

1 **Theodore Beza**, *Concerning the Rights of Rulers Over Their Subjects and the*
2 *Duty Of Subjects Towards Their Rulers* (1560s).
3
4 "Q. 6: The Orders or Estates, established to curb the supreme
5 magistrates, can and should in every way offer resistance to them when
6 they degenerate into tyrants"
7
8 It still remains for us to speak of the third class of subjects who though
9 they truly in one particular respect are subject to obedience to the
10 supreme rulers, yet in another, especially in straightened and extreme
11 circumstances, have been appointed as the defenders and champions of
12 the rights of the supreme power as such, so that they must keep the
13 supreme rulers to their duty and must if needs be constrain and punish
14 them.
15
16 Here however we must keep in mind the remarks made above, namely
17 that the people existed before there was any magistrate and that the
18 magistrates were made for the sake of the people and not vice versa, the
19 people for the sake of the magistrates. For however much some people
20 seem to derive their origin from their kings - as the Roman people is said
21 to have been created by Romulus, because there had not been an original
22 people before but a multitude scraped together from a variety of nations
23 and peoples - yet this can in no way be applied to others so that a general
24 rule may be established from it. Furthermore, even Romulus did not hold
25 sway over this congress of people except by their consent. Hence it
26 follows that the authority of all magistrates, however supreme and
27 powerful they are, is dependent upon the public authority of those who
28 have raised them to this degree of dignity, and not contrariwise. And let
29 no one use the objection that such was indeed the first beginning of
30 magistracies but that subsequently the people completely subjected
31 themselves to the power and arbitrary will of those whom they had
32 received as their supreme magistrates and that they gave up their liberty
33 to them wholly and without any reserve whatever. In the first place I
34 deny that there is any certain proof of this complete renunciation; nay on
35 the contrary I maintain that as long as right and justice have prevailed no
36 nation has either elected or approved kings without laying down specific
37 conditions.

38 * * *
39 It will therefore be the part of a pious ruler who wishes to entice his
40 people away from idolatry and false superstitions to the true religion, to
41 see to it in the first instance that they are instructed in piety by means of
42 true and reliable argument, just as on the other hand it is in the part of
43 the subjects to give their assent to truth and reason and readily to submit.
44 Finally the ruler will be fully occupied in rendering the true religion
45 secure by means of good and noble decrees against those who assail and
46 resist it out of pure obstinacy, as we have seen done in our times in
47 England, Denmark, Sweden, Scotland, and the greater part of Germany
48 and Switzerland against the Papists, the Anabaptists and other heretics. If
49 the other nations preferred following their example rather than trusting
50 and obeying that bloodstained whore of Rome, could greater tranquility
51 indeed be seen in the whole world in the sphere of religion as well as of
52 politics?
53
54 What therefore will subjects have to do if on the other hand they are
55 compelled by their ruler to worship idols? Assuredly reason does not
56 permit them to force their ruler to a complete change in their condition;
57 nay rather, they will consider it needful patiently to bear with him even to
58 persecution, while they worship God purely in the meantime, or
59 altogether to go into exile and seek new abodes. But if the free exercise
60 of the true religion has once been granted by means of decrees lawfully
61 passed and settled and confirmed by public authority, then I declare that
62 the ruler is so much the more bound to have them observed as a matter
63 of religion is of greater moment compared with all others, so much so
64 that he has no right to repeal them upon his own arbitrary decision, and
65 without having heard the case, but only with the intervention of that
66 same authority by which they were in the first instance enacted. If he acts
67 otherwise I declare that he is practicing manifest tyranny; and with due
68 allowance for the observations made above, (his subjects) will be all the
69 more free to oppose him as we are bound to set greater store and value
70 by the salvation of our souls and the freedom of our conscience than by
71 any other matters however desirable. It should therefore now be no
72 cause of surprise to anyone that our Lord Jesus Christ, the Prophets and
73 the Apostles, too, or the other martyrs, since they were men in private
74 station, confined themselves within the limits of their calling.
75

Jean Bodin, *Six Books of the Commonwealth* (1576)
Book I, Chapter 8 "Concerning Sovereignty"

SOVEREIGNTY is that absolute and perpetual power vested in a
commonwealth which in Latin is termed *majestas* ...

I have described it as perpetual because one can give absolute power
to a person or group of persons for a period of time, but that time
expired they become subjects once more. Therefore even while they
enjoy power, they cannot properly be regarded as sovereign rulers, but
only as the lieutenants and agents of the sovereign ruler, till the moment
comes when it pleases the prince or the people to revoke the gift. The
true sovereign remains always seized of his power. Just as a feudal lord
who grants lands to another retains his eminent domain over them, so
the ruler who delegates authority to judge and command, whether it be
for a short period, or during pleasure, remains seized of those rights of
jurisdiction actually exercised by another in the form of a revocable
grant, or precarious tenancy. For this reason the law requires the
governor of a province, or the prince's lieutenant, to make a formal
surrender of the authority committed to him, at the expiration of his
term of office. In this respect there is no difference between the highest
officer of state and his humblest subordinate. If it were otherwise, and
the absolute authority delegated by the prince to a lieutenant was
regarded as itself sovereign power, the latter could use it against his
prince who would thereby forfeit his eminence, and the subject could
command his lord, the servant his master. This is a manifest absurdity,
considering that the sovereign is always excepted personally, as a matter
of right, in all delegations of authority, however extensive. However
much he gives there always remains a reserve of right in his own person,
whereby he may command, or intervene by way of prevention,
confirmation, evocation, or any other way he thinks fit, in all matters
delegated to a subject, whether in virtue of an office or a commission.
Any authority exercised in virtue of an office or a commission can be
revoked, or made tenable for as long or short a period as the sovereign
wills. ...

...it is the distinguishing mark of the sovereign that he cannot in any
way be subject to the commands of another, for it is he who makes law
for the subject, abrogates law already made, and amends obsolete law.

No one who is subject either to the law or to some other person can do
this. That is why it is laid down in the civil law that the prince is above
the law, for the word law in Latin implies the command of him who is
invested with sovereign power. Therefore we find in all statutes the
phrase 'notwithstanding all edicts and ordinances to the contrary that we
have infringed, or do infringe by these present'.

The constitutional laws of the realm, especially those that concern the
king's estate being, like the Salic Law, annexed and united to the Crown,
cannot be infringed by the prince. Should he do so, his successor can
always annul any act prejudicial to the traditional form of the monarchy,
since on this is founded and sustained his very claim to sovereign
majesty. ...

Since then the prince has no power to exceed the laws of nature
which God Himself, whose image he is, has decreed, he cannot take his
subjects' property without just and reasonable cause, that is to say by
purchase, exchange, legitimate confiscation, or to secure peace with the
enemy when it cannot be otherwise achieved. ...

Book II, chs. 4, 5 "Concerning Tyrannical Monarchy"

But the real problem we have to consider is whether the legitimate
ruler who has succeeded to power by election, hereditary right, just
conquest, or divine commission, and then abandons himself to cruel
exactions and every sort of wicked oppression can be killed, for this is
the sort of man one generally means when one uses the word 'tyrant'.
Many of the jurists and theologians who have considered the question
have concluded that it is justifiable to kill the tyrant and without
distinction. Indeed some have used the mutually exclusive terms
'tyrant-king'. This doctrine has been the ruin of many great and
nourishing monarchies. ...

But if the prince is an absolute sovereign, as are the true kings of
France, Spain, England, Scotland, Ethiopia, Turkey, Persia, and Muscovy,
whose authority is unquestionably their own, and not shared with any of
their subjects, then it is in no circumstances permissible either by any of
their subjects in particular, or all in general, to attempt anything against
the life and honor of their king, either by process of law or force of arms,
even though he has committed all the evil, impious, and cruel deeds

1 imaginable. No process of law is possible, for the subject has no
2 jurisdiction over his prince, for all power and authority to command
3 derives from him, he can revoke the commissions of all magistrates
4 whatsoever, and his mere presence suspends the powers of all
5 magistrates, corporations, colleges, estates, and communities. And if it is
6 not allowable for the subject to pass judgement on his prince, the vassal
7 on his lord, the servant on his master, that is to say proceed judicially
8 against them, how much less is it allowable to proceed by force of arms.
9 It is not a question of whether the subject has the means to do so, but
10 whether it is lawful or within the competence of the subject to do so.
11 Not only is the subject guilty of high treason who kills his prince, but so
12 also is he who has merely attempted it, counselled it, wished it or even
13 considered it...

14 I conclude then that the subject is never justified in any
15 circumstances in attempting anything against his sovereign prince,
16 however evil and tyrannical he may be. It is however permissible to fail
17 to obey him in any commands contrary to the law of God and of nature,
18 but one must then seek refuge in flight, go into hiding or suffer death
19 rather than attempt anything against his life or his honor. What a great
20 number of tyrants would be discovered if one might kill them. The
21 prince who imposed heavy taxes would be one in the eyes of the vulgar.
22 The man who ruled contrary to the wishes of the people would be one in
23 Aristotle's eyes. The man who kept a body-guard for his protection and
24 the man who executed those who conspired against his life would also be
25 tyrants. What security could virtuous princes enjoy? I do not wish to
26 deny to neighboring princes the right to pursue tyrants by force of arms.
27 I only wish to deny it to the subject. ...

28

1 *Vidiciae Contra Tyrannos* (1579)
2 A Defense of Liberty Against Tyrants
3 by Junius Brutus
4 attributed to Philippe Duplessis-Mornay
5

6 A king, we have said, is someone who has obtained the kingdom in
7 due form, either by descent or by election, and who rules and governs in
8 accordance with the law. Since a tyrant is the opposite of a king, it
9 follows either that he has seized authority by force or fraud, or that he is
10 a king who rules a kingdom freely given him in a manner contrary to
11 equity and justice and persists in that misrule in violation of the laws and
12 compacts to which he took a solemn oath. A single person can, of
13 course, be both of these at once. The former is commonly called a
14 "tyrant without title," the latter, "a tyrant by conduct." But it sometimes
15 happens that a kingdom occupied by force is governed justly' a kingdom
16 legally conveyed, unjustly. And since justice is here more important than
17 inheritance, and performance more important than title to possession, it
18 appears that a ruler who performs his office badly is more properly a
19 tyrant than one who did not receive his office in due form. Similarly, a
20 Pope who enters office illegally is called an "intruder," one who governs
21 badly, an "abuser." ...

22 In sum, a king promotes the public interest, a tyrant seeks his own.
23 But since men are only human, no king can have the public interest in
24 view on every question, and no tyrant can exist for long who seeks his
25 own advantage in all respects whatever. Therefore, if the public interest
26 is generally uppermost we may speak of a king and a kingdom, and if the
27 ruler's interest generally predominates, we speak of a tyrant and a
28 tyranny. ...

29 The next question is whether a tyrant may be lawfully resisted and, if
30 so, by whom and by what means. And we shall begin by considering
31 tyranny without title, as it is commonly called. Suppose, then, that a
32 Ninus invades a people over which he has no legal claim and which has
33 not done him any injury; or that a Caesar subjugates the Roman
34 Republic, his fatherland; or that a Popelus uses murder and deceit in an
35 attempt to make the kingdom of Poland hereditary rather than elective;
36 or that a Brünhilde takes over the entire government of France for
37 herself and her Protadius; or that an Ebroinus, encouraged by

38 Theodoric's negligence, seizes the governorships of the kingdom and
39 enslaves the people. What is the law in all these cases?

40 In the first place, Nature instructs us to defend our lives and also our
41 liberty, without which life is hardly life at all. If this is the instinct of
42 nature implanted in dogs against the wolf, in bulls against the lion, in
pigeons against the falcon, and in chickens against the hawk, how much
stronger must it be in man against another man who has become a wolf
to man? To fight back is not only permitted, but enjoined, for it is nature
herself that seems to fight here.

Next, there is the law of peoples (*jus gentium*), which distinguishes
countries and establishes boundaries that everyone is obligated to defend
against any person whatsoever. ... An Alexander pillaging a country may
be opposed no less than the vagabond who steals a cloak; an invader
battering the ramparts of a city, no less than the burglar breaking into
buildings.

Last and most important is the civil law, which is the legislation that
societies establish for their particular needs, so that here is one and there
another kind of government, some being ruled by one man, others by a
few, and still others by all. Some peoples deny political authority to
women, others admit them; with some, kings are chosen from a
particular line, among others the choice is free; and so forth. If anyone
tries to break this law through force or fraud, resistance is incumbent
upon all of us, because the criminal does violence to that association to
which we owe everything we have, because he subverts the foundations
of the fatherland to which we are bound - by nature, by the laws, and by
our oath. Therefore, if we do not resist, we are traitors to our country,
deserters of human society, and contemners of the law.

Thus, the law of nature, the law of peoples, and civil law command
us to take arms against tyrants without title, nor is there any legal scruple
to detain us - no oath or compact whatsoever, entered into either
publicly or privately. Therefore, when this kind of tyranny occurs,
anyone may act to drive it out, including private individuals. ...

1 **The Grand Remonstrance** (1641) 38
2 *Parliament of England* (Long Parliament) 39
3 The Commons in this present Parliament assembled, having with
4 much earnestness and faithfulness of affection and zeal to the public
5 good of this kingdom, and His Majesty's honour and service for the
6 space of twelve months, wrestled with great dangers and fears, the
7 pressing miseries and calamities, the various distempers and disorders
8 which had not only assaulted, but even overwhelmed and extinguished
9 the liberty, peace and prosperity of this kingdom, the comfort and hopes
10 of all His Majesty's good subjects, and exceedingly weakened and
11 undermined the foundation and strength of his own royal throne, do yet
12 find an abounding malignity and opposition in those parties and factions
13 who have been the cause of those evils, and do still labour to cast
14 aspersions upon that which hath been done, and to raise many difficulties
15 for the hindrance of that which remains yet undone, and to foment
16 jealousies between the king and Parliament, that so they may deprive him
17 and his people of the fruit of his own gracious intentions, and their
18 humble desires of procuring the public peace, safety and happiness of
19 this realm. 56
20 For the preventing of those miserable effects which such malicious
21 endeavours may produce, we have thought good to declare the root and
22 the growth of these mischievous designs: the maturity and ripeness to
23 which they have attained before the beginning of the Parliament: the
24 effectual means which have been used for the extirpation of those
25 dangerous evils, and the progress which hath therein been made by His
26 Majesty's goodness and the wisdom of the Parliament: the ways of
27 obstruction and opposition by which that progress hath been interrupted:
28 the courses to be taken for the removing those obstacles, and for the
29 accomplishing of our most dutiful and faithful intentions and endeavours
30 of restoring and establishing the ancient honour, greatness and security
31 of this Crown and nation. 68
32 The root of all this mischief we find to be a malignant and pernicious
33 design of subverting the fundamental laws and principles of government,
34 upon which he religion and justice of this kingdom are firmly established.
35 The actors and promoters hereof have been: 72
36 1. The Jesuit papists, who hate the laws, as the obstacles of that
37 change and subversion of religion which they so much long for. 74

2. The bishops, and the corrupt part of the clergy, who cherish formality and superstition as the natural effects and more probable supports of their own ecclesiastical tyranny and usurpation.

3. Such councilors and courtiers as for private ends have engaged themselves to further the interests of some foreign princes or states to the prejudice of His Majesty and the state at home....

In the beginning of His Majesty's reign the [Catholic] party began to revive and flourish again....

[There follows a long list of protests against arbitrary and excessive taxation.]

Charles I, King of England, 1649

Having already made my protestations, not only against the illegality of this pretended court, but also, that no earthly power can justly call me (who am your king) in question as a delinquent, I would not any more open my mouth upon this occasion, more than to refer myself to what I have spoken, were I in this case alone concerned: but the duty I owe to God in the preservation of the true liberty of my people will not suffer me at this time to be silent: for, how can any freeborn subject of England call life or anything he possesseth his own, if power without right daily make new, and abrogate the old fundamental laws of the land which I now take to be the present case? Wherefore when I came hither, I expected that you would have endeavored to have satisfied me concerning these grounds which hinder me to answer to your pretended impeachment. But since I see that nothing I can say will move you to it (though negatives are not so naturally proved as affirmatives) yet I will show you the reason why I am confident you cannot judge me, nor indeed the meanest man in England: for I will not (like you) without showing a reason, seek to impose a belief upon my subjects.

There is no proceeding just against any man, but what is warranted, either by God's laws or the municipal laws of the country where he lives. Now I am most confident this day's proceeding cannot be warranted by God's laws; for, on the contrary, the authority of obedience unto kings is clearly warranted, and strictly commanded in both the Old and New Testament, which, if denied, I am ready instantly to prove.

And for the question now in hand, there it is said, that "where the word of a king is, there is power; and who may say unto him, what dost

1 thou?" Eccles. viii. 4. Then for the law of this land, I am no less
2 confident, that no learned lawyer will affirm that an impeachment can lie
3 against the king, they all going in his name: and one of their maxims is,
4 that the king can do no wrong. Besides, the law upon which you ground
5 your proceedings, must either be old or new: if old, show it; if new, tell
6 what authority, warranted by the fundamental laws of the land, hath
7 made it, and when. But how the House of Commons can erect a court of
8 judicature, which was never one itself (as is well known to all lawyers) I
9 leave to God and the world to judge. And it were full as strange, that they
10 should pretend to make laws without king or Lords' House, to any that
11 have heard speak of the laws of England.

12 And admitting, but not granting, that the people of England's
13 commission could grant your pretended power, I see nothing you can
14 show for that; for certainly you never asked the question of the tenth
15 man in the kingdom, and in this way you manifestly wrong even the
16 poorest ploughman, if you demand not his free consent; nor can you
17 pretend any color for this your pretended commission, without the
18 consent at least of the major part of every man in England of whatsoever
19 quality or condition, which I am sure you never went about to seek, so
20 far are you from having it. Thus you see that I speak not for my own
21 right alone, as I am your king, but also for the true liberty of all my
22 subjects, which consists not in the power of government, but in living
23 under such laws, such a government, as may give themselves the best
24 assurance of their lives, and property of their goods.... Then for anything
25 I can see, the higher house is totally excluded; and for the House of
26 Commons, it is too well known that the major part of them are detained
27 or deterred from sitting; so as if I had no other, this were sufficient for
28 me to protest against the lawfulness of your pretended court. Besides all
29 this, the peace of the kingdom is not the least in my thoughts; and what
30 hope of settlement is there, so long as power reigns without rule or law,
31 changing the whole frame of that government under which this kingdom
32 hath flourished for many hundred years? (nor will I say what will fall out
33 in case this lawless, unjust proceeding against me do go on) and believe
34 it, the commons of England will not thank you for this change; . . . and
35 by this time it will be too sensibly evident, that the arms I took up were
36 only to defend the fundamental laws of this kingdom against those who
37 have supposed my power hath totally changed the ancient government.

38

1 **Bossuet, *Politics Taken From the Words of Scripture* (1678)**

2
3 We have already seen that all power is of God. The ruler, adds St.40
4 Paul, "is the minister of God to thee for good. But if thou do that which41
5 is evil, be afraid; for he beareth not the sword in vain : for he is the42
6 minister of God, a revenger to execute wrath upon him that doeth evil."43
7 Rulers then act as the ministers of God and as his lieutenants on earth. it44
8 is through them that God exercises his empire. Think ye "to withstand45
9 the kingdom of the Lord in the hand of the sons of David"?46
10 Consequently, as we have seen, the royal throne is not the throne of a47
11 man, but the throne of God himself. The Lord "hath chosen Solomon48
12 my son to sit upon the throne of the kingdom of the Lord over Israel."49
13 And again, "Solomon sat on the throne of the Lord." 50

14 Moreover, that no one may assume that the Israelites were peculiar in51
15 having kings over them who were established by God, note what is said52
16 in Ecclesiasticus: "God has given to every people its ruler, and Israel is53
17 manifestly reserved to him." He therefore governs all peoples and gives54
18 them their kings, although he governed Israel in a more intimate and55
19 obvious manner. 56

20 It appears from all this that the person of the king is sacred, and that57
21 to attack him in any way is sacrilege. God has the kings anointed by his58
22 prophets with the holy unction in like manner as he has bishops and59
23 altars anointed. But even without the external application in thus being60
24 anointed, they are by their very office the representatives of the divine61
25 majesty deputed by Providence for the execution of his purposes.62
26 Accordingly God calls Cyrus his anointed. "Thus saith the Lord to his63
27 anointed, to Cyrus, whose right hand I have holden, to subdue nations64
28 before him." Kings should be guarded as holy things, and whosoever65
29 neglects to protect them is worthy of death. . . . 66

30 There is something religious in the respect accorded to a prince. The67
31 service of God and the respect for kings are bound together. St. Peter68
32 unites these two duties when he says, "Fear God. Honour the king." . . . 69

33 But kings, although their power comes from on high, as has been70
34 said, should not regard themselves as masters of that power to use it at71
35 their pleasure; . . . they must employ it with fear and self-restraint, as a72
36 thing coming from God and of which God will demand an account.73
37 "Hear, O kings, and take heed, understand, judges of the earth, lend your74

38 ears, ye who hold the peoples under your sway, and delight to see the
39 multitude that surround you. It is God who gives you the power. Your
strength comes from the Most High, who will question your works and
penetrate the depths of your thoughts, for, being ministers of his
kingdom, ye have not given righteous judgments nor have ye walked
according to his will. He will straightway appear to you in a terrible
manner, for to those who command is the heaviest punishment reserved.
The humble and the weak shall receive mercy, but the mighty shall be
mightily tormented." ...

Kings should tremble then as they use the power God has granted
them; and let them think how horrible is the sacrilege if they use for evil
a power which comes from God. We behold kings seated upon the
throne of the Lord, bearing in their hand the sword which God himself
has given them. What profanation, what arrogance, for the unjust king to
sit on God's throne to render decrees contrary to his laws and to use the
sword which God has put in his hand for deeds of violence and to slay
his children! ...

The royal power is absolute. With the aim of making this truth hateful
and insufferable, many writers have tried to confound absolute
government with arbitrary government. But no two things could be more
unlike, as we shall show when we come to speak of justice.

The prince need render account of his acts to no one. "I counsel thee
to keep the king's commandment, and that in regard of the oath of God.
Be not hasty to go out of his sight: stand not on an evil thing for he
doeth whatsoever pleaseth him. Where the word of a king is, there is
power: and who may say unto him, What doest thou? Whoso keepeth the
commandment shall feel no evil thing." Without this absolute authority
the king could neither do good nor repress evil. It is necessary that his
power be such that no one can hope to escape him, and, finally, the only
protection of individuals against the public authority should be their
innocence. This conforms with the teaching of St. Paul: "Wilt thou then
not be afraid of the power? do that which is good."

I do not call majesty that pomp which surrounds kings or that
exterior magnificence which dazzles the vulgar. That is but the reflection
of majesty and not majesty itself. Majesty is the image of the grandeur of
God in the prince.

God is infinite, God is all. The prince, as prince, is not regarded as a

1 private person: he is a public personage, all the state is in him; the will of
2 all the people is included in his. As all perfection and all strength are
3 united in God, so all the power of individuals is united in the person of
4 the prince. What grandeur that a single man should embody so much! 41

5 The power of God makes itself felt in a moment from one extremity
6 of the earth to another. Royal power works at the same time throughout
7 all the realm. It holds all the realm in position, as God holds the earth.
8 Should God withdraw his hand, the earth would fall to pieces; should the
9 king's authority cease in the realm, all would be in confusion. 46

10 Look at the prince in his cabinet. Thence go out the orders which
11 cause the magistrates and the captains, the citizens and the soldiers, the
12 provinces and the armies on land and on sea, to work in concert. He is
13 the image of God, who, seated on his throne high in the heavens, makes
14 all nature move. . . . 51

15 Finally, let us put together the things so great and so august which we
16 have said about royal authority. Behold an immense people united in a
17 single person; behold this holy power, paternal and absolute; behold the
18 secret cause which governs the whole body of the state, contained in a
19 single head: you see the image of God in the king, and you have the idea
20 of royal majesty. God is holiness itself, goodness itself, and power itself.
21 In these things lies the majesty of God. In the image of these things lies
22 the majesty of the prince. 59

23 So great is this majesty that it cannot reside in the prince as in its
24 source; it is borrowed from God, who gives it to him for the good of the
25 people, for whom it is good to be checked by a superior force.
26 Something of divinity itself is attached to princes and inspires fear in the
27 people. The king should not forget this. "I have said," - it is God who
28 speaks, - "I have said, Ye are gods; and all of you are children of the
29 Most High. But ye shall die like men, and fall like one of the princes." "I
30 have said, Ye are gods"; that is to say, you have in your authority, and
31 you bear on your forehead, a divine imprint. "You are the children of the
32 Most High. But ye shall die like men, and fall like one of the princes." ...
33 Grandeur separates men for a little time, but a common fall makes them
34 all equal at the end. 71

35 O kings, exercise your power then boldly, for it is divine and
36 salutary for human kind, but exercise it with humility. You are endowed
37 with it from without. At bottom it leaves you feeble, it leaves you mortal, 74

it leaves you sinners, and charges you before God with a very heavy account.

English Bill of Rights 1689

*An Act Declaring the Rights and Liberties of the Subject
and Settling the Succession of the Crown*

...And whereas the said late King James the Second having abdicated the government and the throne being thereby vacant, his Highness the prince of Orange (whom it hath pleased Almighty God to make the glorious instrument of delivering this kingdom from popery and arbitrary power) did (by the advice of the Lords Spiritual and Temporal and divers principal persons of the Commons) cause letters to be written to the Lords Spiritual and Temporal being Protestants, and other letters to the several counties, cities, universities, boroughs and cinque ports, for the choosing of such persons to represent them as were of right to be sent to Parliament, to meet and sit at Westminster upon the two and twentieth day of January in this year one thousand six hundred eighty and eight [old style date], in order to such an establishment as that their religion, laws and liberties might not again be in danger of being subverted, upon which letters elections having been accordingly made;

And thereupon the said Lords Spiritual and Temporal and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representative of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done) for the vindicating and asserting their ancient rights and liberties declare:

1. That the pretended power of suspending the laws or the execution of laws by regal authority without consent of Parliament is illegal;
2. That the pretended power of dispensing with laws or the execution of laws by regal authority, as it hath been assumed and exercised of late, is illegal;
3. That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and

1 courts of like nature, are illegal and pernicious;
2 4. That levying money for or to the use of the Crown by pretence of
3 prerogative, without grant of Parliament, for longer time, or in other
4 manner than the same is or shall be granted, is illegal;
5 5. That it is the right of the subjects to petition the king, and all
6 commitments and prosecutions for such petitioning are illegal;
7 6. That the raising or keeping a standing army within the kingdom
8 in time of peace, unless it be with consent of Parliament, is against law;
9 7. That the subjects which are Protestants may have arms for their
10 defence suitable to their conditions and as allowed by law;
11 8. That election of members of Parliament ought to be free;
12 9. That the freedom of speech and debates or proceedings in
13 Parliament ought not to be impeached or questioned in any court or
14 place out of Parliament;
15 10. That excessive bail ought not to be required, nor excessive fines
16 imposed, nor cruel and unusual punishments inflicted;
17 11. That jurors ought to be duly impanelled and returned, and jurors
18 which pass upon men in trials for high treason ought to be freeholders;
19 12. That all grants and promises of fines and forfeitures of particular
20 persons before conviction are illegal and void;
21 13. And that for redress of all grievances, and for the amending,
22 strengthening and preserving of the laws, Parliaments ought to be held
23 frequently.
24 And they do claim, demand and insist upon all and singular the
25 premises as their undoubted rights and liberties, and that no declarations,
26 judgments, doings or proceedings to the prejudice of the people in any of
27 the said premises ought in any wise to be drawn hereafter into
28 consequence or example; To which demand of their rights they are
29 particularly encouraged by the declaration of his Highness the prince of
30 Orange as being the only means for obtaining a full redress and remedy
31 therein.
32 Having therefore an entire confidence that his said Highness the
33 prince of Orange will perfect the deliverance so far advanced by him, and
34 will still preserve them from the violation of their rights which they have
35 here asserted, and from all other attempts upon their religion, rights and
36 liberties:
37 The said Lords Spiritual and Temporal and Commons assembled at

38 Westminster do resolve that William and Mary, prince and princess of
39 Orange, be and be declared king and queen of England, France and
40 Ireland and the dominions thereunto belonging, to hold the crown and
41 royal dignity of the said kingdoms and dominions to them, the said
42 prince and princess, during their lives and the life of the survivor to
43 them, and that the sole and full exercise of the regal power be only in and
44 executed by the said prince of Orange in the names of the said prince
45 and princess during their joint lives ...,
46 Upon which their said Majesties did accept the crown and royal
47 dignity of the kingdoms of England, France and Ireland, and the
48 dominions thereunto belonging, according to the resolution and desire of
49 the said Lords and Commons contained in the said declaration.
50
51

1 **The Declaration of Independence of the Thirteen Colonies**

2
3 In CONGRESS, July 4, 1776

4 The unanimous Declaration of the thirteen united States of America, 41
5 When in the Course of human events, it becomes necessary for one 42
6 people to dissolve the political bands which have connected them with 43
7 another, and to assume among the powers of the earth, the separate and 44
8 equal station to which the Laws of Nature and of Nature's God entitle 45
9 them, a decent respect to the opinions of mankind requires that they 46
10 should declare the causes which impel them to the separation. 47

11 We hold these truths to be self-evident, that all men are created equal, 48
12 that they are endowed by their Creator with certain unalienable Rights, 49
13 that among these are Life, Liberty and the pursuit of Happiness. 50

14 --That to secure these rights, Governments are instituted among Men, 51
15 deriving their just powers from the consent of the governed, 52

16 --That whenever any Form of Government becomes destructive of 53
17 these ends, it is the Right of the People to alter or to abolish it, and to 54
18 institute new Government, laying its foundation on such principles and 55
19 organizing its powers in such form, as to them shall seem most likely to 56
20 effect their Safety and Happiness. Prudence, indeed, will dictate that 57
21 Governments long established should not be changed for light and 58
22 transient causes; and accordingly all experience hath shewn, that mankind 59
23 are more disposed to suffer, while evils are sufferable, than to right 60
24 themselves by abolishing the forms to which they are accustomed. But 61
25 when a long train of abuses and usurpations, pursuing invariably the 62
26 same Object evinces a design to reduce them under absolute Despotism, 63
27 it is their right, it is their duty, to throw off such Government, and to 64
28 provide new Guards for their future security. --Such has been the patient 65
29 sufferance of these Colonies; and such is now the necessity which 66
30 constrains them to alter their former Systems of Government. The 67
31 history of the present King of Great Britain is a history of repeated 68
32 injuries and usurpations, all having in direct object the establishment of 69
33 an absolute Tyranny over these States. To prove this, let Facts be 70
34 submitted to a candid world. 71

35 He has refused his Assent to Laws, the most wholesome and 72
36 necessary for the public good. 73

37 He has forbidden his Governors to pass Laws of immediate and

38 pressing importance, unless suspended in their operation till his Assent
39 should be obtained; and when so suspended, he has utterly neglected to
40 attend to them.

He has refused to pass other Laws for the accommodation of large
districts of people, unless those people would relinquish the right of
Representation in the Legislature, a right inestimable to them and
formidable to tyrants only.

He has called together legislative bodies at places unusual,
uncomfortable, and distant from the depository of their public Records,
for the sole purpose of fatiguing them into compliance with his
measures.

He has dissolved Representative Houses repeatedly, for opposing
with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause
others to be elected; whereby the Legislative powers, incapable of
Annihilation, have returned to the People at large for their exercise; the
State remaining in the mean time exposed to all the dangers of invasion
from without, and convulsions within.

He has endeavoured to prevent the population of these States; for
that purpose obstructing the Laws for Naturalization of Foreigners;
refusing to pass others to encourage their migrations hither, and raising
the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his
Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of
their offices, and the amount and payment of their salaries. ...

He has excited domestic insurrections amongst us, and has
endeavoured to bring on the inhabitants of our frontiers, the merciless
Indian Savages, whose known rule of warfare, is an undistinguished
destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress
in the most humble terms: Our repeated Petitions have been answered
only by repeated injury. A Prince whose character is thus marked by
every act which may define a Tyrant, is unfit to be the ruler of a free
people. ...

1 Federalist No. 51
2
3 *The Structure of the Government Must Furnish the Proper Checks and Balances*
4 *Between the Different Departments*
5
6 Friday, February 8, 1788.
7
8 Author: **James Madison**
9 To the People of the State of New York:
10
11 TO WHAT expedient, then, shall we finally resort, for maintaining in
12 practice the necessary partition of power among the several departments,
13 as laid down in the Constitution? The only answer that can be given is,
14 that as all these exterior provisions are found to be inadequate, the defect
15 must be supplied, by so contriving the interior structure of the
16 government as that its several constituent parts may, by their mutual
17 relations, be the means of keeping each other in their proper places. ... In
18 order to lay a due foundation for that separate and distinct exercise of the
19 different powers of government, which to a certain extent is admitted on
20 all hands to be essential to the preservation of liberty, it is evident that
21 each department should have a will of its own; and consequently should
22 be so constituted that the members of each should have as little agency
23 as possible in the appointment of the members of the others. ...
24 [T]he great security against a gradual concentration of the several
25 powers in the same department, consists in giving to those who
26 administer each department the necessary constitutional means and
27 personal motives to resist encroachments of the others. The provision
28 for defense must in this, as in all other cases, be made commensurate to
29 the danger of attack. Ambition must be made to counteract ambition.
30 The interest of the man must be connected with the constitutional rights
31 of the place. It may be a reflection on human nature, that such devices
32 should be necessary to control the abuses of government. But what is
33 government itself, but the greatest of all reflections on human nature? If
34 men were angels, no government would be necessary. If angels were to
35 govern men, neither external nor internal controls on government would
36 be necessary. In framing a government which is to be administered by
37 men over men, the great difficulty lies in this: you must first enable the

38 government to control the governed; and in the next place oblige it to
39 control itself. A dependence on the people is, no doubt, the primary
40 control on the government; but experience has taught mankind the
41 necessity of auxiliary precautions.

42 This policy of supplying, by opposite and rival interests, the defect
43 of better motives, might be traced through the whole system of human
44 affairs, private as well as public. We see it particularly displayed in all the
45 subordinate distributions of power, where the constant aim is to divide
46 and arrange the several offices in such a manner as that each may be a
47 check on the other that the private interest of every individual may be a
sentinel over the public rights. These inventions of prudence cannot be
less requisite in the distribution of the supreme powers of the State. ...