THE DIVINE RIGHT OF KINGS

Affected in General: Ours in Particular; both by the Laws of God, and this Land.

By W. P. Esq;

1 Pet. II. XVII.

Fear God, Honour the King.

Kings are "jure Divino," by Divine Right to be obeyed, and not by violent force of Subjects to be resisted, although they act wickedly.

Prov. 8. 15. By me Kings reign, Dan. 2. 21. He removeth Kings and setteth up Kings. Prov. 16. 10. A Divine sentence is in the lips of the King.

Prov. 21. 1. The King's Heart is in the hand of the Lord. Job 34. 13. It is fit to say to a King thou art wicked, and to Princes, ye are ungodly. Prov. 24. 21. Fear thou the Lord and the King, and meddle not with them that are given to change. Ecclef. 8. 2. I Counsel thee to keep the King's Commandement, Exod. 22. 28. Thou shalt not speak evil of thy Prince, nor detract the Magistrate. 2 Pet. 3. 17. Fear God, Honour the King. Ecclef. 10. 20. Curse not the King, no not in thy thought. 1 Sam. 24. 6. The Lord forbids that I should do this thing unto my Master, the Lord's Anointed, to stretch forth my hand against him, seeing he is the Lord's Anointed. It is God that hath placed
placed Kings in their Thrones for ever, their Commission is Sealed by the Hand of God, though it run during his good Will and Pleasure. The wife Heathen could say, That the Power of good Kings is by the special Ordinance of God, or evidences by his Permission. The first are Badges and Pledges of his Mercy, the second of His Fury. A Father hath a Divine Power to Rule his Son, a Master his Servant, else the Scripture had never made Divine Injunctions, investing them with Rights of Absolute Power over them, and yet the Scripture also signifies that notwithstanding those Rights are Divine, there are Obligations also upon the Father and Master, to the Son and Servant, such a Paternal, Absolute, Divine Right it is that the Kings of England have claimed and exercised over their Subjects, as that in all times (Les Currit) the Laws have generally run in course for the preservation of all the Rights and Liberties of the People, as well as those of the Crown.

From which Premisses none, unleas those who deny the Scripture, can deny those Consequences, That the para regalia of Kings are holden in Heaven, and cannot for any cause eliminate to their Subjects: that active obedience is to be yielded to the King as Supream, in omnibus licitis, in all things lawful. But if God for the Punishment of a Nation, should let up a Tyrannical King, Secundum voluntatem pravam seu rationem reclamar regem, Governing by his depraved Will against Reason, and commanding things contrary to the Word of God, we must not by force of Arms Rebel against him; but rather to (if not prevailing by Petition unto him, or escaping by flight from him) patiently subject to the laws of our Lives and Estates, and in that case, arma nostra sunt preces nostra, nec Pollymus, nec decemus alter resistere, our Prayers and Tears should fight, and not our Swords: for who can lift up his Hand against the Lord's anointed, and be guiltles? this in Scripture we find practiced by God's People to Pharaoh, Exod. 5. 1. and the same People to Nebuchad-neszer, a Tyrant, were commanded to perform Obedience, and to Pray for him, though there was no wickedness at all which he was not guilty of. His Successor Darius, Daniel obeyed, and said, 0 King live for ever, Daniel 6. 21. for now no private person hath with Ebed, Judges 3. 31. extraordinary Commandment from God to kill Princes, nor no personal Warrant from God, as all such persons had, who attempted any thing against the Life even of Tyrants, Nil sine prudenti ficta ratione velitmus.

2. The King hath His Title to the Crown, and to His Kingly Office and Power, not by way of Trust from the People, but by inherent Birthright, immediately from God, Nature, and the Law, 1. Reg. Jac. 1. lib. 7. 12. Calvin's Cate.

3. Rex Anglie est persona mixta, cum sacerdote, say our Lawyers, He is a Priest as well as a King, he is anointed with Oiy, as the Priests were at first, and afterward the Kings at last, to intimate that his Person is Sacred and Spiritual, and therefore at the Coronation, hath put upon him a Sacerdotal Garment, called the Dalmatic, or Cebibum, and other Priestly Vests: and also before the Reformation of England, when the Cup in the Sacrament was denied to the Lay, the King, as a Spiritual Person, received in both kinds. By these and the Scripture Proof, it is clear to any unprejudiced person, That they have their Power from God; and are Accountable to none but him for the good or bad use they make of it.


5. The King's Prerogative and the Subjects Liberty are determined, and bounded by the Law, Bredon, fol. 134. Plouden, fol. 236, 237.
6. By Law no Subjects can call their King in question, to answer for his Actions, be they good or bad. *Bracton*, fol. 5, 6. If any one hath cause of Action against the King (because there is no Writ runneth against him) his only Remedy is by Supplication and Petition to the King, that he would vouchsafe to Correct and Amend that which he hath done, which if he refuse to do, only God is to Revenge and Punish him, which is punishment enough, no man ought to presume to dispute the King's Actions, much less to Rebel against him.

7. The King hath no Superior but the Almighty God; all His People are inferior to him; he inferior to none but God. Which thing made *Daniel* cry out, Against thee only have I sinned: which shows that he was not afraid to be call'd to an Account by the People, (as our new Presbyterian States men pretend) he was not to give a reason of all his Actions to them.

8. The King is *caput reipublicae*, the Head of the Common-wealth immediately under God, *Finch* 81.

And therefore carrying God's stamp and mark among men, and being, as one may say, a God upon Earth, as God is a King in Heaven, in a similitude most given him. (*Bracton*, fol. 5. *Cum sit dei vicarius, exidenter appetat ad summationem Jesu Christi, cuius vicis geret in terris*) that is to say——

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1. Divine Perfection in the King; no imperfect thing can be thought, no folly, negligence, infamy, frail or corruption of blood can be adjudged in him; *Soc. nullum tempus operatur regi*.

2. Infiniteness; the King in a manner is every where, and present in all Courts, and therefore it is that he cannot be non-suited, and that all Acts of Parliament that concern the King are general; and the Court must take notice without pleading them, for he is in all, and all have their part in him. *Fitz*, *Urb*. 21. *H. 8. Br. tit. non-suitt. 68*.

3. Majesty; the King, cannot take nor part from any thing, but by matter of Record, and that in respect of his Majesty, unless Chattel, or the like, because, *de minimis non curat lex*, 5 *Ed. 4. 7. 4 Ed. 6*. 31. 2 *H. 4. 7*.

4. Sovereignty and Power; all the Land of the King, no Action lyeth against him, for who can command the King? he may compel his Subjects to go out of the Realm to War, hath absolute Power over all; for by a clause of *non obstante*, he may dispense with a Statute, though the Statute lay, such dispensation shall be meerly void. 7 *E. 4. 17. 21. Calvin's Cale*.

*Bracton*, *Rex habet potestatem jurisdictionum super omnes qui in regno suo sunt, Eque sunt jurisdictionis, & pacis ad nullum pertinent nisi ad regiam dignitatem*: *habet etiam coercionem, ut delinquentes puniat & coercet;* And therefore ought to have the Militia.

5. Perpetuity; The King hath a perpetual Succession, and never dieth, for in Law it is called the *demise of the King*, and there is no *inter-regnum*. A gift to the King goeth to his Successors, though not named, for he is a Corporation of himself, and hath two capacities, (to wit) a Natural Body, in which he may inherit to any of his Ancestors, or purchase Lands to him, and the Heirs of his Body, which he shall retain, although he be afterwards removed from his Royal Estate; and Body Politick, in which he may purchase to him and his Heirs, Kings...
8. Justice; The King can do no wrong, therefore cannot be a Deceiver, he is all Justice, vertus & justitia, faith Iustrum, circa solnum ejus, they are the two Supporters that do hold up his Crown; he is medicus regni, pater patriae, sponsus Dei, per annum, is deposited to his Realm at his Coronation, he is God's Lieutenant, and is not able to do any unjust thing. 4 E. 4. 25. Potentia Iuris est imperatoria naturae. His Ministers may offend, and therefore to be punished if the Laws are violated, but not he.

7. Truth; The King shall never be stopped, Judgment final in a Writ of right shall not conclude him. 18 E. 3. 38. 20 E. 3. Fitz. Drett. 15.

6. Omniscience; When the King licenceth expressly to aliquatan Abbot, &c. which is mortmain, he needs not make any nostri parte of the Statutes of mortmain, for it is apparent to be of the Law, and therefore shall not be intended misconpunctum of the Law, for presuntur rex habere cominia in serto pelloris sui. 2 Inst. 99, and therefore ought to have a Negative Voice in Parliament, for he is the Fountain of Justice from whence the Law floweth. For no King can be named in any time made in this Kingdom by the People, a Parliament never made Kings, for they were Kings before, and Parliaments themselves are Summoned by the King's Writ.

High Treason can be committed against none, but the King's Sacred Person, neither is anything High Treason, but what is declared so to be by the Statute. 25 Ed. 3. c. 21. to levy War against the King, to compass or imagin his Death, or the Death of his Queen, or of his Eldest Son, to Counterfeit his Money, or his Great Seal, to Imprison the King until he agree to certain Demands, to Levy War, to alter Religion, or the Law, to remove Counsellors by Arms, or the King from his Counsellors, be they evil or good, by Arms to seize the King's Forts, Ports, Magazine of War, to Depose the King, or to adhere to any State within or without the Kingdom, but the King's Majesty, is High Treason, for which the Offenders have Judgment,

First. To be drawn to the Gallows.
Secondly. There to be hanged by the Neck, and cut down alive.
Thirdly. His Inrails to be taken out of his Belly, and he being alive to be burnt before him.
Fourthly. That his Head should be cut off.
Fifthly. That his Body should be cut in four parts.
Sixthly. That his Head and his Quarters should be put where the King our Sovereign Lord pleaseth.