiltshire, “taunting” but still “restraining their anger somewhat” declared that “they cared neither for Pope or Popes in this kingdom, not even if St. Peter should come to life again” adding that “the king was absolute both as Emperor and Pope in his own kingdom” warning that despite serving the Pope well, with the necessary obedience, not bound to do so, “but quite voluntarily”, they felt that the Pope was doing “all he possibly could to alienate the affection of the English”.⁷¹ That implies a type of tendency that was present in the island and not the impulse of an absolutist monarch.

Nevertheless, there was no consensus, and there were always contradicting views regarding such delicate subjects. The different views regarding the limitations of a monarch’s power, the position of temporal power among the others existing in a state, the origins and different aspects of monarchy, - and the English one in particular, as well as the way those theories evolved through the sixteenth century are essential in providing a wider context, before approaching the subject in question. The answer as to why they are

⁶⁹ Geoffrey Rudolph Elton, *The Tudor Constitution*, (Cambridge: Cambridge University Press, 1982), pp.353-358

⁷⁰ *Ibid.*, pp.364-365

⁷¹ “Spain: October 1530, 1-10”, in *Calendar of State Papers, Spain, Volume 4 Part 1, Henry VIII, 1529-1530*, Pascual de Gayangos (ed.) (London: H.M. Stationery Office, 1879), entry 445 p.734, <http://www.british-history.ac.uk/cal-state-papers/spain/vol4/no1/pp734-753>

essential is twofold. Firstly, James was the next in a long line of Divine Right advocates. Interpreting James's perception of monarch, both in theory and in practice, however, does not only depend on the study of the political situation at the time, but also on the personality and thought process of the monarch himself. Secondly, James' perception and interpretation of monarchy, and particularly the English monarchy, compared to others, is not in accordance with some of the existing views of the time, - in terms of the origin and nature of kingship, the extent and limitations of the crown's authority, or the absence of them, as well as the succession in its entirety, as Rei Kanemura remarks.⁷²

⁷² Rei Kanemura, "Kingship by Descent or Kingship by Election? The Contested Tide of James VI and I", *Journal of British Studies*, vol. 52, no. 2, 2013, pp. 318, www.jstor.org/stable/41999292

Chapter II

The Formation of James's personality, his Stance In Scottish Politics and the Elizabethan Succession

James's efforts to succeed Elizabeth and ascend to the throne of England in the late sixteenth century, provides a rich context for the study of his political theory. However, discussion of the succession race and the Jacobean Claim must be preceded by an examination of James' background and influences. Getting to know how James's personality was formed, and how did his political theory first manifest, during his personal reign in Scotland, is essential. James was occupied with religion from a very young age. The various tutors during the king's youth offered a thorough grounding in theology. Although his opinion on religious matters was not always consistent, James slowly developed some traits that permanently defined his personality. Growing up in Scotland as the heir apparent to the throne, he was put under the care of Peter Young and George Buchanan who served as his tutor. Buchanan, "the most profound intellectual sixteenth century Scotland produced,"⁷³ according to Keith Brown, inarguably contributed to the formation of young James' personality, one important aspect of which was studiousness. James was introduced to a classical curriculum as it can be assumed, containing the study of Latin and Greek as well as works of Isocrates, Plutarch, Cicero Livy and modern history.⁷⁴ Buchanan aspired to prepare James to rule as a manifestation of the notion of the "pious prince", an embodiment of pure Protestant ideals.⁷⁵ Buchanan was firm on certain views concerning kingship that he shared with Sir Thomas Randolph: While a prince should be fond of peace, he should also be ready to go to war. The prince should also be an example for his subjects, and serve that purpose rather than an selfish

⁷³ Keith M. Brown, "IV: Reformation to Union, 1560-1707" in *The new Penguin history of Scotland : from the earliest times to the present day*, Robert A. Houston (ed.) and William W.J. Knox (ed.), (London: Penguin in association with the National Museums of Scotland, 2002), p.185

⁷⁴ Godfrey Davies, "The Character of James VI and I", *Huntington Library Quarterly*, vol. V, no. 1, (1941), p.34, www.jstor.org/stable/3815819

⁷⁵ Keith M. Brown, "In Search of the Godly Magistrate in Reformation Scotland" in *Journal of Ecclesiastical History*, (Cambridge University Press 40, 4 October 1989), pp.553-581, <https://doi.org/10.1017/S0022046900059017>, Accessed 20 Sep. 2020

one, even his own existence being a service to the people and also to be a judge of the actions of his subjects, being feared by those who do not abide by the law while being respectful and generous himself, whenever he needed to.⁷⁶ As a matter of fact, Buchanan's aspiration to impart his ideas to James is reflected in his texts. Both *De jure regni apud scotos* and *Rerum scoticarum historia* are dedicated to James, the former through the heading of the introduction (" A DIALOGUE Treating of the JUS, OR RIGHT, which the Kings of Scotland have for exercising their Royal Power. GEORGE BUCHANAN, Author. George Buchanan to King James, the Sixth of that name King of Scots, wisheth all health and happiness"),⁷⁷ the latter along with the writer's urge to the young king to take advantage of the information and the advice it contains ("George Buchanan's epistle dedicatory to James the Sixth, King of the Scots.")⁷⁸

However it was Peter Young who deeply affected James and was held in high regard by him, which is proven by the fact that he remained one of the King's most trusty counsellors until the latter's death, having been given a number of assignments through the years, such as diplomatic missions to Denmark, one of which concerned the possible wedding of James with one of the daughters of King Frederick II, despite being considered unfit for the role, by some, due to the fact that he was neither from a noble family nor a holder of any office, as ambassadors generally were used to.⁷⁹

James was deeply influenced by Young's Calvinistic theories on both the grounds of theology as well as methods of reasoning. One could argue that this was a major focal point throughout James' reign because of his confidence and strong opinion, him being

⁷⁶ Peter Hume Brown, *George Buchanan, Humanist and Reformer: A Biography*, (Edinburgh: David Dougals, 1890), chapter 16

⁷⁷ George Buchanan, *De jure regni apud Scotos, or, A dialogue, concerning the due priviledge of government in the kingdom of Scotland, betwixt George Buchanan and Thomas Maitland by the said George Buchanan ; and translated out of the original Latine into English by Philalethes. s.l., s.n.],* (1680), introduction, unnumbered page, <http://ezphost.dur.ac.uk/login?url=https://www-proquest-com.ezphost.dur.ac.uk/books/de-jure-regni-apud-scotos-dialogue-concerning-due/docview/2248567738/se-2?accountid=14533>

⁷⁸ George Buchanan, *The history of Scotland written in Latin by George Buchanan ; faithfully rendered into English*, (London: Printed by Edw. Jones, for Awnsam Churchil, 1690), introduction, unnumbered page, <http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/history-scotland-written-latin-george-buchanan/docview/2240952621/se-2?accountid=14533>,

⁷⁹ "Elizabeth: April 1586" in *Calendar State Papers, Scotland: Volume 8, 1585-86*, William K. Boyd (ed.), (London: H.M. Stationery Office, 1914), entry 362, p.336, <http://www.british-history.ac.uk/cal-state-papers/scotland/vol8/pp295-351>

usually unwilling and unable to compromise, characteristics derived from the Calvin system, in which an absolute truth extracted from logical assumptions and arguments hold a prominent position.⁸⁰ A different explanation is provided by Godfrey Davies, concerning James' mentality. He attempts to explain how the application of the vast knowledge of different subjects James possessed since his youth was not executed in a humanistic or a scholarly way and hypothesizes that this incomplete assimilation of knowledge combined with the king's pride rendered him incapable of maintaining broad-mindedness and oblivious to the humility one might feel while studying due to the infinite amount of knowledge in existence compared to an individual's modicum. That pride is also reflected in how James approached matters of state in a poor manner, not having full understanding of them at such a young age but still under the impression that his course of action was correct and others were wrong.⁸¹ Perhaps the reason behind this pride and aspiration can be traced in his youth. James was crowned king during his infancy, after Mary was forced to give the crown to him with Moray as regent. James was to be assisted by the crown's advisors until his coming of age. But there were many who aspired to capitalise on the fact that James was still incapable of governing and the second half of the sixteenth century was a period of turmoil during which coups were not absent. The first one was conducted by the Earl of Mar in 1578 with the goal of reinstating Morton as regent after he was relieved of his duties earlier in the same year due to the fact that the king had reached the proper age to formally reign. As remarked and reported by Robert Bowes, the English ambassador in Scotland from 1577 to 1583, the situation in Stirling Castle that was under control of the perpetrators took a toll on the young king who was restless and anxious.⁸² It could be argued that due to the temporary deprivation of his personal freedom, James was fearful of potential threats and therefore subconsciously developed the inability to compromise his beliefs and put faith in others' opinions, but accounts of his later life suggest that as he grew, the results of that trauma gradually lost their effect. There is still a chance, however that his experiences manifested into extreme and even unreasonable confidence in his opinions and actions,

⁸⁰ Willson, *King James VI and I*, p.24

⁸¹ Davies, "The Character of James VI and I", p.34

⁸² Robert Bowes, *The Correspondence of Robert Bowes, of Aske, Esquire, Ambassador of Queen Elizabeth in the Court of Scotland*, (London: J. B. Nichols and Son, Parliament Street; William Pickering, Picadilly. Edinburgh: Laing and Forbes, 1842), p.6

subsequently giving birth to unrealistic ambition making him oblivious to actual problems in favour of pursuing what he regarded as his realistic goals.

James Calvinist beliefs that reflected his upbringing were undeniable during his reign in Scotland. During his presence in Scandinavia (both Norway and Denmark due to his wedding with Anne), the Danes put a lot of effort in the decoration of the churches before the entrance of the Scots to make sure their Calvinist beliefs would not be offended, an effort they would not have gone through if James himself was indifferent to that, as argued by Stevenson.⁸³ Additionally, on the 24th of April 1590, Robert Bowes wrote to Burghley and among other issues, the former includes a report according to which James argued in Latin with the Lutheran theologian and professor Niels Hemmingsen (also known as Nicolaus Hemmingius, addressed as “Hemingius” in the letter), familiar to James, who was in possession of four of his books in 1575.⁸⁴ The word “disputacion” suggests a dispute and not a calm discussion and the epicenter of their argument was “predestinacion”, while they were in agreement in the rest of “th’articles of religion”, before being noted that “many of the learned in Denmark...acknowledge their errors in the reall presence of the sacrament, imagies and other like things” in spite of the fact that the reformation had been halted, also followed by the statement that when the time comes and it is fully implemented, “adversaries to this reformacion shalbe dead or converted.”⁸⁵

James’ religious nature and keen interest in theology was not entirely a result of the influence of his tutors, but can be in part attributed to the religious environment he was growing up in, combined with the fact that religious matters were quite relevant at the time. James was eager to actively participate in said matters, as was made evident on various occasions, one of them being his involvement and study of witchcraft which was later certified by his presence in the North Berwick witch trials of the people from East Lothian in 1590-1591. James was convinced of the existence and action of witches that

⁸³ David Stevenson, *Scotland’s last royal wedding: the marriage of James VI and Anne of Denmark*, (Edinburgh: John Donald, 1997), pp.40-41

⁸⁴ Peter Young and George F. Warner (ed), *The Library of James VI, 1573-1583, from a Manuscript in the Hand of Peter Young, his Tutor, ed. with Introduction and Notes, by George F. Warner*, (Edinburg: Printed by T. and A. Constable for the Scottish History Society, 1893), p.48

⁸⁵ “James VI: April 1590” in *Calendar of State Papers, Scotland: Volume 10, 1589-1593*, William K. Boyd(ed.) and Henry W. Meikle (ed.), (Edinburgh: H.M. General Register House, 1936), entry 391, <http://www.british-history.ac.uk/cal-state-papers/scotland/vol10/pp263-287>,

they a posed serious threat, which provided an incentive for him to further study witchcraft, the highlight of which being his dissertation in 3 books called *Daemonologie* in 1597, regarding “Magie in general, Necromancy in special” (Book 1), “Sorcerie and Witch-craft” (Book 2) and the “kindes of spirits and specters that appears and trobles persones” (Book 3),⁸⁶ written in the form of a Socratic dialogue using witches’ confessions, trial records and passages from the bible to support his arguments on his position on witchcraft, with the purpose of raising awareness and also by providing details on how to identify the dark arts also including analysis of the different types of demons. The purpose of “*Daemonologie*” is also apparent in the preface. The writer’s first words illustrate the intentions of the treatise: “to resolute the doubting harts of many, both that such assaultes of Sathan are most certainly practized, & and that the instruments thereof, merits most severly to be punished”, also considering witchcraft and the need to oppose to it, universal issues, regarding it as a common threat to Christian societies,⁸⁷ and that view is evidently heavily influenced by the North Berwick witch trials. According to Willson, James might have developed a “fascinated interest” in witchcraft not only “because of his taste for the abnormal” but also due to the fact that he considered witchcraft to be “a branch of theology.”⁸⁸

Additionally, as Willson points out, James’ background and involvement with religion in various aspects of his life should not be dismissed as one of the reasons for his interest in that subject.⁸⁹ As the diplomat Sir James Melville of Halhill (not to be confused with the reformer of the same name) remarked in a detailed description, the first counsel James requested concerning his potential marriage options was from God, whose advice he sought regarding this delicate matter “for the weal of himself, and his country” through “devout prayer” that lasted 15 days, before informing the council of his decision to marry Anne of Denmark, the second daughter of Frederick II.⁹⁰ In fact James’ first involvement

⁸⁶ James VI and I, *Daemonologie in forme of a dialogue, diuided into three books*, (Edinburgh: Printed by Robert Walde-graue printer to the Kings Majestie, An. 1597), unnumbered page, <http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/daemonologie-forme-dialogue-diuided-into-three/docview/2240857109/se-2?accountid=14533>,

⁸⁷ *Ibid.*, unnumbered pages

⁸⁸ Willson, *King James VI and I*, p.103

⁸⁹ *Ibid.*, p.103

⁹⁰ James Melville and Archibald Francis Steuart (ed.), *Memoirs of Sir James Melville of Halhill, 1535-1617*, (London: Routledge, 1929), pp.322-323

with witchcraft can be traced to his trip to Denmark with a few trusted councillors to marry Anne. Due to the extreme weather conditions in the North Sea during the winter, he had to disembark in Upsalla, Norway according to James Melville's diary.⁹¹ Either voyage, back or forth, could not be conducted due to the persisting rough weather that was attributed to acts of witchcraft, leading to the subsequent trials and executions of the women accused of being involved in Denmark in 1590. Trials in North Berwick began shortly after the successful outcome of their Danish counterparts. But to what extent were James' policies influenced overall by his religious beliefs?

All in all, James' policy regarding the Church of Scotland aspired to create a model according to which, the role and the position of the Church is distinct within the political structure and that the church is subordinated to the crown. The said policy arguably reflected the one implemented in England and that was most likely the king's ultimate goal: To slowly and gradually create a stronger connection with the neighbouring country which would in turn be in accordance with a personal goal already set: To succeed Elizabeth and rule in England. The system of Episcopacy started to grow and the ever-growing disaffection of the Presbyterians drove them against James and towards the opposition in search of an ally. Despite some undoubted facts, such as the trial of six Presbyterian ministers charged with treason for organizing a general assembly in Aberdeen in 1606, the views of the Presbyterians become clear and evident through the contemporary Presbyterian and historian David Calderwood, who disagreed with James on many accounts, such as religious policy, the governance of the Highlands, a province with unique traits which had not been incorporated in the political aspect of Scotland and was mostly controlled by the local elites, as well as the role of bishops who, according to Calderwood best served in influencing the parliamentary taxation votes.⁹² Regarding the highlands and the crown's control over the provincial system in general, it has to be noted that that after James' failed attempts to "colonize" the lands, such as Ulster in the 1610s following Elizabeth's victory in the Nine Years' War of 1594-1603 with loyalists

⁹¹ James Melville, *The autobiography and diary of Mr. James Melvill, Minister of Kilrenny, in Fife, and Professor of Theology in the University of St. Andrews, with a continuation of the diary.: Edited from manuscripts in the libraries of the Faculty of Advocates and University of Edinburgh by Robert Pitcairn, Esq. F.S.A Scot.*, (Edinburgh: Wodrow Society, 1842), p.277

⁹² David Calderwood, *The History of the Kirk of Scotland* vol.6, (Edinburgh: Wodrow Society, 1842), p.247

(Englishmen and lowland Scots), a policy of favouring compliant clan chiefs started to be implemented in the highlands. Additionally, border “autonomy” ceased to exist after military interventions.⁹³

Despite what so far seems like hostility towards adversaries based on religious views, the king’s intention was to maintain the balance, an example of which would be the fact that his government consisted of both supporters of the Kirk such as Walter Stewart of Blantyre and John Lindsay of Balcarres and men suspected of popery such as Alexander Seton of Fyvie and Thomas Hamilton, according to Jenny Wormald.⁹⁴ Despite his pursuit of balance, bringing the Church of Scotland under control would be a pillar for his reign, essential in solidifying his power. This was the era in which the “experimental” application of some principles of the Protestant reformation, concerning church organization and most importantly church governance, occurred.⁹⁵ The church until then has been relatively untouched by monarchy and combined with what has been referred to as “a radical strand in Scottish reformation thought” that advocated less dependency from the crown, rendered the Kirk free from the shackles of monarchy, autonomous, not controlled by temporal power or at least it can be concluded with certainty that the monarch had less control over the Church in Scotland compared to most of its European counterparts.⁹⁶ Until the correct formula was eventually found in the forms of the implementation of what the crown deemed to be the ideal principles, the said experiment as well as the interaction between the church and the crown was troublesome.

It has to be noted that arguably, despite how it may seem at first, James’ clash with the Kirk was not one caused by different opinions on doctrine, but it occurred for political reasons, given that control of the Kirk and its separatist tendencies was essential for stabilizing the monarchical authority, despite the accusations of Presbyterians such as James Melville who described the monarch as “miserable corrupted in the entress of his

⁹³ Julian Goodare, “Scottish Politics in the Reign of James VI” in *Scotland: The Making and Unmaking of the Nation C.1100-1707 (Vol. 4): Volume 4 Readings: C.15-177*, Bob Harris (ed.) and Alan R. MacDonald (ed.), (Edinburgh: Edinburgh University Press, 2007), p.32

⁹⁴ Jenny Wormald, “James VI and I: Two Kings or One?”, *History*, vol. 68, no. 223, (1983), p.197, www.jstor.org/stable/24418562

⁹⁵ John William Allen, *English Political Thought, 1603 – 1660, vol. 1, 1603-1644*, (London: Methuen & Co. Ltd., 1938), p. 119.

⁹⁶ Wormald, “James VI and I: Two Kings or One?”, p.196

springall age, bathe with sinistrus and fals information of all proceidings in his minoritie, and with evill and maist dangerus grundes and principalles in government of Kink and Comoun-weill.”⁹⁷

Interestingly, the assumption that James’ church policy did not occur due to a different doctrinal belief is supported by a document created decades later, specifically a statement of the Venetian ambassador Nicolo Molin who claimed that “he is Protestant” and “in doctrine he is Calvinistic” but that definition is irrelevant to “politics and in police” mainly because Calvinistic beliefs deny “authority not merely spiritual but temporal as well”, highlighting his confidence that the King does not exercise his religious beliefs.⁹⁸

In spite of the actual motives behind his policy regarding the Kirk, every single one of James’ actions concerning the church were viewed with justified suspicion due to an important factor: Esme Stewart’s engagement in Scottish politics. The young king’s cousin, later Duke and Earl of Lennox, arrived from France in 1579 with a secret agenda to promote Catholic interests and ultimately restore the status quo before the marginalization of Mary. His influence on young James was undeniable and according to Willson, the king’s theory of politics and character were undeniably influenced by Lennox and the his beliefs were crucial in the formation of James’ political theory.⁹⁹ James was fond of him and the king’s affection allowed him to manoeuvre among the Scottish nobility under the protection of the king, despite serious opposition and to freely exercise his double diplomacy to put his plans in motion, posing as a protestant convert. It is worth noting that due to reaching the position of being James’ favourite, he joined the Privy Council and was given the created titles of Earl of Lennox, Duke of Lennox, Earl of Darnley, Lord Aubigny, Tarboulton and Dalkeith within 2 years of his arrival. Despite opposing views and the distrust that Lennox received, he manage to keep influencing James for years. During that time, the king started to become alienated from the contractarian Buchanan’s teachings according to which the king should honour the social contract between himself and his subjects, being evident in his *De Jure Regni Apud*

⁹⁷ Melville, *The autobiography and diary of Mr. James Melvill*, p.119

⁹⁸ “Venice: May 1607, 26-31” in *Calendar of State Papers Relating To English Affairs in the Archives of Venice, Volume 10, 1603-1607*, Horatio Forbes Brown (ed.), (London: H.M. Stationery Office, 1900), entry 739, pp.501-524, <http://www.british-history.ac.uk/cal-state-papers/venice/vol10/pp501-524>

⁹⁹ Willson, *King James VI and I*, pp.32-33

Scotos. Absolutism in general, and the French absolutism more specifically which is relevant at this point, are always based on the notion of the divine right of the monarch to rule the state as well as the church. Lennox's influence on James is evident by the latter's treatment of his old tutor, the teachings of whom, after Lennox's visit were regarded by the monarch as a hostile intervention and an attempt to undermine and limit monarchical authority. Lennox's plan was effective and his influence was so extensive that he was confident that the acquisition and deployment of an army was all he needed to restore the previous status quo and that was his endgame.¹⁰⁰ His plans failed to manifest however because of the raid near Ruthven castle and the capture of James by the Presbyterian party led by William Ruthven, Earl of Gowrie in 1582 forcing the King to formally banish Lennox, despite the latter's willingness to attempt to free the King. Thus, the manifestation of pro-catholic plans threatening the Scottish status quo was averted by the Gowrie regime but at a cost. Lennox left a permanent mark on James and what he advocated was adopted by the young king. Buchanan's writings and contractarian views had already been condemned and the extent of Lennox's influence could also be considered evident in the 1584 "Black Acts" as known among Presbyterians,¹⁰¹ the decision of Parliament to acknowledge the king as the state of the church, granting him and his council jurisdiction over ecclesiastical cases.

Taking all of the above into account, both the King's policy concerning the position of the church and the latter's position within the commonwealth combined with knowledge of the Ruthven Raid as well as of what preceded it, it is understandable that supporters of the Kirk accused James' policies and considered them a consequence of the influence of a different doctrine. In spite of what the suspicious Scots believed regarding the crown's policy for the Church and what James has been accused of for centuries, absolutism was not a tendency present at the time. Maintaining the balance seems to have been the goal during his reign in Scotland, a conclusion also extracted by analyzing his treatment of the Scottish nobility.

¹⁰⁰ Thomas Graves Law and Peter Hume Brown (ed.), *Collected Essays and Reviews of Thomas Graves Law, edited with a Memoir by P. Hume Brown*, (Edinburgh: Printed by T. and A. Constables at the University Press, 1904), pp.235-236

¹⁰¹ Willson, *King James VI and I*, p.50

James had always envisioned to become an ecumenical king, uniting the nobility and establishing concord. However, before he could succeed in accomplishing that, he had to resolve the ever present and growing Scottish Factionalism. Conventions of estates, a type of unofficial parliament, held in the presence of representatives from the “three estates” (nobility, clergy, burgesses) were a rare occurrence before the 1580s. One such convention that was held in 1579 included a vote concerning the dispatch of an ambassador to England, but in reality it was about supremacy. According to the lists at the time, most of the people present were nobles and comparing the list of the representatives to the votes,¹⁰² it is evident that most of them belonged to one of two factions, either the “Malecontentes” or the “Biencontentes”, led by the Earl of Atholl and the Earl of Morton respectively.¹⁰³ The vote was in favour of Morton’s and he remained in power in spite of the threat of an armed conflict with Atholl’s faction, partially due to the latter’s death which crippled the “malecontentes”. The parliament held in 1584, however, though lacking a blatant display of factionalism in comparison to the 1579 convention, bears much greater significance considering that it resulted in decisions that would be supported by James when he was finally able to assume the *de facto* leadership of the country. James Stewart, the Earl of Arran and his faction prevailed, given that apart from a few insignificant figures, most representatives from the recently declined Ruthven party were absent. Arran’s goal of laying the foundations of government control over the church whose independence since the reformation favoured the rise of the Ruthven regime, started to materialize. According to the “Black acts” that were the result of that convention, royal supremacy over the church was confirmed, in the form of replacing presbyteries with crown appointed bishops. That transition does not seem surprising or unexpected, considering that the way presbyteries were organized, sooner or later would either intentionally or unintentionally assume control and authority even in a small scale. Arran was removed from power by the nobility backed by the English government a year

¹⁰² “Elizabeth: June 1578” in *Calendar of State Papers, Scotland: Volume 5, 1574-81*, William K. Boyd (ed.), (London: H.M. Stationery Office, 1907), entry 358, p. 301, <http://www.british-history.ac.uk/cal-state-papers/scotland/vol5/pp296-301>

¹⁰³ “Elizabeth: May 1578” in *Calendar of State Papers, Scotland: Volume 5, 1574-81*, William K. Boyd (ed.), (London: H.M. Stationery Office, 1907), entries 348 and 349, p. 295, <http://www.british-history.ac.uk/cal-state-papers/scotland/vol5/pp291-296>

later, an event that coincided with the start of James' actual and unhindered reign in Scotland. Arran himself aspired to solidifying fundamental royal supremacy, which is also evident from the fact that he condemned George Buchanan's contractarian theories that were in favour of the existence of boundaries to monarchical authority. In spite of his removal, he had already set the foundations of James' policies of not only slowly and steadily assuming control of the church but also dealing with the nobility, which was an important aspect of securing authority in matters of state.

An account of Robert Bowes to Walsingham in 1583 signifies James' "...desire to draw his nobility to unity and concord, and to be known as a universal King, indifferent to them all."¹⁰⁴ That not only outlines James' intention on how to deal with the nobility but also arguably outlines the way the King chose to deal with different matters, in general. When it comes to nobility, James' goal, depicted in his words and deeds, was to use them, rather than suppress them. The second one of James' treatises, *Basilikon Doron*, which has been described by Willson as "the best prose James ever wrote"¹⁰⁵ was a manual concerning government and administration, written as a private letter to Henry, later passed on to Charles after the former's death. It can be described as a tutorial, providing practical guidelines on how a monarch should behave. A part of it is dedicated to nobility. James advised his son to use the nobility in the "greatest affaires" and even though the phrase seems rather vague, it is obvious that James acknowledged the need to effectively collaborate with the nobles, regarding them as the "armes and executers" of the law.¹⁰⁶ It is evident that by the end of the sixteenth century and the time the treatise was written, James was well aware of the implications that would arise due to disaffection of the nobility, as was proven many times throughout his Scottish reign. That might explain some of James' actions regarding the Scottish nobility, such as the lenient treatment of Huntly and Bothwell, two earls that were hostile towards the crown and

¹⁰⁴ "Elizabeth: July 1583" in *Calendar of State Papers, Scotland: Volume 6, 1581-83*, William K. Boyd (ed.), (London: H.M. Stationery Office, 1910), entry 549, p.523, <http://www.british-history.ac.uk/cal-state-papers/scotland/vol6/pp521-570>

¹⁰⁵ Willson, *King James VI and I*, p.132

¹⁰⁶ James I, *Basilikon dōron, or, King James's instructions to his dearest sonne, Henry the Prince*. (London: Printed by M. Flesher for Joseph Hindmarsh, 1682), p.35, <http://ezphost.dur.ac.uk/login?url=https://www-proquest-com.ezphost.dur.ac.uk/books/basilikon-dōron-king-jamess-instructions-his/docview/2240958632/se-2?accountid=14533>

guilty of committing crimes against the legal authorities. Additionally, according to J. Goodare, even though only a couple of nobles actively participated in Huntly's and Bothwell's actions, many more sympathized with them. This attempted rebellion organized by Huntly in 1594 however, was the last to take place in Scotland.¹⁰⁷ More details regarding the position of the nobility as well as its interaction with James can be found in Jennifer Brown's "*Scottish Politics*".¹⁰⁸ A prominent display of James actions aiming to take advantage of and to use the nobles occurred near the end of the century. During that time, the monarch's proposed financial policies were not easy to implement and therefore he attempted to procure the support of the nobility, backing his decisions in general. That support was easy enough to gain, through handouts or by distributing positions at the court in return. Still, the support of the nobility would not solve any problem. Taxation was ever-increasing by the end of the sixteenth century as a means of dealing with the arising financial issues. Not only had the parliament already voted for an increased direct tax in 1597 as well as import fees, but it also attempted to revise the taxation system entirely, but was not put into effect after being dropped by the convention of estates held in June 1600, even though it was promoted by James and the majority of the nobles backing him. As for the turn of the century financial instability as well as the controversial decisions James attempted to implement, the English agent in Scotland at the time, Nicolson, voiced his fear that a civil war might break out.¹⁰⁹ One could argue that this was a rational assumption, if the status quo in Scotland at the time is taken into account. Furthermore, the political unrest is evident in George Nicolson's correspondence with Robert Cecil a few years earlier discussing the possibility of another revolt in 1596. According to Nicolson, "such is the malcontentment here as, if any should take upon them, the country I fear would all back them against this government."¹¹⁰ Ironically, the Scottish finances were rather relieved after the Union in 1603 due to the departure of James and his court for England.

¹⁰⁷ Goodare, "Scottish Politics in the Reign of James VI", p.26,

¹⁰⁸ Jennifer M. Brown, "Scottish Politics, 1567-1625" in *The Reign of James VI and I*, Alan G.R Smith (ed.), (London: Palgrave, 1973), pp.22-39, https://doi.org/10.1007/978-1-349-15500-2_2

¹⁰⁹ *Calendar of the State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603; Preserved in the Public Record Office, the British Museum and elsewhere in England, Volume XIII A.D. 1597-1603*, edited by J. D. Mackie, C.B.E., M.C., L.L.D., part 2, John Duncan Mackie (ed.), (Edinburgh : H.M. Stationery Office, 1969), entry 621

¹¹⁰ Ibid. entry 621

Despite the solidification of his reign in Scotland, James's ambition always extended to the English crown as well. Nevertheless, that seemed particularly difficult to achieve, at first. To begin with, the matter of Elizabeth's succession was a subject of debate even beyond the English political scene for most of her reign. The realization of the Jacobean Succession was far from likely due to various reasons. James was not a direct descendant of Elizabeth and there were far more solid claims concerning genealogy but additionally, the discussion of a Stuart successor whether referring to Mary or James always sparked tensions, either based on the fact that they were foreigners or due to their religious background. An additional and even more important argument against a Stuart succession can be traced to the generalized religious tensions that ensued from the conflict between Mary and Elizabeth, and the Catholics and Protestants supporting them respectively. That conflict was partially responsible for the damage to the Anglo-Scottish relations in the second half of the sixteenth century.¹¹¹ Ultimately, the English disposition towards Scotland was affected by Mary's treacherous attempts against Elizabeth so much that the English parliament demanded a course of action against the Scottish claim,¹¹² further impairing James' long term goals of accession. Even though the political relationship between Scotland and England was not ideal and James' personal relationship with Elizabeth had not always been on solid ground, the Scottish King always aspired to succeed her to the English throne and subsequently materialize the union of the crowns.

During James' reign, Anglo – Scottish relationships were often in turmoil and he often needed to actively engage in diplomacy to resolve the issues. It is worth mentioning that in 1586 he signed a treaty with Elizabeth which effectively established Scotland as a satellite state of England in international affairs, meaning that England's will would prevail in important matters despite Scotland being independent. In exchange, a regular annual subsidy from England was established in order to act as "testimony of the continuance of her care towards him" and be used for the "...preservation and the liberty

¹¹¹ Jane E.A. Dawson, "The Two John Knoxes: England, Scotland and the 1558 Tracts" in *The Journal of Ecclesiastical History*, 1991. Vol. 42, no. 4, (Cambridge: Cambridge University Press, 42(4), October 1991), pp. 555–576. <https://doi.org/10.1017/S0022046900000518>

¹¹² John Ernest Neale, "Peter Wentworth (Continued)", *The English Historical Review*, vol. 39, no. 154, (1924), pp. 177-179

of his realm”, in James’ words, as displayed in the bond proposed to Elizabeth in April 1586.¹¹³

Elizabeth responded with the same kindly disposition in June and secured stability in Scotland¹¹⁴ but what is more important regarding James’ plans, is the fact that his proposal also suggested that not only his “title or right” should not be impaired “...by act, constitution or any writ” but also hinted at the possibility of considering the potential succession to her crown “...if she have no heirs” by blood, unless he acts in a way that justifies his exclusion from being a candidate.¹¹⁵ Nevertheless, for decades, Mary, Queen of Scots and her activities that essentially constantly undermined Elizabeth’s rule and were viewed in the south as such, posed a measureable threat to the English crown. The general sense of insecurity that was present for the entire duration of Elizabeth’s reign could be attributed to a number of factors, but her “rivalry” with Mary and the latter’s political actions seem to be the prominent one, posing a major security threat for England.

Although political tensions might have been a threat of destabilization, and were undoubtedly one of the main reasons behind the two nations’ polarization that started to materialize in the second half of the sixteenth century, the present insecurities and fears always held a prominent spot due to another factor: Elizabeth lacked a successor, or even a likely candidate to succeed her, despite the numerous claims in existence during her reign. An heir apparent to the childless queen would avert many potential detrimental consequences that would come into effect in the case of Elizabeth’s premature death. In the event of such a tragedy, many were acknowledging and were afraid of the possibility of full scale religious conflicts, given that they were already instigated and manifested on a smaller scale by the previously mentioned rivalry, or even a potential civil war between the different claimants to the throne. Extensive analysis of the religious tension attributed to Mary and her activities has been conducted by Jane Dawson.¹¹⁶ As previously

¹¹³ “Elizabeth: April 1586, entry 327, p.302

¹¹⁴ “Elizabeth: June 1586” in *Calendar of State Papers, Scotland: Volume 8, 1585-86*, William K. Boyd (ed.), (London: H.M. Stationery Office, 1914), entry 443, pp.414-415, <http://www.british-history.ac.uk/cal-state-papers/scotland/vol8/pp414-494>,

¹¹⁵ “Elizabeth: April 1586, entry 327, p.302

¹¹⁶ Dawson, “The Two John Knoxes: England, Scotland and the 1558 Tracts”, pp.555-576

mentioned, the absence of a likely successor was the cause of fear, due to the fact that what can be referred to as the Elizabethan succession crisis was a situation present ever since her accession in 1558 and it became more prominent under certain circumstances, not necessarily related to Mary. One of those instances was the aftermath of the news of her smallpox illness in 1562 that made the question of her succession even more prominent. She was under constant parliamentary pressure to nominate an heir. On one particular occasion, both Houses of Parliament addressed the queen on January 28 of 1563, requesting her reassurance that she would dispose herself to marry and that she would settle the succession of the crown in time, in case she died without an heir.¹¹⁷ However, she used to hold her ground reacting to the parliamentary pressure in a way that was not reassuring at all. “I will marry as soon as I can conveniently, if God take not him away with whom I mind to marry, or myself, or else some other great let happen”, she responded on one occasion, adding that she “will never break the word of a prince spoken in public place”, citing her honour as a driving force behind the decision.¹¹⁸ That was only one of various forms of prevarication implemented by Elizabeth when confronted by the parliament. On other occasions, the queen invoked the divine status of her kingship¹¹⁹ or other means to evade answering directly the matter in question on a given instance, while addressing the parliament, as explained by Allison Heisch, who analyzed Elizabeth’s parliamentary rhetoric as a whole.¹²⁰

Nevertheless, the matter of the queen’s succession concerned England as a whole, not only a number of wary, troubled and restless advisors. By 1566, the way she was dealing with, or more accurately the absence of a way of dealing with the issue, was met by opposition consisting of both Houses of Parliament and a significant portion of her privy council. The queen’s opposition found the opportunity to apply further pressure after Elizabeth convened the Parliament in October 1566 for unrelated matters of finance, hoping that it would be in agreement with her proposed bills. Even though the bills

¹¹⁷ “Queen Elizabeth - Volume 27: January 1563” in *Calendar of State Papers Domestic: Edward VI, Mary and Elizabeth, 1547-80*, Robert Lemon (ed.), (London: H.M. Stationery Office, 1856), entry 35, p.217, <http://www.british-history.ac.uk/cal-state-papers/domestic/edw-eliz/1547-80/pp215-218>

¹¹⁸ Susan Doran, *Monarchy and Matrimony: The Courtships of Elizabeth I*, (London: Routledge, 1996), p.87

¹¹⁹ Heisch, “Queen Elizabeth I: Parliamentary Rhetoric and the Exercise of Power”, p.34

¹²⁰ Ibid, pp.31-35

proposal was not met with disapproval, the bulk of the attendees did not pass up the opportunity that presented itself and attempted to associate the issues, both the bill proposal and the matter of succession. As displayed in the calendar of state papers, Mr. Molineux expressed the notion that business touching the Declaration of a Successor and the Subsidy Bill should proceed together, a proposal that as stated, was met with approval by the greater part of the said House.¹²¹ It is important to highlight the fact that William Cecil, Secretary of State at the time was among the ones tying both issues and proposing that the queen be addressed on the matter regarding her marriage and the succession.¹²²

Additionally, according to the journals of the House of Commons, after the parliament convention on the 19th of October, Cecil along with Sir Francis Knollys, the vice-chamberlain, openly expressed their opinion to the house, according to which, the matter of the queen's marriage and the mind for the wealth of her commons should be prosecuted the same, being firm that in order for the Subsidy to be granted to the Queen, at least the promise or at least the reassurance of marriage should be provided.¹²³

Furthermore, Paul Wentworth insisted on the debate, openly questioning the Queen's way of dealing with the matter during a House of Commons' session in 1566¹²⁴ Cecil's interest and involvement in the Elizabethan succession crisis persisted and should not be disregarded as an important factor in defining the Jacobean succession almost half a century later, given that both him and his son, Sir Robert Cecil, also secretary of state among others had a significant role in James' accession. Elizabeth has been accused of not assisting in the settlement of her succession debate due to her being irresponsible but it has been argued that it was a deliberate course of action the queen had adopted in order to avoid potential coups, given that the existence of a successor would give a focal point for plotting, "a second person", as she herself had been.¹²⁵

¹²¹ Simonds d'Ewes, "Journal of the House of Commons: October 1566" in *The Journals of All the Parliaments During the Reign of Queen Elizabeth*, (Shannon: Irish University Press, 1682), pp.120-127, <http://www.british-history.ac.uk/no-series/jrnl-parliament-eliz1/pp120-127>

¹²² "Queen Elizabeth - Volume 40: October 1566" in *Calendar of State Papers Domestic: Edward VI, Mary and Elizabeth, 1547-80*, Robert Lemon (ed.), (London: H.M. Stationery Office, 1856), entry 91, p.280, <http://www.british-history.ac.uk/cal-state-papers/domestic/edw-eliz/1547-80/pp279-281>

¹²³ d'Ewes, "Journal of the House of Commons: October 1566", pp.120-127,

¹²⁴ Jean-Christophe Mayer (ed.), *Breaking the Silence on the Succession: A sourcebook of manuscripts and rare texts, c.1587-1603*, (Montpellier: University Press Paul-Valéry, 2003), pp.4-5

¹²⁵ Christopher Haigh, *Elizabeth I*, (Harlow: Longman Pearson, 2000), pp.20-23

Taking all of the above into account and according to some researchers, the Elizabethan succession debate was present throughout her reign, even though it was not always openly addressed,¹²⁶ probably in the sense that questions regarding the royal bloodline and the absence of a nominated heir as well as fears of a crisis of a larger scale that would follow the queen's death under those circumstances, might have persisted for decades and voiced by several individuals involved in the political scene, but no resolution was sought. Besides, there were always multiple different claims and controversy had been in existence since Elizabeth's own accession. The roots of the debate around Elizabeth's succession that was always of paramount importance in the English political scene can be traced back to the middle of the sixteenth century, after Edward VI's death in 1553 that signified the end of Henry VIII's line with the death of his last male heir. Five years after the death of Mary Tudor, the crown passed to Elizabeth, and a number of opposing views arose, not only regarding the latter's own succession claim, but also monarchical legitimacy. To begin with, the descendants of Mary Tudor (Mary I) known as the Suffolk claimants, are not to be disregarded. There was also the Lennox claim, expressed by Henry Stuart, son of Margaret Douglas, Countess of Lennox related to Mary, but since Henry Stuart married Mary, Queen of Scots the Lennox claim has later been considered a part of the Stuart claim,¹²⁷ which includes both James VI as the son of Mary Stuart but also his adversary, Arbella Stuart, being the granddaughter of Margaret Douglas. There were additional minor claims that did not stand much of a chance to manifest, such as the one of Henry Hastings, descendant of the Plantagenets that was valid only by accepting the notion that Henry VIII was a usurper. In fact, Elizabeth was under pressure by Robert Dudley, Hastings' brother in law to nominate the latter as her heir early in her reign, in 1560,¹²⁸ but the claim of the House of York was never strong enough. A final, important claim at the epicentre of the succession crisis, if not one of its main causes, and would greatly affect English politics for the remainder of Elizabeth's reign, was a foreign one. It favoured the Spanish, and was supported by both them and the Catholics that regarded

¹²⁶ Ralph A. Houlbrooke, *James VI and I: Ideas, Authority, and Government*, (Farnham: Ashgate Publishing, Ltd., 2006), p.25

¹²⁷ Mortimer Levine, *The Early Elizabethan Succession Question, 1558–1568*, (Stanford: Stanford University Press, 1966), p. 9

¹²⁸ Claire C. Cross, *The Puritan Earl: The Life of Henry Hastings, Third Earl of Huntingdon (1536–1595)*, (London: Macmillan; New York: St. Martin's Press, 1966), pp. 143–144

the Infanta of Spain, Isabella Clara Eugenia as the legitimate successor to the English throne, based on her descent from John of Gaunt and the argument that he bore a claim, being related to Richard II during the latter's reign.

However, both in theory and in practice, although one might regard the Stuart claim as solid, it undoubtedly seemed to have suffered a blow early on, due to Henry VIII's Succession Act of 1543 that consolidated his will and re-established Mary and Elizabeth to the succession line, thus giving the Suffolk line a stronger claim than the Stuarts, given that descendants of Mary Tudor and specifically Lady Katherine Grey were in a better position than the descendants of Margaret, referring to the Scotland-born Mary in particular.¹²⁹ That claim, however, was out of the question later on due to Grey's falling out with Elizabeth and in fact it has been assumed that John Hales' tract invoking that Act and Henry's will in support of Katherine Grey's claim was one of the reasons for the latter's fall from grace¹³⁰ that gradually affected the claim of the Suffolk line, ultimately completely eradicating it. However, the situation became even more pressing for James after the English parliament passed the Safety of the Queen Act (27 Eliz.1, c. 1) in 1584 according to which, a claim to the throne is forfeited in case of a proven conspiracy against Queen Elizabeth and her authority.¹³¹ Furthermore, the unsuccessful Throckmorton Plot in 1583, designed and planned by Catholics with the purpose of deposing Elizabeth and replacing her with Mary, put things in motion for and as a response to the measurable threat to the Queen's safety, the Bond of Association was conceived by Elizabeth's advisors Sir Francis Walsingham and William Cecil. The first draft of the bond manifested on October 19 1584, and was described as "The Instrument of an Association for preservation of the Queen's Majesty's Royal Person."¹³² According to the document, the signatories vowed to "serve and obey the Queen, and to defend her

¹²⁹ Marie Axton, "Robert Dudley and the Inner Temple Revels", *The Historical Journal*, vol. 13, no. 3, (1970), p.366, www.jstor.org/stable/2637880

¹³⁰ Edward Edwards, *The Life of Sir Walter Raleigh: Based on Contemporary Documents Preserved in the Rolls House, the Privy Council Office, Hatfield House, The British Museum and other Manuscript Repositories, British, and Foreign... Together with His Letters; Now First Collected by Edward Edwards*, (London: Macmillan & Co., 1868), p.352

¹³¹ Danby Pickering (ed.), *The Statutes at Large: Volume 6*, (Cambridge: Cambridge University Press, 1763)

¹³² "Queen Elizabeth - Volume 173: October 1584" in *Calendar of State Papers Domestic: Elizabeth, 1547-80*, Robert Lemon (ed.), (London: H.M. Stationery Office, 1865), entry 81, p.207, <http://www.british-history.ac.uk/cal-state-papers/domestic/edw-eliz/1581-90/pp204-210>

against all Estates, Dignities, and earthly Powers whatsoever” as well as to “pursue to utter extermination all that shall attempt by any act, counsel, or consent to anything that shall tend to the harm” of her “or claim succession” by her “untimely death”,¹³³ rendering any conspiratorial action aiming at the usurpation of the throne or at the assassination of the queen punishable by death. The thirteen members of the Privy Council then present all signed and sealed the document.¹³⁴ Only assumptions can be presented as to whether the Bond of Association was conceived as a way to deal with potential conspirators in general or if it was a clever design of Elizabeth’s advisors specifically targeted at Mary and her supporters. Nevertheless, undoubtedly the Bond founded a legal precedent that was crucial in proceeding with the execution of Mary in 1587 after secretary Walsingham discovered Mary’s letter to Anthony Babington containing her consent to Elizabeth’s assassination, the full text of which has been reprinted along with the rest of the documents related to the plot.¹³⁵

Those Acts meant that James’ course of action afterwards would be of paramount importance. It became apparent that saving his mother’s life without compromising and possibly abandoning his hopes of an English succession would be impossible since an association with Mary and her plotting would deprive him of the right to succeed Elizabeth. The only reason why James considered clashing with Elizabeth and intervening in favour of Mary was the practical benefits, mainly the appeasement it would offer. During that period of great tension and the threat of war between the two countries, the Scottish reaction to the English involvement in Scottish affairs as well as to James’ indifference in case he allowed his mother to be executed would not be easily appeased. Among others, Francis Stewart, Earl of Bothwell warned James that he should be next to be hanged if he allowed Mary to die, while Lord Claud Hamilton swore vengeance against the English if they carried out the sentence and even Mary’s

¹³³ “Queen Elizabeth - Volume 174: October 1584” in *Calendar of State Papers Domestic: Elizabeth, 1547-80*, Robert Lemon (ed.), (London: H.M. Stationery Office, 1865), entry 1, p.210, <http://www.british-history.ac.uk/cal-state-papers/domestic/edw-eliz/1581-90/pp210-212>

¹³⁴ *Ibid.*, entry 1, p.210

¹³⁵ John Hungerford Pollen, *Publications of the Scottish Historical Society Third Series, Volume III: Mary Queen of Scots and the Babington Plot, edited from the original documents in the Public Records Office, the Yelverton MSS, and elsewhere, by John Hungerford Pollen, SJ*, (Edinburgh: University Press by T & A Constable Ltd for the Scottish History Society, 1922), pp 38-46

adversaries were not in favour of Elizabeth's decision. These examples of the views of the Scottish nobility are provided in detail by Willson.¹³⁶ James indeed had to make a difficult choice. His eyes have always been set on the English crown and that would be the choice most consistent with his character in contrast to the alternative. Even a possible alliance with England's adversaries would not be beneficial neither for him, personally nor Scotland in general, whereas succeeding Elizabeth had become his primary goal by that time.

James' fears of the consequences were not unreasonable, and were shared by Elizabeth. In spite of the far from friendly disposition towards Scotland and the numerous plots planned and poorly – yet executed in order to depose and replace her with Mary, Elizabeth was hesitant to carry out the sentence, being aware of the potentially detrimental consequences that would arise in case of Mary's execution. The possibility of some sort of reaction from the Scots concerned the Queen who was sceptical about the sentence and considered all the alternatives. In fact, she formally asked the House of Lords through the Lord Chancellor on the 15th of November 1586 whether an alternative “which her Highness could better like of, if any such might be found” to the “extremity of Execution” could be followed,¹³⁷ given that as mentioned, there were already thoughts or rather threats and promises of retributive actions from the Scots. Elizabeth's advisors stood firm on their policy of fortifying the crown against conspiracies, mainly rooted in Scotland and expressed by Mary and her supporters. One could argue that both the Safety of the Queen Act and the Bond of Association previously mentioned, as well as the advisors' mentality specifically targeted Mary, a major threat that needed to be dealt with once and for all. After all, as mentioned, the queen's advisors who basically formulated the 1584 Acts were always concerned for the crown's safety and struggled to protect it from destabilizing actions, most importantly from the Scottish Catholics rallied by Mary. Especially in 1586, after the later failed attempts to overthrow Elizabeth by the implementation of the Babington and the Throckmorton plot and mostly due to the fact that the authorities held evidence positioning Mary at the top of the pyramid, it was too

¹³⁶ Willson, *King James VI and I*, p.76

¹³⁷ Simonds d'Ewes, “Journal of the House of Commons: November 1586” in *The Journals of All the Parliaments During the Reign of Queen Elizabeth*, (Shannon: Irish University Press, 1682), pp.378-383, <http://www.british-history.ac.uk/no-series/jrnl-parliament-eliz1/pp378-383>

late to reconsider, despite the potential Scottish reaction. Still, Elizabeth was opposed to Mary's execution, but not resolutely. More accurately, the queen seemed to hold more of an indecisive stance on the matter, citing doubts about the fate of Mary that had been already decided, but still not entirely in disagreement. "I condemne not your Iudgment, neither do I mistake your reasons" were her opening lines, later claiming that her agreement to the requests "it might peradventure be more" than she thought, but her disagreement regarding the decision that "might bring peril" was also voiced, verifying her doubts on the matter, as evident in the above passage of her speech found in the Lansdowne Manuscripts.¹³⁸ In any case, Elizabeth's indecision was not irrational, and as Heisch remarks, "as real as the danger which, alive or dead, Mary represented" and "the consequences of her death" might prove equally "frightening as the continuation of plots" she organized.¹³⁹ Elizabeth's stance was in accordance with her tendency to be opposed to parliament on different matters throughout her reign, such as her marriage and succession, the requested religious reforms and the parliamentary effort to include James in the list of people that had forfeited their succession claim, but this time her opposition was not as firm and strong, and the matter was unofficially already settled as the parliament had voted unanimously in favour of the execution.

Ultimately, James felt inclined to set the grounds for an Anglo – Scottish alliance and not to jeopardize his hopes for the succession. James' eventual decision was foreshadowed in a number of letters addressed to Elizabeth. In a letter sent on July of 1585, the king's approval of the suggested English terms is revealed. His references to the faith and interests the two countries share, "the motion of the same religion" both rulers shared since their "very coronations" highlights his intention to use that common ground as a foundation of the alliance.¹⁴⁰ Until the alliance was sealed, however, on a number of occasions James compromised in order to act in a way that did not dissatisfy the English. For instance, a hastily written letter was dispatched to Elizabeth shortly after the unfortunate death of Lord Russell, Earl of Bedford in an effort to "assure" the queen of

¹³⁸ Henry Ellis (ed.) and Francis Douce (ed.), *A Catalogue of the Lansdowne Manuscripts in the British Museum*, (London: Taylor, 1820), Manuscript 94, fol. 88

¹³⁹ Heisch, "Queen Elizabeth I: Parliamentary Rhetoric and the Exercise of Power", p.53

¹⁴⁰ James I and George P.V. Akrigg (ed.), *Letters of King James VI & I*, (Berkeley: University of California Press, c1984), p.63

his “honest innocence in this late mischief”. James also used the words “haste, anger and extraordinary sorrow” to describe his emotional distress over the situation. The importance of this letter for James was such that it was indeed written, in such haste that the date was wrong. James wrote “the 03 day of iulie” but since Russell had died on the 27th of July, either the numbers are inverted and the letter was written on the 30th or James wrote July instead of August. Both George Akrigg¹⁴¹ and John Bruce¹⁴² agree that the latter is more likely.

Furthermore the king’s adopted moderate stance is also revealed in another letter dispatched during the aftermath of the English intervention to remove Arran, in he which not only refers to the incident as “late accident” but also pledges to follow Elizabeth’s course of action which is evident in the phrase “since my promises made unto you...I never have directly or indirectly dealt in any foreign course to this hour”,¹⁴³ in spite of his disagreement. Even though James’ concern for Elizabeth’s terms, namely not mentioning his title to the English succession, is evident in another letter sent in May of 1586,¹⁴⁴ he did deviate from his chosen path. In the meantime, although he expressed his dissatisfaction to Elizabeth on several occasions for the imminent outcome of Mary’s trial and subsequent execution, he made sure he appeared alienated from his mother’s schemes. In a letter written in late 1586, the king reassured the Earl of Leicester not only that he had no knowledge of Mary’s plotting but also that although his “honour constrains” him “to insist for her life”, he is morally compelled to “hate her course”. Interestingly, he states that people would possibly think of his actions as “inconsistent” in case he opted to alter his course of action and eventually chose his “mother to the title”.¹⁴⁵

¹⁴¹ James I and Akrigg (ed.), *Letters of King James VI & I*, p. 65

¹⁴² John Bruce (ed.), *Letters of queen Elizabeth and James VI*, vol. 46, (London: Camden Society ,1849), p.18

¹⁴³ James Orchard Halliwell-Phillipps, *Letters of the kings of England, now first collected from originals in royal archives, and other authentic sources, private as well as public. / Edited, with an historical introduction and notes, by James Orchard Halliwell, Esq., F.R.S., Hon. M.R.L.A., Hon. M.R.S.L., F.S.A., etc.*, Volume 2, (London: Henry Colburn, publisher, Great Marlborough Street, 1846), p.72

¹⁴⁴ James I and Akrigg (ed.), *Letters of King James VI & I*, pp.68-70

¹⁴⁵ *Ibid.*, p.68

In any case, ultimately, the choice was not easy to make. There would be repercussions. He struggled to avoid having to choose, either by trying to convince the English party with threats of vengeance or with unsuccessful pleas for mercy. The final letter addressed to the Queen prior to Mary's execution was James' last attempt to save his mother. It is worth noting that in this last letter, a protest to Elizabeth's decision is voiced and James is wondering what "law of God can permit that justice shall strike upon them who he has appointed supreme dispensators of the same under him, whom he hath called gods" - also arguing that the "lieutenants of god" should not be "judged by their equals".¹⁴⁶ That statement sheds light, or at the very least provides a hint to James' political theory concerning monarchy, which is better understood after a thorough examination of what the king himself thought of his claim and title, as well as of monarchy in general.

Nevertheless, it was certain that Mary's death would not be received without a political cost. Ever since the revelation of the Babington plot in which Mary had given her approval to the planned assassination of Queen Elizabeth, evident in the transcription and reprint of the original letter,¹⁴⁷ James had to appease the Scottish reaction to what was viewed as hostility from England during a period of generalized tension between the two countries. In case the death sentence was carried out, vengeance would seem and was expected to be the most appropriate course of action for the King if he wanted to preserve his authority that was questioned, during a situation the Scots considered a matter of national pride. On the other hand, solidifying his monarchical authority, specifically in the form of an alliance with England and a possible succession was of paramount importance to James especially due to other factors as well. As Willson points out, the discontented Scottish Catholic nobility plotted against James to force him to convert by secretly bringing a Spanish army to Scotland,¹⁴⁸ aspiring to capitalise on the political struggle. Additionally, after Phillip II of Spain's refusal to participate in the plot, they planned on using their considerable forces to do that on their own but it never materialised.

¹⁴⁶ James I and Akrigg (ed.), *Letters of King James VI & I*, p.82

¹⁴⁷ Hungerford Pollen, *Publications of the Scottish Historical Society Third Series, Volume III*, pp 38-46

¹⁴⁸ Willson, *King James VI and I*, p.81

During the aftermath of the failed invasion of the Spanish Armada, Phillip II had not abandoned his plans. The unsuccessful invasion was only one of the military actions during the Anglo-Spanish war that was fought in multiple theatres and was declared for numerous reasons, such as the disputes and the English intervention in the status quo of portions of the low countries under Spanish occupation, contradicting interests in the new world and of course the religious conflict, at least of equal importance. Regarding the latter, Spain was often involved in English affairs in order to overthrow Elizabeth and the Protestantism that she represented, in favour of Catholicism. The religious polarization between Elizabethan England and the Catholic Church had created tensions within the island and the English Catholics opposed to Elizabeth, in numbers that should not be disregarded, could be taken advantage of by Spain, posing as the saviour from Protestantism and with the necessary requirements, even the dispatch of an expeditionary force was not out of the question. James himself was aware of the threat posed by Spain as well as of the fact that there were sympathizers of Spain within England. He referred to “the Spaniard” (Phillip II) and “the courtesie” he expected of him such as the one “Polyphemus promised to Ulysses, that he would devoure him the last of all his fellowes”,¹⁴⁹ a quote that highlights the King’s fear of Spain. Meanwhile, Phillip II, after discovering his English ancestry due to his descent from John of Gaunt, Duke of Lancaster, fabricated a story concerning an alleged will signed by Mary and according to which, she ceded her titles and claims to Spain. As found in the chapter “The will of Mary Stuart”, which provides a thorough examination of the events surrounding the alleged will, although Mary did indeed threaten to disinherit James verbally and unofficially on several occasions,¹⁵⁰ on the grounds of their difference in faith, arguably that document probably never even existed and the possibility of a Spanish claim to his title after his alleged denouncement was “purely conditional”.¹⁵¹ Some historians such as Stephen Alford point out that Mary was viewed by Catholics around Europe as a key figure against the protestant faith and as a means of fulfilling the long-term goal

¹⁴⁹ William Camden, *Annales: The True and Royall History of the famous Empresse Elizabeth, Queene of England France and Ireland &c... Wherein all such memorable things as happened during her blessed raigne... Translated from the French by Abraham Darcie*, (London: Benjamin Fisher, 1625), Book III, p.287

¹⁵⁰ Charlotte Carmichael Stopes and John Duncan Mackie, “Notes and Communications”, *The Scottish Historical Review*, vol. 11, no.43, (1914), pp.338-344, www.jstor.org/stable/25518718,

¹⁵¹ *Ibid.*, p.338

of undermining and ultimately religiously subverting England.¹⁵² As a result of this, one could argue that even merely out of fear, James would have been favoured to succeed Elizabeth by the English due to his Protestant beliefs. However, James' potential accession to the English crown was far from becoming a reality yet. Not only did James have to struggle to gain Elizabeth's favour by following a very specific course of action, but he also had to have several factors working in his favour before being considered the most likely candidate to succeed the Queen. First and foremost, Elizabeth's attitude towards James was far from friendly at the time and her disposition towards the Scottish King was crucial. The following account is an accurate display of the Queen's view of James, back in 1581, years before James' claim was even seriously considered. Concerning a matter of renunciation, Bernardino De Mendoza's report to the King of Spain includes an account of one of Elizabeth's outbursts that was overheard by some, in which the Queen is calling James "that false Scots urchin, for whom I have done so much" in light of the latter's opposition to her will. The same source suggests that Bernardino de Mendoza is not disregarding the possibility of Elizabeth replacing James by restoring the "...queen of Scotland to her throne by force" in case he remained opposed to her in the matter of renunciation.¹⁵³

In her later years, however, Elizabeth had a change of heart and it is suggested that towards the end of her life, she was leaning towards choosing James to succeed her. On one occasion, she insisted on granting James immunity by removing his name from a proposed bill that was brought to parliament, originally conceived and designed to prevent an assassination attempt from Mary, by declaring that in such a case, the latter and her heirs would abandon their rights to succession, according to Allison Heisch.¹⁵⁴

Furthermore, the account of Nicolo Molin regarding English politics, presented to the Government of Venice in 1607, apart from confirming that James Stuart VI, of Scotland,

¹⁵² Stephen Alford, *The Early Elizabethan Policy: William Cecil and the British succession crisis, 1556-1569*, (Cambridge: Cambridge University Press, 2002), Chapter I; See also Patrick Collinson and Jean-Christophe Mayer (ed.) "The religious factor" in *The struggle for the succession in late Elizabethan England: Politics, polemics and cultural representations*, (Montpellier: University Press Paul-Valéry, 2004), pp.143-173

¹⁵³ "Simancas: November 1581, 1-15" in *Calendar of State Papers, Spain (Simancas), Volume 3, 1580-1586*, Martin A. S. Hume (ed.), (London: H.M. Stationery Office, 1896), entry 158, pp.203-219, <http://www.british-history.ac.uk/cal-state-papers/simancas/vol3/pp203-219>,

¹⁵⁴ Heisch, "Queen Elizabeth I: Parliamentary Rhetoric and the Exercise of Power", p.44

I of England “came to the throne by legitimate succession and right of blood”, sheds light on Elizabeth’s opinion on her potential succession by James: Although Molin describes how the Queen rather “indicated” than “declared him as her successor” just shortly before her death, reminding that “he was never named as her successor during her life” he makes it evident that she did not have “any objection to him as her heir”, attributing her refusal to nominate him officially to “jealousy.”¹⁵⁵ Additionally, Molin describes what occurred during the Queen’s last moments: Replying to the enquiries concerning the person who would succeed her, after signifying that she did not want a “rogue (rogh) – a low-born fellow” but “one who wore” a crown, she was asked whether she meant the king of France, or Spain to which she “shook her head” before nodding when she was asked if she meant Scotland.¹⁵⁶

Molin’s reference of “the right of blood” was important on its own, and that became apparent prominently during the 1590s. This particular argument, of elective versus hereditary monarchies, was one of the focal points of various political theory manifestos written mostly during the 1590s, called Succession Tracts. The purpose of these tracts was to support either claim, while attempting to invalidate the rest. During these times of political turmoil, debate on the differences of hereditary and elective monarchies was one of the focal points of either sides, and James was not just a bystander. Both his direct and indirect involvement in the succession race will be discussed later. Nevertheless, the arguments used by James’s as well as his adversaries to support either claim, were based on various political theories and therefore, it is important not to disregard both the essence of each one and their evolution, - and the evolution of political thought in general, up until the end of the sixteenth century.

¹⁵⁵ “Venice: May 1607, 26-31”, entry 739, pp.501-524

¹⁵⁶ *Ibid.*, entry 739

Chapter III

The Progress of Political Thought Regarding Monarchy, the Limitations of Secular Authority and its Interaction with the Spiritual

As previously mentioned, and in spite of the complexity of the situation regarding Elizabeth's succession, the King of Scotland, throughout the years, was not merely a bystander and he struggled to support and to defend his claim in numerous ways, attempting to tamper with the succession and influence its outcome. But a discussion of the various political theories regarding the limitation of a monarch's power as well as of how those theories manifested in the British Islands should precede that. The evolution and progress of the political thought rendered the issue regarding the position and the reach of temporal authority within a society controversial, with contradictory views about it being constantly expressed since the Middle Ages and a glimpse at that progress is crucial in determining a potential causality between preexisting views and James' theory, as it was unfolded prominently near the turn of the century.

Earlier medieval thinkers had already displayed their views on the matter. John of Salisbury in the middle of the twelfth century in his work *Policraticus* extensively discussed the nature, the limits as well as the relation of the three powers that coexist in a state: The spiritual one, the secular one and the temporal one.¹⁵⁷ A number of analogies between the views of John of Salisbury and the ones of his contemporaries such as St. Bernard, Hugh of St. Victor and Honorius of Augsburg can be traced but only partial association can be proven. It has been argued that John of Salisbury was an advocate of the Spiritual, claiming that the highest power in a state is the Spiritual one and is or should be superior to the others, but at the same time decides to maintain a moderate stance, choosing not to omit as well as condemn abuses that can be attributed to a papal

¹⁵⁷ Ioannis Saresberiensis and Clement C.J. Webb (ed.), *Policraticus*, (Oxford: Clarendon Press, 1909)

government and the Church.¹⁵⁸ A somewhat similar notion was expressed by the twelfth century theologian Honorius of Augsburg, and analogies can be found in the works of his and of John of Salisbury. It has been claimed, however, that Honorius and his theory served another purpose, mainly focusing on the 1076 – 1122 conflict rather than providing a more theoretical approach to the relation between the Spiritual and Temporal power and being expressed from the viewpoint of an adherent of papacy, which explains why parts of Honorius' theory can be considered more extreme.¹⁵⁹

Throughout his work, John of Salisbury discusses what can be referred to as The Doctrine of the Two Swords, the sword of the King and the sword of the Priest that coexist and act collaboratively for the greater good of the state and should not be in conflict with each other.

It could be assumed that his beliefs seem to be leaning towards favouring the ecclesiastical authority, due to the fact that throughout his work, temporal intervention is condemned and it is stated many times that Spiritual power is superior. However, he also declared that Temporal authority embodied by the prince is not to be questioned by anyone and that would equal sacrilege, almost implying that the monarch and his authority even exceeds all the existing law, even referring to whoever tried to undermine his authority and power by appealing to the divine law as enemy of the prince.¹⁶⁰

Nevertheless, John of Salisbury does not favour absolutism or tyranny. That would be a misconception. The distinction between a prince, who governs in accordance with and respect for the laws and a tyrant who considers himself superior to all the laws and governs as such, is provided later on. Furthermore, he still insisted that the laws of the prince must be in accordance with the divine law, citing Justinian as a means of proving

¹⁵⁸ Robert Warrand Carlyle and Alexander James Carlyle, *A History of Mediaeval Political Theory in the West by Sir R.W. Carlyle, K.C.S.I., CLE. and A.J. Carlyle, Vol IV. The Theories of the Relation of the Empire and the Papacy From the Tenth century to the Twelfth*, (Edinburgh and London: W. Blackwood and Sons, 1938), Contents, Chapter II

¹⁵⁹ *Ibid.*, p.287

¹⁶⁰ *Ibid.*, p.331

that ideally, the laws of the monarch, prince, or emperor must literally imitate the sacred canons (*Sacros canones imitari*).¹⁶¹

As stated before, the works of John of Salisbury express views somewhat similar to ones expressed by contemporaries of his. According to a passage of *De Sacramentis*, the work of theologian Hugh of St. Victor, for instance, Spiritual power is the supreme judge of all the other forms of power, yet itself cannot be judged by them (*spiritualis enim d iudicat omnia et ipse a nemine iudicatur*).¹⁶² In similar fashion, Bernard of Clairvaux (later St. Bernard) in *De Consideratione* refers to the existence of the two swords, the one of the soldier (the material one) and the one of the priest (the spiritual one) that both have their own use and will, explicitly stating however that both belong to the Church and they are at its disposal, rendering temporal power inferior to the Spiritual (*...ille vero et ab Ecclesia exserendus...*).¹⁶³

One could argue that an almost identical theory was implied by John of Salisbury: Two swords, the one of the prince bestowed on him by the Spiritual power in order to serve the “sacerdotium”, thus rendering both inferior to the Spiritual power and whoever exercises it (the Church). That assumption as well as the intention of John of Salisbury to imply that, remain in question and should be treated as such, since it is an isolated statement that was not extensively analyzed or explicitly stated by him, according to R.W. Carlyle.¹⁶⁴

Ever since and until the late sixteenth century and the time of James, royalty had been slowly but steadily assimilating authority that used to be exercised by the pope until then, and the Reformation was not the only factor that affected that. The power and authority of the papacy suffered greatly during the fourteenth and fifteenth century, starting with the Papal exile in Avignon from 1309 to 1377 which was dubbed “The Babylonian Captivity”, most likely due to the fact that Francesco Petrarca in a letter to a friend

¹⁶¹ R.W. Carlyle and A.J. Carlyle, *A History of Mediaeval Political Theory in the West*, p.332

¹⁶² Hugh of St Victor, “De Sacramentis Christianae Fidei” in *Patrologiae cursus completes: sive bibliotheca universalis, integra uniformis, commode, oeconomica...* vol.176, Jacques Paul Migne (ed.), (1880 s.n.), p.198

¹⁶³ St. Bernard, “De Consideratione” in *Patrologiae cursus completes: sive bibliotheca universalis, integra uniformis, commode, oeconomica...* vol.182, Jacques Paul Migne (ed.), (1879) apud editorem, p.776

¹⁶⁴ R.W. Carlyle and A.J. Carlyle, *A History of Mediaeval Political Theory in the West*, pp.392-393

referred to 14th Avignon as the “Babylon of the West”¹⁶⁵ possibly because of church practices at the time. As soon as the Avignon Papacy ceased to exist, the 1378 papal conclave sparked the 40 year long Western Schism because of the disputed Papal election, which was analyzed in depth by Creighton.¹⁶⁶ That schism resulted in the appearance of three candidates claiming the title. The nations of Europe chose sides depending on the potential favour to be gained in case their supported candidate was ultimately elected pope but the view of the papacy suffered a huge blow in the eyes of public opinion. Most importantly, however, the true power and authority of the pope was greatly limited by the legislation decided in the Council of Constance which was concluded in 1418 and ended the western schism. The *Frequens* decree that was issued in 1417 established regular council conventions to decide on ecclesiastical matters while *Haec Sancta* (also called *Sacrosancta*) of 1415 bestowed greater authority on ecumenical councils than the pope. Nevertheless, the papacy was not discouraged and the notion that the Pope is and should act as a monarch within the church never really ceased to exist and be expressed from time to time. A notable example was Thomas Cajetan (known as Gaetanus) who declared that the church is not and should not be functioning as a democracy but as a monarchy,¹⁶⁷ a view Robert Bellarmine also shared.¹⁶⁸

But most importantly, they discussed the role of the church as a factor in temporal affairs to which it should hold authority. The latter was in direct conflict with Lutheran ideas in which the notion that monarchical authority in temporal matters derives from the divine was based. Consequently, the clash of the British monarchy and the Papacy in the sixteenth century was inevitable, given that the reformation commenced during the time of Henry. And despite the fact that initially there were disagreements on whether the monarch alone should possess unlimited jurisdiction as the head of the church or the two houses of parliament exercising power equal to the monarch’s, eventually, contradicting

¹⁶⁵ James Harvey Robinson, *Readings in European History*, (Boston (MA): Ginn & Co., 1904), p.502

¹⁶⁶ Mandell Creighton *The great schism. The Council of Constance, 1378–1418*, Boston (MA): Houghton, Mifflin & Company, 1882. pp. 49-68

¹⁶⁷ Thomas de Vio Cajetan and Vincentius M. Jacobus Pollet (ed.), *De comparatione auctoritatis papae et concilii; cum Apologia eiusdem tractatus*, (Rome: Institutum Angelicum, 1936), p46

¹⁶⁸ Robert Bellarmine, *Risposte de Card. Bellarmino al Trattato de I sette Theologi di Venetia sopra l'interdetto della Santità di Nostro Signore Papa Paolo Quinto*, (Rome: Printed by Guglielmo Facciotto, 1606), p.75

views were expressed and established. On the one hand Morison and Taverner advocated the monarchs' divinity, arguing against limitations to the authority of the crown¹⁶⁹ while some resisted royal supremacy.¹⁷⁰ Specifically concerning the jurisdiction and the reach of temporal authority, James' political theory incorporated these ideas, as evident in lines such as "your office is likewise mixed, betwixt the Ecclesiasticall and ciuill (civil) estate."¹⁷¹

It was not until the English reformation, however, that the monarch's absolute authority in spiritual matters was established in practice, in the form of the 1534 Act of Supremacy, which recognised Henry as "the only Supreme Head on earth of the church of England."¹⁷² Despite the fact that Roman Catholicism was briefly restored by Mary, the 1558 Act of Supremacy passed by Elizabeth I restored the monarch's title, yet altered. Therefore, Elizabeth was entitled Supreme Governor of the Church of England. The title's alteration is integrated in the Elizabethan Religious Settlement and can be interpreted as a way to pacify Catholics both domestically and on a larger scale, considering that further polarization would push the Catholics further away from England while the Spanish threat was lurking. It is evident so far that both in theory and in practice, the monarch's spiritual authority had already been established way before James' reign.

The Church and the State were considered two separate entities of the same whole, which is in accordance with the previously widely accepted opinion, already present since the middle-ages. One could argue that the reason behind James' struggles to assume full command of the church, in order to bind Spiritual and Temporal power and present himself as the manifestation of both, was perhaps a plan to put the debate to rest once and for all.

Further analysis of earlier views concerning the forms of power and the relation between each other is not deemed necessary, but a brief reference to the evolution of political

¹⁶⁹ Richard Morison, *An Exhortation to Styrre All Englysh Men to the Defence of Theyr Countreie*, (London: 1539) ; Richard Taverner, *The Second Booke of the Garden of Wysdome*, (London: 1539)

¹⁷⁰ Reginald Pole, *Ad Henricu Octauum Britanniae regem, Pro ecclesiasticae unitatis defensione, libri quatuor*, (Ridgewood (NJ): Gregg Press, 1965)

¹⁷¹ James I, *Basilikon dōron*, p.82-83

¹⁷² Elton, *The Tudor Constitution*, pp.364-65

theories regarding the interaction of spiritual and temporal power and subsequently the position of the monarch and the limitations of the latter's power in comparison to the church is essential in gaining knowledge and extracting some conclusions. Undoubtedly, the policies that were adopted and expressed in the sixteenth century, as well as the subsequent actions they resulted in, were deeply affected by the interaction and the relationship of the power of the crown and the power of the church, as well as by another equally important factor: the notion that monarchy originated from divinity.

During later centuries, while the discussion of monarchical authority and its reach were among the most prominent topics, older treatises became relevant. For instance, the ones previously analyzed, from the middle ages to the early modern period, arguably influenced the ones produced during the time of James, but one of them was more important than the rest: a centuries old tract, Henry de Bracton's *De Legibus et Consuetudinibus Angliae* (The Laws and Customs of England, 1569). Scholars such as Pollock and Maitland date it around 1260 or even later, after the Second Baron's War.¹⁷³ It was reprinted during the time of Elizabeth in 1569, and this edition is considered far superior to previous ones, according to Plucknett "perhaps the best printed law book we have ever had"¹⁷⁴ and the 1569 publication greatly contributed to bringing the text out of obscurity as well as in finding use and "service" for the "old words of Bracton...again and again", as Maitland described it.¹⁷⁵ Even though it is seemingly not entirely relevant, given that the subject of the text was Law, it referred to the position of the monarch and the authority of the crown in comparison to it. The 1569 publication by Richard Tottell includes notes, comments and underlines throughout the texts laid by different writers, judging by the different handwriting and it can be assumedly attributed to contemporary scholars – albeit without certainty. Some relevant notes discuss the position of the monarch within the state, such as a part of folio 5 that regards the monarch as superior to

¹⁷³ Frederick Pollock and Frederic William Maitland, *The History of English Law, Volume 1: Before the Time of Edward I*, (Cambridge: Cambridge University Press, 1956), pp.206-210

¹⁷⁴ Theodore Plucknett, *A Concise History of the Common Law*, (Boston (MA): Little, Brown & Co., 1956), p.263

¹⁷⁵ Frederic William Maitland, *The Constitutional History of England*, (Cambridge: Cambridge University Press, 1931), p.69

individual subjects, but still inferior to both God (“sub deo) and the existing law (“et sub lege”) due to the fact that the law enables someone to rule (“lex facit rege”).¹⁷⁶

The importance of the text does not lie solely in the fact that it discusses a subject extremely relevant to the time it was republished, but also in the certainty that its content and the political theory it represents, were highly regarded and were invoked on many occasions. It can be argued that Bracton’s text was not prominent enough to influence sixteenth century political thought because most evidence seems to highlight its undeniably crucial role mostly during the seventeenth century, being used both by royalists and parliamentarians, as the result of vastly different interpretations based on the part of the text that was invoked at a given time. On the one hand, Digges accused the Parliamentarians of citing Bracton in support of their arguments “against their king in all their pamphlets”,¹⁷⁷ while Hobbes referred to the work of “the most Authentick Author of the Common Law” in defence of the “Right of Sovereignty.”¹⁷⁸ Bracton’s arguments were still in use since the sixteenth century however, yet less notably. For example, John Bishop used Bracton’s text to support his argument that even the excommunication of Elizabeth by the Papal bull did not permit resistance to her.¹⁷⁹ Therefore it is safe to assume that it had a degree of influence in sixteenth century politics, being one of the earlier works researched, and even though on some occasions no direct reference to Bracton is noted, the association of the subjects in discussion cannot be disregarded. Besides, political thought, doctrines and ideas expressed in a given period usually reflect matters that were in existence within the given timeframe and context, and in most cases are considered a direct or an indirect result of the situation. Some aspects of medieval political thought were arguably passed on to the early modern period, partially due to the

¹⁷⁶ Henry de Bracton and Richard Tottell (ed.), *Henrici de Bracton de Legibus & consuetudinibus Angliæ Libri quinq̄ : in varios tractatus distincti, ad diuersorum et vetustissimorum codicum collationem, ingenti cura, nunc primū typis vulgati: quorum quid cuiq̄; insit, proxima pagina demonstrabit*, (London: Printed by Richard Tottell), 1569

¹⁷⁷ Dudley Digges, *The Unlawfulness of Subjects taking up Armes Against their Sovereigne... s.n.*, (Oxford: 1644), pp.75-76

¹⁷⁸ Thomas Hobbes and Joseph Cropsey (ed.), *A Dialogue Between a Philosopher and a Student of the Common Laws of England*, (Chicago: University of Chicago Press, 1971), pp.39-40

¹⁷⁹ Glenn Burgess, “England and Scotland” in *European Political Thought 1450-1700*, Howell A. Lloyd(ed.), Glenn Burgess (ed.) and Simon Hodson (ed.), (New Haven (CT): Yale University Press, 2007), p.344

fact that the political situation of the sixteenth century shared some similarities with its medieval counterpart.

Most if not all the treatises regarding the limitations of the crown's authority, whether allegedly originating from divinity or simply being superior to the Church, have one thing in common: they all refer to tyrants. On the one hand, the supporters of temporal authority attempted to prevent the association of royal supremacy with tyranny, while advocates of the Church's superiority regarded "absolute" monarchs as tyrants. References to tyranny are also present in later treatises and a definition of it is important, and Sir Thomas Smith dedicated a considerable part of his *De republica Anglorum*, to defining the term.

While analyzing the very same issue, Smith does not omit the necessary distinction between a King, a figure who gained power through "succession or election...with the good will of the people" and rules in accordance with the pre-existing "lawes", and a Tyrant, who either gained power "by force...against the will of the people" and breaks the existing laws, passes new ones in contrast to the will and the benefit of the commonwealth and is in general concerned mainly with personal interest. Further distinctions are made because on the one hand, one can be a tyrant in "his entrie and getting of the government" but a king in terms of the administration, such as Octavius and Sylla who gained power in a tyrannical way but their rule benefitted the commonwealth, and on the other hand, the opposite could occur, and there have been examples of rulers such as Nero, Domitian and Commodus who were lawful successors, therefore kings in the way they gained power but "utterly tyrannicall" in terms of administration.¹⁸⁰

Smith remarks, however that the word tyrant and the type of rule accompanying him, deriving from the Greek word *τυραννίς*, did not originally contain the negative attributes associated with it during later centuries and that abusive rule and the promotion of personal interests that sums up the first tyrants' reign was the basis of the association of

¹⁸⁰ Smith and Alston (ed.), *De republica anglorum*, p.15

the word with a negative connotation.¹⁸¹ The meaning of the word is convoluted, however because even though it is indeed often stated that the connotation of the word was not negative during the Archaic and the Classical period,¹⁸² one could argue that for the Greeks, it has always been a negative word since, despite the fact that on many occasions, the people were not necessarily disappointed by a tyrant's rule, the word itself was always used to describe someone whose rule was either granted using questionable means and usually not based on constitutional right, or the administration was autarchic, or even both. Undoubtedly, there are examples of tyrants not seizing power by force but by taking advantage of the population's disaffection towards existing regimes, yet often these involved manipulation, capitalising on the decreasing popularity of the aristocracy and its corrupted form, oligarchy, during and after the seventh century.

Aristotle throughout his *Politics*, especially in Book 5 analyzes the traits of a tyrant and the way one rises to power (by presenting notable examples) and emphasizes some common attributes, such as the fact that tyrants either rose to power by using questionable means (demagogy, overthrowing their predecessors by force) or utilised cruel, extreme, absolutist and lawless methods during their administration.¹⁸³ Plato expresses similar beliefs throughout *The Republic*. On many occasions, he voices his disapproval, to say the least when it comes to tyranny and tyrants. In one such instance, in the form of a dialogue, he regards the righteous and just man as the most fit to be king, whereas he refers to the exact opposite type of man, the unjust and wretched as a tyrant, both concerning himself and the state.¹⁸⁴ Additionally, Thucydides in the 6th book of his *History of the Peloponnesian War* analyzes the nature of authority taken and exercised by the line of the tyrant Peisistratos in Athens. He describes them as rulers who may have been abiding by the existing laws but who originally rose to power by force, also discussing what the situation was like, whenever one claimant attempted to overthrow his

¹⁸¹ Smith and Alston (ed.), *De republica anglorum*, p.17

¹⁸² Donald Kagan, *Pericles Of Athens And The Birth Of Democracy*, (New York: Simon and Schuster, 1998), p.250

¹⁸³ Aristotle and Harris Rackham (transl.), *Politics*, Loeb Classical Library 264. (Cambridge (MA): Harvard University Press, 1932), Book V, 1301a-1316 b, pp.371-484

¹⁸⁴ Plato and Chris Emlyn-Jones (ed. and transl.) and William Preddy (ed. and transl.) *Republic, Volume II: Books 6-10*. Loeb Classical Library 276,(Cambridge (MA): Harvard University Press, 2013), Book IX, 580c pp 341-342

predecessor. Furthermore, ranks and offices were held by the people close to the tyrant, even the ones that were supposed to be distributed by taking abilities into account.¹⁸⁵ Smith appealed to Aristotle, referring to him as the one who “most absolutely and methodically treated of the division and natures of common wealthes”, out of all writers.¹⁸⁶ Aristotle himself discussed the limitations of a king’s power, the origin, and the very nature of the office. Smith also remarks that according to Plato, no one should hold authority “absolute and uncontroled” that may negatively affect the one holding it and that it should be given for a prearranged period, a pattern that was later adopted by the Romans, in the form of a six month *Dictatorship*, during which the *Dictator* exercised absolute power, a situation that some Greeks dubbed lawful tyranny.¹⁸⁷

The purpose of this chapter was to provide some insight into the different approaches of the subject of secular authority, due to the fact that the opposing views expressed during the succession race, by either side and in defense of either claim, are directly or indirectly affected by preexisting theories, such as the ones displayed above. But the most important question is how did James and his political theory interacted with late sixteenth century politics.

¹⁸⁵ Thucydides and Richard Crawley (transl.), *The History of the Peloponnesian War*, (New York (NY): E.P. Dutton & Co.; London: J. M. Dent and Sons, ltd, 1950), Book VI, 54, pp.448-449

¹⁸⁶ Smith and Alston (ed.) *De republica anglorum*, pp.16-17

¹⁸⁷ *Ibid.*, p.17

Chapter IV

The Diplomatic Nature of King James and his Involvement in the Succession Race

The interaction between the two British monarchs as well as their two countries over the fate of Mary, that has already been discussed, provided a display of James's approach to politics and use of diplomacy. This, however, was not the only time that James had to navigate with caution and went on to display his diplomatic skills.

It has already been mentioned that James' goal of ascending to the English throne would not be easily accomplished, even by gaining Elizabeth's favour and English support in general. In spite of the fact that in England, Mary's demise proved to be a relief, since a major destabilizing force had been successfully kept at bay, enemies were far from gone. The Catholics used to have their hopes placed in Mary for decades, but they would not give up even after her execution. In the meantime, the ever-present Spanish threat was still lurking and it was hovering above the British Isles during the Elizabethan succession crisis. Robert Persons (later known as Robert Parsons), an exiled Jesuit with close ties to Spain due to his service to Philip II, since his arrival in 1588, wrote the treatise "*A Conference about the Next Succession for the Crown of Inland*" under the pseudonym of R. Doleman in 1594 but published in 1595. James' reputation, in times when he was struggling to gain favour in both Scotland and abroad, suffered a blow due to the treatise. A few controversial claims highlighted in the treatise were the subject of attention, and historiography focuses on those that are the driving force of the text. They have been highlighted by many historians such as Peter Lake¹⁸⁸ and Rei Kanemura.¹⁸⁹

By analyzing the treatise, it is fairly evident that Persons aspired to cause destabilization and tensions in England to some extent with his opinion, concerning the English

¹⁸⁸ Peter Lake, "The King (The Queen) and the Jesuit: James Stuart's 'True Law of Free Monarchies' in Context/s" in *Transactions of the Royal Historical Society*, vol. 14, (2004), pp.245-246, www.jstor.org/stable/3679318

¹⁸⁹ Kanemura, "Kingship by Descent or Kingship by Election?", pp. 320

succession. The text was divided into two parts. The first one for the most part resembled a treatise on political theory whereas the second entirely constituted an analysis of the different claims to the English throne. To begin with, the very first pages of the treatise contain its dedication to “the right honourable the earl of Essex, of her majesty’s privy council”, followed by Persons’s description of Essex: “no man is in more high and eminent place or dignity at this day in our realm then yourself,...no man like to have a greater part of sway in deciding of this great affair....than your honour and those that will assist you.”¹⁹⁰ Thus, Persons pointed at Robert Devereux the 2nd Earl of Essex as the most suitable person to define the matter of succession and putting forward the notion that he should be the most impactful individual in the process perplexed the matter, since he was not viewed as such in Britain. Furthermore, Persons indirectly or directly, depending on one’s perspective, advocated that the Spanish Infanta of Castille Isabella Clara Eugenia, sister of Philip III, and daughter of Philip II should be the heir to the English throne, a suggestion that was in accordance with what the Catholic League supported concerning English politics. That notion was based on his claim that the English throne should have passed to the ancestor of the Spanish royal house, John of Gaunt, after the death of Edward III, a conclusion that was extracted after an extensive analysis of the genealogy of the royal houses and the lineage of the princes and monarchs in the entire length of the Second part of the treatise.¹⁹¹ The *Conference* also contains another important argument. The 9th and final chapter of the first part is important in defining Persons’ political theory. After highlighting the differences between a King and a Tyrant, by providing numerous references to similar opinions expressed by earlier thinkers such as Plato, Aristotle, Cicero, Plutarch, and many more, Persons reached the conclusion that the subjects of the realm or in his words, the commonwealth, should and could participate in the process of choosing the monarch to secure a just leader, thus

¹⁹⁰ Robert Parsons, *A conference about the next succession to the crown of England divided into two parts : the first containeth the discourse of a civil lawyer, how and in what manner propinquity of blood is to be preferred : the second containeth the speech of a temporal lawyer about the particular titles of all such as do, or may, pretend (within England or without) to the next succession : whereunto is also added a new and perfect arbor and genealogy of the descents of all the kings and princes of England, from the Conquest to the present day, whereby each mans pretence is made more plain ... / published by R. Doleman. s.l., (Reprinted at N. with license, 1681), Unnumbered page, preceding the preface, <http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/conference-about-next-succession-crown-england/docview/2264214596/se-2?accountid=14533>*

¹⁹¹ *Ibid.*, Part II, Chapter I-VIII, pp.1-150

allowing the commonwealth to intervene in the process and actively participate in the matter of succession as long as the common good is the motive of the said intervention. Before that, in addition to establishing his argument that monarchies should be elective instead of hereditary, Persons also denies any notion regarding a monarch's divine affiliation.¹⁹²

The idea of a monarch inferior to the commonwealth and the former's dependency on the latter was analyzed by Richard Hooker in the last book his *Law of Ecclesiastical Polity*, published posthumously, in which his opinions and ideas on kingship are thoroughly expressed in detail. It can be argued that Hooker's work was the first serious effort to express the doctrine of Royal supremacy by invoking the scripture, in an attempt to counter the claims of Puritans such as of Thomas Cartwright that advocated that royal supremacy was against the teachings of the Scripture.¹⁹³ Hooker also attempted to analyze and interpret the notion that "kings, even inheritors, do hold their right to the power of dominion, with dependency upon the whole entire body politic over which they rule as kings". According to him, subjects "bestowed of their own free accord upon him at the time of his entrance into his said place of sovereign government", thus rendering the King dependent on their subjects, dependency in the form of "subordination and subjection" due to the very nature and origin of authority.¹⁹⁴ Hooker's earlier brief description of the monarch as "major singulis, universis minor".¹⁹⁵ sums it up: Superior to one of the subjects, but inferior to the entirety of the commonwealth. Given that this last book contains the bulk of Hooker's political views, its authenticity has been the subject of controversy. W. Speed Hill among others supports its authenticity.¹⁹⁶

¹⁹² Parsons, *A conference about the next succession to the crown of England divided into two parts*, Part I, Chapter IX, pp.158-175

¹⁹³ Bernard Bourdin and Susan Pickford, *The Theological-Political Origins of the Modern State: The controversy between James I of England and Cardinal Bellarmine*, (Washington, D.C.: Catholic University of America Press, 2010), p.24

¹⁹⁴ Richard Hooker and John Keble (ed.), *The Works of That Learned and Judicious Divine, Mr. Richard Hooker: with an Account of His Life and Death*, (Oxford: Clarendon Press, 1876), Book VIII, Ch. ii. 10, 11, pp.349-350

¹⁹⁵ *Ibid.*, Book VIII, Ch. ii. 7, p.346

¹⁹⁶ William Speed Hill, "Hooker's 'Polity' The Problem of the 'Three Last Books'", *Huntington Library Quarterly*, vol. 34,no. 4, 1971, p330, www.jstor.org/stable/3816948

Hadrian Saravia also discussed the origins and limitations of the crown's power in *De Imperandi Autoritate* in 1593, a year before Hooker's first book of the *Laws* were published and it was supported by the government, a privilege Hooker did not enjoy due to the fact that the publication of the 8th book was blocked, it would make sense to assume that the English officials would not permit the release, with a gap of only a few years, of another treatise in which the exact opposite opinions are expressed, despite the fact that interestingly, Saravia and Hooker shared a lot of similar beliefs, especially concerning the nature of episcopacy as well as the grounds of a properly functioning society, according to J.P. Sommerville.¹⁹⁷ The difference was that Saravia as already discussed, connects monarchical authority with divinity, providing various arguments such as the fact that "as it is known from (the book of) Genesis, supreme power began at the same time as men" (ex Genesi notum est, summam potestatem cum ipsis simul hominibus incepisse),¹⁹⁸ in contrast to Hooker's belief that the privilege of making and applying laws originated from the people. R.A. Houk has expressed the notion that Robert Cecil prohibited the publication of Richard Hooker's eighth book of "Laws of Ecclesiastical Polity".¹⁹⁹ Despite the fact that Houk's suggestion that Robert Cecil blocked the publication of the eighth book has been questioned by some, such as C.J. Sisson,²⁰⁰ it seems reasonable to assume that Cecil could be potentially involved. Houk's suggestion is in accordance with the certainty that Robert Cecil, as well as his father, Lord Treasurer William Cecil had shifted their interest from Arbella Stuart, one of James' most prominent rivals to succeed Elizabeth, towards the Scottish King, to whose succession contributed greatly to him being regarded as the most suitable heir to Elizabeth. The absence of another suitable heir also worked in James' favour. It can be argued that James was favoured by the Cecils partially because Robert Cecil's religious views and aspirations better matched James', according to Pauline Croft.²⁰¹ In these

¹⁹⁷ Johann P. Sommerville, "Richard Hooker, Hadrian Saravia, and the Advent of the Divine Right of Kings", *History of Political Thought*, vol. 4, no. 2, (1983), p.229, p.231, www.jstor.org/stable/26212444

¹⁹⁸ Saravia, "De Imperandi Autoritate, et Christiana Obedientia", p.167

¹⁹⁹ Raymond Aaron Houk (ed.), *Hooker's Ecclesiastical Polity Book VIII*, (New York (NY): Columbia University Press, 1931), p.98

²⁰⁰ Charles Jasper Sisson, *The Judicious Marriage of Mr. Hooker and the birth of "The Laws of Ecclesiastical Polity*, (Cambridge: Cambridge University press ; New York (NY): The Macmillan Co., 1940), pp. 60-64

²⁰¹ Pauline Croft, "The Religion of Robert Cecil", *Historical Journal*, vol.34, no. 4, (1991), pp 773-796, especially pp.777-778, www.jstor.org/stable/2639581

similar views shared by the two men, the political theory concerning the origin of a monarch's power and authority as well as the absence of any limitations to them are present, thus not only rendering it reasonable to assume that Robert Cecil did not allow the publication of Hooker's "Laws" but also outlining how detrimental the spread of such theories would be for James' claim.

It might seem abstract at first, but studying Person's *Conference* as a whole makes it evident that it serves a purpose. The treatise as a whole was perceived as a tool to promote the interests of Spanish claimants to the English throne. Person's affiliation with Spain and the tendency of opposing James cannot be disregarded and the treatise's content, identical to what the Spanish were advocating is not a coincidence. One could be tempted to question the importance of a treatise which can be described as a piece of propaganda that simply promotes the interests of the party that supported its release, or even the extent of its effect within Britain, considering it was published in the Low Countries and with the blessing of the Spanish. It has to be noted, however that it has been proven, partially and without concrete evidence that Catholic and Jesuit texts originating from abroad could potentially reach the English Catholics, according to T.H Clancy.²⁰² In any case, the existence of the treatise was enough to alert James who viewed it as a threat, given that it could prove to be detrimental to his goal of gaining English support, in case it gained popularity within the British Isles. Such was not unlikely, in combination with the fact that there still was a significant number of people in England favouring Catholic claimants, as had happened before, with Mary. Also, Persons' attempt to instill fear and invoke dread by warning of the possibility of a new major dynastic war based on religion, such as the War of the Roses or the French Wars of Religion, in the fifteenth and sixteenth century respectively, made it more likely that the notion advocated by the Jesuit would find supporters, and should not be taken lightly. James was aware of the text's existence and it came into his possession by late 1595. Specifically, William Cecil warned his son Robert of the existence of Persons' treatise in a letter sent on October 3 of 1595. He briefly describes the content of the treatise, outlines its suggestions concerning succession matters "without regard of right by blood and

²⁰² Thomas H. Clancy, *Papist pamphleteers: The Allen-Persons party and the political thought of the Counter-Reformation in England, 1582-1615*, (Chicago (IL): Loyola University Press, 1964), pp.14-43

succession”, and its endgame of appointing the king of Spain “himself or his elder daughter the Infant”.²⁰³ Lord Burghley seems particularly concerned about the book’s “tirannous determinations, against all ordinary successions” due to his certainty that it was created with the purpose of appealing to papists and gathering them around the king of Spain in preparation “of his intended invasion, which out of Spaine is generallie threatened.”²⁰⁴ Most importantly, he suggests that King James should be informed of the book, preferably “fent to him by order of hir majestie” in order to move him to take action against “the K. of Spaines tyrannous practices”.²⁰⁵ despite the fact that news of the book would reach him, sooner or later, anyway. As previously mentioned, by 1595 the Cecils had shifted their interest from other possible successors of Elizabeth, such as James’ cousin Arbella Stuart and were evidently favouring James in succeeding the childless queen.

James himself shared the Cecils’ fears and his reaction to the publication of Persons’ *Conference* was swift. It was mostly carried out with an intense campaign aimed at defending and supporting his succession claim in England. Apart from the King’s and the ministers’ attempts, which as reported by Roger Aston “were never so great”, the campaign was also carried out with a series of tracts to serve as replies to Persons’ treatise, written by people recruited by James himself, in an attempt to discredit the Jesuit, since January 1596 according to reports, as assembled from the Calendar of State Papers by Peter Lake.²⁰⁶ James’ campaign seems to have been in effect throughout the 1590s. Robert Cecil received a report in June 1598 concerning books written by Walter Quin and a Mr. Dixon, ready to be distributed throughout the country, and it was already known since it was reported earlier, that Robert Waldegrave was assigned the task of printing the tracts. Although reluctant to be involved in such a controversial matter,

²⁰³ Francis Peck, *Desiderata Curiosa: Or, A Collection of Divers Scarce and Curious Pieces Relating Chiefly to Matters of English History: Consisting of Choice Tracts, Memoirs, Letters, Wills, Epitaphs, &c. Transcribed, Many of Them, from the Originals Themselves, and the Rest from Divers Antient Ms. Copies, Or the Ms. Collections of Sundry Famous Antiquaries and Other Eminent Persons, Both of the Last and Present Age: the Whole, as Near as Possible, Digested Into an Order of Time, and Illustrated with Ample Notes, Contents, Additional Discourses, and a Complete Index*, (London: Printed For Thomas Evans In The Strand, 1779), Volume I, Liber V, (Missprinted on page 169 as Lib. IV), Number VIII, p 169

²⁰⁴ *Ibid.*, p.169

²⁰⁵ *Ibid.*, p.169

²⁰⁶ Lake, “The King (The Queen) and the Jesuit”, p.246

Waldegrave reportedly finally gave in out of fear of losing favour by refusing to assist James, and printed another couple of tracts by Peter Wentworth in one volume: “*A Pithie Exhortation to her Majestie for Establishing her Successor to the Crowne*” accompanied by “*A Discourse Containing the Author’s Opinion of the True and Lawfull Successor to her Majesty*.”²⁰⁷ The “*Discourse*” as presumed by Nicholas Tyacke, was smuggled in the diplomatic bag of David Foulis.²⁰⁸ Finally, Waldegrave printed another pamphlet in 1599, written by someone under the pseudonym of Irenicus Philodikaos, with similar content, focused on supporting James’ succession right by descent (Chapter title: The right of the King of Scotland by descent of kindred is declared)²⁰⁹ and discrediting foreign claims (Chapter title: The Obiection of Forrain birth is clearlie avoided).²¹⁰ Reports and references to the latter are scarce and by that, it could be assumed that it was either not widely distributed or did not gather the attention of other tract, since it went mostly unnoticed by the authorities.

Regardless, Waldegrave was not the only one to be aware of how controversial and dangerous direct involvement with the issue was, and his opinion was shared by more than a few, James among them. Still, the whole discussion concerning the Scottish King’s descent and lineage that was prominent from 1595 onwards, and was later present in every tract, whether it was used in defence of or against his claim, apparently agitated James who was aware of its importance and even reached the point of attempting to pass a law in the Scottish parliament that would render any notion aimed at damaging James’ reputation by slandering “the King’s parents or progenitors treasonable”.²¹¹ Still, in spite of James’ campaign and interventions to support his claim, he had discretely distanced himself from any direct involvement in the issue south of the borders, mostly out of fear

²⁰⁷ Lake, “The King (The Queen) and the Jesuit”, pp.246-247

²⁰⁸ Nicholas Tyacke, “Puritan Politicians and King James VI and I, 1587-1604” in Thomas Cogswell (ed.), Richard Cust (ed.) and Peter Lake (ed.) *Politics, Religion and Popularity in Early Stuart Britain: essays in honour of Conrad Russell*, (Cambridge: Cambridge University Press, 2002), pp.34-35

²⁰⁹ Irenicus Philodikaos, *A treatise declaring, and confirming against all obiections the just title and right of the moste excellent and worthie prince, iames the sixt, king of scotland, to the succession of the croun of england. whereunto is added a discourse shewing how necessarie it is for the realme of england, that he be in due time acknowledged and admitted to the succession of the kingdome*, (Edinburgh: Printed by R. Waldegrave, 1599), unnumbered page,

<http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/treatise-declaring-confirming-against-all/docview/2240927570/se-2?accountid=14533>

²¹⁰ Ibid., Unnumbered page

²¹¹ Willson, *King James VI and I*, p.139

and the danger of provoking further disdain from the south and displeasing Elizabeth. Nevertheless, James actively participated in actions against opposing claims. James' polemic campaign is enough to prove that the King was indeed concerned of the threat Persons' treatise posed to his succession claim,²¹² thus validating the importance of Persons' treatise and its potential political consequences regarding the Elizabethan succession crisis and English politics in general. But arguably, one of the most important aspects of his campaign occurred near the turn of the century.

While he was funding the creation and publication of the aforementioned treatises, James published his own, the *True Law of Free Monarchies* and *Basilikon Doron* before 1600. The apparent danger and his persistence were too great to render him just a bystander. Apart from discreetly and indirectly trying to discount opposing claims, he took the matter in his own hands. In 1596, while the king's attempts to support his succession claim and counter pro-catholic ones domestically took place, and despite the fact that James himself had not abandoned his Protestant identity and future promises, he engaged in secret diplomacy abroad in order to potentially compromise and gain Catholic support from foreign kingdoms. J,D Mackie in his article in "The Scottish Historical Review" sheds light on this rather obscure and rarely mentioned aspect of James' actions during the Elizabethan succession crisis. According to the article based on letters and state papers, it is proven -as evidence suggest - that a man named Ogilvy was sent abroad in order to negotiate with foreign rulers in Flanders, Venice, Florence, Rome and Spain on behalf of James according to his own claims, even though James denied any involvement, highlighting the secrecy under which the monarch wanted to act and regarded as of paramount importance.²¹³ Confidentiality is also evident in the fact that the Venetian government openly denied participating in discussions or negotiations with anyone from Scotland, in spite of the firm belief of the Spanish ambassador that Ogilvy had been there.²¹⁴ A separate attempt was made to secure the support of France, which was deemed possibly the most crucial of all the nations James had attempted to approach, through a M. de la Jesse, a negotiator with unofficial capacity whose overall diplomatic task as a

²¹² Kanemura, "Kingship by Descent or Kingship by Election?", pp. 320

²¹³ John Duncan Mackie, "A Secret Agent of James VI", *The Scottish Historical Review*, vol. 9, no. 36, (1912), p.378, www.jstor.org/stable/25518483

²¹⁴ *Ibid.*, p.378

whole, was met by suspicion which quickly turned to disapproval due to his unreasonable demands in return for his services.²¹⁵ The importance of the support and friendship of France for James is also evident in a letter sent to Henry IV by James in 1597.²¹⁶

All in all, as remarked, James gave the impression that he demonstrated a tendency to pose as a Catholic sympathizer, that was for the most part based on exaggerated promises to foreign rulers in order to increase his chances of having his claim recognised, the most notable example being negotiations with Venice.²¹⁷ But this was most likely merely what he wanted to demonstrate and not what he actually believed, given that not much earlier, he was entertaining the possibility of forming a protestant league against the Spanish threat, towards which he worked by sending emissaries to German princes.²¹⁸ It is widely accepted now that this plan did not stand a chance of materializing and that it was a genuine façade James had adopted in order to try to form a league of his own against Spain, which was itself in turn unlikely to occur and, realistically, James could hope only to gain the friendly disposition of other countries at best but it is suggested that maybe this was an elegant move aiming at publicly displaying his claim and title as well as shifting the balance of power in his favour, by further alienating Spain from the rest of the important powers of the continent.²¹⁹ After all, most of the countries' disposition towards Spain was far from friendly at the time and it would be reasonable to assume that the type of diplomacy displayed by James might be enough to deprive Spain of potential allies. This was not James' first display of diplomatic prowess.

James had to quickly learn to adapt under pressure ever since the earlier years of his Scottish reign. Sir Francis Walsingham, Queen Elizabeth's secretary and an important figure in English politics, was sent to Scotland to address the current issues between the two countries. Walsingham judged that the king had tendencies to absolutism by referencing the act of changing councillors not only without Elizabeth's approval but also

²¹⁵ Mackie, "A Secret Agent of James VI", pp.378-383

²¹⁶ James VI (James R.), "Two Unpublished Letters of James VI", *The Scottish Historical Review*, vol. 16, no. 62, (1919), pp.142-143, www.jstor.org/stable/25519141

²¹⁷ James Maidment, Andrew Dickson White and James Balfour, Faculty of Advocates (Scotland) Library, *Letters and state papers during the reign of King James the Sixth: Chiefly from the manuscript collections of Sir James Balfour of Denmyln*, (Edinburgh: Edinburgh Printing Company, 1838), pp.8-11

²¹⁸ Mackie, "A Secret Agent of James VI", p.383

²¹⁹ *Ibid.*, pp.383-384

replacing them with people who were considered incapable of living up to expectations and sufficiently serving the office, among other issues, which was viewed not only as an act of disrespect towards Elizabeth, but also irresponsible and absolutist. In Walsingham's own words, James had acted "...with a kind of jollity say that he was an absolute king",²²⁰ before proceeding to remind James that monarch's who rule as if they were absolute, not bound by law resemble and are in fact tyrants, and warning him of the precedent of the deposition of kings who insist of favouring incapable councillors.²²¹ Additionally, as Conyers Read points out, in what can be viewed as an unfavourable disposition towards the king,²²² the account he gave the Queen upon his return corresponded to the negative views he had adopted on James. However, James wisely attempted to defend his actions and to reason that he should be given the power to select his councillors without seeking Elizabeth approval, which was also happening vice versa, even though Walsingham undermined James and his authority, even claiming that the Scottish monarch's power is insignificant, that friendship is not among his goals and that "England could live well enough without Scotland",²²³ also implying that James himself is unable to successfully deal with matters of state due to his age. Apparently James had other plans to deal with the ever-growing English discontent towards him, even if he was required to temporarily compromise in order to not provoke an English reaction. Instead, he appealed for help to the Kings of France and Spain, as well as Pope Gregory XIII in the form of letters. It is worth mentioning that the letter dispatched to the pope contained the King's hinted – yet indirect promise of conversion in exchange for help, his exact words being "I trust to be able to satisfy your Holiness....if I am aided in my great need by your Holiness" according to D.H. Willson,²²⁴ a tactic James also implemented during the final decade of the sixteenth century, as mentioned. Again, what was written in those letters should not be considered proof of the monarch's true intentions. As stated on numerous occasions, double diplomacy was one of James' traits as part of the political skill he demonstrated throughout his reign, whether the results of it were beneficial or

²²⁰ Conyers Read, *Mr. Secretary Walsingham and the policy of Queen Elizabeth*, (Oxford: Clarendon Press, 1925), pp.213-214

²²¹ Ibid. pp.231-214

²²² Ibid. p.207

²²³ Read, *Mr. Secretary Walsingham and the policy of Queen Elizabeth*, p.213

²²⁴ Willson, *King James VI and I*, p.51

detrimental, since according to some historians like Trevor - Roper, as pointed out by Marc Schwarz, that course of action “has a dark side to it”, and it has been argued that the “problems which James had left festering” were bequeathed to Charles.²²⁵ In this particular example, James may have been indirectly providing the Pope with the possibility of a compromise although barely a year ago, he addressed a letter to the foreign ministers of religion in which he severely criticized popery, declaring that due to God’s grace “divine word has, for the most part in our kingdom, been reclaimed from the darkness and superstitions of the Popery”.²²⁶ It will become even more apparent, from the analysis of various primary sources further on, that any possibility of a compromise with the Pope was inconsistent and in direct conflict with James’ views of the Papacy.

In the aftermath of the Parliamentary act of 1584 which solidified the monarch’s religious power as he was declared the head of the church and to him and his council unhindered jurisdiction on religious matters was handed, the Presbyterian disaffection towards the king and matters in Scotland, deriving also from reassertion of the authority of bishops and the partial dissolution of Kirk courts unless convening under royal permission, led many ministers to take flight to England. The king’s pre-emptive action in order to avoid the ministers’ dissatisfaction escalating even more, which would manifest in the form of damaging his reputation abroad, was to adopt a moderate and seemingly compromising stance.

Two months after parliament passed the “Black Acts”, the king wrote a letter to the fugitive ministers of the Kirk in June of 1584 which served as an invitation. After attempting to justify his actions by claiming that the act was passed to improve the function of the ecclesiastical system, in the king’s own words “to establish a godly and perfect order of policy in the church of our realm”,²²⁷ he suggested that the exiles should return to their homeland and assist the king in this effort by lending their “counsel, assistance and concurrence to so godly a work”.²²⁸ Furthermore, the king declared that as long as their obedience lies to him and the regime, they will enjoy the king’s favour.

²²⁵ Schwarz, “James I and the Historians: Toward a Reconsideration”, p.115

²²⁶ Halliwell-Phillipps, *Letters of the kings of England*, p.68

²²⁷ *Ibid.*, p.70

²²⁸ *Ibid.*, p.71

James entrusted Archibald Henderson who was chosen by Archbishop Adamson to approach the ministers in an attempt to resolve this issue as soon as possible and prevent the king's reputation from being damaged, as well as a potential English reaction. The intentions of that letter are made even more clear considering that as Akrigg states, since the contemporary copies of it are considerably more than any other letter written by James, it is quite possible that it was used as a means of shaping English opinion in his favour after intentionally giving the letter wide distribution.²²⁹ However, a reaction and subsequent intervention from the English crown due to the latter's growing concern over the Scottish affairs was not prevented.

As noted, there have been many contradictory accounts and interpretations of James as a person as well as a monarch. Many have been extremely judgmental, but others have praised his skills. For example, Gordon Donaldson refers to him as "A man of very remarkable political ability and sagacity in deciding on policy and of conspicuous tenacity in having it carried out. He may not have been the ablest of the Stewarts, but he was assuredly the most successful of his line in governing Scotland and bending it to his will".²³⁰ James' contemporaries also often praised his political prowess. What matters most is the opinion of certain Presbyterians, natural enemies of his, that nevertheless admitted the King's skill in manoeuvring in politics. James Melville in his autobiography and diary provides descriptions of his interactions with the King that outline and sum his disappointment at being up against such a capable politician, also describing James' methods in debating.²³¹ Even during the Ruthven Raid and his subsequent capture from Lennox's enemies in an attempt to force the king to banish his favourite, James demonstrated his cunningness and skills in politics in spite of his young age. As remarked by Robert Bowes in a letter to Sir Francis Walsingham sent in the 14th of December, 1582 that included a description of how James pledged to honour the proposed proclamation swearing an oath that if Lennox did not abide by what he would be charged with, James

²²⁹ James I and Akrigg (ed.), *Letters of King James VI & I*, p.53

²³⁰ Gordon Donaldson, *Scotland: James V-VII*, (Edinburgh: Oliver & Boyd, 1965), pp.214-215

²³¹ Melville, *The autobiography and diary of Mr. James Melvill*, p.369-371

himself would regard him and whoever demonstrates support to him as enemies,²³² despite seemingly being entirely under the influence of Lennox, as previously mentioned.

James' intellect and political skill was also admired and praised by foreign ambassadors. Specifically in the "Report on England presented to the Government of Venice in the year 1607, by the Illustrious Gentleman Nicolo Molin, Ambassador there", the writer praised not only James' physical qualities ("sufficiently tall, of a noble presence, his physical constitution robust") and his effort to preserve them ("by taking much exercise at the chase") but also his political skill, describing him as a "Prince of intelligence and culture above the common, thanks to his application to and pleasure in study when he was young" rendering him "capable of governing".²³³

However, it is always a matter of perspective, and the image of James as described in these accounts is directly in contrast to the one that the average Englishman had adopted. Modern historiography provides many possible reasons that led to this. Lawrence Stone suggests that as a Scot, James had to overcome English suspicion, a notion shared by many English politicians, such as John Carey who expressed the opinion that "...Her Majestie shall doe very well to remember that ...although he be a king...he is but a king borne in Scotland and so a Scottes man"²³⁴ and in addition, he did not command respect as a person due to his manners and habits.²³⁵ Wallace Notestein attributes the negative disposition to the monarch's own personality, not only by referring to the different approach he had adopted on dealing with politics in Scotland, which was entirely different to the one English politics required but also by pointing at some of James' negative traits such as narrow-mindedness and impatience, especially when dealing with the parliament.²³⁶ On the other hand, the monarch's traits and habits, such as his alleged homosexuality, as well as the notion that he prioritized excessive alcohol consumption

²³² Bowes, *The Correspondence of Robert Bowes*, pp.285-286

²³³ "Venice: May 1607, 26-31", entry 739, pp.501-524

²³⁴ "Border Papers volume 1: April 1594" in *Calendar of Border Papers: Volume 1, 1560-95*, Joseph Bain (ed.), (London: H.M. Stationery Office, 1894), entry 948, p.530, <http://www.british-history.ac.uk/calendar-papers/vol1/pp524-533>,

²³⁵ Lawrence Stone, *The causes of the english revolution, 1529-1642*, (London: Routledge Kegan Paul, 1972), p.89.

²³⁶ Wallace Notestein, *The House of Commons 1604-1610*, (New Haven (CT) ; London : Yale University Press, 1971), p.505

and hunting activities to the point of obsession cannot be disregarded as potential reasons for him not being ecumenically beloved.

Nevertheless, James was an eager politician and actively engaged in politics, but knew when the use of diplomacy was needed. And it was near the turn of the century, during the peak of the debate regarding the English succession, the time for James to provide an even more detailed display of his political theory.

Chapter V

James's Monarchical Divinity: The Content and Theories of the Succession Tracts

James was not overcome by his eagerness to engage in politics, and during what could be described as the race for the English succession, he wanted to distance himself officially, so the sum of his actions were conducted in secrecy. Additionally, all of the aforementioned tracts in support of James' succession claim funded by him circulated unofficially and were mostly transferred elusively from the English authorities, indicating that this careful approach was one of the reasons James still had very limited influence on English public opinion. Perhaps it was also consistent with his course of action, and due to the potential danger lurking in engagement in discussions concerning the succession, that prompted James not to explicitly and directly claim ownership of the *True Law*. In fact, James was not officially and undoubtedly acknowledged as its writer until years later, and James Montague's version published in 1616 is arguably the first to prove a connection to James. Still, his fear of being discovered as someone directly involved in tampering with the succession debate was justified.

After all, intercepting and suppressing any discussion of the succession, not only in a public context, but also in a private one, the latter mostly referring to the circulation of succession tracts and manuscripts, was a policy of the English Privy Council in effect since the 1580s.²³⁷ In fact, after the Act against Seditious Words and Rumours Uttered against the Queen's Most Excellent Majesty ((23 Eliz., c. 2) passed in 1581, publishing tracts discussing the succession was in practice a felony,²³⁸ signifying how important censorship of the succession debate was for the English authorities. And debate on Elizabeth's succession in the form of tracts expressing and supporting various claims was

²³⁷ Andrew Zurcher, *Spenser's Legal Language: Law and Poetry in Early Modern England*, (Cambridge: DS Brewer, 2007), p.225.

²³⁸ Robert O. Bucholz and Joseph P. Ward, *London: A Social and Cultural History, 1550–1750*, (Cambridge: Cambridge University Press, 2012), p.167

not something new at all. The number of claimants during the reign of Elizabeth, as previously mentioned, alone, hints at the existence of various tracts supporting those claims, attempting to discount opposing ones or usually both. There was a statute in existence and in effect since the reign of Edward III, passed in 1350 and called *De natis ultra mare*, known as “A statute for those who are born in Parts beyond Sea (25 Ed III), which dictated that according to the Law, children of the Kings of England can inherit their Ancestors, regardless of where they were born”. Various individuals referred to this statute during the Elizabethan period regarding her succession debate, and according to one interpretation of it, it was considered unfavourable for the Stuart claimants and particularly Mary, whose claim “seem to have barred”.²³⁹ That particular statute and its specific, questionable interpretation was the basis of John Hales’ tract written in the later parts of a Parliamentary session in 1563,²⁴⁰ with the title “A Declaration of the Succession of the Crowne Imperiall of England” which by invoking the will of Henry III that was canonical law by then, proclaimed Lady Katherine Grey as the legitimate heir by Law, until an heir is born from Elizabeth, discounting Mary Stuart.²⁴¹ Hales’ arguments were countered by a book attributed with uncertainty to Thomas Morgan that attempted to support Mary’s claim. Another tract (*A defence of the honour of the right high, mightye and noble Princesse Marie Quene of Scotlande and dowager of France with a declaration aswell of her right, title & intereste to the succession of the crowne of Englande, as that the regimete of women ys conformable to the lawe of God and nature*) written by John Lesley and printed in both in English in Liege (1571) and Latin in Rheims (1580) supported Mary’s claim based on the existing arguments expressed by Morgan while additionally it questioned the reach of the Succession Act and its potential and legal influence to Elizabeth’s succession as well as the entire validity of the wills of Henry VIII.²⁴²

Possibly the first of the series of tracts advocating James’ succession claim to the English throne, that mostly appeared in bulk during the 1590s, was created much earlier.

Although provenance, authorship and date are in question and the tract is traditionally not

²³⁹ Zurcher, *Spenser's Legal Language*, p.225

²⁴⁰ Victoria de la Torre, “‘We Few of an Infinite Multitude’: John Hales, Parliament, and the Gendered Politics of the Early Elizabethan Succession”, *Albion: A Quarterly Journal Concerned with British Studies*, vol. 33, no. 4, (2001), p.557, www.jstor.org/stable/4052892

²⁴¹ *Ibid.*, p.557

²⁴² Edwards, *The Life of Sir Walter Raleigh*, p.353

included in the sum of the other succession tracts, highlighting its obscurity, it is believed that it was written after 1570, due to the fact that the Revolt of the Northern Earls between 1569-1570 is mentioned (“Your Rebels of the North”, fo.3),²⁴³ but before 1573 since the tract indirectly mentions the existence of two factions (“Thirdly the two factions that now raigne in Scotland” fo.8),²⁴⁴ one of which, Mary’s, suffered a serious blow and its actions were halted after the capture of Edinburgh castle in 1573. All in all, early 1571 is suggested by J.E. Neale and accepted by James P. R. Lyell as a possible publication year, while the tract’s anonymity would make sense considering its controversial content²⁴⁵ and it would be safe to assume that whoever wrote the tract wanted to protect their identity from potential repercussions given that it was addressed to Elizabeth herself during a time when discussion of a succession, especially a Scottish one, was out of the question. The first part of the tract underlines the reasons that render the nomination of a successor of paramount importance, elegantly informing Elizabeth about the drawbacks of maintaining the current state of not having nominated a successor. The writer warns Elizabeth that the danger she “seeke to prevent by haueing the succession vnlymitted is not avoided” (fo.3^v),²⁴⁶ demonstrating his disapproval of the Queen’s decision not to nominate a successor. That opinion is thoroughly analyzed afterwards, that “second inconvenience”, and clearly, the writer’s goal was to convince Elizabeth that the absence of a successor is not something the majority of the commonwealth is in favour of, in his words “your Nobilitie, your cheife stay, is rather torne in peeces, then diuided in opinion, touching the succession” (fo.3^v) and also “the suiects for that your majesty seemeth to haue no Care in what miserable state you shall leaue them, begin to withdraw their good wills from you,thinge, how full of peril it is to haue your good Subiects decay in good will towards you, being invironed as you are, with many and euill affected subiects, I neede not tell your Maiestie (fo.4).²⁴⁷

As previously addressed, the majority of the government as well as her advisors were indeed in disagreement with the course of action Elizabeth chose to follow regarding the

²⁴³ James P. R. Lyell, “A Tract on James VI’s Succession to the English Throne”, *The English Historical Review*, vol. 51, no. 202, (1936), p.291, www.jstor.org/stable/553525

²⁴⁴ *Ibid.*, p.294

²⁴⁵ *Ibid.*, pp.289-290

²⁴⁶ Lyell, “A Tract on James VI’s Succession to the English Throne”, p.291

²⁴⁷ *Ibid.*, p.291

issue of her succession. After providing an outline of the tract's composition, the writer starts to analytically describe and provide the "remedie" - as it is described, to the hard to resolve issue (fo.5^v),²⁴⁸ followed by the eventual direct reference to James. After an exhausting description of young James and his traits, despite the fact that he would be only 5 years old at the time, assuming the tract was written in 1571, the young prince is eventually directly nominated as the ideal candidate (yet in all but name), being presented as "preferred before others, "and especially his mother" (fol. 8).²⁴⁹ The most solid and repeated argument being the notion that the successor should be chosen mainly according to the following: "who with least peril...and generall contentacion of most part of your Subiects is most fit for that place. (fo.5^v) Furthermore, the "ideal" candidate as highlighted within the tract is presented as a "remedie for" the Queen's "safety", a solid and sound choice that would act as a safeguard against any potential turmoil that a wrong choice would result in. Analysis of this tract leads to interesting conclusions. To begin with, the composition and the structure are interesting in their own right. The writer's tone and reasoning process differ noticeably from later succession tracts. Emphasis is placed on a specific argument that also forms the foundation of the whole tract and is not as prominent in later tracts: The writer insists on not basing his defense and support of James' claim by invoking divine right, natural or common law, but instead advises Elizabeth of the practical benefits presenting James as the least dangerous choice. The above, even the distinction between James' and Mary's claim, being the most emphasised argument is justified, considering that during the time this tract was presumably written, the absence of a successor to Elizabeth promoted fear of a crisis, whether religious or not, after the queen's passing, which was the epicentre of the worries expressed by the people and even the queen's council.

As mentioned, before the turn of the century, James' had already written his treatises that present his theory of monarchy and formed the basis of his perception of monarchy, his version of the divine right of kings doctrine. *The True law of free monarchies*, which was published in 1598, highlights some of the key aspects of James' political theory.

Arguably, one could say that researching James' reign in both countries as a whole, the

²⁴⁸ Lyell, "A Tract on James VI's Succession to the English Throne", p.292

²⁴⁹ Ibid., p.294

frequency of the reference to divine right's aspects is bordering obsession. It is worth considering, however that this specific political theory had practical uses as well, and It can be assumed that it constitutes something more than manifestations of the monarch's vanity. James' claim to the English throne as well as his authority in Scotland were constantly questioned by adversaries, in both settings, such us the Scottish nobility, the Kirk, and the church of Rome. The best possible way for him to counter them was through a political theory that embodied the belief that all his claims and titles were not to be questioned. The context within which they were written, favours this notion. In his treatises, the monarch refers to the origins and the nature of his monarchical claim to a great extent in order to further support his succession claim. One could argue that the treatises constituted one of the King's attempts to counter the Spanish claim advocated by Persons and validate his own, and this has been suggested by some researchers, such as Peter Lake according to whom the *Conference* provoked the writing of *The True Law of Free Monarchies* as a response, among others.²⁵⁰ The *True law* has one foot on Christian theology and is clearly that it is positioned against Catholics. Also, and most importantly, for the most part, James' treatise generally deals with the origins of a monarch's power and authority, while attempting to discount opposing views, which can be regarded as an answer to precisely what the *Conference* advocated. The notion that James' *True Law* is a response to Person's *Conference* has a solid basis, in spite of the fact that the claim can still be considered somewhat controversial, given that the opposite opinion also has its advocates. Jenny Wormald, for instance, considers the *True Law of Free Monarchies* an academic piece of work with no particular reasons behind its writing,²⁵¹ even though researching James' texts as a whole, along with the context within which they were written, as well as taking the social, religious and political status quo of the time into account, hints that they served a much higher purpose than an academic one and many properties and uses can be attributed to them. Even if one disregards the notion that the *True Law* was a reaction provoked by something written and stated, its importance in providing an outline of the form of relationship and interaction between a monarch and

²⁵⁰ Lake, "The King (The Queen) and the Jesuit", p.245,

²⁵¹ Jenny Wormald, "James VI and I, 'Basilicon Doron' and 'The Trew Law of Free Monarchies': The Scottish Context and the English Translation" in Linda L. Peck (ed.) *The Mental World of the Jacobean Court*, (Cambridge: Cambridge University Press, 1991), pp. 36-54

subjects, and being used as a reference point to how a monarch should rule according to James himself, is hard to deny any association of James' treatise with the rest of the succession tracts. Additionally, by comparing the timeline of the books published before the turn of the seventeenth century, it can be assumed that James' treatises are associated with the complex situation surrounding Elizabeth's succession. Both the *True Law of Free Monarchies* and *Basilikon Doron* were published in the late sixteenth century, in 1598 and 1599 respectively, and their identification as political theory treatises as well as their similar content to the rest of the texts financially supported by James in support of his succession claim, cannot be regarded as a coincidence. Even though the opposite has been argued, the points James is trying to prove in his treatises, to associate kingship with divinity, validate his authority and prove his succession claim during a time when all of the above were in question not only from claimants hailing from abroad but also from his opposition within England. These observations are enough evidence for one not to regard the treatises, especially the *True Law* as something detached from the said context. The number of times James' texts were reproduced should also be taken into account. Both *Basilikon Doron* and *The True Law* were being repeatedly reprinted, especially during the first years following their publication— the latter was reprinted at least four times in London in 1603, as noted by Peter Blayney and highlighted by Wormald herself,²⁵² hinting that they were more than an academic piece of work. Something that had its purpose and was more consistent with James' course of action throughout his reign: the tendency to excessively use the press for his statements or to generally publicize an opinion or a decision, forcing it into public discussion. After all, it can be argued that the king himself had always used writings, his own included, which were often invoked to support an argument or justify a course of action. After all, he regarded himself as “the great Provost, and great-schoole-muster of the whole land”, as stated in his *True Law*, even if done in the context of an analogy, and is consistent with his actions.²⁵³

The similar issues addressed in the *Conference* and the *True Law* are evident upon comparison but a more thorough analysis of both should precede that. Persons dedicates the first part of the book to explain the political theory that forms the basis of his

²⁵² Wormald, “James VI and I, ‘Basilikon Doron’ and ‘The Trew Law of Free Monarchies’”, p.51

²⁵³ James I, *The true lavv of free monarchy*, pp.6-7,

argument. As noted, it is argued that every kind of monarchy, in spite of the variables regarding its basis, structure and administration, is in fact elective. After an extensive historical retrospection, containing examples such as the politics in past eras, along with reference to the need of the commonwealth to choose or elect people (“Magistrates”) for important positions with the objective of serving its interests,²⁵⁴ while using analogies from the times of Ancient Greece and Rome to contemporary societies, Persons signifies the ever-present importance of authority originating from the people, the commonwealth, whether referring to “Democretia” (Athens, Thebes and various Greek city-states and sixteenth century Switzerland with the institution of Cantons), “Aristocretia”, in which authority is given to a chosen few of “the Best” (Senators in Rome or sixteenth century or the way the writer’s contemporary Courtney of Holland used to operate), or “Monarchia” (“Emperor, King, Earl of the like”) and concludes that they are “not determined by god or nature” and that every nation can “chuse the Form of government.”²⁵⁵ Therefore, Persons is bestowing upon the commonwealth the right to choose the way it is ruled and the monarch or person of authority that will assume the role of its defender. Additionally, rulers, as Aristotle and Cicero have suggested, should be bound to the law, which applies to every single person in the commonwealth and secures integrity, preventing the ruler from abuses.²⁵⁶ The fifth chapter is dedicated to the coronation and the subsequent oath of the ruler. Persons expresses his opinion that “those princes swear not only to keep the Faith, but also such other Conditions of good Government”,²⁵⁷ after describing the process and the content of the ceremony on various occasions, Spain being one of them and coincidentally hinted as a monarchy that operates in accordance with the writer’s ideal standards.²⁵⁸ Clearly, Persons was in favour of aspects and ideas of the Resistance Theory that were not uncommon during the sixteenth century.

During the aftermath of the Protestant Reformation, religious divisions paved the way for ideas regarding the possibility or the right of the people to react to the constituted

²⁵⁴ Parsons, *A conference about the next succession to the crown of England divided into two parts*, Part I, Chapter I, pp.5-6,

²⁵⁵ *Ibid.*, Part I, Chapter, I, p.7

²⁵⁶ *Ibid.*, Part I, Chapter II, pp.17-18,

²⁵⁷ *Ibid.*, Part I, Chapter V, p.77

²⁵⁸ *Ibid.*, Part I, Chapter V, pp.70-76

authority –yet usually on the grounds of religion, in the form of resistance. It can be hypothesized that even revolution is included in the forms of resistance to monarchical authority, given that Early Modern Resistance Theory can be considered an early form of civil rights. It has been argued that Resistance Theory originated in Lutheranism. J.H. Burns regards resistance as of arguably paramount importance and necessary for “the very survival of Protestantism”, and traces the roots of resistance theory decades earlier, in 1530.²⁵⁹ The researcher argues that resistance theory was originally formulated and expressed by lawyers of Hesse and Saxony, leaders of the Schmalkadic League, consisting of Lutheran principalities and cities, to support and justify the league’s decision to take up arms in order to defend its faith as a response to the Imperial threat of military force aiming at suppressing Lutheranism, in a matter unresolved since 1517.²⁶⁰ This was not the only example. A few years later, via the “Magdeburg Confession” in 1550, the city of Magdeburg advocated that non cooperation of what is referred to as the state’s “subordinate powers” (*Unter Obrigkeit*) with the “supreme power” (*Hohe Obrigkeit*) would be the least acceptable reaction to the threat to religion, which can also be dealt with by armed resistance of the faithful,²⁶¹ signifying a resistance to Imperial interventionism in the matter. That intervention was carried out by the Imperial decree of 1548 ordered by Charles V known as the Augsburg Interim, as pointed out by Witte, with the purpose of not only imposing the Catholic doctrine as it was defined by the Council of Trent but also suppressing what is described as “raging Lutheran heresy” that “inflected” and “inflamed” the Imperial subjects.²⁶² The Magdeburg Confession dealt with both. Its first part (“Confession”) addressed matters of doctrine whereas the second part (“Instruction”) not only summarized Lutheran resistance theory ideas, as expressed until then, but also highlighted the right to resist imperial authorities.²⁶³

²⁵⁹ James Henderson Burns (ed.) and Mark Goldie, *The Cambridge History of Political Thought, 1450-1700*, (Cambridge: Cambridge University Press, 1991), p.200

²⁶⁰ Burns (ed.) and Goldie, *The Cambridge History of Political Thought, 1450-1700*, p.200

²⁶¹ Richard Bruce Wernham (ed.), *The New Cambridge Modern History Volume 3: The Counter-Reformation and price revolution, 1559-1610*, (Cambridge: Cambridge University Press, 1968), p.98

²⁶² John Witte, *The Reformation of Rights: Law, Religion and Human Rights in Early Modern Calvinism*, (Cambridge: Cambridge University Press, 2007), p.106

²⁶³ John R. Stumme and Robert W. Tuttle, *Church & State: Lutheran perspectives*, (Minneapolis (MN): Fortress Press, 2003), p42

The Resistance Theory kept expanding during the sixteenth century, surpassing the borders of the Holy Roman Empire and adopted not only by Lutherans. The “Magdeburg Confession” proved to be a starting point and great example, slowly but steadily manifesting into a political theory. It was adopted by Calvinists during the French wars of religion: Theodore Beza defended the people’s right to resist political intervention in matters of religion even with the use of armed force in his “Right of Magistrates” in 1574 (“*Du droit des magistrats sur leurs subiets*”) which as suggested in the title was relevant to the political situation in France (“*necessaire en ce temps*”) and essential in highlighting the limits of authority and the role of both the magistrates and the subjects within the political structure (“*tant les Magistrats que les subjects*”).²⁶⁴ Even though it was published anonymously, it is accompanied by the reference “*publie par ceux de Magdebourg*”,²⁶⁵ published by those of Magdeburg, paying homage to the Lutherans who developed the theory. It was followed by *Vindiciae contra tyrannos* (meaning protection or defence against tyrants) in 1579 whose authorship remains inconclusive. So far, it appears that the resistance theory and the way it was expressed up to that point, was always associated with religion and the resistance was justified on the grounds of state interventions in matters of religion. The theory also acquired political properties, however, within the complex situation that developed during the French Wars of Religion. It can be argued that there are not only religious but also political reasons behind the Catholic League’s decision to resort to adopting the ideas of Resistance. Gallicanism advocating the monarchical authority’s superiority to the church (often presenting the monarch and the crown’s authority equal to the Pope’s, a theory evidently associated with the Divine right of Kings),²⁶⁶ and its advocates were on the same page with *politiques*, people of both religious parties, Huguenots and Catholics alike, that stood firm in their belief that the future of France lay within a strong monarchy despite their fundamental religious differences. The war and the polarization it inflicted, combined with political considerations, drew the Catholic League, advocating Ultramontanism that is opposed to Gallicanism (papal superiority) towards the ideas of Resistance, and the objection to the notion that monarchical authority is limitless was

²⁶⁴ Theodore de Bèze, *Du droit des magistrats sur leurs subiets*, (1574), p.1

²⁶⁵ de Bèze, *Du droit des magistrats sur leurs subiets*, p.1

²⁶⁶ Burns (ed.) and Goldie, *The Cambridge History of Political Thought, 1450-1700*, p.233

voiced. Therefore, it can be concluded that Resistance Theory surpassed the existing limitations and ventured beyond religion thus hinting that political alignment could potentially be a prominent field for the development and manifestations of Resistance ideas in the future. Ideas of the Resistance theory and their influence did not retreat and resistance to monarchical or state authority continued to be based on its grounds. In the early seventeenth century Netherlands during the later phases of the 80 Years' war in the Low Countries, the theory found a prominent spot again. Johannes Althusius' "*Politica Methodice Digesta, Atque Exemplis Sacris et Profanis Illustrata* and Hugo Grotius' *De jure belli ac pacis*, published in 1603 and 1625 respectively are prominent examples, but Britain was affected earlier. The British Isles were not unfamiliar with the political theory of Resistance, and it had its advocates, despite attempts such as Thomas Bilson's in 1585 with *The True Difference betweene Christian Subiection and Unchristian Rebellion*,²⁶⁷ to protect monarchical authority and debunk the resistance theories of Huldreich Zwingli, Christopher Goodman and John Knox among others, or its validity in the British Isles at the very least, by denying the theory's association with religion, thus keeping it confined to the sphere of politics that varies from state to state, and claiming that a different political system might favour resistance or revolution.²⁶⁸

The theory of Resistance denies any monarchical association with divinity at a fundamental basis, which consequently pits it against in direct conflict with the divine right of kings theory, considering that one of the former's bases is the Natural Law the ideas of which hold a prominent position. That is what James and his doctrine had to confront, and those views had to be discounted by the King. Therefore, James sets several points that according to him, certify his authority in the form he conceived it, by defining what he always considered to be the three pillars of equal importance on which a legitimate monarchical claim is based: First and foremost: scripture –from which he draws analogies and examples. The meaning attributed to the Scripture and the fact that he constantly evokes it to certify his authority and highlight it as the origin of power, as well as the interpretation of temporal power as a sign of divinity can be traced in the

²⁶⁷ Bilson, *The True Difference Betweene Christian Subiection and Unchristian Rebellion*,

²⁶⁸ Anthony Milton, *Catholic and Reformed: The Roman and Protestant Churches in English Protestant Thought, 1600-1640*, (Cambridge: Cambridge University Press, 2002), p.517

King's Calvin theory roots. In *Basilikon Doron*, James also remarks that his views were built "upon the plaine words of the Scripture".²⁶⁹ The second pillar is the historical and legal precedent in the particular given issue— which are both analyzed and serve as a means of arguing in favour of one's claim founded on the grounds of existing law that under no circumstances should be disregarded. The third pillar is natural law, or at least his interpretation of it, given that it will soon become evident that it was conceived by James in an entirely different from his adversaries. All of the above are not entirely separate, rather they were used in a way that complemented one another. Thus, in the *True Law* there is an attempted marriage of theology and even natural law with politics. Since the oath of coronation, its notion, its properties, its meaning and its purpose, are all heavily addressed, it could signify that the King considered that to be a pillar as well. But the truth is that evidently the *True Law*, in terms of structure and content, is formed as an answer to previous claims, whether referring to Persons or others (as will be analyzed), making sure it addresses what was claimed by previous tracts not in favour of his claim, in which different properties and meaning were attributed to the oath of coronation. Therefore, this can be assumed to be the reason why James refers to the oath of coronation extensively throughout the *True Law*, in order to counter contradicting views.

It has to be noted that the ideas analyzed and advocated by Persons in the *Conference* share a lot of similarities with the views of George Buchanan, James' former tutor, a known contractarian and an important expresser of the Resistance Theory, outlined in *De Jure Regni apud Scotos*. Preceding the conference, Buchanan's treatise was written in 1579 and contains his political theory, which is summarized and analyzed by Burns.²⁷⁰ It has a lot of elements that are also present in Persons' *Conference*, mostly regarding the existence of a form of a social contract (of which the word contractarian derives from) struck between what Persons referred to as the commonwealth, whereas Buchanan as "The People", and the monarch, as well as the responsibilities accompanying it and the obligation of both parties to honour the pact, which by definition would give the people the right to resist the rule of someone who breached the contract. Strangely enough, the

²⁶⁹ James I, *Basilikon dōron*, p.5

²⁷⁰ James Henderson Burns, *The True Law of Kingship: Concepts of Monarchy in Early Modern Scotland*, (Oxford: Oxford University Press, 1996), pp. 6-7

person or political body that would exercise the right to resist in practice, and would assume the task of deposing a monarch that breached the aforementioned contract, is not suggested in either treatise. The explanation for this possibly lies in the fact that both writers provide numerous examples and extensive description of various states and nations throughout history, governed by varying political systems and therefore, to pinpoint something as specific as the person with status and authority of acting as a representative of the people and securing the transition would be extremely difficult, given that the narrations are vague. As previously mentioned, James had already alienated himself from Buchanan and the latter's contractarian teaching had already been condemned by parliament in 1584. Additionally, many years later, the second book of *Basilikon Doron* contained James' advice to his son Henry to focus on "authentic histories" and especially their "own histories" ("ne sis peregrinus domi") and "not of such infamous invectives as Buchanan's or Knox's chronicles", counselling him to use his authority against anyone who reads these "libels" as he calls them, in case they survive through the years.²⁷¹

It has been argued, however that *The True Law of Free Monarchies* constitutes James' latest response to Buchanan. After all, James' indirect renunciation of Buchanan's views anew is evident in the *True Law*. Whether the *True Law* was written with the purpose of providing a response to Buchanan's views and specifically the ones advocated in *De Jure* is debatable. Certainly, judging by its content, James' *True Law* can be viewed as a response to the king's former teacher and his political theory. Such an assumption would not be irrational, if not for the many years that passed before the publication of James' treatise, which, as James Craigie noted "seems a long time to wait before seeking to controvert another man's arguments", before concluding that the timeline does not make much sense.²⁷² However, the similarities of Buchanan's and Persons' treatises in comparison with the *True Law* in terms of structure and content, even containing interpretations of the same notions, make it possible that James' treatise served as a response to either one, and cannot be disregarded. The truth lies somewhere in the middle, and one can for a fact assume that in spite of James' motives and intentions

²⁷¹ James I, *Basilikon dōron*, p.69

²⁷² James Craigie (ed.), *Minor Prose Works of James VI and I*, (Scottish Texts Society, 1982), pp.193-194

during that period that will remain a mystery, *The True Law* can be considered a response to either one, or even both. On the one hand, it has been argued by researchers such as Burns that James undoubtedly had *De Jure* in mind while creating the *True Law* to support his claim and outline his political theory,²⁷³ but on the other hand, previously mentioned arguments, point to the *Conference* as the reason behind the writing of the *True Law* or at the very least, suggest that this was what James had in mind when writing the *True Law*.²⁷⁴ Since both Buchanan's *De Jure* and Persons' *Conference* advocate a similar theory, James responding to both and trying to discredit and contradict the content of both would be a reasonable assumption.

The key point previously mentioned, the right to resist, was what James attempted to contradict with his *True law of Free monarchies*. Initially, it can be assumed that James acknowledges the existence of a pact, a social contract between the monarch and the subjects, by referring to the duties and the responsibilities of a monarch – according to their oath of coronation, to act "...as a living father and carefull watchman", mentioning that a monarch "...becomes a naturall father to all his Lieges at his coronation"²⁷⁵, but the definite answer is provided later on. Concerning that particular analogy, it is worth mentioning that while Buchanan described the monarch as a father to mainly highlight the responsibilities towards the children – the subjects, as a King "ought to account" the subjects as children and "must as a father rule thy Subjects, and no less have a care of all than of they self."²⁷⁶ James' use of the analogy serves the purpose of reminding of the "Fathers wrath & correction upon any of his children, that offendeth" yet "with pity, as long as there is any hope of amendment in them",²⁷⁷ thus, depending on one's perspective, hinting or explicitly outlining his denial of the right to resist. This is not the only instance of James presenting identical analogies to Buchanan's or Persons', but with an entirely different purpose. Despite the fact that he pledges to honour the "mutuall paction and adstipulation betwixt the King and his people at the time of his Coronation", James does not accept the notion that a pact is contained within the Oath. He denies the

²⁷³ Burns, *The True Law of Kingship: Concepts of Monarchy in Early Modern Scotland*, p.234

²⁷⁴ Willson, *King James VI and I*, p.149

²⁷⁵ James I, *The true lavv of free monarchy*, p.4

²⁷⁶ Buchanan, *De jure regni apud Scotos*, p.55

²⁷⁷ James I, *The true lavv of free monarchy*, p.4

notion that the oath serves as a social contract "...alleged made at the coronation of a King" containing the clause to hold the monarch responsible for their actions and to give the commonwealth the right to act, "no longer bound to keepe their part of it" if the contract was breached by the monarch.²⁷⁸ Despite not believing "any such contract to be made then", James nevertheless, repeatedly states that "a good king will subject and frame his actions thereto (meaning the law)...although he be above the Law", clarifying that the contract will be honoured but this would occur solely due to the king's integrity, moved by his own "free-will" and judgement and "not as subject or bound" to it.²⁷⁹ Still, even though James makes the promise to honour it because of his character and personality, he ultimately insists on questioning the validity of any form of social contract between the two parties that bestows responsibilities on the monarch towards their subjects and holds him and his actions accountable to them. He makes it explicitly clear and stands firm on the notion that "God is doubtlesse the only judge" "...betwixt the two parties contractors" repeating that the King "must make count of his administration to him only", depriving the commonwealth of any right to question and judge the monarch's rule, given that "God is made judge and revenger of the breakers", not people.²⁸⁰ While Persons and Buchanan refer to various political systems of different places and eras, pointing out their similarities and concluding that it is essential for monarchy to be elective, James narrowed it down to the relevant case, the one of the British isles. The essence and structure of British monarchies, developed and established on the right of conquest, which James often invokes, is an important basis of the argument. Precisely that historical justification is used as a means of proving the complete ownership of the realm by the King. In a similar way to William the Conqueror's conquest of England, King Fergus Mor gained ownership of the realm through the right of conquest and established his kingdom and government according to his own will.²⁸¹ That belief along with the conclusions that "the kings therefore in Scotland were before...any parliaments were holden or laws made" and that "the kings were the authors and makers of the laws,

²⁷⁸ James I, *The true lavv of free monarchy*, p.15

²⁷⁹ *Ibid.*, p.11

²⁸⁰ *Ibid.*, p.15

²⁸¹ *Ibid.*, p.9

and not the laws of the Kings”,²⁸² place the monarch above everyone and anything and renders his authority limitless, using his own words, “free and absolute”.²⁸³ As previously mentioned, the right of conquest that dictated monarchy in Britain, provides justification as to why his claim is just, and dates back to the time when James’ own ancestor King Fergus Mor conquered the land, just as the Norman conquest of England is used as a similar example that legitimizes the claim of the original conquerors’ descendants. That exact distinction between hereditary and elective monarchs is also important, providing yet another subject of debate regarding monarchical authority. Throughout his reign and after researching certain aspects of it, evidently, James referred to the distinction on more than one occasion. For instance, he disregarded and denied association of his type of monarchy, a hereditary one, with ones that are formed by a different kind of process, such as the elected monarchies of various European countries. That examples were, according to James “nothing pertinent to us”,²⁸⁴ due to the fact that the foundations of the British Isles’ monarchies lay elsewhere: in the right of conquest that gave ownership of the land to the conquerors and their descendants, instead of being chosen by the people, the ancestors of the monarchs conquered the land and passed the ownership as well as the claim to the land to their descendants. That is the main reason that according to James, the British monarchy is entirely different from the others and this is one of the reasons why the former is and should be “absolute” and “free”, as noted more than once throughout his treatises. During his reign, James referred to the different rights and limits of a hereditary monarch’s power, in comparison with an elective one’s, on some occasions. James was not the only one to express that notion, which had its supporters. One such example can be found in a speech in the English Parliament on 21 of May, 1614, that was held over the proposed taxation for repaying royal debts, during which Sir Henry Wotton claimed that “a prince that comes in by descent has greater power than an elective”, after comparing the type of monarchies in existence in Europe at the time (France, England, Polish–Lithuanian Commonwealth).²⁸⁵ The issue of taxation without parliamentary consent was controversial on its own, and such a statement provoked the

²⁸² James I, *The true lavv of free monarchy*, p.10

²⁸³ *Ibid.*, p.3

²⁸⁴ *Ibid.*, p.9

²⁸⁵ Maija Jansson (ed.), *Proceedings in Parliament 1614 (House of Commons)*, (Philadelphia (PA): American Philosophical Society, 1988), p.310.

parliament and some members voiced their disagreement. Not only did they react to the notion that hereditary kings hold more power than elected but also to the examples mentioned, due to the fact that as stated by the disagreeing members, French and Spanish kings were tyrants and appealing to them should not be regarded as a supportive argument, since they posed an example that should not be followed by England. In fact, the mention and reference to foreign monarchs infuriated the French ambassador, according to his Venetian peer, as evident in his report to the Doge and the Senate on the 27th of June, 1614. Specifically, the French ambassador is described by Antonio Foscarini as complaining “so strongly” to the comment“ and pressing “for a punishment” that lead to his own, after the king ordered the offender’s imprisonment, along with four others that applauded him.²⁸⁶

In the meantime, in order to complement the provided historical justification, James attempted to prove divine succession, in accordance with his initial statement early on that defined Monarchy as “the true pattern of divinity”.²⁸⁷ The constant use of numerous biblical references forms a pattern repeated throughout the text and a key argument in favour of James’ theory. Those constitute an attempt to establish the argument that the monarchical status, and the authority accompanying it, derive from God, who “granted your importunate fate in giving you a king”, one that the commonwealth “could not have obtained without the permission and ordinance of God”,²⁸⁸ concluding that He bestowed upon him the task of ruling, attributing divine origin and association to monarchies thus regarding the monarch’s right to rule as Divine. A prominent and common reference is the example of Samuel (8:9-20), dictated by God to provide the people of Israel with a King.²⁸⁹ In general, given that James’ texts contain numerous biblical references, it is evident that they were partially founded on Christian beliefs. Many similarities can be found between James’ treatises and Christian texts, prominently in Paul’s epistle to Romans: 13:1 and 1 Peter 2:13. Paul referred to a connection between government and

²⁸⁶ “Venice: June 1614” in *Calendar of State Papers Relating To English Affairs in the Archives of Venice, Volume 13, 1613-1615*, Allen B. Hinds (ed.), (London: H.M. Stationery Office, 1907), entry 292, <http://www.british-history.ac.uk/cal-state-papers/venice/vol13/pp126-141>

²⁸⁷ James I, *The true lavv of free monarchy*, p.3

²⁸⁸ *Ibid.*, p.6

²⁸⁹ *Ibid.*, p.6

spirituality, but in a very vague and ambiguous way that is subject to different interpretations. The epistle to the Romans contains the line “Let every soul be subject unto the higher power. For there is no power but of god” and additionally “the powers that be are ordained of God” (Romans: 13:1), while Peter urged people to subject themselves “to every ordinance of man for the Lord’s sake; whether it be to the king, as supreme; or unto governors” (1 Peter 2:13). The evident similarities between the potential political thought behind the Apostles’ writings and James’ can be questioned however. For example, how can the reference to “ordinance of man” contain a monarch’s connection to divinity?

Arguably, any mention of Samuel was solely used to highlight the divine mandate (and the subsequent claim that only God can judge a King) and the permanent and irreversible status bestowed on monarchy, but not the type of monarchy Samuel exercised which could prove to be controversial due to existing views concerning the issue. The example of Samuel was also referenced by both Buchanan and Persons but in a different context. Persons argues that the only reason the “Children of Israel” requested a king was that “all nations round about them had Kings for their Governours”, while the reference to the different political system employed in the Greek states highlights the vastly different perception Asians and Europeans had.²⁹⁰ This point of view is expanded and its analysis includes some of Buchanan’s passages. Buchanan also mentioned the example of Samuel, describing monarchs with such attributes as Tyrants. He based that accusation on the notion that Asians differ from the Europeans in terms of “servile disposition”, claiming that they are more prone to be ruled by tyrants, whose commands more easily obeyed, before adding that there is not a single historical account of a “Lawfull King” in Asia,²⁹¹ thus disregarding the example of Samuel as something that can find application in contemporary Christian nations. It is true, that James is invoking an example in which indeed, monarchy is requested, but in an entirely different context to the one in question and without deriving from divine right theory that was then clearly undeveloped.

²⁹⁰ Parsons, *A conference about the next succession to the crown of England divided into two parts*, Part I, Chapter II, p.13

²⁹¹ Buchanan, *De jure regni apud Scotos*, p.90

Natural Law had always been a key aspect of Resistance Theory. Considering that Persons and Buchanan advocate ideas that fit the Resistance Theory, with numerous invocations of Aristotle and Cicero throughout their treatises, it makes sense for both of them to dismiss any views concerning divine connection with the monarchical claim, and since such opinions were established and the example of Samuel had been associated with tyranny, it would be controversial for James to be involved in it and he wisely chose to abstain. Subsequently, James further alienates the king's position from their subjects by reminding that "Kings are called gods by the prophetic King David because they sit upon God His throne in earth and have the count of their administration to give unto Him", and keeping up with the biblical reference pattern, adding that this "...ought to be a pattern to all Christian and well founded Monarchies, as being founded by God himself".²⁹² According to that phrase, bestowing the crown and the subsequent monarchical authority was irreversible, unconditional and the oath only served as a promise for good government and fair rule, due to the fact that God is the only one responsible of punishing the breaker of that promise, practically rendering the king's authority limitless.

In some other cases, it can be argued that what some consider analogies, were in fact core parts of James' theory entirely and not just a part of the reasoning process of the true law. For example, the alleged analogy between Gods and Kings and the similarities they share was expressed in a more explicit way by James himself in a speech carried out in the Parliament in 1609. C.H. McIlwain regards that speech as "probably the most complete exposition" of James' views of kingship,²⁹³ while W.H. Greenleaf deemed it crucial for "the understanding of James' political theory".²⁹⁴ During said speech, James declared among other things, that "God has the 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 accountable to none...And the like power have kings". In general terms, he had declared that "if you wil

²⁹² James I, *The true lavv of free monarchy*, p.7

²⁹³ James I and Charles H. McIlwain (ed.), *The Political Works of James I*, (Cambridge (MA): Harvard University Press, 1918), introduction

²⁹⁴ William H. Greenleaf, "James I and the Divine Right of Kings", *Political Studies*, vol. 5, no. 1, (1957), p.48.

<https://doi.org/10.1111/j.1467-9248.1957.tb00858.x>

consider the Attributes to God, you shall see how they agree in the person of a King”.²⁹⁵ It has been argued, after all, that the *True Law* seems to some James’s idea of kingship as a combination of secular and theological elements: the theory of an absolute king and limitless authority by divine right.²⁹⁶

By analyzing the *True Law* and everything previously outlined, it is evident that James was firm in his belief that monarchical authority and the subsequent rights and limitations –or their absence that accompanied it were legitimized by God and originated from the study of existing Theology, but another question is raised: What kind of God was the source of a king’s authority? From which doctrine did it originate and what branch and institution of Christianity was the safeguard for it? There is no definite answer but the safest one is: None in particular. No specific reference is made to a single doctrine and no particular hints are given that would put a doctrine in a position to be considered as the one James is vaguely referring to. In reality, James assumedly attempted to attribute an ecumenical and universal property to the divinity of kingship. This is suggested not only by the mentions of Hebrews and their rights within a monarchy in parallel with the ones of Christians, but also by the rejection of the notion of the subjection of temporal power to the spiritual one, or even the notion that they were of equal importance. That last argument that alludes to Presbyterian views according to which the King is not excluded from being held accountable by the ecclesiastical body and the whole theocratic regime – an opinion adopted and expressed by the Papacy since the Gregorian Reform - and its principles are summarized in *Dictatus Papae* in 1075, which advocated that God was the sole founder of the Roman Church, followed by Pope Boniface VIII’s *Unam Sanctam* in 1302 that incorporated the image of the two swords representing spiritual and secular power, both incorporated by the pope.

Even a glimpse at James’ texts, both *The True Law* and *Basilikon Doron* make it apparent that James considered his political thought to be based on Aristotle’s. Similarities can be

²⁹⁵ James I, “Speech to Parliament” in *The Political Works of James I*, Charles H. McIlwain (ed.), (Cambridge (MA): Harvard University Press, 1918), p.307

²⁹⁶ R.W . Carlyle and A.J. Carlyle, *A History of Mediaeval Political Theory in the West*, p.437

traced throughout the texts and even looking at the citations of *Basilikon Doron* proves that James is directly or indirectly referencing Aristotle. James tried to give the impression that some of the central themes of his political theory could be also noticed in Aristotle's, mainly politics originating naturally and their main goal of focusing on the common good. One could argue that some of James' focal points, such as the constant references to a monarch being the father of the people as well as the repeated divine aspects attributed to the title, are examples of what could be called absolutism with fundamental patriarchal elements, as expressed, described and supported by Sir Robert Filmer in *Patriarcha and other political works*. However, careful examination of the texts leads to the conclusion that James was using those references as analogies and not as a direct way of attributing them to his monarchical title. Aristotle used an analogy to make things clear, highlighting the human body as a referencing point. He was of the opinion that the society is more important than any one of the individuals residing within it, and, generally, "the whole must necessarily be prior to the part", as with a hand or a foot, an individual part cannot even exist in the absence of the body representing the whole.²⁹⁷

That signified the dependence of each part on another, as pieces that create a whole, inherently share the same goals, meaning the common good and cannot survive independently. A contemporary account from the early seventeenth century titled *A murmurer*, written by Nicholas Breton gives a similar description of the interactive relationship between the various parts of the body and thus, by analogy, the various fragments of a society. He argued that "In the body of a man, if the head ake, the heart is not vvell, if the Eye be hurt, the head is distempered, the heart is diseased and all the body is the vvorse, if the finger bee hurt, the head vvill seeke to help it, the heart hath a feeling of it, the Eye vvil pittie it and the feete vvill goe for ease for it".²⁹⁸ James provides somewhat similar references, their difference being that according to him, if a part of the whole is afflicted, the rest "...must care and provide for their remedy, in case it be

²⁹⁷ Aristotle and Rackham (transl.), *Politics*, Book I, 1253a 20-26, pp.10-11

²⁹⁸ Nicholas Breton, *A murmurer*, (London: Printed by Robert Ravvorth, and are to be sold by Iohn Wright, at his shop neere Christ-Church gate, 1607), Unnumbered pages, <http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/murmurer/docview/2264179942/se-2?accountid=14533>,

curable; and if otherwise, cut them off for feare of infecting the rest: even so is it betwixt the Prince, and his people”.²⁹⁹ However, in the opposite case, he wonders rhetorically what would happen to the body “if the head, for any infirmity that can fall to it, be cut off”.³⁰⁰ It can be argued that this statement as well as James’ emphasis on the fact that authority originates in the head, meaning that only the monarch has the responsibility to make the “judgement coming from the head”,³⁰¹ are in direct conflict with the main themes of natural philosophy, which emphasized equally on the wellbeing of all the parts that comprise the whole, allocating a more interactive property to them. That political theory and application, along with the corresponding laws, serving “the benefit of all” was also a central concept in Niccolo Machiavelli’s *Discourses on Livy*, particularly the first book, in which there are numerous references to “del bene commune” (the common good), as well as the example of the people of the roman empire who had incorporated the “del bene commune della sua patria”, the common good and of the country.³⁰²

Just as Aristotle, James needed to provide detail concerning the identification of the ruling element and the subject in the whole. According to the latter the monarch’s position in the society “agrees very well with the office of the head towards the body and all members thereof.”³⁰³ Whereas, Aristotle attempted to place the argument (ruling part – subject part) in a more nature-esque context by claiming that it was decided by nature itself, such as an animal consisting of a soul and a body, the ruling and the subject part, respectively.³⁰⁴ Although at first it might seem that Aristotle is incorporating a slave-master relationship between the ruler and the subject as well, the distinction is made further on as it is stated that not all sorts of rule and political systems are the same and a “master’s authority”, that refers to slaves indeed, and “statesmanship”, the government of

²⁹⁹ James I, *The true lavv of free monarchy*, p.12,

³⁰⁰ Ibid., p.13

³⁰¹ Ibid., p.12

³⁰² Niccolo Machiavelli, *I discorsi di Nicolo Machiavelli, sopra la prima deca di Tito Livio. : Con due tauole, l’una de capitoli, & l’altra delle cose principali: & con le stesse parole di Tito Liuio a luoghi loro ridotto nella volgar lingua*, (London London, Appresso gli heredi d’Antoniello degli Antonielli J. Wolfe], 1584), Book I, pp.1-75, <http://ezphost.dur.ac.uk/login?url=https://www.proquest.com/books/i-discorsi-di-niccolo-machiavelli-sopra-la-prima/docview/2240924090/se-2?accountid=14533>,

³⁰³ James I, *The true lavv of free monarchy*, p.12

³⁰⁴ Aristotle and Rackham (transl.), *Politics*, Book I, 1254a 35-37, pp.20-21

“men free and equal”, are entirely different, outlining the properties of government and alienating the subjects from the characterization of slaves.³⁰⁵

All in all, in some sense, it can be said that James did indeed use Aristotelian analogies as the grounds for his divine right of kings doctrine, but the analogies he uses in comparison to Aristotle’s obviously differ in extent. Arguably, in the context of the divine right of kings theory they were restructured. For comparison, and as a way to demonstrate the fundamental differences in the origin of the divinity James attributed to a monarch, there is a passage in Aristotle’s politics attributing the people’s belief of the existence of a King among the Gods to the fact that they themselves are under a king (or were in ancient times), “all races speak of the gods as ruled by a king, because they themselves too are some of them actually now so ruled and in other cases used to be of old; and as men imagine the gods in human form, so also they suppose their manner of life to be like their own.”³⁰⁶ In James’ *True Law*, natural law and its importance within the political context of the time is addressed as much as it was by Persons and Buchanan but not in the way it was analyzed in *The Conference or De Jure*. Buchanan explained the difference between a human body, in which the head cannot be removed, and a political one, describing the latter “as a certain hydra having one head cut off, many heads start up in place of one” in case the current one is removed.³⁰⁷ Persons not only described the commonwealth by invoking Cicero, according to whom it is “Bellua multorum capitum” (“a beast with many heads”),³⁰⁸ but also claimed that “...a Body Civil may have diverse heads...and is not bound ever to one, as a Body Natural is”, complementing Buchanan’s theory, further adding that “the whole Body is of more Authority than the only Head, and may cure the Head if it be out of tune”, mentioning the ability to remove “an aking or sickly Head”, unlike the natural body.³⁰⁹ On the other hand, James restructures the natural law argument concerning the relationship between the head and the rest of the body, perceives the political body in the same manner as the physical one and with the same properties, and wonders what would happen to a body “if the head....be cut off”, leaving

³⁰⁵ Aristotle and Rackham (transl.), *Politics*, Book I, 1255b 16-25, pp.28-29

³⁰⁶ Ibid., Book I, 1252b 25, pp.8-9

³⁰⁷ Buchanan, *De jure regni apud Scotos*, p.54

³⁰⁸ Parsons, *A conference about the next succession to the crown of England divided into two parts*, Part II, Chapter II, p.15

³⁰⁹ Ibid., Part II, Chapter III, p.31

it “to the readers judgment” whereas he argues that a head is able to “cut off some rotten member to keep the rest of the body in integrity.”³¹⁰

In the *True Law*, the view that the existence of a monarch is of paramount importance for the commonwealth is of course not omitted. James may have been elaborate in arguing about that notion, but this was neither the first nor the only time something similar had been documented. The certainty that in case of the absence of a monarch, “all things should come into confusion and utter ruin”, along with the notion that the monarch protects the subjects from “all mischiefs and miseries”,³¹¹ once again highlights the common belief that monarchy is the pillar of the commonwealth, as also evident in the anonymous *Homily against disobedience and wylful rebellion* in 1570. Would it be unreasonable to assume that such theories influenced James’ theory and specifically the aspects of it that regard the monarch as superior to every other part of the whole, given that according to the current view, the crown is essential to the functionality of a society?

In spite of what can be assumed up to this point, the notion that James occasionally demonstrated his belief that even a King cannot act with limitless power and authority, was still present. Specifically, the Earl of Salisbury, during a speech on the 8th of March, 1610 mentioned that James “did acknowledge that he had no power to make laws of himself, or to exact any subsidies *de jure* without the consent of his three estates“,³¹² hinting at the possibility that the monarch was aware of the fact that he could not rule with absolutism. Regardless, it cannot be stated with certainty that these limitations that James abided by, did not originate in the belief that even monarchs should be restrained. He strongly believed that even the laws are dictated and edited by the monarch, after all. Instead, what he regarded as the need to abide by the existing laws was fundamentally based on the unofficial pact made between a king and the people, from which the monarch’s obligation to follow the existing laws derived from, according to James, his

³¹⁰ James I, *The true lavv of free monarchy*, p.13

³¹¹ “An Homily against Disobedience and Wylful Rebellion, (1570)”, in *Divine Right and Democracy*, David Wootton (ed.), (Harmondsworth ; New York (NY) : Penguin Books, 1986), p.95

³¹² John P. Kenyon, *The Stuart Constitution 1603-1688, Documents and commentary*, (Cambridge: Cambridge University Press, 1986), p.11

own words being that a king who “leaves off to rule according to his laws degenerates into a tyrant”, as stated during a parliamentary speech of his.³¹³

James’s treatises, both in terms of structure and content, are of paramount importance, not only due to their apparent connection with the majority with the succession tracts, but also because it sheds light into the monarch’s political theory and the origins of it. As discussed, especially the *True Law* was created during politically tense and challenging times, -at least for its writer, and it demonstrates what James believed of monarchy and the power accompanying it, as well as the limitation of monarchical authority. But the political situation of the late sixteenth century England needs to be taken into account, and judging by the course of action the monarch opted to follow until the end of the crisis, demonstrates that James was not oblivious to the fact that he had to adjust.

³¹³ James I, “Speech to Parliament”, p.309

Chapter VI

The Character of the Jacobean Claim Towards the End of the Crisis and the Notion of the Two Kings

James' actions during the succession crisis, in order to defend and support his claim against the ones of his adversaries, not only signify the importance of Persons' *Conference*, as well as the other treatises' but also highlight the complexity of English politics in the late sixteenth century and the controversies surrounding the Elizabethan succession crisis, the difficulties of which James had to overcome before watching his plan to accede to the English throne manifest. The dangers James had to face and the threat they posed to his plans were very real and measureable. Persons' text had served its purpose, stressing the already present anxieties and causing turmoil in Britain. Thus, James' reaction arguably, can be considered hasty, rash and exaggerated, extending beyond the attempts to gain public support through treatises. Not only had he reached the point of informing the parliament in 1599 of the possibility that he might have to defend his claim through force,³¹⁴ but also had developed close ties with Robert Devereux, the Earl of Essex, which explains his assumed backstage involvement in the latter's unsuccessful rebellion, known as Essex's rebellion in 1601. Cecil's participation in the negotiations for peace with Spain, discussed in detail by Pauline Croft,³¹⁵ drew the King's attention, although it cannot be taken for granted that it affected the future relationship and the former's position after James' succession. Both James and Essex suspected that the Cecil faction aimed at peace with Spain and the establishment of a successor by the foreign nation, meaning the infanta of Spain, as a term of the peace,³¹⁶ and both seemingly had to gain from limiting the Cecil influence: James' claim would be defended against the supposed foreign claimants and Essex would capitalise on the

³¹⁴ Lake, "The King (The Queen) and the Jesuit", p.248

³¹⁵ Pauline Croft, "Rex Pacificus, Robert Cecil, and the 1604 Peace with Spain" in *The Accession of James VI and I: Historical and Cultural Consequences*, Glenn Burgess (ed.), Rowland Wymmer (ed.) and Jason Lawrence (ed.), (New York (NY): Palgrave Macmilan, 2006), pp.140-154

³¹⁶ Paul E.J. Hammer, *The Polarisation of Elizabethan Politic: The Political Career of Robert Devereux, 2nd Earl of Essex, 1585-1597*, (Cambridge: Cambridge University press, 1999), pp.164-172

situation by prevailing in the court feud and maintaining his position and privileges after the transitional period. The latter fell from grace after his failure in Ireland, where he was sent with arguably the largest expeditionary force, with the objective of suppressing the revolts of Hugh O'Neill, Earl of Tyrone, but instead ended up signing a truce that was considered disgraceful and undoubtedly a blow to England, after a financially costly campaign consisting of inconclusive battles and utter failure to decisively face the Irish forces.³¹⁷

Generally, Elizabeth was negatively disposed towards Essex not only because of his incompetence in handling the Irish revolts, but also due to his overall behaviour that was considered disrespectful and it did not go unpunished. Reportedly, in an instance Elizabeth cuffed Essex during a debate within the Privy Council, prompting him to half draw his sword on her.³¹⁸ Essex was found guilty of desertion after his return from Ireland and was put under house confinement in the Essex House by Sir Richard Berkeley in 1599, according to W.R. Barker.³¹⁹ Throughout these events, Essex developed a disaffection towards the Cecils and was worried about their influence, which he blamed for the Queen's disaffection towards him. He was constantly attempting to limit the reach of the Cecil faction, a course of action that culminated and steadily manifested in Essex's rebellion in 1601. It could be argued that even the preposterous number of knighthoods offered to his subordinates had the goal of gathering support around him with the endgame of pitting him and his followers against the Cecils. The rebellion failed but James' backstage involvement and overall reaction to people and ideas that undermined and threatened his claim and potential succession, demonstrates how important it was for James to achieve his goals, often disregarding the questionable means he implemented. The rebellion itself can be viewed as the manifestation of the unrest that was slowly building up during this politically complex period, highlighting the perplexed nature of English politics during the turn of the century.

³¹⁷ James O'Neill, *The Nine Years War, 1593–1603: O'Neill, Mountjoy and the Military Revolution*, (Dublin: Four Courts Press, 2017), Chapter 4

³¹⁸ John Ernest Neale, *Queen Elizabeth I*, (Harmondsworth: Pelican Books, 1960), p.354

³¹⁹ William R. Barker, *St Mark's or The Mayor's Chapel, Bristol (Formerly called the Church of the Gaunts)*, (Bristol: W. C. Hemmons, St. Stephen Street, 1892), pp.147–148.

Tracts in support of James' claim were published until his eventual accession. The approach remained unaltered and they attempted to justify the Jacobean claim by using the same arguments but with a notable difference in comparison with earlier tracts: The interest was also shifted towards another field. Apart from discrediting earlier tracts that were against James' succession and discounting their arguments, attempts had to be made to start convincing the dubious English public to stop being entirely negatively disposed to the idea of a Scottish king, given that the two countries' relationship suffered due to the political and religious differences manifested in the sixteenth century. Additionally, due to the polarization suffered from those tensions, a number of Scots were still hostile towards England, especially due to Mary's treatment by Elizabeth, leading to her execution, which also impacted Scottish public opinion towards James due to his inability or unwillingness to intervene. John Harington was in support of James claim, partially in order to promote selfish interests and capitalise on his relationship with the Scottish king, details of which can be found in J.-C. Mayer's "Breaking the Silence on the Succession".³²⁰ Harington wrote his own tract in 1602, "*A Tract on the Succession to the Crown*" that incorporated elements of various arguments and aimed at convincing the English to potentially accept a Scottish heir by signifying the close ties of the two countries, even the "royal bloods" of which are "infalliblye and unseparately united."³²¹ Two years earlier, Thomas Wilson in his own tract, apart from supporting James' genealogical claim by once again analyzing the possibilities and the validity of opposing arguments and conclusions regarding the ancestry of other claimants, concluded that they were not dependable and trustworthy due to the fact that those claims and especially those advocated by "a Robt. Parsons, in Spayne, who hath lately made a book", were founded on vague and not credible genealogical research, "540 years ago from Constance daughter to William the Conqueror".³²² Furthermore, he argued in favor of the notion that "the King of Scots is noe alien neither that Scotland is any forraigne realme, but a part of England", adding that it would be utterly for England, the "greater and better part" to

³²⁰ Mayer, *Breaking the Silence on the Succession*, pp.223-226

³²¹ John Harington and Clements R. Markham (ed.), *A Tract on the Succession to the Crown (A.D. 1602)*, (London: J.B. Nichols and Sons), Chapter I, p.16

³²² Thomas Wilson, "The State of England, Anno Dom. 1600", *Camden Third Series*, vol. 52, (Cambridge: Cambridge University Press, 1936), p.5

“drawe Scotland to it”,³²³ attempting to also highlight the future diplomatic and administrative benefits of a potential union. Another aspect of his attempt to appease the voices that supported the distinction of the two countries was his consideration and placement of James right between the two countries as the glue for the two nations, reminding of James’ lineage and his family’s English roots, in contrast to the non-credible claim of foreigners with questionable ties.³²⁴ Interestingly, Wilson invoked the “Comon Lawe” to argue that “the Crowne is no inheritance but an incorporation that goeth by succession”,³²⁵ favouring the definition of monarchy as a political entity rather than an inheritable piece that can be passed on like a private possession. Elements of that theory are also apparent in Harington’s tract that considered James’ claim just and fair not only “by the law of God” but also (importantly) by the law “of nature, of nations, by common and civill lawe, and even by ordinary reason”,³²⁶ thus making it apparent that arguably a pattern is found according to which justification of James’ claim by descent is combined with one based on natural as well as civil law, possibly in order to counter the opposite claims that were also based on natural law more efficiently, given that James’ interpretation of natural law was unique and his justification did not constitute a direct response to opposing views. Practical benefits are also highlighted in later tracts and it is argued that factors such as the strong geographical position of the Island, easily defendable from foreign threats as well as the fact that strength in numbers is always beneficial should be taken into account.³²⁷

However, of all the arguments used by James to convince of the rightfulness and the benefits that would accompany his accession to the throne initially, and in the long term, the notion that his right was by descent and divine law is considered the most important and significant of those arguments, being held always in a prominent position by him. Despite the fact that, after his coronation, the parliament at first denied the title “King of Great Britain”, James’ supporters defended his right to change the title, even without parliamentary consent, based on the notion that the monarch “lineally descended both

³²³ Wilson, “The State of England, Anno Dom. 1600”, p.8

³²⁴ *Ibid.*, p.8

³²⁵ *Ibid.*, p.7

³²⁶ Harington and Markham (ed.), *A Tract on the Succession to the Crown (A.D. 1602)*, Chapter I, p.16

³²⁷ James I, “Speech to parliament of 19 March 1604” in *King James VI and I: Political Writings*, Cambridge Texts in the History of Political Thought, Johann P. Sommerville (ed.), (Cambridge: Cambridge University Press, 1995), p.135

from the blood of England and Scotland”, as stated in a session of the house of commons on the 18th of April, 1604.³²⁸ James himself had used the exact same phrase to declare his legitimacy once again a month earlier, during his speech on the 19th of March in order to argue in favour of the Union of the Crowns, reminding that he is “lineally descended of both”.³²⁹ Furthermore, ever since the coronation of 1603, the parliament often condemned opposing views, with Persons name being specifically mentioned on more than one occasion.³³⁰ Due to the way James and the claim he created were addressed, it can be assumed that at least during the first years of his English reign, claims against the monarch’s legitimacy were associated with Persons and the latter was regarded as the prominent advocate of such claims. This tendency complements what was previously stated and once again highlights the importance of Person’s *Conference* during the Succession Crisis. Through the years, references to James’ legitimate right of sovereignty over both countries, bestowed on him at birth, were still expressed for years to come and the explanation is that the Union with Scotland still was not unanimously supported and the strongest argument in favour of the Union was the king himself. He is described as “already inherent in his Majesty’s royal blood and person” in a session on the 21st of November, 1606.³³¹ This was finally established once and for all with the act declared by the first parliament on the first session, between 19 March, 1604 and 7 July, 1604. The statute fully named “A most joyful and just recognition of the immediate, lawful and undoubted Succession, Descent and Right of the Crown”,³³² not only pledged the loyalty of the parliament to James but also proved that, after Elizabeth’s death, the crown of

³²⁸ “House of Commons Journal Volume 1: 18 April 1604”, *Journal of the House of Commons: Volume 1, 1547-1629*, (London: H.M. Stationery Office, 1802), p. 176, <http://www.british-history.ac.uk/commons-jrnl/vol1/pp176-177>

³²⁹ James I, “Speech to parliament of 19 March 1604”, p.135

³³⁰ *Journal of the House of Commons: Volume 1, 1547-1629*, (London: H.M. Stationery Office, 1802), see the entire Volume 1 of the Journal of the House of Commons, particularly the sessions between 1604-1607 for the numerous condemnations of Person’s claim, <http://www.british-history.ac.uk/commons-jrnl/vol1>

³³¹ “House of Commons Journal Volume 1: 21 November 1606” in *Journal of the House of Commons: Volume 1, 1547-1629*, (London: H.M. Stationery Office, 1802), p. 318, <http://www.british-history.ac.uk/commons-jrnl/vol1/pp317-319>

³³² George W. Prothero (ed.), *Select Statutes and Other Constitutional Documents, Illustrative of the Reigns of Elizabeth and James I*, edited by G.W. Prothero, (Oxford: Clarendon Press, 1894), I Jac. I. Cap. I, pp. 250-251

England was passed to James“ by inherent birthright and lawful and undoubted succession”.³³³

At the same time, the pattern highlighted in the early seventeenth century tracts made the justification of his claim more convoluted and taking all the aforementioned tracts in support of James’ succession claim into account, it is still unclear whether they considered his monarchical claim and right an elective one or a hereditary one. Subsequently, whether James considered himself an elective or hereditary monarch could be in question. By taking his texts into account as well as other of his statements on the matter, however, one can conclude, yet not entirely conclusively, that he leaned towards the latter. A prominent example is found in one of James’ speeches to the Parliament on 19 of March 1604. By then, the Jacobean succession was not controversial anymore and there was no serious argument against James crowned as the King of England, but the proposed Union of the crowns sparked a debate. That particular parliament was held to discuss the details of a potential union, such as the name of the newly established kingdom, the laws that would dictate its administration and issues related to the way the kingdom would function in general. James referred to his kingship as a right “god hath so long ever since my Birth bestowed”,³³⁴ thus appearing as a hereditary monarch, followed by him reminding of his descent from Henry VIII, and advocating the “Union of two ancient and famous Kingdomes, which is the other inward Peace annexed to my Person”.³³⁵ Furthermore, two days after Elizabeth’s passing, Sir Henry Cotton was tasked with writing his discourse which, after a presentation of the King’s genealogy,³³⁶ certifies that James was the rightful ruler of England by descent, and therefore a hereditary monarch.

After the Essex Rebellion in 1601, Robert Cecil developed a secret correspondence with James in order to realize the latter’s accession to the throne. Concerning the generalized view of the situation, Cecil pointed out the current issue that “those that otherwise haue

³³³ Prothero (ed.), *Select Statutes and Other Constitutional Documents*, pp. 315-316

³³⁴ James I, “Speech to parliament of 19 March 1604”, p.134

³³⁵ *Ibid.*, pp.134-135

³³⁶ “Discourse by Sir Robert Cotton of the descent of King James I from the Saxon Kings” in SP 14 1/3, (The National Archives n.d.)

noe affection, but rather secret indisposition, to you and your nation priyately conclude that you are written her successour *in corde*, though not in *ore aperto*”,³³⁷ still appearing to be confident and reassuring, however, that when the time comes and Elizabeth passes away, James’ “Shippe shalbe steered into the right harbor, without crosse of wave or tyde that shalbe able to turne over a cockboate”³³⁸ which was indeed what eventually happened. James accession and the entire transition was conducted in a smooth way. It remains uncertain whether this occurred due to the effectiveness of the succession tracts in shaping the English opinion, the support of people in high place such as of Robert Cecil, other reasons or a combination of all of the above. But as sources suggest, the English welcomed the prospect of James reigning. At least that is what was advocated to the King. In a letter sent to James on the 17 of March 1603, shortly before succeeding Elizabeth, Henry Percy, Earl of Northumberland informed the king that “Men talks freely” of his “Maiesties right” adding that “euery man that hath offered themselves” to him are “wholly devoted” to James’ right,³³⁹ which can be taken as a sign that the King’s claim and its properties were finally not in further question, not openly at least, and mostly regarding the part of the claim that had to do with James descent and the possibility of a Scot reigning over England. It is also mentioned that “the affections of many are discovered to be wholly devoted” and that “though somme are silent and say nothing” there are no voices of disagreement and “none contradict” James’ claim and accession.³⁴⁰ It has to be noted that within the same letter, the Earl of Northumberland also provides information concerning the fear shared and voiced by some, in case of James’ accession. One of them is named, Sir Edward Bemanne [Baynham], part of the “Damned Crew” (or “Cursed Crew”), a rather well-known disaffected Catholic, loyal to Essex whom he followed during the expedition in Ireland, to whom his knighthood was owed and who naturally participated in the Essex Rebellion. Percy warns King of Bemanne’s “protesting that he wold loose his lyfe” in the event of James’ succession

³³⁷ James I, Robert Cecil and John Bruce (ed.), *Correspondence of King James VI. of Scotland with Sir Robert Cecil and others in England, during the reign of Queen Elizabeth; with an appendix containing papers illustrative of transactions between King James and Robert Earl of Essex. Principally pub. for the first time from manuscripts of the Most Hon. the Marquis of Salisbury, K.G., preserved at Hatfield, edited by John Bruce, Esq. F.S.A.*, (London: Camden Society, 1861), p.23

³³⁸ *Ibid.*, p. 23

³³⁹ *Ibid.*, pp. 72-73

³⁴⁰ *Ibid.*, pp. 72-73

“and so wold 40000 Catholikes more”, but clarification is provided that those “are Catholiklye affected” as well as that some of them are “puritane papists that thrist after a spanish tytyle”.³⁴¹ In other words, justification is provided for whatever voices of opposition might be heard during the transitional period: The voices of disagreement belong solely to people who were in fear of losing their possessions, freedom or life due to the fact that they were already associated with either antiauthoritarianism by engaging in destabilizing actions or with foreign usurpers. However, the Earl clearly neither implies that every person openly in support of or suspected of popery or Catholicism should be branded an enemy of the crown, nor advises James to take action against them. After all, he mentions that he himself is acquainted with papists, some of them in his own family yet that “serve as watches how others are affected” and were in favour of James’ accession, wishing him “the fruition of” his “right”, requesting the king to “procure them tolerations”.³⁴² This letter, its content and its intention are hinting at precaution. James’ policy, evident from his reign in Scotland so far as well as some of his intentions that were apparent by then did not foreshadow such negative disposition towards Catholics. The fears of Catholics described in the letter are most likely exaggerated and by reading the concerns expressed by those who seemed suspicious of James, and regarded themselves as endangered due to his policies one is wrongfully lead to believe that Catholics would suffer under the Scottish king.

The transition was carried out without any official problems, as well, according to the calendar of state papers. An account of Queen Elizabeth certifying her preference and ordering that James must succeed her and sit on the Council immediately upon her decease on March 24, confirms that James would become the King of England.³⁴³ In the following days, the Lord Mayor of London and the Privy Council declared “the hereditary right of King James to the Crowns of England, France, and Ireland” (March 24),³⁴⁴ Sir Robert Cecil as the Secretary of State pledged himself to King James claiming

³⁴¹ James I, Cecil and Bruce (ed.), *Correspondence of King James VI. of Scotland with Sir Robert Cecil and others in England, during the reign of Queen Elizabeth*, pp. 73-74

³⁴² *Ibid.*, p.74

³⁴³ “James I: Volume 1, March-May, 1603” in *Calendar of State Papers Domestic: James I, 1603-1610*, Mary A. Everett-Greene (ed.), (London: H.M. Stationery Office, 1857), p. 1, <http://www.british-history.ac.uk/cal-state-papers/domestic/jas1/1603-10/pp1-13>

³⁴⁴ *Ibid.*, entry 1, p. 1

that “his sincere and undivided service to” James’ “present mistress (England) will be an argument of future fidelity” (March 25)³⁴⁵ and, after being commissioned with the task, Sir Robert Cotton drafted a “discourse of the descent of James I from the Scottish Kings” (March 26),³⁴⁶ finally expressing the official English disposition to James’ claim³⁴⁷ and putting the controversy to rest once and for all, as far as the officials were concerned at least. Shortly after he was proclaimed King on Elizabeth’s death on the 24th, James with the council of Cecil was able to start working towards fulfilling the goal of the Union and the creation of an Empire. And finally, the situation was favourable after the coronation and the debate regarding the legitimacy of the succession started to gradually disappear. There was no serious opposition by then and only the pro-catholic part of the population seemed to be against James’ claim, and still mostly out of fear of transgressions against them by their protestant ruler. As far as the English officials were concerned, the dispute regarding the king’s descent was put to rest after the coronation.

Ironically, despite the fact that the Elizabethan succession crisis brought turmoil to the British Isles, its resolution was conducted in the ideal way and was not accompanied by serious consequences, or at least not as serious as one would expect. Despite the existence of a number of differences between the two countries, England and Scotland, the two monarchies, and the two monarchs, James and Elizabeth, James succession was not met with serious opposition. Even the issues that could potentially rise when James succeeded Elizabeth, such as the possibility of a Catholic uprising or the fear of a civil war, were not enough for James’s future to be threatened. The Jacobean succession by 1603 was “*fait accompli*”, as Conrad Russell describes it³⁴⁸ and the foundations for the imminent Union of the Crowns were solid.

The two prominent tracts that allegedly provoked the writing of James’ *True law* are of considerable importance, historically speaking. While Buchanan’s *De Jure* constituted a theoretical and philosophical approach to the matter during a period when theories of

³⁴⁵ “James I: Volume 1, March-May, 1603”, entry 2, p. 1

³⁴⁶ *Ibid.*, entry 3, p. 1

³⁴⁷ *Ibid.*, p. 1

³⁴⁸ Conrad Russell, “1603: End of English National Sovereignty” in *The Accession of James VI and I: Historical and Cultural Consequences*, Glenn Burgess (ed.), Rowland Wymer (ed.) and Jason Lawrence (ed.), (New York (NY): Palgrave Macmillan, 2006), p.4

resistance and revolution as well as the people who adopted them and tried expressing them were more docile, in the British Isles at least, Persons' conference was a step further, actively intervening in English politics and forcing James to engage in the generalized conflict concerning the nature of monarchy and the authority accompanying it - a debate that was raging across the continent. James' attempts to discredit and discount opposing allegations, and to protect his claim from such "radical" notions ultimately rendered the political theory of the divine right of kings, expressed by his treatises, absolutist in a sense, given that what he advocated was and should be in conflict with what his opposition did. It cannot be assumed with certainty that James's proposed, suggested and subsequently implemented absolutism had its roots solely in the political theories he met, making it seem like nothing more than a reasonable reaction to threats, a necessary evil, crucial in defending the King's claim and what were perceived as his rights.

However, there are some inconsistencies present, and, in fact, James' policies and actions before the escalation of the crisis in the second half of the 1590s, and the publication of the treatises, were not entirely consistent with Divine Right absolutism. Therefore, this can lead to the assumption that the existence and spread of Resistance theories as time progressed until the peak at the turn of the century, or even the progress of political thought in general and the rather radical ideas that were in development during the early modern period, rendered James' political theory more extreme and uncompromising, forcing it to reach the opposite end. Thus, it can be argued that, what was coined as The Divine Right Absolutism of the Stuarts – also taking the policies of James' successors into account, can be viewed partially as a by-product of the political situation of the time. Nevertheless, it can be stated with no doubt that traces of the theory developed and supported by James' texts can be found in various aspects of his reign, policies and actions, thus hinting that it was more than just an act of polemic rhetoric. After all, it has been argued that a sense of absolutism that manifested by James' publications near the turn of the century, followed the monarch for the rest of his life, a conclusion J. P. Sommerville has reached after providing an analysis and review of

James' political progress throughout his reign.³⁴⁹ Through that notion, it is implied that James exhibited an entirely different personality in the seventeenth century and there is evidence suggesting that, as well as the whole perception that James VI and James I could be described as two different kings, using Jenny Wormald's words.³⁵⁰ Evidently, accounts and evidence extracted from his reign in Scotland describe a different kind of monarch, in a way. Not only in the way he dealt with politics within Scotland or his diplomatic actions regarding foreign policy, but also his whole personality, demonstrate a person of entirely different disposition and mind set. For example, Sir Henry Wotton seemed to be impressed by what he witnessed in Scotland during his visit in 1601-1602. He remarked that James was a king that interacts with the nobility and the court in a way that has built a productive relationship between those parties, a King that enjoys the love of his subjects and frequently requests counsel that he takes into account,³⁵¹ a report that clearly does not hint at absolutism at all.

James' transformation could also be attributed to the realities he had to face after 1603. He had to deal with the disdain towards him, originating both in England and Scotland. The relationship of the two countries was far from perfect and after succeeding Elizabeth, James was the epicentre of the problem. The English had to accustom themselves to the idea of being ruled by, or rather forced to be ruled by, a foreign King that represented Scotland, to which the English public opinion was far from favourable. Interestingly, accounts, both in favour or against James, are seemingly always hostile towards the Scots, such as the account of Anthony Weldon. After accompanying James in Scotland, he provided a detailed – yet propagandistic description of Scotland and its natives³⁵² that can be described as hostile, but in reality, it was the sum of common views present in England regarding the Scots. Additionally, Weldon shifted the focus of his criticism towards the King after his first tract was discovered, which cost him his position due to

³⁴⁹ Johann P. Sommerville, "James and the Divine Right of Kings: English Politics and Continental Theory" in *The Mental World of the Jacobean Court*, Linda L. Peck (ed.), (Cambridge: Cambridge University Press, 1991), pp. 55-70

³⁵⁰ Wormald, "James VI and I: Two Kings or One?", p.187

³⁵¹ Henry Wotton and Logan. P. Smith (ed.) *The Life and Letters of Sir Henry Wotton Vol. 1*, (Oxford: Clarendon Press, 1907), pp. 314-315

³⁵² Anthony Weldon, *A perfect description of the people and countrey of Scotland; erroneously attributed to James Howell*, (London: Printed for Rich. Lownds, 1659)

James' anger at the depiction of Scotland and its people. James' actions resulted in Weldon delivering "The Court and Character of King James", an account of James that was regarded as highly damaging to the monarch's reputation, and which could not be averted, despite the monarch's efforts. Even though it was vastly different from other contemporary descriptions of James,³⁵³ it has arguably heavily influenced historians' and researchers' opinions of James in the following centuries, given that it provides descriptions of the monarch's physical and mental attributes that have been recycled and reused to describe the king ever since. Meanwhile, James' popularity in Scotland also suffered. Despite the fact that regarding Scotland, James was an absent king, he was still beloved and supported by the Scots, but it gradually became apparent that the affection of the people would not be present in perpetuity, and the king who was at first considered an "honest plain Scotsman", a "gud king" that "this people will spoil",³⁵⁴ was later regarded as one indifferent to Scottish affairs, that only cared about the English throne; an opinion that seemed to be backed by the fact that James returned to Scotland only once after 1603. After all, while addressing the English Parliament in 1607, the monarch boasted that he governs Scotland by "Pen", which "others could not doe by the sword",³⁵⁵ perhaps implying that according to him, bureaucracy is sufficient to remotely rule his homeland. Therefore, taking this into account, it can be assumed that James absolutist tendencies and actions were also a by-product of his subjects' disposition both in England and Scotland, and that he believed that in order to safeguard his authority, this course of action should be followed. Another justification for James' different policies can be found in a comparison of the political, diplomatic and structural differences between the two countries, ruling in Scotland being regarded as something simpler and easier, with the stakes not being set high. As Wormald suggests, after thoroughly describing the situation James was introduced to in England, "royal control" was "absolutely necessary".³⁵⁶ Conclusively, it is safe to assume that James' Divine Right of Kings theory was the result of the combination of various elements. One could argue about the

³⁵³ Wormald, "James VI and I: Two Kings or One?", p.187

³⁵⁴ Arthur Wilson, *The History of Great Britain, being the Life and Reign of King James the First, relating to what passed from his first access to the crown, till his death*, (London: Printed for Richard Lownds, 1653), p.3

³⁵⁵ Neil Rhodes (ed.), Jennifer Richards (ed.) and Joseph Marshall (ed.), *King James VI and I: selected writings*, (Aldershot: Ashgate 2003), p.319

³⁵⁶ Wormald, "James VI and I: Two Kings or One?", p.193-195

opposite, but there is simply not enough evidence to suggest that the monarch was overwhelmed by delusions of divinity, and that a notion developed on a personal level was the only explanation for his political theory, along with his subsequent policies. In fact, James was neither the first nor the last monarch, not only in Britain, but also around Europe, to support Divine Right Kingship. James' personal beliefs are not to be disregarded, of course, but his political theory is much more than that.

Epilogue

The Contradictory Nature of King James

In conclusion, James' Divine Right of Kings has been studied in combination with the complicated political structure of the sixteenth century British Isles. Before studying the doctrine itself, it was necessary to provide not only a background for the association of monarchy and divinity and monarchy in general, but also the political context, especially about the position of temporal power within the society. It is safe to assume that James's theory of monarchy was entirely justified and can be described as a means to an end. James was not a vain madman who wanted to solidify his authority for no practical reason. Still, research into the subject could benefit from further study of the post-1603 period, which was not the focal point of the current research. After all, such a complicated issue cannot be approached only by a specific angle, and future studies can solidify, enrich, or even alter the conclusions. Furthermore, it would be interesting to enrich the study of this issue by focusing on the reign of Charles, and determine whether the Divine Right of the Stuarts eventually was one of the causes of the English Civil War. It can be argued that the divine right kingship of the Stuarts was one of the reasons behind the English Civil War. James' advice to his son in *Basilikon Doron*, to "follow" his father's "footestepes" while focusing on his "owne present education therein",³⁵⁷ became a reality, and Charles, rather than Henry for whom the treatise was originally written, is regarded as the true successor of James in every sense, given that his policies complemented the ones of his father. The current treatise also bears testament to his theory of monarchy to which once again is given a divine affiliation, evident in certain passages such as the one containing the notion that "...this glittering worldlie glorie of Kings is given to them by God"³⁵⁸ who also "...made you a little God...".³⁵⁹ Charles's political theory eventually resembled his father's and it has been suggested that the divine right absolutism of the Stuarts led to the civil war, but it is another matter entirely. After all, such an event is rarely the result of a single cause. The British Isles were still

³⁵⁷ James I, *Basilikon dōron*, p.5

³⁵⁸ *Ibid.*, p.3

³⁵⁹ *Ibid.*, p.2

not on solid ground, in terms of politics. The political issues that the Stuarts practically inherited stayed unresolved for decades, and further polarization could not be avoided. A prominent opinion shared by many is perfectly demonstrated in Shakespeare's first tetralogy (three *Henry VI* plays and *Richard III*), that directly references the decadence and decay of the political system of the Elizabethan England and the unavoidable collapse to a civil war due to the incompetence of the ruling class and the weakness of the monarch.³⁶⁰ Such an argument points out the severity of the situation, proving that a large portion of the population that shared this view was far from optimistic.

While in *Basilikon Doron*, James describes the suggested behaviour of an ideal monarch, in the form of advice to his son, one can easily notice that what is present in the treatise and illustrated as proper behaviour and decision making process is inconsistent with the course of action James opted to follow as a whole, in various instances of his reign. Historiography and its severe criticism of James, not only as a monarch but also as a person, never fail to address his persistence in his beliefs to the point of obsession. Subjectively or objectively, depending on the writer, criticism of what the monarch deemed right to do or not, has always been in the spotlight. His vanity and pride that arguably rendered him oblivious to his mistakes, for which he never really showed regret, is also rarely omitted. These are usually attributed to his worldview, his "corruption" caused by power, the lust for more, or a combination the above. But instead of taking sides one could and should wonder. What if his vanity, his pride and his unwillingness to admit that he was wrong, were just the result of what he considered to be a failure? The failure of a person who spent his life studying and learning about the words and deeds of better men and better monarchs, to live up to his own expectations set in accordance with those examples? And that is an interesting question raised by the vastly different view of the ideal monarch presented in *Basilikon Doron*: an entirely different kind of person, compared to his own image. What if James, even though he never openly admitted it, was haunted by the fact that he never managed to become the person not only others, but most importantly he himself, aspired to be?

³⁶⁰ Andrew Hadfield, "The Political Significance of the First Tetralogy" in *The Monarchical Republic of Early Modern England (St. Andrews Studies in Reformation History)*, (Ashgate Publishing Limited, 2007), pp.149-150

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