

**“A CHOSEN PEOPLE:
THE KINGDOM OF THE BRITONS
IN BIBLE PROPHECY”**

An Apology in favor of

CHRISTIANITY

Being a Republication of Natural Law and Natural Religion

And the Foundation of the

DECLARATION OF INDEPENDENCE (1776)

and the

UNITED STATES CONSTITUTION (1787)

Volume Four

of

PURITANISM AND THE PRESBYTERIAN ENLIGHTENMENT:
Or The Religion of Nature as the Foundation of the U. S. Constitution ©

By

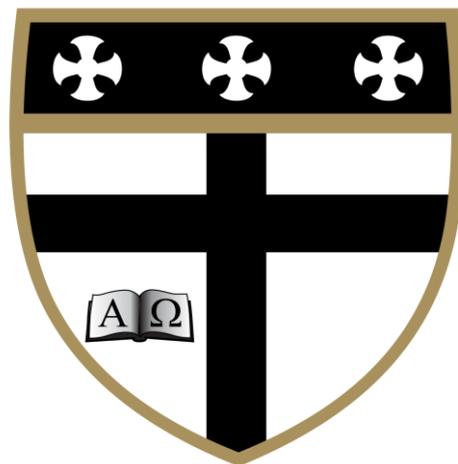
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VOLUME FOUR:
**“A *CHOSEN* PEOPLE: THE KINGDOM
OF THE BRITONS IN BIBLE
PROPHECY”**



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A POSTDOCTORAL STUDY

*Practical Problems in Law and Ministry:
Puritanism and the Presbyterian Enlightenment*

Published by Roderick Andrew Lee Ford

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Volume Four: A *Chosen People*-
the Kingdom of the Britons in Bible Prophecy

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The Forethought

There is a special symbiotic relationship between England and Israel which the ancient Roman empire helped to establish. No one knows precisely when Christianity reached the British isles, but it did so likely during the first century and continued to spread there in its primitive forms amongst the Celtic peoples. The Roman Catholic Church did not arrive there until the sixth century, when Pope Gregory the Great sent Augustine of Canterbury to the British isles, where the English King Ethelbert received him and established a Church at Canterbury in England in 597 A.D. Ever since then, the Christian religion was thoroughly incorporated into the written and unwritten laws and constitutions of England.

The often-overlooked Christian history of England is its prophetic foundations in the Book of Daniel, which describes a Great Images as having ten toes that represent ten kingdoms; or the fourth beast having ten horns that represent ten kingdoms. Prophetically, it was believed that the Kingdom of the Britons represented one of those ten kingdoms, thus linking England to ancient Rome and to bible prophecy. If this is true, then England is a special component of the biblical narrative that is contained within the Sacred Scriptures; and the Church of England, together with its kings and parliament, represented a special apostolic calling to the world. Like the ancient Hebrews of the old times, Englishmen more and more came to believe that they were a “Chosen People.” That idea was not lost upon the 17th-century Puritans who migrated to North America, or upon succeeding generations of North Americans.

This postdoctoral study neither affirms or denies these prophetic references to England in the prophetic Scriptures. Rather, this study merely points them out to suggest that the kingdom of England’s constitution was firmly rooted in the Holy Bible, and that the Church of England has remained as a sort of “senior partner” within the English constitutional system. In English Medieval thought, the English monarch was therefore “God’s anointed” and the Church of England represented the body of Christ. But because the Church of England began as a component of the Roman Catholic Church, and took a reactionary approach to dissenters, it too became the object to scorn and ridicule among the English Puritan dissenters during the 16th-, 17th-, and 18th- centuries. The principles of Luther and Calvin (two disciples of Augustine of Hippo) became quite useful to these Puritans.

But regardless of whether an Englishman was a devoted Anglican or a radical Puritan, the idea that England and Englishmen were, like the Jews, God’s “Chosen People” was not diminished by any historical events, including the founding of colonial British North America. To a great extent, the American Revolution simply reinforced all of these beliefs, not by overthrowing the central figure of Christ or the central position of the Christian religion, but rather by reinforcing and elevating both the person of Christ and the Christian religion into a form which Enlightenment thinkers then felt was most authentically Christian— i.e., “General Christianity,” “natural religion,” and “natural law.” Hence, the catchphrase during the 18th century was that “Christianity is a republication of natural religion.” And natural religion, which was then believed to represent the “fundamental law of England,” was thoroughly incorporated into the text of the American Declaration of Independence (1776) and subsequent American jurisprudence.

RODERICK ANDREW LEE FORD

Whitefield Theological Seminary
January 15, 2023

Chapter One

“A Chosen People: The Prophecy of Daniel and the Kingdom of England”

We now turn from the general components of the Christian religion, which we have discussed in volumes one, two, and three in this postdoctoral study, to the special revelation on the prophecy of the Kingdoms of England and Great Britain which set the Anglo-Saxon and Celtic races apart as a “Chosen People.”¹ Indeed, Anglo-American constitutional law is

¹ See, generally, Isaac Newton, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John* (United States of America: Renaissance Classics, 2012), p. 33 (the “kingdom of the Britons” being one of the 10 kingdoms that would prophetically emerge from the ancient Roman empire.) See, generally, Clifford Longley, *Chosen People: The Big Idea That Shaped England and America* (London, England: Hodder & Stroughton, 2002) (“Both Britain and America stand at a place where society's predominant values are secular and cross-culturally aware. In Britain, Christian values and religious beliefs are now generally seen only as part of an all-inclusive whole, deserving of no more consideration and respect than any other beliefs. Once the English Church and the State were two sides of the same coin. Longley claims that England is losing its identity and confidence as a nation because it has all but denied its religious roots. But America still claims to be God's own country”); Samuel Cardwell, “The people whom he foreknew': the English as a chosen people in Bede's *Historia ecclesiastica*,” *Journal of the Australian Early Medieval Association* (Vol. 11) (2015); Otto Kuntzemueller, “The English As God's Chosen People,” *The New York Times Current History of the European War*, Vol. 3, No. 2 (November, 1915), pp. 352-354; Patrick Collinson, “A Chosen People? The English Church and the Reformation. Was the Protestant Church of Elizabeth the catalyst for a new patriotism, based on a special sense of English destiny and divine guidance?” *History Today*, Volume 36, Issue 3 (March 1986). And see, also, Jeremy Gregory, Editor, *The Oxford History of Anglicanism: Establishment and Empire, 1662 – 1829*, Vol. II (Oxford, U.K.: Oxford University Press, 2017). See the following video: “**How God Made the English- A Chosen People?**” by Sohei Thoth. Link: [How God Made the English - 1 - A Chosen People? - YouTube](#).

See, also, Angela E. Kamrath, “The Puritans in America Identified with the Ancient Israelites and Practiced Covenants” American Heritage Education Foundation (June 29, 2017) (“Like the Pilgrims, the Puritans who came to America identified with the ancient Israelites of the Bible. The Israelites were God’s people who, with God’s help, escaped from captivity in Egypt, made a covenant or agreement with God to be His people and follow His commandments, and settled in the Promised Land of Canaan. The Puritans similarly saw themselves as God’s chosen people who had fled oppression in Europe and settled in their Promised Land of America. During the Puritans’ voyage to America, Puritan leader John Winthrop expressed the Puritans’ identity with the Israelites in his famous Model of Christian Charity sermon, saying, “The Lord will be our God and delight to dwell among us as His own people. The God of Israel is among us.”) [The Puritans in America Identified with the Ancient Israelites and Practiced Covenants - American Heritage Education Foundation, Inc.](#)

Notably, the white or Anglo-Saxon race is not alone in staking such “Chosen Race” claims to biblical prophecy, because the peoples and nation of **Ethiopia** have long made the same, or similar, biblical claims. (See, e.g., the Book of Zephaniah). Calvin’s Commentaries on the Bible (Zephaniah 3:10) lack a Reformed theological scholarship on the presence of “Ethiopian Jews” who existed perhaps since as early as the days of King Solomon and the Queen of Sheba. Reformed theologians should further develop this research. See, e.g., “Origins of Ethiopia’s Black Jews,” CNEWA <https://cnewa.org/magazine/origins-of-ethiopias-black-jews-30374/> (“Zephaniah 3:10 says, ‘From beyond the rivers of Ethiopia my supplicants, the daughters of my dispersed ones, shall bring my offering.’ If this prophecy truly dates from around 630 B.C.E., as most scholars believe, then it would indicate that Zephaniah was aware of the presence of a Jewish community in East Africa long before the

deeply religious and Christian in origin. But it is neither the purpose of this study to affirm or reject this proposition that the English or British people are, like the Jews, a “Chosen People.”² Rather, the objective here is simply to discuss this proposition as a *constitutional fact* of Anglo-American political life which subsequently guided the self-perspectives and the manifest destiny of the British as a “Chosen” people.³ In this sense, the argument that “Christianity is the white man’s religion”⁴ is justified on these grounds; namely, that the Anglo-Saxon race believed, especially during the Age of Discovery and colonial expansion into the New World, that God had set it apart to be a Christian nation and an example for all other nations.

The political and constitutional authority of the British monarchy could trace its roots to the Sacred Scriptures and to the Early Church, and that authority caused much consternation for English Protestants who challenged the “divine rights” of the British monarchy. For the divine origin of the British monarchy was a formidable one. For instance, in the faith tradition of the Church of England, the prophetic significance of the Roman empire could be traced to the *Book of Daniel* in the Old Testament. The Hebrew prophet Daniel lived during the seventh and sixth centuries, B.C. According to Jewish tradition, Daniel was born in, circa, 623 B.C. and died in Babylon (modern-day Iraq). Daniel’s ministry

fall of the first Temple.”) Similarly, the Black-African **Lemba “Jews”** of southern Africa may make similar claims as a “Chosen People,” as being one of the “Lost” tribes of ancient Israel.

² Ibid.

³ Ibid.

⁴ For a well-researched and general refutation of this argument, see Vince L. Bantu, *A Multitude of All Peoples: Engaging Ancient Christianity’s Global Identity* (Downers Grove, Illinois: InterVarsity Press, 2020), p. 6 (“The Western/white captivity of the church is a profound stumbling block to the reception of the gospel. In the Western world, the growth of secularism, agnosticism, and atheism is due in large part to historical atrocities committed by Western Christians. In non-Western world, non-Christians perceive Christianity as a white, Western, or American religion.... Therefore, fellow members of a non-Western people group who convert to Christianity are often seen as becoming white, Western, or American.”)

was much similar to that of Joseph’s⁵ and Moses’⁶ in the Old Testament, in that Daniel had achieved very influential and high-ranking government positions within “secular” governments. The pagan Babylonian king Nebuchadnezzar “made Daniel a great man, and gave him many great gifts, and made him ruler over the whole province of Babylon.”⁷ And the pagan king Darius the Mede made Daniel first among three presidents, who oversaw a hundred and twenty princes, who ruled the Median-Persian empire.⁸ Thus, the prophet Daniel was uniquely positioned throughout his prophetic ministry to influence major leaders of world powers. For this reason, the *Book of Daniel*, perhaps more than any other in the Old Testament, reveals God as a god who is intimately interested in both Jew and Gentile. Significantly, the Book of Daniel is believed to have foretold the rise of the great kingdom and empire of the Romans, as follows:⁹

Daniel 7: 4 “the first beast”	Kingdom of Babylon
Daniel 7:5 “the second beast”	Kingdom of the Medes/Persians
Daniel 7:6 “the third beast”	Kingdom of the Hellenistic Greeks
Daniel 7: 7 “the fourth beast”	Kingdom of the Romans

5 Joseph was made second in command under Pharaoh, king of Egypt. See, e.g., Genesis 41:39-45.

6 Moses was a learned Egyptian prince of Egypt. See, e.g., Acts 7:22.

7 Daniel 2:48.

8 Daniel 6:1-2.

9 Secondary Source: Isaac Newton, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John* (United States of America: Renaissance Classics, 2012).

The *Book of Daniel* also conveys as divine kingdom—an everlasting kingdom—with immutable and practical laws that directly affect practical human affairs, including the laws and public policies of civil government. Daniel thus conceived of his God as having a divine providence over all nations. Significantly, the prophet Daniel acknowledges that, but for the breach of a universal moral law, pagan rulers (i.e., the Babylonian kings Nebuchadnezzar and Belshazzar; the kings Darius (Mede) and Cyrus (Persia); and presumably all other secular governments) cannot govern without catastrophic consequences.¹⁰

Importantly, while interpreting King Nebuchadnezzar’s dream, Daniel foretells of a mysterious and future kingdom “which shall never be destroyed: and the kingdom shall be left to other people, but it shall break in pieces and consume all these kingdoms, and it shall stand for ever,” and later he references a “Messiah the Prince.”¹¹ These references to a kingdom that “shall stand for ever” and to the “Messiah the Prince” appear to be clear references to God’s eventual plan to establish everlasting justice and to establish a Messiah as king and ruler at some future but unknown time. According to a Christocentric interpretation of this prophecy, the person whom Daniel calls “Messiah the Prince” is Jesus of Nazareth.¹² According to Sir Isaac Newton’s masterful work, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John*—which is a centerpiece of Oxford Methodism— “Daniel was in the greatest credit amongst the Jews, till the reign of the Roman Emperor Hadrian: and **to reject his Prophecies, is to reject the Christian religion. For this religion is founded upon his Prophecy concerning the Messiah.**”¹³

10 Daniel 4:33-37; 5:30-31; 6:24-28.

11 Daniel 9:25-26.

12 Daniel states that “shall Messiah be cut off,” [Daniel 9:25-26], which, according to Christian tradition, refers to the crucifixion of Jesus of Nazareth [see, e.g., Matthew 27:50 and John 19:30].

13 Isaac Newton, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John* (United States of America: Renaissance Classics, 2012), p. 17.

The “kingdom of the Britains,”¹⁴ which is one of the ten horns, or ten kingdoms, that is mentioned in the *Book of Daniel*, includes the Kingdom of England, from which came the thirteen colonies in colonial British North America, and the Kingdom Great Britain which was a merger between two kingdoms of Scotland and England in 1707. Thus, Rome’s ancient history, together with the history of the Western Church, is also the history of England, Great Britain, and the United States of America.¹⁵ Indeed, “[u]pon the outer edges of the [Roman] Empire stood the British Isles,” writes the historian Goldwin Smith. “The Roman Empire brought law and order, town life, roads.”¹⁶ During the thousand years before the Romans arrived, probably all of the inhabitants on the British Isles were Celtic peoples—the ancestors of the Irish, Welsh, and Scottish peoples.¹⁷ These were a tribal peoples ruled by chieftains and kings.¹⁸ They were pagan in religion, with a priesthood of druids who formed their elite and leadership classes. During the middle of the first century B.C., these Celtic peoples were invaded by Julius Caesar’s Roman legions, and their relative isolation from the rest of the world came to an end in between 58 and 50 B.C.¹⁹ In 43 B.C., Roman authority was firmly

14 Isaac Newton, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John* (United States of America: Renaissance Classics, 2012), p. 33.

15 There is an interesting historical account given by John H. Ogwyn (1949 – 2005) called “The United States and Great Britain in Prophecy,” <https://www.tomorrowworld.org/booklets/the-united-states-and-great-britain-in-prophecy/content>. This account purports that the English-speaking peoples trace their ancestral lineage to the ten lost tribes of ancient Israel, and that the dominance of the USA and the UK in the world are a part of the fulfillment of God’s promises to Abraham. This post-doctoral study rejects this interpretation of the Sacred Scriptures, because it confuses the universal spiritual Israel, which includes righteous men and women from every family, race, and nation throughout the earth, with blood lineage the ties certain families and races to the ten lost tribes of Israel. This post-doctoral study adopts the viewpoint of Augustine of Hippo, as stated in *The City of God*, that Abraham’s seed, through Christ, is a “spiritual membership” that engrafts righteous men and women from every nation into the true spiritual Israel. Instead, this post-doctoral study embraces the findings of Sir Isaac Newton’s work, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John*, which considers the kingdom of the Britons (i.e., the kingdom of England, Great Britain, and the United States of America, Canada, Australia, and even the British colonies in Africa, etc.) as an extension of the Roman Empire (i.e., the Fourth Beast in the prophecy of the *Book of Daniel*). The only heirs of the true Israel are those righteous men and women who have been engrafted into it through Christ, and these men and women may be found in every nation and race throughout the earth.

16 Goldwin Smith, *A History of England* (New York: NY: Charles Scribner’s Sons, 1957), p. 1.

17 Ibid., p. 4.

18 Ibid.

19 Ibid., p. 6.

established on the British Isles. On this very subject, the renowned historian Edward Gibbon writes:

The only accession which the Roman empire received, during the first century of the Christian era, was the province of Britain. In this single instance, the successors of Caesar and Augustus were persuaded to follow the example of the former, rather than the precept of the latter. The proximity of its situation to the coast of Gaul seemed to invite their arms; the pleasing though doubtful intelligence of a pearl fishery, attracted their avarice; and as Britain was viewed in the light of a distinct and insulated world, the conquest scarcely formed any exception to the general system of continental measures. After a war of about forty years, undertaken by the most stupid, maintained by the most dissolute, and terminated by the most timid of all the emperors, the far greater part of the island submitted to the Roman yoke.²⁰

The conquest of Britain was considered as already achieved; and it was the design of Agricola to complete and insure his success, by the easy reduction of Ireland, for which, in his opinion, one legion and a few auxiliaries were sufficient. The western isle might be improved into a valuable possession, and the Britons would wear their chains with the less reluctance, if the prospect and example of freedom were on every side removed from before their eyes....²¹

We have already had occasion to mention the conquest of Britain, and to fix the boundary of the Roman Province in this island. It comprehended all England, Wales, and the Lowlands of Scotland, as far as the Friths of Dumbarton and Edinburgh. Before Britain lost her freedom, the country was irregularly divided between thirty tribes of barbarians, of whom the most considerable were the Belgae in the West, the Brigantes in the North, the Silures in South Wales, and the Iceni in Norfolk and Suffolk. As far as we can either trace or credit the resemblance of manners and language, Spain, Gaul, and Britain were peopled by the same hardy race of savages. Before they yielded to the Roman arms, they often disputed the field, and often renewed the contest. After their submission, they constituted the western division of the European provinces, which extended from the columns of Hercules to the wall of Antoninus, and from the mouth of the Tagus to the sources of the Rhine and Danube.²²

20 Edward Gibbon, *The History of the Decline and Fall of the Roman Empire*, supra, p. 38.

21 Ibid, p. 39.

22 Ibid., p. 72.

Hence, Roman Britain was born, and it would last for nearly five centuries. Like ancient Judea, Roman Britain was reduced to a province of the Roman empire, and its history was subsumed by that empire. For it was during this period, from between 43 B.C. to 100 A.D. that Britain became thoroughly Roman.

The Mediterranean world believed that man's spiritual needs could be satisfied only by the town. 'The town was at once the symptom and the symbol of all that was highest and most precious in human life, all that raises man above the beasts of the field.' Because this was so, the Romans tried to supply Britain with towns. In the lowlands they were successful in creating urban units, large and small, as centers of Roman culture. These settled areas normally had regular chessboard street plans, a forum, a market square surrounded on three sides by shops and flanked on the fourth by a town hall; there were public baths and temples. The townspeople usually came to speak Latin and to live in a Roman way.²³

The city of London was born during this period, with about fifteen thousand inhabitants. The British Isles thus developed, prospered, and declined along with the Roman empire itself. And, as we have previously discussed, when Messiah the Prince (i.e., Christ) appeared and preached in ancient Judea, his impact was felt throughout the Roman empire, including the province of Roman Britain. "Tradition declared that St. Paul and St. Peter had visited the British Isles; that Joseph of Arimathea had brought the Gospel and the Holy Grail to Glastonbury where he planted the sacred thorn from Christ's crown of thorns."²⁴

As we have previously observed, in the *Book of Daniel*, we are introduced to a prophecy of four beasts.²⁵ The fourth beast is widely believed to designate the Roman empire.²⁶ This fourth beast is described as having ten horns, out from which there would arise

23 Ibid., p. 10.

24 Ibid., p. 11.

25 Daniel 7:2-8, 11-12, 16-27 (Daniel's Vision of Four Beasts)

26 Daniel 7:24-27 (Daniel describes the fourth beast).

²³ "Thus he said: 'The fourth beast shall be a fourth kingdom on earth, which shall be different from all other kingdoms, and shall devour the whole earth, trample it and break it in pieces. ²⁴ The ten horns are ten kings who shall arise from this kingdom. And another shall rise after them; He shall be different from the first ones, and shall subdue three kings. ²⁵ He shall speak pompous words against the Most High, shall persecute the saints of the Most High, and shall intend to change times and law.

ten kingdoms.²⁷ One of those ten kingdoms that arouse out from the Roman empire was the province of Roman Britain, which was symbolized as one of the ten horns on this fourth beast.²⁸ Sir Isaac Newton lists the 10 kingdoms, which are referenced in the *Book of Daniel* as being one of the 10 horns, as follows:

Of the ten kingdoms represented by the ten horns of the fourth Beast.

Now by the wars above described the Western Empire of the Romans, about the time that Rome was besieged and taken by the Goths, became broken into the following ten kingdoms.

1. The kingdom of the Vandals and Alans in Spain and Africa.
2. The kingdom of the Suevians in Spain.
3. The kingdom of the Visigoths.
4. The kingdom of the Alans in Gallia.
5. The kingdom of the Burgundians.
6. The kingdom of the Franks.
- 7. The kingdom of the Britains.**
8. The kingdom of the Hunns.
9. The kingdom of the Lombards.
10. The kingdom of Ravenna.²⁹

Now according to the prophecy of Daniel, with the demise of the fourth beast came an “everlasting kingdom,” described as follows:

And the kingdom and dominion, and the greatness of the kingdom under the whole heaven, shall be given to the people of the saints of the most High, whose kingdom is an everlasting kingdom, and all dominions shall serve and obey him.³⁰

Then the saints shall be given into his hand for a time and times and half a time.

²⁶But the court shall be seated, and they shall take away his dominion, to consume and destroy it forever. ²⁷Then the kingdom and dominion, and the greatness of the kingdoms under the whole heaven, shall be given to the people, the saints of the Most High. His kingdom is an everlasting kingdom, and all dominions shall serve and obey Him.

²⁷ Ibid.

²⁸ See, e.g., Isaac Newton, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John* (United States of America: Renaissance Classics, 2012), p. 33.

²⁹ Ibid.

³⁰ Daniel 7:27.

Now the ten kings or kingdoms that arose out from the fourth beast include England or the kingdoms of the British Isles, and we are to understand that the demise of the Roman empire was followed by the rise of the churches of Jesus Christ which inherited the Roman empire. As one of the ten horns mentioned in Daniel's prophecy, the kingdom of England was early and largely established as a Christian nation:

Certainly by the early years of the third century Christianity was gathering momentum in Britain. The Christian leaders preached a dynamic and expansive faith. They declared all Roman and Celtic gods false. Because it was a political offense to insult the official deities the Christians were intermittently persecuted, mainly under Diocletian in the early part of the fourth century.... One martyr in Britain was the Roman Alban, who was slain at Verulam; when Verulam later fell and crumbled there rose on its ruins the new town of St. Albans.

The waves of persecution levelled off and Christianity advanced. Three British bishops attended the Council of Arles in 314 to represent the Christian communities in Britain. In the fifth century Celtic Christianity was planted widely among the Picts by the evangelical Ninian; in Ireland by St. Patrick; in Wales, Cornwall, and Devon by St. Illtyd, a disciple of St. Germanus, and the constellation of his missionaries. It is probable that St. Illtyd was a teacher of St. David.

The Emperor Constantine was probably converted to Christianity by a mystical revelation. He abandoned sun-worship himself and gave the Christians toleration throughout the Empire by the famous Edict of Milan in 313. It is often inaccurately stated that Constantine made Christianity the state religion. In his day the ancient prerogatives of the old cults were left untouched. It remained for a later generation to proscribe the gods of Caesar.

When Constantine died in 337 the Empire was already beginning to shrink and tremble. Soon the legions went home from Britain, one by one. In their wake the fearful scuttled to security. The Christian missionaries remained behind in Britain. Their cause was greater than that of the Roman Empire.³¹

During the fifth century, as the barbarians bore down upon the western half of the Roman empire, the pagan Angles, Saxons, and Jutes (i.e., the Anglo-Saxons) attacked Roman Britain

31 Ibid., p. 11-12.

and succeeded.³² They established the “great kingdoms of the Anglo-Saxon heptarchy: Northumbria, Mercia, East Anglia, Essex, Wessex, Kent, and Sussex. Into a territory thus divided among strong and ambitious kings there came the unifying force of Christianity.”³³ Thus within a century, these Anglo-Saxons were Christianized, first by the Celtic Christians who kept the flames of the Holy Spirit alive, and secondly, by Pope Gregory the Great, Augustine of Canterbury, King Ethelbert and Queen Bertha of Kent, and the Roman Catholic Church.³⁴ Under the Greek Theodore of Tarsus, the Celtic Christians and the new Roman Christians became unified under this new archbishop at Canterbury.³⁵

Now the rise of the Christian kingdom of England, from this period forward, is both a historical and a biblical or prophetic fact. The kingdom of Christ had conquered the Roman empire. The “stone not cut with hands,” which had smashed the Great Image in Nebuchadnezzar’s vision, which the Prophet Daniel interpreted to be Messiah the Prince (i.e., Christ), who built his kingdom in an unconventional way, had paved the way for the birth of the Christian kingdom of England. The kingdom of England was also one of the “ten toes” on the feet of this Great Image in Daniel’s prophecy. It was also one of the “ten horns” on the fourth beast in Daniel’s vision. Thus, when the kingdom of England arose during the sixth and seventh centuries, it was unquestionably a testament as to the fulfillment of Daniel’s prophecy, to wit:

To the devout Anglo-Saxon, God was ever present, ready to reward and punish; the eternal life of the next world was surely more important than the brief tale of this. All men could see that many Anglo-Saxon clergymen were martyrs for

32 Ibid., pp. 12-15.

33 Ibid., p. 15.

34 Ibid., pp.15-17.

35 “‘This was the first archbishop whom all the English church obeyed.’ Theodore increased the number of diocese, precisely defined the duties of bishop, undertook parish reforms, and generally improved the efficiency and organization of the church. In 735 the archbishopric of York was established.” Ibid., pp. 16-17.

their faith; many became saints. Anglo-Saxon Christians tended to remember that in the midst of life men might be in death.

Throughout the vital years of Anglo-Saxon rule the moral force and strength of the church, in diocese, parish, and monastery, was steadily extended. The churchmen stood, in an age of faith, as mediators between God and man; they alone controlled the means of salvation, the holy sacraments. The learned men of the age were almost all churchmen. With courage and tenacity the churchmen helped to stimulate a national literature; some created a part of it; and many beautiful things, such as the manuscript art of the Lindisfarne Gospels and the Book of Kells, came out of their cloistered monasteries.

The church developed schools, often given their students a training equal to the best in Europe. Apart from the palace schools, the church maintained all the schools and libraries in England. Churchmen also took an active part in government and diplomacy. They stipulated commerce and agriculture, industrial crafts and arts. They promoted the development of art and architecture. They brought more music to the people and music tightened the bonds of Christianity. They built churches of stone in place of the structures of timber and reeds; squared and chiselled stones were often at hand for building in the shells of Roman villas and towns. 'The Conversion, more truly than the Renaissance, gave Englishmen a new heaven and a new earth.'³⁶

This prophetic history is the foundation of England's identity. From 9th century onward, the Christian religion became inextricably woven into every fabric of England's legal and constitutional system.

Accordingly, as the eight Anglo-Saxon kingdoms emerged as independent kingdoms during the 7th century, they made a conscientious effort to do so *as Christian kingdoms*, along the lines of the kingdom of ancient Israel as reflected in King Alfred's Doms (849 A.D. to 899 A.D.). The Gospel of Jesus Christ, as an offshoot of the once-straggling movement led by a relatively obscure Jewish carpenter from the Roman province of Judea, conquered Britain. What was this Christian message, fundamentally, all about? It hailed Christ as King of kings and Lord of lords, and it admonished all nations to obey the "law of Christ."³⁷ All of the laws

36 Ibid., p.17.

37 The Law of Christ is to "love ye one another" (John 15:12); to do justice and judgement (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

of England, then, including the English common law, became thoroughly Christian. The “word of God”³⁸ (i.e., general equity, the law of nature, the law of reason, the *Logos*, the law of Christ (i.e., agape) etc.) became the *fundamental law* of the kingdom of England.

And, as we shall observe in the following chapters, this fundamental law was as much Greco-Roman³⁹ as it was ancient Hebrew and Jewish. The English common law was also cosmopolitan, Latin, French, and governed the affairs of both Church and State. Indeed, the best civilizing elements of the Roman empire were left behind in Britain; and these civilizing elements included a legal heritage of Greco-Roman equity and natural law which the Roman Church in England incorporated into Christian theology and jurisprudence as early as the ninth century, A.D. This influence was long-lasting and remains to this very day. Indeed, for we find traces of the Apostle Paul’s *Epistle to the Romans* deeply sewn into the 18th-century Church of England’s basic theology, which was articulated by one of its leading intellectual, Bishop Joseph Butler, who concluded that “Christianity is the republication of natural religion.”⁴⁰ This same philosophy of natural religion and natural law became the foundation of the English Common Law, Magna Carta (1215); the English Right of Petition (1628); and the English Bill of Rights (1689). It would later become the foundation of the American Declaration of Independence (1776) and in the preamble to the U.S. Constitution (1787).⁴¹

38 Ibid.

39 As previously cited, Augustine’s *The City of God*, supra, and Crapsey’s *Religion and Politics*, supra, cite the Roman Republic (not be confused with the Roman Empire that was established after 50 B.C.) as exemplifying a virtuous, ethical, and strong civil polity. Therefore, this postdoctoral study concludes that the “general Christianity” of the new United States was premised upon a Christian theology of “virtuous pagans” and the doctrine that “Christianity is a republication of natural religion.” The justification being, that “virtuous pagans” were tantamount to being “anonymous Christians,” and that “the Christian religion is merely a republication of Roman natural law and natural religion.”

40 Joseph Butler, *The Analogy of Religion* (1736), supra, p. 187.

41 As previously cited, Augustine’s *The City of God*, supra, and Crapsey’s *Religion and Politics*, supra, cite the Roman Republic (not be confused with the Roman Empire that was established after 50 B.C.) as exemplifying a virtuous, ethical, and strong civil polity. Therefore, this postdoctoral study concludes that the “general Christianity” of the new United States was premised upon a Christian theology of “virtuous pagans” and the doctrine that “Christianity is a republication of natural religion.” The justification being, that “virtuous pagans” were tantamount to being “anonymous Christians,” and that “the Christian religion is merely a republication of Roman natural law and natural religion.”

Therefore, in terms of biblical prophecy, and conventional prophetic hermeneutics, it seems clear that the “kingdom of the Britains,” which is one of the ten horns or ten kingdoms mentioned in the Book of Daniel, includes the British empire and its former thirteen colonies in colonial British North America.

Chapter One- Table A

“The Ten Horns and the Ten Kingdoms”

The *Book of Daniel*, at chapter seven, describes Daniel’s dream of the Four Great Beasts. The New International Version of the Bible describes that Fourth Beast as follows: “—terrifying and frightening and very powerful. It had large iron teeth; it crushed and devoured its victims and trampled underfoot whatever was left. It was different from all the former beasts, and it had ten horns.” (Daniel 7:7).

Chapter seven next adds follows: “In my vision at night I looked, and there before me was one like a son of man, coming with the clouds of heaven. He approached the Ancient of Days and was led into his presence. He was given authority, glory and sovereign power; all peoples, nations and men of every language worshipped him. His dominion is an everlasting dominion that will not pass away, and his kingdom is one that will never be destroyed.” (Daniel 7:13-14).

Chapter seven then concludes with the following explanation (Daniel 7: 23-28):

²³ “He gave me this explanation: ‘The **fourth beast is a fourth kingdom** that will appear on earth. It will be different from all the other kingdoms and will devour the whole earth, trampling it down and crushing it. ²⁴ The **ten horns are ten kings who will come from this kingdom**. After them another king will arise, different from the earlier ones; he will subdue three kings. ²⁵ He will speak against the Most High and oppress his holy people and try to change the set times and the laws. The holy people will be delivered into his hands for a time, times and half a time. ²⁶ “But the court will sit, and his power will be taken away and completely destroyed forever. ²⁷ Then the sovereignty, power and greatness of all the kingdoms under heaven will be handed over to the holy people of the Most High. His kingdom will be an everlasting kingdom, and all rulers will worship and obey him.’ ²⁸ “This is the end of the matter. I, Daniel, was deeply troubled by my thoughts, and my face turned pale, but I kept the matter to myself.”

Hence, the “Fourth Beast” was the ancient Roman Empire. The “Son of Man” is Jesus of Nazareth. And the “Ten Horns,” which arose up out of the Fourth Beast, are as follows:

1. The kingdom of the Vandals and Alans in Spain and Africa.

2. The kingdom of the Suevians in Spain.
3. The kingdom of the Visigoths.
4. The kingdom of the Alans in Gallia.
5. The kingdom of the Burgundians.
6. The kingdom of the Franks.
7. **The kingdom of the Britains.**
8. The kingdom of the Hunns.
9. The kingdom of the Lombards.
10. The kingdom of Ravenna.

Secondary Source: Isaac Newton, *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John* (United States of America: Renaissance Classics, 2012).

“Gill’s Interpretation of the Bible provides the following commentary on the prophecy in Daniel 7:24, regarding the ten kingdoms, stating:

“Or ten kingdoms which sprung out of the Roman empire, or into which it was broken and divided upon the dissolution of it, about A.D. 476; which, according to **Mr. Mede** F11, were thus divided, A.D. 456,

1. **Britons;**
2. Saxons;
3. Franks;
4. Burgundians;
- 5 Visigoths;
6. Suevians and Alanes;
7. Vandals;
8. Almanes;
9. Ostrogoths;
10. Greeks.

“The list Bishop Lloyd has given of them is,

1. Hunns, who erected their kingdom in that part of Pannonia and Dacia, which was from them called Hungary, about A.D. 356.
2. Ostrogoths, who settled themselves in the countries that reach from Rhetia to Maesia, even to Thrace, about 377; and afterwards came into Italy under Alaricus, in 410.
3. Visigoths, who settled in the south parts of France, and in Catalonia, about 378.
4. Franks, who seized upon part of Germany and Gaul, A.D. 410.
5. Vandals, who settled in Spain; afterwards set up their kingdom in Africa, A.D. 407; their king Gensericus sacked Rome, 455.
6. Suevians and Alans, who seized the western parts of Spain, A.D. 407; and invaded Italy, 457.
7. Burgundians, who came out of Germany, into that part of Gaul called from them Burgundy, 407.
8. Herules, Rugians, and Thoringians, who settled in Italy under Odoacer, about A.D. 476.
9. **Saxons**, who made themselves **masters of Great Britain** about the same time, 476.
11. Longobards, called likewise Gopidae, who settled in Germany, about Magdeburg, A.D. 383; and afterwards succeeded the Heruli and Thuringi in Hungary, about the year 826.”

Source: Gill’s Interpretation of the Bible (Daniel 7:24).
<https://biblehub.com/commentaries/gill/daniel/7.htm>

Chapter Two

“Introduction to the English Kings”

The Medieval Church of England held that the books of the Bible constituted one fundamental law which, as set forth in the examples of the kings of ancient Israel and Judah, was the supreme law in England.⁴² The Medieval kings of England were duty-bound to administer that same fundamental law, especially since the Holy Bible was made the cornerstone of English constitutional law and jurisprudence. (Indeed, the Holy Bible appears to have been designed as a reference guide to monarchs and emperors for all nations and for all times, and the kingdom of England’s monarchy availed itself of wisdom and examples contained within Sacred Scriptures.⁴³ And we are not to suppose that after the American colonies attained their independence from Great Britain, that the Office of the U.S. President was not likewise duty-bound to uphold that same fundamental law.)⁴⁴

⁴² See, generally, Clifford Longley, *Chosen People: The Big Idea That Shaped England and America* (London, England: Hodder & Stroughton, 2002) (“Both Britain and America stand at a place where society’s predominant values are secular and cross-culturally aware. In Britain, Christian values and religious beliefs are now generally seen only as part of an all-inclusive whole, deserving of no more consideration and respect than any other beliefs. Once the English Church and the State were two sides of the same coin. Longley claims that England is losing its identity and confidence as a nation because it has all but denied its religious roots. But America still claims to be God’s own country”); Samuel Cardwell, “The people whom he foreknew’: the English as a chosen people in Bede’s *Historia ecclesiastica*,” *Journal of the Australian Early Medieval Association* (Vol. 11) (2015); Otto Kuntzemüller, “The English As God’s Chosen People,” *The New York Times Current History of the European War*, Vol. 3, No. 2 (November, 1915), pp. 352-354; Patrick Collinson, “A Chosen People? The English Church and the Reformation. Was the Protestant Church of Elizabeth the catalyst for a new patriotism, based on a special sense of English destiny and divine guidance?” *History Today*, Volume 36, Issue 3 (March 1986). And see, also, Jeremy Gregory, Editor, *The Oxford History of Anglicanism: Establishment and Empire, 1662 – 1829*, Vol. II (Oxford, U.K.: Oxford University Press, 2017). See the following video: “**How God Made the English- A Chosen People?**” by Sohei Thoth. Link: [How God Made the English - 1 - A Chosen People? - YouTube](#)

⁴³ See, e.g., David Yount, *How the Quakers Invented America* (Lanham, MD: Rowan & Littlefield Pub., 2007), p. 43, stating:

When she was politely asked by a visiting African chief to reveal the formula for her successful sixty-seven-year reign over the British Empire, Queen Victoria presented him with one of her bibles, declaring, ‘Here is my secret!’

⁴⁴ **United States Presidents:** See, e.g., Thomas Paine, “Letter to George Washington”, Paris, 30 July, 1796, *In The Writings of Thomas Paine*, ed. Moncure D. Conway, (New York: AMS Press Inc., 1967), Vol. IV, 252. (“As the [American] **Federal Constitution** is a **copy**, not quite so base as the original, of the form of **the British government**, an imitation of its vices was naturally to be expected.”) See, also, Alexander Hamilton, *The Federalist Papers*, No. 70, stating:

THERE is an idea, which is not without its advocates, that a vigorous Executive is inconsistent with the

genius of republican government. The enlightened well-wishers to this species of government must at least hope that the supposition is destitute of foundation; since they can never admit its truth, without at the same time admitting the condemnation of their own principles. Energy in the Executive is a leading character in the definition of good government. It is essential to the protection of the community against foreign attacks; it is not less essential to the steady administration of the laws; to the protection of property against those irregular and high-handed combinations which sometimes interrupt the ordinary course of justice; to the security of liberty against the enterprises and assaults of ambition, of faction, and of anarchy. Every man the least conversant in Roman story, knows how often that republic was obliged to take refuge in the absolute power of a single man, under the formidable title of Dictator, as well against the intrigues of ambitious individuals who aspired to the tyranny, and the seditions of whole classes of the community whose conduct threatened the existence of all government, as against the invasions of external enemies who menaced the conquest and destruction of Rome....

In England, the king is a perpetual magistrate; and it is a maxim which has obtained for the sake of the public peace, that he is unaccountable for his administration, and his person sacred. Nothing, therefore, can be wiser in that kingdom, than to annex to the king a constitutional council, who may be responsible to the nation for the advice they give. Without this, there would be no responsibility whatever in the executive department — an idea inadmissible in a free government. But even there the king is not bound by the resolutions of his council, though they are answerable for the advice they give. He is the absolute master of his own conduct in the exercise of his office, and may observe or disregard the counsel given to him at his sole discretion.

But in a republic, where every magistrate ought to be personally responsible for his behavior in office the reason which in the British Constitution dictates the propriety of a council, not only ceases to apply, but turns against the institution. In the monarchy of Great Britain, it furnishes a substitute for the prohibited responsibility of the chief magistrate, which serves in some degree as a hostage to the national justice for his good behavior. In the American republic, it would serve to destroy, or would greatly diminish, the intended and necessary responsibility of the Chief Magistrate himself.

The idea of a council to the Executive, which has so generally obtained in the State constitutions, has been derived from that maxim of republican jealousy which considers power as safer in the hands of a number of men than of a single man. If the maxim should be admitted to be applicable to the case, I should contend that the advantage on that side would not counterbalance the numerous disadvantages on the opposite side. But I do not think the rule at all applicable to the executive power. I clearly concur in opinion, in this particular, with a writer whom the celebrated Junius pronounces to be “deep, solid, and ingenious,” that “the executive power is more easily confined when it is ONE”; that it is far more safe there should be a single object for the jealousy and watchfulness of the people; and, in a word, that all multiplication of the Executive is rather dangerous than friendly to liberty....

See, also, Leslie C. Green, *Law and Religion: Cases and Materials* (New York, N.Y.: Foundation Press, 2007), demonstrating that the “civil religion” of the United States is frequently utilized by the Presidents of the United States in their various public speeches. President George Washington, *Farewell Address* (1796) (“Can it be, that Providence has not connected the permanent felicity of a nation with its virtue?”); President Thomas Jefferson, *Second Inaugural Address* (March 4, 1804) (“Let us, then, with courage and confidence pursue our own Federal and Republican principles... enlightened by a benign religion, professed, indeed, and practiced in various forms.... yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter....”); President Abraham Lincoln, *Second Inaugural Address* (March 4, 1864) (“The Almighty has His own purposes.... If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come... ‘the judgments of the Lord are true and righteous altogether.’”); and President John F. Kennedy, *Inaugural Address* (January 20, 1961) (“For I have sworn before you and Almighty God the same solemn oath our forebears prescribed nearly a century and three quarters ago.”)

In conventional western political theory, the entire civil polity, just as in ancient Israel, constituted the “church,”⁴⁵ wherein the Pope and the Emperor (i.e., the bishop and king) served as vicegerents of Christ. In England, from the 7th century up to the year 1534 A.D., the Pope and the kings of England shared both civil and ecclesiastical jurisdiction over England. The kings of England thus served as Christian princes.⁴⁶ And the Kingdom of England, which lasted from July 12, 927, A.D. until May 1, 1707, A.D., was a Christian dominion that was patterned after the ancient kingdoms of Israel and Judah. During this period, as we have previously discussed, England conceptualized itself as the heir of both ancient Rome and the Messiah the Prince, whom the prophet Daniel said would conquer the Roman empire. This Kingdom of England therefore was one of the ten crowns that arose up from the ashes of the fall of the mighty Roman empire, as mentioned in the prophecies of Daniel. Therefore, English law and policy were firmly rooted in biblical exegesis. English kings and queens might rightfully consider themselves to be “Defenders of the Faith.”⁴⁷

45 See, generally, William Warburton, *Alliance of Church and State* (1736) [citation omitted]. According to Bishop Warburton, the Bishops’ seat in Parliament comprised a grand “alliance” between the church and the state, since the “Church, by this alliance, having given up its Supremacy to the State... the principal Churchmen are placed in a Court of Legislature, as Watchmen to prevent the mischief, and to give the Church’s Sentiments concerning Laws Ecclesiastical. But when the Alliance is broken, and the Establishment dissolved, **the Church recovers its Supremacy.**”

46 See, e.g., Goldwin Smith, *A Constitutional and Legal History of England*, supra, pp. 5-8. (“Kings, weak or strong, had considerable moral power. They were often hailed as heroes and frequently regarded as being hedged with divinity, first in a pagan and then in a Christian sense. After Christianity returned to England the church helped to increase the strength of the monarchy.... [K]ingship was invested with strong religious sanctions.... In both pagan and Christian days the king was a symbol, a representative of his nation, a being who embodied the national ideals.”)

47 See, e.g., Harriet Sherwood, “King Charles to be Defender of the Faith but also a defender of faiths,” *The Guardian* (Sept. 9, 2022), stating:

The coronation of King Charles III in the coming months, the new sovereign will take an oath, promising to rule according to law, to exercise justice with mercy and to maintain the Church of England.

Under a canopy of golden cloth, he will be anointed with holy oil, blessed and consecrated by the archbishop of Canterbury.

The Westminster Abbey coronation will be a deeply religious occasion. Among King Charles’s many titles are Defender of the Faith – a title bestowed on Henry VIII by the pope, and retained after England broke with Rome – and supreme governor of the Church of England.

His mother took these roles seriously. In her later years, the Queen increasingly spoke publicly of her

During the period of the Kingdom of England (927 A.D. – 1707 A.D.), English common law was undeniably and unapologetically Christian. In many ways, the “law of Christ” was the supreme and fundamental law of England. England’s founding constitutional documents were sacred texts and rooted in the “law of Christ”: *Magna Carta* (1215), *Right of Petition* (1628), and the *English Bill of Rights* (1689). Richard Hooker’s *Of the Laws of Ecclesiastical Polity* (1594) represented classic English political and theological beliefs: God governed the

religious faith and devotion, citing her “personal accountability before God” in one Christmas message.

“Her faith was rooted in the traditional low church Protestantism favoured by Queen Victoria and the House of Windsor, although she was markedly ecumenical and very happy to attend Roman Catholic services,” said Ian Bradley, the emeritus professor of cultural and spiritual history at the University of St Andrews and author of *God Save The Queen: The Spiritual Dimension of Monarchy*.

“Charles shares his mother’s faith and devotion, though it has a slightly different complexion – perhaps more naturally high church, with a particular affinity for and interest in eastern Orthodox Christianity.” The new king has also shown great interest in non-Christian faiths, especially Islam and Judaism.

In 1994, Charles triggered controversy when he said he would be defender of faith rather than Defender of the Faith, in a desire to reflect Britain’s religious diversity. There were suggestions that the coronation oath might be altered.

In 2015, he clarified his position in an interview with BBC Radio 2, saying his views had been misinterpreted. He said: ‘As I tried to describe, I mind about the inclusion of other people’s faiths and their freedom to worship in this country. And it’s always seemed to me that, while at the same time being Defender of the Faith, you can also be protector of faiths.’

He pointed out that the Queen had said her role was ‘not to defend Anglicanism to the exclusion of other religions. Instead, the Church [of England] has a duty to protect the free practice of all faiths in this country. I think in that sense she was confirming what I was really trying to say – perhaps not very well – all those years ago.’

Now, as he ascends the throne almost three decades after that controversy, most people would agree that Charles should champion the right to religious belief and practice of all his subjects, not just that of the dwindling number of people in the pews of Anglican churches.

‘King Charles will rethink what being Defender of the Faith means, but it will be a reflection of how his mother exercised her faith role in reality,’ said Diarmaid MacCulloch, a professor of church history at the University of Oxford. ‘She was very aware that she presided over a multicultural society, and in practice there won’t be such a great shift.’

Bradley agreed there would be little discernible difference in practice. ‘Charles shares his mother’s commitment to the church and to matters of faith. Partly under his influence and following her own instincts, she had already moved a long way in the direction of becoming defender of faith in the way he outlined, reaching out to non-Christian faith groups and frequently referencing them in her Christmas broadcasts.’

world through his divine providence and human laws were thus subordinate to that providence.

The several monarchs who are highlighted in this chapter have been carefully selected, because they demonstrate how the kingdom of England wove Christianity into English law and exemplified the English conceptualization of Christian polity. These monarchs include King Ethelbert; King Alfred the Great; William the Conqueror; King Henry II; King Edward I; the monarchs of House of Tudor; and the monarchs of the House of Stuart. This history provides an important introduction to the English common law and constitutional systems that were brought to colonial British North America during the 17th century.

“King Ethelbert (560 A.D. – 616 A.D.) and English Law”

From 560 to 616 A.D., King Ethelbert ruled as King of Kent. Kent was one of the seven kingdoms in Britain. King Ethelbert married a Christian woman named Bertha, who was the daughter of a Christian Frankish king. Bertha brought several Christian clerics with her to live in Britain. Through Bertha’s influence, King Ethelbert agreed to accept a Christian mission from Pope Gregory the Great in 597 A.D. As a result of this Christian mission, King Ethelbert accepted Christianity and commenced the process of royal patronage of the Roman Church in Britain. The foundation of the economic and political relationship between the Roman Church and the English monarchy was laid during King Ethelbert’s reign.

The influence of the Roman Church—it’s Christian scholarship and leadership—undoubtedly influenced King Ethelbert’s jurisprudence and created a lasting impact upon Anglo-Saxon institutions. Literacy and writing first arrived with the Catholic mission to Briton in 597 A.D., and so King Ethelbert’s written code was likely the product of Christian learning and influence.⁴⁸

48 “Some time after the arrival of Augustine's mission, perhaps in 602 or 603, Æthelberht issued a set of laws, in ninety sections. These laws are by far the earliest surviving code composed in any of the Germanic countries, and they were almost certainly among the first documents written down in Anglo-Saxon, as literacy would have arrived in England with Augustine's mission. The only surviving early manuscript, the *Textus Roffensis*, dates from the twelfth century, and it now resides in the Medway Studies Centre in Strood, Kent. **Æthelberht's code makes reference to the church in the very first item, which enumerates the compensation required for the property of a bishop, a deacon, a priest, and so on; but overall,**

A sample of King Ethelbert's laws is listed below in the following chart:

“THE LAWS OF KING ZETHELBIHRT. THESE ARE THE DOOMS WHICH KING ZETHELBIHRT ESTABLISHED IN THE DAYS OF AUGUSTINE.”

- “1. The property of God and of the church, “twelve-fold; a bishop's property, eleven-fold; a priest's property, nine-fold; a deacon's property, six-fold; a clerk's property, three-fold; ° church-frith, two-fold; “ ‘ m frith, two-fold.
3. If the king drink at any one's 'home, and any one there do any " ' lyswe,' let him make two-fold ' wt.'
4. If a freeman steal from the king, let him pay nine-fold.
5. If a man slay another in the king's ° ' tin,' let him make . ' b6t' with L. shillings.
6. If any one slay a freeman, L. shillings to the king, as '* ' drihtin-beah.'
7. If the kings ' ' ambiht-smith,' or ' laad-rinc,' slay a man, let him pay a f half ' ' leod-geld.'
8. The king's ' ' mund-byrd,' L. shillings.
9. If a freeman steal from a “freeman, let him make three fold ' b5t;' and let the king have the “ wite ' and all the chattels. '
10. If a man lie with the king's " maiden, let him pay a ' bot' of L. shillings.
11. If she be a grinding slave, let him pay a ' b5t' of xxv. shillings. The third [class] xii. shillings.
12. Let the king's ° ' fed-esl ' be paid for with xx. shillings.
13. If a man slay another in an ' eorl's' ' tun,' let make ' b6t ' with xii. shillings.
14. If a man lie with an ' eorl's' ' 5 ' birele,' let him make 'b6t' with xii. shillings.
15. A ' ceorl's' ' mund-byrd,' vi. shillings.
16. If a man lie with a ' ceorl's' ' birele,' let him make ' b6t' with vi. shillings; with a slave of the second [class], L. E ' scaetts;' with one of the third, xxx. ' sczetts.'
17. If any one be the first “to make an inroad into a man's ' tin,' let him make ' b6t' with vi. shillings ; let him who follows, with iii. shillings; after, each, a shilling.
18. If a man furnish weapons to another where there is 'strife, though no evil be done, let him make ' bot' with vi. shillings....
77. If a man buy a maiden 'with cattle, let the bargain stand, if it be without guile; but if there be guile, “let him bring her home again, and let his 'property be restored to him.
78. If she bear a live child, let her have half the property, if the husband die first. testes adducito, juratoque ipsemet sextus, se eas res in fora pretio
79. If she wish to go away with her children, let her have half the property.
80. If the husband wish to have them, [let her portion be] 'las one child.

the laws seem remarkably uninfluenced by Christian principles. Bede asserted that they were composed "after the Roman manner", but there is little discernible Roman influence either. In subject matter, the laws have been compared to the Lex Salica of the Franks, but it is not thought that Æthelberht based his new code on any specific previous model." See "Aethelbert of Kent," *Wikipedia Encyclopedia* (Online): https://en.wikipedia.org/wiki/%C3%86thelberht_of_Kent#Law_code

81. If she bear no child, let her paternal kindred have the ‘ ‘ fioh ’ and the l’ ‘ morgen-gyfe.’ S2. If a man carry off a maiden by force, let him pay L. shil lings to the owner, and afterwards buy [the object of] “his will of the owner.

83. If she be betrothed to another man in “money, let him make ‘bot’ with xx. shillings.

84. If she become ‘ gaengang,’ xxxv. shillings; and xv. shil lings to the king. l

85. If a man lie with an ‘esne’s’ wife, her husband still’ living, let him make twofold ‘ bfit.’

86. If one ‘esne’ slay another unoffending, let him pay for him at his full worth.

87. If an ‘ esne’s’ eye and foot be struck out or off, let him be paid for at his full worth.

88. If any one bind anotller’s ‘ esne,’ let him make ‘ b6t’ with VI. shillings.

89. Let the ‘ weg-reafe’ of a ‘theow’ be 111. shillings.

90. If a ‘ theow’ steal, let him make twofold ‘ b5t.’”

Thus, King Ethelbert’s reign first brought forth the “written law” known as the “dooms,” which was a collection of both customary and ecclesiastical law. These written laws became the foundation of the English common law.⁴⁹ These laws were administered in the local shire and hundreds courts, where bishops and priests served as adjudicators. “The existing fragments of written Anglo-Saxon laws, or dooms, span five centuries, beginning with the enactments of Ethelbert, first Christian king of Kent, and ending with those of Canute. These dooms, together with the various charters issued by the kings, form a most valuable source for students of Anglo-Saxon institutions.”⁵⁰

Here we find in the history of the Anglo-Saxons, a Germanic and Gentile nation that inhabited the British Isles, the beginnings of the fulfillment of the biblical prophecy of Daniel, whereby the Christian kingdom of Britain emerges as one of the ten horns (or kingdoms) out from the ancient Roman empire. The Christian religion is sewn into the laws of the Anglo-Saxon kingdom of Kent.

49 Goldwin Smith, *A History of England*, supra, pp. 23-25.

50 “Aethelbert of Kent,” *Wikipedia Encyclopedia* (Online): https://en.wikipedia.org/wiki/%C3%86thelberht_of_Kent#Law_code

“King Alfred (848 A.D. – 899 A.D.) and English Law”

King Alfred stands out as an “English Charlemagne.” He beat back the invading Danes (i.e., the Vikings) who came from the “land of robbers,” and set the British Isles toward a path of monarchical unification and English cultural development and identity. King Alfred unified the several Anglo-Saxon kingdoms into one unified kingdom of England.

Alfred was more than a warrior. He issued his famous dooms, or laws, as a basis for the law and order he wished to see. A man of natural intellectual curiosity, Alfred was also convinced that ‘a life without knowledge or reflection is unworthy of respect.’ He labored steadily for the restoration of learning, so disturbed by years of war. He assembled the best scholars he could find and established a palace school. He aided in the revival of the monasteries. He translated several ‘necessary works.’ He encouraged the industrial arts. The Anglo-Saxon Chronicle was probably begun at his command.⁵¹

Hence, it was under King Alfred that the Christian character of English culture, government, and law began to flourish.

King Alfred preserved customary Anglo-Saxon law (“dooms”) into a “Domebook,” in which he explicitly acknowledged that Christ’s “Sermon on the Mount” was the basis for the Anglo-Saxon common law, to wit: “And as ye would that men should do to you, do ye also to them likewise.” (Luke 6:31). This Domebook was in later centuries published and titled *The Ancient Laws and Institutes of England*.

Doom Book, Code of Alfred or Legal Code of Ælfred the Great was the code of laws (“dooms,” laws or judgments) compiled by Alfred the Great (c. 893 AD) from three prior Saxon codes, to which he prefixed the Ten Commandments of Moses and incorporated rules of life from the Mosaic Code and the Christian code of ethics. The title “Doom book” (originally “dom-boc” or “dom-boke”) comes from *dōm* (pronounced “dome”) which is the Anglo-Saxon word meaning “judgment” or “law” — for instance, see Alfred’s admonishment: Doom very evenly! Do not doom one doom to the rich; another to the poor! Nor doom one doom to your friend; another to your foe! The following reflects Mosaic Law: “You shall do no injustice in judgment! You shall not be partial to the poor; nor defer to the great! But you are to judge your neighbour fairly!” (Leviticus 19:15). The law code also contained laws that may seem bizarre by modern standards,

51 Goldwin Smith, *A History of England*, supra, p. 26.

such as: 'If a man unintentionally kills another man by letting a tree fall on him, the tree shall be given to the kinsmen of the slain.

F. N. Lee extensively documents Alfred the Great's work of collecting the law codes from the three Christian Saxon kingdoms and compiling them into his Doom Book. Lee details how Alfred incorporated the principles of the Mosaic law into his Code. He then examines how this Code of Alfred became the foundation for the Common Law. The three previous codes were those of Æthelberht of Kent (c. 602 AD), Ine of Wessex (c. 694 AD) and Offa of Mercia (c. 786 AD). In his extensive Prologue, Alfred summarized the Mosaic and Christian codes. Michael Treschow reviewed how Alfred laid the foundation for the Spirit of Mercy in his code: Treschow states that the last section of the Prologue not only describes "a tradition of Christian law from which the law code draws but also it grounds secular law upon Scripture, especially upon the principle of mercy". After their day the manuscript of the work was brought to light and was published both in Saxon and English by the Record Commissioners of England in the first volume of the books published by them under the title, "The Ancient Laws and Institutes of England". The profound religious spirit which governed King Alfred and his times clearly appears from the fact that the "Liber Judicialis" began with the Ten Commandments, followed by many of the Mosaic precepts, added to which is the express solemn sanction given to them by Christ in the Gospel: "Do not think that I am come to destroy the law, or the prophets; I am not come to destroy but to fulfill." After quoting the canons of the Apostolic Council at Jerusalem, Alfred refers to the Divine commandment, "As ye would that men should do to you, do ye also to them", and then declares, "From this one doom, a man may remember that he judge every one righteously, he need heed no other doombook." In the days of the Anglo-Saxon kings the courts of justice consisted principally of the county courts. These county courts were presided over by the bishop of the diocese and the ealdorman or sheriff, sitting en banc and exercising both ecclesiastical and civil jurisdiction. In these courts originated and developed the custom of trial by jury. Prior to the invasion led by William the Norman, the common law of England provided for the descent of lands to all the males without any right of primogeniture. Military service was required in proportion to the area of each free man's land, a system resembling the feudal system but not accompanied by all its hardships. Penalties for crime were moderate; few capital punishments being inflicted and persons convicted of their first offense being allowed to commute it for a fine or were gild; or in default of payment, by surrendering themselves to lifelong bondage. The legal system which thus received form under the direction of the last Saxon King of England, was common to all the realm and was designated as "Jus commune" or Folk-right.⁵²

52 "Alfred the Great," *Wikipedia Encyclopedia* (Online): https://en.wikipedia.org/wiki/Alfred_the_Great

In those days, the local county courts merged “ecclesiastical” and “secular” matters; and these courts were presided over by the local bishop, earl, and sheriff. Thus, given this merger of law and religion in the courts, it seems fair to conclude that the English common law has Christian origins; and to conclude that Christianity was merged into the English common law during the Seventh, Eighth, and Ninth Centuries.⁵³ Thereafter, English common law was organized and administered by the Church of England.⁵⁴

“William I (1028 A.D. – 1087 A.D.) and English Law”

In 1066 A.D., William of Normandy (1028 A.D. – 1087 A.D.) brought a refined French-based, Roman Catholic Church to the British Isles, as well as a refined form of European feudalism which forever shaped English culture and traditions. The Roman Catholic Church made a significant influence upon the English common law and the legal system. All of the lawyers were then clergymen under holy orders. The Anglo-Saxon secular courts were converted into “royal courts,” which were presided over by royal judges who were priests in the Roman Church of England.

In addition, appeals from these royal courts could be taken directly to the Lord Chancellor, who was himself a bishop. The church or ecclesiastical courts also had a very expansive jurisdiction; and, as it turned out, savvy litigants learned how to manipulate the

⁵³ The Christian influence upon Anglo-Saxon customary law and, later, the English common law, began as early as the seventh century, A.D., following Pope Gregory the Great’s Catholic mission to the British Isles, where the Anglo-Saxon King Ethelbert (c. 560 A.D. – 616 A.D.) converted to the Christian religion and issued his book of laws called the *Dooms*. King Alfred the Great (c. 848 – 899 A.D.) later established a book of law also called the *Dooms* (c. 893 A.D.), which was explicitly Christian and Mosaic. The English legal system was then naturally dominated by the priests and the bishops, since they were the most learned and influential men in Europe and Britain. There were two broad types of courts in England: the hundred courts and the shire courts. Bishops and priests, together with earls and sheriffs presided over both courts. See, e.g., Frank Zinkeisen, “The Anglo-Saxon Courts of Law,” *Political Science Quarterly*, Vol. 10, No. 1 (Mar. 1895), pp. 132-144 (“[a]s to actual judicial authority, it seems, at least in the time of [the Anglo-Saxon king] Cnut, to have lain chiefly in the hands of the bishop, who was assisted by the secular arm of the ealdorman (earl) and the executive power of the latter or his deputy, whether a sheriff or other officer.”) And so, from the time of King Ethelbert (560- 616 A.D.) to the year 1066 when William the Conqueror (i.e., King William I) invaded England, the Christian religion was merged into the Anglo-Saxon customary law or English common law. After William I consolidated his power over the throne of England, the William I’s new royal and ecclesiastical courts introduced the Roman law and the canon law of the Roman Catholic Church into England. These courts were administered through the French language. From that point onward England’s common law, constitutional law, and statutory laws were thoroughly Christian.

⁵⁴ Ibid.

character of their disputes in order to bypass the secular common law courts in order to have their cases brought before the better trained jurists in the ecclesiastical courts. Hence, the Roman Church of England and the Christian faith actually strengthened its grip upon the English legal system after 1066 A.D.

However, serious problems arose within the constitutional structure of William I's government. The new Pope Gregory VII had demanded absolute loyalty and fealty to Rome. William I refused to grant this fealty, and the struggle between the English monarchy and the church commenced in earnest during the eleventh century. For this reason, one of William I's first measures after 1066 was to carry out church reform in England. To achieve this, he appointed the renowned Italian lawyer Lanfranc as Archbishop of Canterbury. Lanfranc was born about 1005 A.D. and followed a family career in the law, which he studied perhaps at Bologna where he would have practiced law before the Papal courts. Lanfranc was widely considered to be one of the leading jurists of his time and he was highly regarded by Pope Gregory VII. A lawyer thus became the Archbishop of Canterbury during the reign of William I. "William and Lanfranc therefore set out to enforce clerical celibacy, to purify monastic life, to raise the level of intellectual activity, to abolish simony, to do all that the reforming zeal of [Pope Gregory VII] had achieved in Europe."⁵⁵

It is obvious that the Norman Conquest opened the gateways of England to new influences from Europe. The leading members of the church and state were now Normans; many held their Norman estates; and most of them were in frequent touch with the Continent from France to Rome.... French became the language of the court, the law, the government. Educated men spoke and wrote French and Latin. Exiled from hall, court, and cloister, English remained almost entirely a spoken tongue for about three centuries.... In the fourteenth century English again entered polite and learned society in the works of Geoffrey Chaucer, John Wycliffe, and their fellows. Then its long and unconscious underground growth had left it improved and flexible, ready to develop into the language of Shakespeare.... After 1066 several monks began to record for posterity the events of their world..... [But it] was not in literary works but in architecture that the Normans achieved most nobly in the full flood tide of the ecclesiastical revival landscape was transformed by Norman churches, huge and

55 Goldwin Smith, *A History of England* (New York, NY: Charles Scribner's Sons, 1957), p. 42.

magnificent, rising beside the castles. God was to be glorified in splendid ceremonial and massive building, symbols of His power and majesty. About 300 churches were constructed, some of them the largest of their kind in Europe.⁵⁶

The Roman church thus brought an advance legal system to England during the reign of William I from 1066 A.D. to 1087 A.D. “Normandy has for long been a forerunner in the historical development of the French legal system, a superiority attested by ‘the number and the fame of the Anglo-Norman lawyers.’”⁵⁷

Significantly, William I converted the “shire courts” and the “hundred courts” into “royal courts,” meaning that local nobles and lords could no longer use these courts as their private tribunals. Instead, the shire courts and the hundred courts were now controlled by the English crown and administered as “royal courts.” William I removed clergymen from the secular common law courts and established separate church or ecclesiastical courts. “He completely separated the church courts from the ordinary lay courts. No longer was the bishop to preside with the earl or sheriff over the shire court for the purpose of jointly administering justice to layman and cleric. Nor were churchmen to appear in the hundred courts. Henceforth the bishop or his officers in the new church courts set up by William would deal with all cases involving clergymen or the great tracts of problems covered by the canon law.”⁵⁸

Royal Courts (Common Law)	Ecclesiastical Courts
(a) Manor Courts (b) Hundred Courts (c) Shire Courts	(e) Ecclesiastical Courts
Royal Court of Appeal (Chancery)	Ecclesiastical Court of Appeal
(d). The Lord Chancellor (Bishop)	(f) The Pope (Bishop of Rome)

⁵⁶ Ibid., pp. 43-44.

⁵⁷ Timothy Daniell, *The Lawyers* (Dobbs Ferry, N.Y.: Oceana Pub., 1976), p. 50

⁵⁸ Goldwin Smith, *A History of England* (New York, NY: Charles Scribner’s Sons, 1957), p. 36.

The entire legal system, both secular and ecclesiastical, was controlled by the clergy.

The royal judges and justices were typically clergy:

Until the Conquest, the law was discharged by men of substance and of rank—very often the men of the church, learned in the law, who some centuries later provided the first professional ‘lay’ lawyers with their own model. When it is considered how swiftly William and his Norman barons gave to England a measured administration after their arrival, the best view must still stand that already, in Anglo-Saxon times, the Normans and English were kinsmen.... This nascent legal profession breathed on and fertilised the older systems which had been represented in England, and the slate was wiped clean of tribal inconsequences. The educational houses of the medieval era were the monasteries, and thus the vestibules of all learning. It was natural therefore that the legal gentlemen of the age were priests and not lawyers—the post-Norman period followed the Anglo-Saxon tradition—for example, Bishop Aethelric and his monks of Abbingdon, with men such as Alfwin , and the brothers Sacol and Godric.”⁵⁹

This essentially meant that, after 1066, the royal judges, who now presided over the manor courts, hundred courts, and shire courts, were clergymen. Appeals from these common law courts could go directly to the king himself, but he eventually assigned the task of hearing these appeals to his Lord Chancellor, who was “keeper of the king’s conscience” and who was himself a bishop or archbishop in the Roman Church of England. The Lord Chancellor’s judicial authority was eventually organized into the Court of Chancery, where equity jurisprudence could be administered in order to correct the inefficiencies or injustices incurred from the common law.

King William I separated the common law courts from the ecclesiastical courts. However, it must be remembered that these ecclesiastical courts had an expansive jurisdiction, covering issues that regarding marriage, divorce, the family, the succession of estates upon death, and general jurisdiction over all clergymen. “This separation of lay and ecclesiastical courts helped to prepare the way for conflict between church and state throughout the later Middle Ages.”⁶⁰ Hence, from the time of William I onward, the English

59 Timothy Daniell, *The Lawyers* (Dobbs Ferry, N.Y.: Oceana Pub., 1976), pp. 45-46.

60 Goldwin Smith, *A History of England* (New York, NY: Charles Scribner’s Sons, 1957), p. 42.

monarchy sought bishops and lawyers (clergymen) who would vindicate its divine rights; whereas the Pope demanded clerical and secular obedience to the Church. The real struggle between the Church and State began with the reign of William I of Normandy.

“King Henry II (1133 A.D. – 1189 A.D.) and English Law”

King Henry II (1133 A.D. – 1189 A.D.) is considered the second “Lion of Justice” in British history. His was a turbulent reign, filled with challenge and risk, and requiring much political skill. Henry II was a quintessential Machiavellian monarch. He was pragmatic and appears to have been Christian only in name, but this could be an overly harsh judgment. Henry II needed to be ruthless: in England, he was constantly challenged by rebellious barons and an ever-expanding and powerful Roman Catholic Church. In France, Ireland, Scotland, and Wales, there was constant intrigue and the potential for rebellion and revolt. For this reason, Henry II did not trust anyone; he relied on spies; he sent roving inspectors and judicial officers throughout his kingdom to report on conditions and inspect the operation and quality of the court systems. Henry II established regular legal procedures, such as the jury system and the common law writ; he reorganized the central government and increased royal power. But he took risks and relied perhaps too much on *realpolitik*; under his leadership and perhaps at his directive, Thomas Becket, the Archbishop of Canterbury, was assassinated. In the end, Henry II was overthrown by his own sons and died a broken monarch. History has nevertheless been kind to Henry II; for he exhibited the ferocious daring and fortitude to make England a great island nation; and he laid the foundation for many of England’s great institutions, such as the British Parliament, the great Common Law courts, the universities, and the secularization of the English legal profession.

During Henry II’s reign, the Curia Regis began to split into two bodies: the legislative (i.e., the forerunner of the British Parliament or great council) and the judicial (i.e., the three great common law courts: Court of Common Pleas; Court of the Exchequer; and the Court of

the King's Bench).⁶¹ Simultaneously, the “[c]hurch courts handled extensive areas of law.”⁶² “The claims of ecclesiastical jurisdiction were being steadily defined and broadened by church lawyers who had profited from the increased study of Roman law.” All of the professional clerics, whether under orders or not, were trained and educated through Roman Catholic monasteries and schools; and so English legal training was thoroughly Christian, Catholic, and reflective of a philosophy of law the later defined Henry de Bracton's, Thomas Aquinas' and Richard Hooker's viewpoints.

The emergence of a trained, secular legal profession would evolve slowly, but the initial shift began when clerics who were trained in the law and who served *the interests of the King*, began to clash with those clerics who protected *the interest of the church* and *the Pope*. The three great common law courts, mentioned above, were presided over by Christian clerics, who formed the nucleus of the secular bar and bench, which was organized through the various Inns of Court, Inns of Chancery, and the Order of the Coif. All of these organizations were nevertheless official arms of the Roman Church of England.

Under Henry II, itinerant royal justices roamed throughout the kingdom, and the moment they entered a local court, that court was automatically converted into a royal court.⁶³ These itinerant justices thus began to centralize the English common law.

The itinerant justices not only brought surer justice to the counties; they also helped to spread a knowledge of the legal principles used by the *curia regis* and its branches. In the long development of a reasoned system of law this slow process was important. The cumbersome and formal customary law that had grown up in various local areas through Anglo-Saxon days varied from district to district. Although the feudal law brought by the Normans was similar throughout England it was concerned with the conditions of landholding and little else. As the itinerant justices moved about England they began to make a national, common law for the whole kingdom, declaring the principles and

61 Goldwin Smith, *A History of England* (New York, NY: Charles Scribner's Sons, 1957), pp. 111-112.

62 Ibid., p. 59.

63 Ibid., p. 54.

practice of the central courts at Westminster and absorbing the best of the local law.⁶⁴

The English common law was a mixture of the following sources of law:

- a. The Code of Justinian (Christian law of the European continent);
- b. Roman Catholic Church law (Greco-Roman or Pagan; Christian);
- c. Norman feudal law (Greco-Roman or Pagan; Christian); and,
- d. Anglo-Saxon customary law (Germanic Pagan; Christian).⁶⁵

But the predominant and unifying character of English common law was decisively Roman Catholic and Christian. The English monarchy was Christian, and so all of England's laws had to comport with Christian teachings and doctrine. Roman Catholic monasteries and schools, which continued to dominate the Education of England's learned men, produced all of England's lawyers, judges, and political theorists and politicians—men such as John of Salisbury.⁶⁶

64 Ibid., pp. 54-55

65 Ibid.

66 In the writings and ideas of John of Salisbury (1120-1180), we find the perfect synthesis of the Noahic "Covenant of Nature," the divine law of "General Equity," the law of the "Greco-Roman Gentiles," and the Sacred Scriptures of the revealed religion of Christianity into English political theory and constitutional law. John of Salisbury was a contemporary and friend of Archbishop Thomas Becket. He addressed his landmark book *Policraticus* to Thomas Becket, who was at that time Chancellor to Henry II. In *Policraticus*, John of Salisbury sets forth several prominent ideas which described the medieval view of government, law and the Christian faith. Historian Goldwin Smith has written:

More famous in his own age than any of these was John of Salisbury, who finished *Polycraticus*, or Statesman's Book, in 1159. This book, written in the confident and creative years of the medieval Christian polity, was the only important political treatise written in Europe before the western world recovered and used Aristotle's Politics. Inspired by the concepts of the Roman Empire and the Old Testament theocracy, John of Salisbury tried to find a basis for cooperation of church and state, to him the first requirement of any harmonious social system.... **To him the church, as the embodiment of righteousness, was the supreme ruler of men.** [Goldwin Smith, *A History of England* (New York, N.Y.: Charles Scribner's Sons, 1957), pp. 62-63.]

John of Salisbury conceptualized "law" as God's natural justice or as natural equity. To John of Salisbury, there is God's eternal and divine law and there is natural law or justice, and to govern justly the earthly prince has a duty to govern in accordance with these laws. Otherwise, the earthly prince would be nothing but a tyrant, governing through lawlessness and without proper authority. In *Policraticus*, while relying heavily upon the Old Testament model, John of Salisbury wrote that the English king was bound to administer the law of God (equity) and could not violate the common interests of his subjects; that his "sword" or executive authority was given to him by the church; that he should avoid avarice; that he should have the law of God ever before his mind and eyes; and that he should be taught the fear of God. John wrote that the king or prince "is the public power, and a kind of likeness on earth of the divine majesty." In *Policraticus*, John of Salisbury wrote:

The Jury System: Henry II's reign is also known for its establishment of regular legal procedures, such as the jury system and the common law writ system. In those days, the jury was the king's prerogative alone. Here, the king would summon a grand jury of twelve men within a local community to hear evidence and to give sworn testimony. This system proved itself successful in settling both civil and criminal cases.⁶⁷

The Common Law Writ & Equity Courts: Henry II's reign also witnessed the emergence of the common law writ system, whereby every action under the common law was

Princes should not deem that it detracts from their princely dignity to believe that the enactments of their own justice are not to be preferred to the justice of God, whose justice is an everlasting justice, and His law is equity. Now, equity as the learned jurists define it, is a certain fitness of things which compares all things rationally, and seeks to apply like rules of right and wrong to like cases, being impartially disposed toward all persons, and allotting to each that which belongs to him. Law, which knows the will and intention of equity and justice, is the interpreter of equity. All law is, as it were, a discovery and a gift from God, a precept of wise men, the corrector of excesses of the will, the bond which knits together the fabric of the state, and the banisher of crime; and it is therefore fitting that all men should live according to it who lead their lives in a corporate political body....

However, it is said that the prince is absolved from the obligations of the law; but this is not true in the sense that his character should be such as to cause him to practice equity not through fear of the penalties of the law but through love of justice; and should also be such as to cause him from the same motive to promote the advantage of the commonwealth, and in all things to prefer the good of others before his own private will... he may not lawfully have any will of his own apart from that which law or equity enjoins, or the calculations of the common interest requires? ...

[H]is decision may not be at variance with the intention of equity. The prince accordingly is the minister of the common interest and the bond-servant of equity, and he bears the public person in the sense that he punishes the wrongs and injuries of all, and all crimes, with an even-handed equity. His rod and staff, also, administered with wise moderation, restore irregularities and false departures to the straight path of equity, so that deservedly may the Spirit congratulate the power of the prince with the words, 'Thy rod and thy staff, they have comforted me.'...

This sword, then, the prince receives from the hand of the church, although she herself has no sword of blood at all. Nevertheless she has this sword, but she uses it by the hand of the prince, upon whom she confers the powers of bodily coercion, retaining to herself authority over spiritual things in the person of the pontiffs. The prince, is, then, as it were, a minister of the priestly power, and one who exercises that side of the sacred offices which seems unworthy of the hands of the priesthood.

Here we find in John of Salisbury's influential work *Policraticus*, a most complete summation of the English constitution and political philosophy which nurtured the English common law and legal system. First, the English monarchy was subordinate branch of the Christian priesthood. The English king was "a minister of the priestly power" and maintained a "sword" entrusted to him by God and the church. Hence, the church was to be considered superior to the king, but the king nevertheless was entitled to due reverence and respect. A Christian king had a duty to govern in accordance with law. And to John of Salisbury and the Medieval world, "law" was an expression of divine equity (i.e., the Law of God), to be administered partly through the organized church and partly through the monarchy or earthly government. Hence, under this theory, the English monarchy was conceived as a Christian enterprise and the laws of England, including the English common law, were developed as a system of Christian jurisprudence.

67 Goldwin Smith, *A History of England* (New York, NY: Charles Scribner's Sons, 1957), pp. 54-55.

initiated through filing a special writ. Simultaneously, as a Christian prince and as a servant of the Most-High God, “it was the right and duty of the king to intervene with his prerogative power to secure justice and to see that right was done. Justice not allowed by the forms of the law could thus be obtained by royal interference. This was the beginning of the great system of law known as equity.”⁶⁸ Thus, petitions in equity up from the common law courts could be made to the king’s Lord Chancellor (typically a bishop in the Roman Church of England). Over time, the Lord Chancellor’s court became a regular court of chancery.

The Roman Church of England dominated the formulation of English law and government throughout the reign of King Henry II (1154 A.D. to 1189 A.D.). As John of Salisbury opined, the English king was perceived to be a member of the clergy, whose responsibility was to administer the civil “sword,” which had been entrusted to him by God and the church. As reflected in the writings of John of Salibury, Augustine of Hippo’s catholic thought continued to have a very powerful grip upon England’s jurisprudence. The Roman Church maintained jurisdiction over the souls of all men, to wit: “[a]nd justice, whose office it is to render to every man his due, whereby there is in man himself a certain just order of nature, so that the soul is subjected to God, and the flesh to the soul, and consequently both soul and flesh to God....”⁶⁹

This unique jurisdiction of the Roman Church of England, which was over the very souls of every individual, and which mandated that a king’s secular directives remain in harmony with the Law of God, created substantial conflict. Under this theory, the English king was subordinate to the Pope and the church. England’s secular law was thus subordinate to the law of God (i.e., divine law; natural law). There was still no completely secular legal profession during the reign of Henry II. The clergy still dominated the administration of justice throughout the kingdom of England. Hence, the great English common law continued

68 Ibid., p. 55.

69 St. Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 678.

to be nurtured under this Roman Catholic environment. And Christianity continued to be infused deeply into the veins of the entire English legal system throughout the reign of Henry II. The Roman Church of England continued to mold secular Anglo-American jurisprudence into a refined English common-law court system, and to develop equity jurisprudence, which was administered by the Lord Chancellor (a bishop in the Church of England). This English common law system (both law and equity) reflected the central message of Jesus of Nazareth to love ye one another (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21:1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

“King Edward I (1239 A.D. -1307 A.D.) and English Law”

The rapid development of the English legal system under the reign of King Edward I was built upon the foundation laid by the great English jurist and clergyman Henry de Bracton (1210 - 1268). “Bracton's work became the basis for legal literature of Edward I of England. Gilbert Thornton, the chief justice of the king's bench made an epitome of it.”⁷⁰ Bracton’s legal philosophy was deeply-rooted in Pauline theology (i.e., Romans xiii) and classical Greco-Roman natural law. Bracton held that all kings, emperors and civil magistrates must rule as vicegerents of God, and that all secular laws must reflect the divine will of God. Specifically, Bracton held that the natural law, which is the law of God, preexisted creation and represented the immutable, unchangeable will of God.⁷¹ And, most germane to this discussion, Bracton’s classical English jurisprudence is most akin to that revolutionary

⁷⁰ See, e.g., “Henry de Bracton,” Wikipedia Encyclopedia (online): https://en.wikipedia.org/wiki/Henry_de_Bracton#cite_note-1

⁷¹ Ibid., to wit:

Bracton would have been familiar with the description of natural moral law applied in the Decretals: **“The natural law dates from the creation of the rational creature. It does not vary with time, but remains unchangeable.”** ... [Bracton] also was familiar with Isidore of Seville or Isidorus Hispalensis (c. 570–636) who wrote of law: ‘In determining the nature of law, there must be three conditions: the fostering of religion, in as much as it is proportionate to the Divine law; that it is helpful to discipline, in as much as it is proportionate to the natural law; and that is further the common weal, in as much as it is proportionate to the utility of mankind.’

natural law discourse that is reflected in the American Declaration of Independence.⁷²

Hence, there is a continuity of juridical thought that runs from the times of Edward I to the American Revolution.

Centralization of royal power and administration increased under the reign of King Edward I, who was in many ways reminiscent of King Henry II (1154 A.D. – 1189 A.D.). Edward I built upon the firm foundations of government and court administration which Henry II had laid. Historian Goldwin Smith has described King Edward I's reign as follows:

During the reign of Edward I the work of the state-building Norman and Angevin kings reached its height. His reign saw important chapters in the development of the institution of Parliament, effective centralized government, the beginning of statute law and modern land law, broader political education. All of these were capital events in English history. Edward I was one of the greatest of the thirty-nine monarchs who have reigned in England since the Norman Conquest.⁷³

Edward I's reign witnessed the growing secularization of the legal profession and the establishment of three great common law courts: Court of the Exchequer, Court of Common Pleas, and the Court of King's Bench.⁷⁴ The old Anglo-Saxon shire and hundred courts eventually relinquished more and more of their jurisdiction to these centralized, royal

⁷² See, e.g., William Goodell, *The Democracy of Christianity, or; An Analysis of the Bible and its Doctrines in Their Relation to the Principles of Democracy* (New York, N.Y.: Cady and Burgess, 1852), pp. 376-377, to wit:

An echo of these expositions we have in our Declaration of Independence. [Henry de] Bracton, in his exposition of Romans xiii., had said:

'He is called a king for ruling righteously, and not because he reigns. Wherefore he is a king when he governs with justice, but a tyrant when he oppresses the people committed to his charge.'

In nearly the same language our Declaration of Independence abjures the authority of the British monarch:

'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.'

These words of Jefferson seem but a paraphrase or application of Bracton's, and Bracton's are but his own reference from his own exposition of Paul.

⁷³ Goldwin Smith, *A History of England* (New York, NY: Charles Scribner's Sons, 1957), p. 108.

⁷⁴ *Ibid.*, p. 108.

common law courts during the late-thirteenth and fourteenth centuries.⁷⁵ The volume of legal work together with the complexity of legal cases soon mandated a change in the methods of organizing and training of judges and lawyers.⁷⁶ As the English legal profession was slowly extracted out from men under holy orders, that is to say, from the Roman Catholic clergy, it slowly affiliated themselves with other secular or temporal nobles and peers, such as the knights, nobles, and barons. Lay judges and barristers were typically affiliated with the knights (i.e., the Knights Templars) and the squires (e.g., the name “esquire” being a derivative of this Medieval title), who assisted the knights. Clerical judges and barristers retained their usual offices within the church. During the thirteenth century, the knights were given charge as “justices of the peace” and as “magistrates over the shire or hundred courts.” It is perhaps no accident that the English legal profession finds a large part of its history, lore and origin within the Knights Templars, a military Catholic order. During this period, the administration of the English common law in the lower-level courts fell into their hands.

It should be noted that in general, there were four broad categories of law in England:⁷⁷

Type of Law	Education/ Training	Professional Title/ Degree	Secular/ Church Affiliation
I. English Common Law	Inns of Court	Barristers; Solicitors; and Sergeants-at-Law. (No university training required)	Non-Clergy or Clergy.
II. Royal Law (Equity or Chancery; Statutes; Ordinances; Decrees)	Inns of Court; Inns of Chancery; Sergeant’s Inn; Oxford Univ.; Univ. of Cambridge	Barristers; Solicitors; Sergeants, Clergy; J.C.D (doctor of canon law); LL.D. (Doctor of Canon/ Civil Law).	Clergy (Roman Catholic; Church of England)
III. Roman Civil Law	Roman Church; Oxford; Cambridge, etc.	Clergy; J.C.D (doctor of canon law); LL.D. (Doctor of Canon/ Civil	Clergy (Roman Catholic; Church of England)

75 Ibid., pp. 113-114.

76 Ibid.

77 Roscoe Pound, *Legal Profession in the Middle Ages*, 3 Notre Dame Law Review 229, 234 (1944).

		Law).	
IV. Canon Law	Roman Church; Oxford; Cambridge.	Clergy; J.C.D (doctor of canon law); LL.D. (Doctor of Canon/ Civil Law).	Clergy (Roman Catholic; Church of England)

The clergy, to be sure, was the most advanced and educated of the lawyers. During the thirteenth and fourteenth centuries, all the English judges were clergymen.⁷⁸ They were trained typically in France or at Oxford or Cambridge in the Roman civil law and canon law.⁷⁹ They typically held law degrees, which were the first university-level degrees granted: the doctor of civil or canon law.⁸⁰ Within the ecclesiastical courts of England and Europe, there were two categories of lawyers under holy orders (i.e., clergy lawyers):⁸¹

Advocate (clergy)	Doctors of Civil or Canon Law (DCL or LLD)
Juris Consult, or Law Professor (clergy)	University or Canon Law Teachers or Professors (DCL or LLD)

In England, these lay attorneys or proctors emerged, as the legal business under the reign of Edward I became more complex.⁸² At first, they had to be appointed and admitted to practice by the Archbishop of Canterbury.⁸³ The talented middle classes now had an opening as lay advocates or attorneys before the royal common law courts of England. They owed their social status and position to the English crown; they were much more loyal to the English crown than the upper-class nobles, barons, and clergymen, who were often involved in the

78 Ibid.

79 Ibid.

80 Ibid.

81 Ibid.

82 Ibid.

83 Ibid.

church-state conflicts between Pope or Archbishop and King, or between the English barons and the king. These English middle-class lawyers soon outshined their counterparts amongst the nobility and the clergy. These were the men who soon came to dominate the common-law Inns of Court of England and even the royal administrations within Parliament. They became known as the “barristers.” They were not typically educated at Oxford or Cambridge, but instead received their training, mentoring, and apprenticeships through one of the Inns of Court or Chancery. There were four inns of court for these barristers: Lincoln’s Inn, Gray’s Inn, the Inner Temple, and the Middle Temple. Upon completion of their apprenticeships within one of these Inns, they could be called to bar as English barristers.⁸⁴ The link between the Inns of Court and Chancery and Oxford/Cambridge universities was, perhaps, the Order of the Coif.⁸⁵ This Order consisted of senior members of the Inns who had been called to the bench.⁸⁶ But initially since only clergymen could hold judicial roles, the members of the Order of the Coif were also typically graduates of Oxford or Cambridge, or other university where they would have attained a law degree in Roman civil or canon law.⁸⁷ Eventually, the Order of the Coif formed its own inn, called Sergeants Inn. And England’s judges were often called “sergeants-at-law.”⁸⁸ The nature of law business became so specialized, varied, and secular, and the legal cases often became so contentious, that senior church leaders, bishops, and the Pope began to forbade priests or other clergymen from acting as lawyers within the secular or common law courts. “It will have been observed that in the earlier development of the profession in the modern world the practice of law was in the hands of the clergy. For a long time the clergy were the only educated element in society, and so had a monopoly of the

84 Ibid.

85 Ibid.

86 Ibid.

87 Ibid.

88 Ibid.

things which called for learning. The judges and counsel were clergymen not only in the courts of the church, but in those of the state as well. But a development of lawyers went along with the development of law. In the twelfth century, lay lawyers became prominent in the courts. In the thirteenth century, they became dominant.”⁸⁹

Now the Inns of Court took their names by the very nature of the English legal profession’s mobility and from the traveling groups of judges who went from county to county, or from circuit to circuit, to hear cases. Specialized judges typically travelled together; they typically heard the same types of cases. Simultaneously, the lawyers who argued cases before these judges travelled alongside the judges. And inns thus arose out from the necessity of these traveling lawyers and judges of have a place of repose, conference, discussion, training and education, and camaraderie. Eventually, these inns expanded their services, purchasing property, real estate, libraries, lecture halls, etc.; and they established permanent locations within England, primarily London. Some of the inns of court and all of the inns of chancery disappeared throughout the centuries. The remaining four historic inns of court, previously mentioned above, are located today in London, England. It should be noted that, contrary to popular assumption, the admission of law advocates to practice before the English courts during the fourteenth century did not equate to the “secularization” of the English common law, statutory law, or ecclesiastical law. As previously mentioned, the English bench was still staffed by clergymen. These clergymen not only continued to shape the English common law, but they controlled who qualified for admissions to the bar and selections for judgments up from the Order of the Coif (i.e., Sergeant’s Inn). The Court of Chancery, which could overrule the common law courts, continued to be staffed by senior clergymen within the Roman Church of England. It thus goes without saying that the English common law and equity continued to be developed as a unique form of Christian jurisprudence throughout the fourteenth century.

89 Ibid.

Now the English crown sought allies, talent and efficiency during the reign of Edward I.⁹⁰ And Edward I found all of this and more from the lay lawyers whom the inns of court produced.⁹¹ These men would become staunch royalists, arguing in favor of efficiency and increasing the royal prerogative, and lessening the power and influence of the nobles and the church.⁹² They also became the powerful entrepreneurs and merchants who would eventually challenge the old aristocracy and the church, in favor of English nationalism and a strong monarchy during the coming sixteenth century.⁹³ During Edward I's reign, this middle class movement provided royal assistance with limiting the power of the Roman Catholic Church (e.g., levying the church tax and the establishment of the Statue of Mortmain) and with financing wars against Wales, Scotland and France in efforts to build a more united English kingdom.⁹⁴ During this period, Edward I encountered resistance from Pope Boniface VIII; and bloody rebellion from Welshman Llewellyn the Great, whom he finally defeated in 1282, bequeathing the title "Prince of Wales" to the eldest son of the English crown. Under the reign of Edward I, the first full Parliament was convened in 1295. And for the first time, the question of representation of different classes and interests arose. Edward I may have wanted his middle-class allies to be represented in Parliament, but the timing was not yet ripe for such representation. He could only appoint his talented middle-class allies into certain key administrative positions. Meanwhile, the barons continued to press for the enforcement of Magna Carta against the crown, even though they were not yet ready to extend Magna Carta's privileges downward to the middle and lower classes. "One thing the middle class representatives were able to do, and that was significant. They might present petitions. It was

90 Goldwin Smith, *A History of England* (New York, NY: Charles Scribner's Sons, 1957), pp. 109-128.

91 Ibid.

92 Ibid.

93 Ibid.

94 Ibid.

by means of this right that they were gradually able to take part in the making of law. The knights and burgesses could petition the king, with or without the support of the great barons of the council, for a redress of general or specific grievances. If the petition was accepted by the king, the council might prepare a statute providing for the enactment into law of the measures proposed in the petition.”⁹⁵

“The House of Stuart (1603 -1714) and English Law”

The House of Stuart lacked the political savvy, good judgment, and leadership acumen which the House of Tudor demonstrated for more than a century. Most astonishingly, the House of Stuart also lacked common sense and a basic respect for English traditions and institutions. The Stuart monarchs believed whole-heartedly in “divine rights of kings” and, no matter what, they could not compromise off from this position. At the same time, the Stuart monarchs (i.e., James I, Charles I, Charles II, and James II) promoted worldliness, homosexuality, slavery, profiteering, and any number of other human inventions or desires of the heart that were proscribed in the Sacred Scriptures. Although the common Englishmen were pious and produced outstanding Christian clergymen—both Anglican and Puritan—commercial expansion and global imperialism, together with patents for monopolistic enterprises and the transatlantic African slave trade, dominated the reigns of the Stuart monarchs.⁹⁶ Widespread economic oppression and injustice was the sad result.

The Stuart monarchs were preoccupied with the Age of Discovery, international trade, and colonial expansion— and all of this at the expense of Christian ethics, morality, and the Church of England. The downfall of the Stuart monarchies of the seventeenth-century was inevitable—the Stuart kings tended to believe that England and its colonies existed to serve and benefit the monarchy, and not the other way around. When, in 1603, the House of Stuart ascended to the English throne, the English monarchy was forever changed. The Stuart

95 Ibid., p. 118.

96 R.H. Tawney, *Religion and the Rise of Capitalism* (New York, N.Y.: Mentor Books, 1954).

monarchs (i.e., James I, Charles I, Charles II, and James II) never quite understood, or appreciated, the idea that the civil magistrate is a vicegerent of God; and that the king of England must not place himself above the fundamental laws of God.

The Stuart concept of “divine right of kings” reflected pure heathen kingship that led to absolutism, arbitrary oppression, and the suspension of England’s fundamental law. Not coincidentally, the Stuart monarchy also became the greatest promoter of commercial expansion, including the founding of several colonies in British North America, together with the chartering and promotion of the Royal African Company’s transatlantic African slave trade. The Stuart monarchy likewise suppressed the human rights of religious dissenters and the property rights of the gentry, in favor of big monopoly capitalism. Under the Stuarts also came great revolution: the *Petition of Right* (1628); the English Civil War (1642 – 1651); and the *English Bill of Rights* (1689). There were also divers other socio-political movements during the period of the Stuart monarchy, such as the Levellers and the Diggers, and other noteworthy historical documents, such as an *The Agreement of the People* (1647). Each of these political documents and movements were founded upon asserting constitutional principles that were deeply-rooted in the divine Noahic dominion covenant of nature; namely, that rulers and magistrates are vicegerents of God and exist to do justice and judgment—not tyranny.⁹⁷

⁹⁷ William Goodell, *The Democracy of Christianity, or; An Analysis of the Bible and its Doctrines in Their Relation to the Principles of Democracy* (New York, N.Y.: Cady and Burgess, 1852), pp. 376-377, to wit:

The noble fathers of civil and religious liberty in England (so far as those inestimable blessings have ever been enjoyed there) have given us expositions of this passage, in their time-honored maxims of COMMON LAW, that differ widely from those that have been transmitted down to us from the time-serving or ambitious prelates of that period. According to the former class of expositors, Paul teaches us that ‘the lawful power is from God alone, but the power of wrong is from the devil, and not from God.’ They deny that Paul speaks of any authority but a *just* authority, and *just* also in the sense of being *justly exercised*. The text of Paul, then, teaches that there IS (de facto) NO civil authority or power deserving the name, or to be recognized or treated as such, that does not answer to the description he gives here of that rightful and Heaven-established authority. It is easy to see why those who resist such authority (the authority of justice and of God) ‘receive to themselves damnation.’ But the principle reacts with tremendous force upon all pretended civil governments that are not ‘of God,’ and therefore are no legitimate ‘powers’ (or authorities) at all; such as are not a terror to evil works, but to the good!

These Puritan and Common Law expositions of Paul, in Romans xiii., are among the most revolutionary

Coincidentally, twelve of the thirteen American colonies were founded during this period, under the auspices of a corrupted Stuart monarchy, to wit:

Virginia	1607
Plymouth Colony	1620
New York	1626
Massachusetts Bay	1630
Maryland	1633
Rhodes Island	1636
Connecticut	1636
New Hampshire	1638
Delaware	1638
North Carolina	1653
South Carolina	1653
New Jersey	1664
Pennsylvania	1682

Unfortunately, the Stuart monarchy was ambivalent towards the orthodox Christian faith and quite willing to place profits above Christian principles. Many of the American colonies were founded in order to re-establish authentic democratic and Christian

maxims we have in modern times, and, as a matter of historical fact, they have wrought two tremendous revolutions already, one in England and one in America, whether they are to be regarded as sound expositions or otherwise. An echo of these expositions we have in our Declaration of Independence. Bracton, in his exposition of Romans xiii., had said:

‘He is called a king for ruling righteously, and not because he reigns. Wherefore he is a king when he governs with justice, but a tyrant when he oppresses the people committed to his charge.’

In nearly the same language our Declaration of Independence abjures the authority of the British monarch:

‘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.’

These words of Jefferson seem but a paraphrase or application of Bracton’s, and Bracton’s are but his own reference from his own exposition of Paul.

government, as in the case of colonial New England. But in other instances, such as in South Carolina, whose capital city Charleston was named after a Stuart monarch, the profits from usury, piracy and men-stealing on the West Coast of Africa trade *took priority over* the Christian faith. Altogether, these colonies of British North America were extensions of the Kingdom of England, which, in turn, was one of the ten kingdoms that inherited the ancient Roman empire, as mentioned in the prophetic *Book of Daniel*. Hence, as heirs of the English Common Law, these American colonies were also the heirs to ancient Rome and to the Christian religion.

During the reign of James I, between the years 1603 to 1625, it was Sir Edward Coke who, as Lord Chief Justice of England and Wales, and in defense of the English Common Law being the “fundamental law of England,” stood courageously against King James I and his theory of “divine right of kings.” Coke’s legacy would be the *Petition of Right* (1628). Nevertheless, throughout the entire seventeenth century, King James I’s theory of “divine right of kings” cast a long and powerful shadow over the British Empire.

The House of Stuart in England (and British North America), 1603 - 1714

King James I, 1603-1625	*Colonial British North America founded; Virginia colony founded in 1607; Massachusetts Bay Colony founded in 1620.
King Charles I, 1625-1649	*[The English Civil Wars, 1642-1651; Reign of Oliver Cromwell as Lord Protector, 1653- 1658; the rise of the Puritans and Parliament]
King Charles II, 1660-1685	*Prince Charles returned from exile; crowned King Charles II. *The Church of England restored and the Anglican episcopacy reestablished. Act of Uniformity reestablished.
King James II, 1685- 1688	*James II abdicated the throne in 1688; Glorious Revolution of 1688; Protestants William and Mary ascend the throne of England
King William II, 1689 – 1702 Queen Mary II, 1689-1694	*Roman Catholicism outlawed in 1688; No future English monarch could be a Roman Catholic; “Divine Right of Kings” theory defeated; Constitutional monarchy firmly established in England; English Bill of Rights of 1689.

Queen Anne, 1702-1714	England, Wales, Ireland, and Scotland become the United Kingdom of Great Britain in 1707
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Had King James I, and the Stuart monarchs who succeeded him, maintained a heart for establishing meaningful and true justice for all socioeconomic classes—as did James I’s immediate predecessor Queen Elizabeth I— then these Stuart monarchs would have also left a very great Christian legacy for balancing the levers of Church and State to achieve true justice for all socioeconomic classes throughout England and the British Empire. But through accepting a extreme idea of “divine right of kings,” the Stuart monarchs deprecated the idea that a monarch could abuse or violate the “fundamental law of England.” King James I and his Stuart successors believed that a monarch must rule as God’s vice-regent; however, because of the “doctrine of divine right of kings” doctrine, these Stuart monarchs did not believe the doctrine of “government by consent of the people” or that a monarch should be held accountable to those whom he governed. This clash in political, theological, and constitutional viewpoints led directly to the English Civil War (1641-1652); to the Glorious Revolution of 1688; and to the English Bill of Rights of 1689. Meanwhile, twelve of the thirteen American colonies had been founded under the auspices of these ungodly Stuart monarchs; and, hence, the struggle for fundamental rights against tyranny occurred on both sides of the Atlantic Ocean. In colonial British North America, that same struggle between the doctrine of “divine right of kings” and “government by the consent of the governed” was revitalized and became manifest in the American Revolutionary War (1775-1783).

The House of Stuart, in the end, sold its soul to greed of gold and profits. Its last monarch, Queen Anne, could not give birth to a live infant child; and so the Stuart dynasty came to an end when she died in 1714. During the meanwhile, the “Kingdom of England” merged with the “Kingdom of Scotland” and changed its name to the “Kingdom of Great Britain” in 1707. The Presbyterians and the Anglicans shared power in the Parliament; and,

thereafter, Great Britain— a people self-proclaimed to have been chosen by God— went on to build a mighty commercial empire, the likes of which had ever been seen before.

From 1707 through the 1900s, Great Britain would slowly drift away from its Christian ideals of civil polity, particularly as expressed in John of Salisbury's *Policraticus* (1159), in Henry de Bracton's *The Laws and Customs of England* (1235), in Richard Hooker's *Of the Law of Ecclesiastical Polity* (1594), and Sir Edward Coke's *Institutes of the Lawes of England* (1628 -1644). Lord Bolingbroke's neo-orthodox Toryism, as stated in his *Idea of the Patriot King* (1738), reflected the hope that King George III, as the model patriot king, would inherit a great commercial empire, and that limitless British imperial expansion would come to fruition. During the 18th-century, when the American Revolution occurred, the medieval Christian island kingdom of England has already morphed into the new imperial nation called the Kingdom of Great Britain. Under this new political regime called Great Britain, the orthodox Christian view of civil polity, which held that the civil magistrate was God's minister and vicegerent, and that all secular or human laws must conform to the "law of Christ,"⁹⁸ gave way to the wartime exigencies, mercantilism, profits, and imperial expansion. And, thus, the Church of England's Convocation was prorogued in 1718, and its jurisdiction over commercial ethics was significantly diminished.⁹⁹ The fallout led to the "Great Awakening" in colonial British North America and to the "Evangelical Awakening" in England. But Christian civil polity throughout the British empire would not be the same. The godly Christian grace of Queen Elizabeth I's Tudor England would never again return to Great Britain.

98 The fundamental "Law of Christ," to wit, is to "love ye one another" (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

99 R.H. Tawney, *Religion and the Rise of Capitalism* (New York, N.Y.: Mentor Books, 1954).

Chapter Two – Table A

The Christian Kingdom of England (886 to 1707 A.D.)

House of Wessex		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Alfred the Great	886 to 899	Yes
Edward the Elder	899 to 924	Yes
Aelfweard	924	Yes
Aethelstan	924-939	Yes
Edmund I	939 to 946	Yes
Eadred	946 to 955	Yes
Eadwig	955 to 959	Yes
Edgar the Peaceful	959 to 975	Yes
Edward the Martyr	975 to 978	Yes
Aethelred	978 to 1013	Yes
House of Denmark		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Sweyn	1013 to 1014	Yes
House of Wessex (Restored)		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Aethelred	1014 to 1016	Yes
Edmund Ironside	1016	Yes

House of Denmark (Restored)		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Canute	1016 to 1035	Yes
Harold Harefoot	1035 to 1040	Yes
Harthacnut	1040 to 1042	Yes
House of Wessex		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Edward the Confessor	1042 to 1066	Yes
House of Godwin		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Harold Godwinson	1066	Yes
Edgar Aeheling	1066	Yes
House of Normandy		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
William I	1066 to 1087	Yes
William II	1087 to 1100	Yes
Henry I	1100 to 1135	Yes
House of Blois		

English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Stephen	1135 to 1140	Yes
Matilda	1141	Yes
Stephen	1142-1154	Yes
House of Anjou/ Plantagenet		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Henry II	1154 to 1189	Yes
Richard I	1189 to 1199	Yes
John	1199-1216	Yes
Louis the Lion	1216 to 1217	Yes
House of Plantagenet		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Henry III	1216 to 1272	Yes
Edward I	1272 to 1307	Yes
Edward II	1307 to 1327	Yes
Edward III	1327 to 1377	Yes
Ricard II	1377 to 1399	Yes
House of Lancaster		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Henry IV	1399 to 1413	Yes
Henry V	1413 to 1422	Yes

Henry VI	1422 to 1461	Yes
House of York		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Edward IV	1461 to 1470	Yes
House of Lancaster (Restored)		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Henry VI	1470 to 1471	Yes
House of York (Restored)		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Edward IV	1471 to 1483	Yes
Edward V	1483	Yes
Richard III	1483 to 1485	Yes
House of Tudor		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
Henry VII	1485 to 1509	Yes
Henry VIII	1509 to 1547	Yes
Edward VI	1547 to 1553	Yes
Jane	1553	Yes

Mary I	1553 to 1558	Yes
Elizabeth I	1558 to 1603	Yes
House of Stuart		
English Monarch	Period of Reign	Christianity was Official Religion of the Kingdom?
James I	1603 to 1625	Yes
Charles I	1625 to 1649	Yes
English Civil War (1642-1655) England's Commonwealth/ Protectorate established; Oliver Cromwell governed England (1653 - 1659); his son Richard Cromwell governed England (1658 to 1659).	1649 to 1660	Yes
Charles II	1660 to 1685	Yes
James II	1685 to 1688	Yes
Mary II	1689 to 1694	Yes
William III	1689 to 1702	Yes
Anne	1702 to 1707	Yes
End of the Kingdom of England and Beginning of the United Kingdom of Great Britain (1707)		

Chapter Three

“The Fundamental Law of England”

We now turn to the influence which ancient Hebrew polity and the Sacred Scriptures had upon the development of “fundamental law” in the kingdoms of England and Great Britain.¹⁰⁰ Indeed, the political, legal, and constitutional ideals of the ancient Hebrews were also thoroughly sewn into the fundamental laws of the kingdom of England.¹⁰¹ The Holy Bible was construed to be the ancient and fundamental law of God, and this construction and

¹⁰⁰ See, generally, Clifford Longley, *Chosen People: The Big Idea That Shaped England and America* (London, England: Hodder & Stroughton, 2002) (“Both Britain and America stand at a place where society's predominant values are secular and cross-culturally aware. In Britain, Christian values and religious beliefs are now generally seen only as part of an all-inclusive whole, deserving of no more consideration and respect than any other beliefs. Once the English Church and the State were two sides of the same coin. Longley claims that England is losing its identity and confidence as a nation because it has all but denied its religious roots. But America still claims to be God's own country”); Samuel Cardwell, “The people whom he foreknew': the English as a chosen people in Bede's *Historia ecclesiastica*,” *Journal of the Australian Early Medieval Association* (Vol. 11) (2015); Otto Kuntzemüller, “The English As God's Chosen People,” *The New York Times Current History of the European War*, Vol. 3, No. 2 (November, 1915), pp. 352-354; Patrick Collinson, “A Chosen People? The English Church and the Reformation. Was the Protestant Church of Elizabeth the catalyst for a new patriotism, based on a special sense of English destiny and divine guidance?” *History Today*, Volume 36, Issue 3 (March 1986). And see, also, Jeremy Gregory, Editor, *The Oxford History of Anglicanism: Establishment and Empire, 1662 – 1829*, Vol. II (Oxford, U.K.: Oxford University Press, 2017). See the following video: “**How God Made the English- A Chosen People?**” by Sohei Thoth. Link: [How God Made the English - 1 - A Chosen People? - YouTube](#)

¹⁰¹ See, generally, Goldwin Smith, *A Constitutional and Legal History of England* (New York, N.Y.: Dorset Press, 1990)(providing a detailed history of the “fundamental laws” of the kingdoms of England and Great Britain); and, Lord William Blackstone, *Commentaries on the Fundamental Laws of England* (New York, N.Y.: W.E. Dean Pub., 1840). See, also, “Fundamental laws of England,” Wikipedia Encyclopedia (Online), stating:

In the 1760s William Blackstone described the Fundamental Laws of England in his *Commentaries on the Laws of England*, Book the First – Chapter the First : Of the Absolute Rights of Individuals as “the absolute rights of every Englishman” and traced their basis and evolution as follows:

- Magna Carta between King John and his barons in 1215
- confirmation of Magna Carta by King Henry III to Parliament in 1216, 1217, and 1225
- *Confirmatio Cartarum* (Confirmation of Charters) 1253
- a multitude of subsequent corroborating statutes, from King Edward I to King Henry IV
- the Petition of Right, a parliamentary declaration in 1628 of the liberties of the people, assented to by King Charles I
- more concessions made by King Charles I to his Parliament
- many laws, particularly the Habeas Corpus Act 1679, passed under King Charles II
- the Bill of Rights 1689 assented to by King William III and Queen Mary II
- the Act of Settlement 1701

Blackstone's list was an 18th-century constitutional view, and the Union of the Crowns had occurred in 1603 between Kingdom of England and Kingdom of Scotland, and the 1628 Petition of Right had already referred to the fundamental laws being violated.

application of the Sacred Scriptures were universally accepted and unquestioned throughout Medieval England.

HOLY BIBLE The Fundamental Law of Israel and England (“tzedakah and mishpat”) ¹⁰²	
Virtue (Good)	Blessing (Life)
Vice (Evil)	Curse (Death)

Theologically, this first principle of “tzedakah and mishpat,” which is to do good and to avoid evil, is a manifestation of God himself, who is the creator and primary mover of everything that exists. This philosophical and theological idea of fundamental law was incorporated into English jurisprudence. This fundamental law in England became the unwritten “law of reason” or the unwritten “law of nature,” as well as the written “law of God” (i.e., the Sacred Scriptures).¹⁰³ “It has been often said, indeed, that Christianity is part of the common law of England, and this is due in great measure to the authority of Sir Matthew Hale (*King v. Taylor*, i Vent. 293, 3 Keble 507), Blackstone and other writers, while Lord Mansfield held (*Chamberlain of London v. Evans*, 1767) that the essential principles of revealed religion are part of the common law.”¹⁰⁴ Indeed, this was fundamental Mosaic

¹⁰² Genesis 18:18-19.

¹⁰³ The unwritten fundamental law in England was also loosely called the “English Common Law,” which can be confusing, because the “English Common Law” should not be confused with England’s “common law” that is frequently described judge-made rules or decisions handed down in specific cases. Thus, the English Common Law pertains to England’s unwritten constitutional law, which is also called “the fundamental laws of England.” Over time, this unwritten fundamental law, throughout English history, has been reduced to several written documents, beginning with the Magna Carta (1215), the Petition of Right (1628), and the English Bill of Rights (1689). An example of a fundamental law that invokes a higher law of God can be found in the following statement: “All acts against the Law of Reason is Void,” which was enunciated by Chief Judge Edward Coke in *Dr. Bonham’s Case* (1610). Likewise, the American Declaration of Independence (1776), which was a grievance against King George III, is a codification of this “English Common Law” as it was applied to the political conditions in colonial British North America. Throughout English history, several kings were removed from the throne because they purportedly violated the “fundamental laws of England,” including Edward II, Richard II, Richard III, Charles I, and James II. Therefore, the very nature of fundamental law is that it is a divine “higher law” predates human institutions.

¹⁰⁴ John Marshall Guest, “The Influence of Biblical Texts Upon English Law” (An address delivered before the Phi Beta Kappa and Sigma Xi Societies of the University of Pennsylvania on June 14, 1910)(pages 15-34), p. 16.

political theory. Mosaic political theory and conception of a monarchy limited by a fundamental law, which is first promulgated in the *Book of Deuteronomy*¹⁰⁵ and carefully documented in the books of *Samuel*, *Kings*, *Chronicles*, and other portions of the Old Testament, was thoroughly incorporated into written and unwritten fundamental laws of the Kingdom of England.¹⁰⁶

English fundamental law developed over several centuries. King Henry II (1133-1189) laid a great Christian foundation in solidifying the English legal system. Under King John (1166-1216), the landmark Magna Carta (1215) was instituted as a fundamental law for England. King Edward I (1239-1307) brought much-needed administrative efficiency to the English legal system. Later, the Hundred Year's War (1337- 1454); the Great Schism (1378 – 1437); and the War of Roses (1400 – 1485) caused much internal religious, economic, and political disruption in England, which eventually paved the way for the Protestant Reformation within the Church of England, which commenced in earnest in 1534 when Henry VIII severed ties with Rome. After the House of Tudor was firmly established, the kingdom of England reached its highest and most refined stage of development during reign of Queen Elizabeth I (1533 – 1603).¹⁰⁷ It was during this period that the great church doctor

105 Deuteronomy 17:14-20.

106 The Kingdom of England was merged into the United Kingdom of Great Britain in 1707. After the Great Britain was instituted in 1707, the Whig party and others have sought to move Great Britain away from its Christian and natural law constitutional foundations, thus arming Parliament with the supreme authority to enact positive laws that contradict the “fundamental laws of England.”

107 During the reign of Elizabeth I (1558-1603), the Church of England was wrested back from the Roman Catholic Church and returned to its independent status which King Henry VIII had established in 1534. However, under Elizabeth I, the Church of England's own unique character took shape; it had Catholicism as its primary foundation; it had Archbishop Thomas Cranmer's *Book of Common Prayer* as its guide and founding charter; and it had, under Elizabeth I's leadership, an Archbishop of Canterbury in Matthew Parker who was ready to negotiate and compromise with the Catholics and the Puritans. But the Church of England needed to establish its own unique identity; it needed to define its relationship to the state and its role within the English commonwealth. Rev. Richard Hooker (1554-1600) was the theologian who had the genius and talent to complete this task. His *Of the Laws of Ecclesiastical Polity*, which consisted of eight separate books, was written in the traditions of Saints Augustine and Thomas Aquinas, a masterpiece of Christian apologetics and English prose. Rev. Hooker's *Of the Laws of Ecclesiastical Polity* (1594) was both original exposition of novel and new ideas as well as a profound restatement of Catholic theology and law. Rev. Hooker conceptualized all law as emanating from God who ordained it through creation; all law is discoverable through the law of reason. For these reasons, Rev. Hooker's theology led naturally to the conclusion that the Christian faith required from a Christian commonwealth natural justice, natural order, transparency, due process of the law, and the consent of those who are governed. Finally, Rev. Hooker believed that since England was admittedly a “Christian

Richard Hooker published *Of the Laws of Ecclesiastical Polity* (1594), which set forth the foundations for Tudor England's conservative Protestant conception of church and state.¹⁰⁸

For Rev. Hooker, just as it was with Augustine of Hippo, God is Law, and Law is God:

So that no certain end could ever be attained, unless the actions whereby it is attained were regular, that is to say, made suitable fit and correspondent unto their end, by some canon, rule or law. Which thing doth first take place in the works even of God himself. All things therefore do work after a sort according to law: all other things according to a law, whereof some superiors, unto whom they are subject, is author; only the works and operations of God have him both for their worker, and for the law whereby they are wrought. The being of God is a kind of law to his working: for the perfection which God is, giveth perfection to that he doth. To himself he is a law in all things, whereof our Saviour speaketh, saying, My Father worketh as yet, so I. God worketh nothing without cause. All those things which are done by him, have some end for which they are done: and the end for which they are done, is a reason of his will to do them.¹⁰⁹

commonwealth," the Church of England could not be separated from the state. According to Hooker, the English monarch was properly and rightfully vested with both ecclesiastical (Church) and secular (State) authority. On the contrary, Hooker believed that England should follow the example of Christian emperors and kingdoms, as prescribed in Saint Augustine's *The City of God*.

108 See, e.g., "Richard Hooker, Doctor of the Church," <http://justus.anglican.org/resources/bio/64.html>

On any list of great English theologians, the name of Richard Hooker would appear at or near the top. His masterpiece is *The Laws Of Ecclesiastical Polity*. Its philosophical base is Aristotelian, with a strong emphasis on natural law eternally planted by God in creation. On this foundation, all positive laws of Church and State are developed from Scriptural revelation, ancient tradition, reason, and experience.

The occasion of his writing was the demand of English Puritans for a reformation of Church government. Calvin had established in Geneva a system whereby each congregation was ruled by a commission comprising two thirds laymen elected annually by the congregation and one third clergy serving for life. The English Puritans (by arguments more curious than convincing) held that no church not so governed could claim to be Christian.

Hooker replies to this assertion, but in the process he raises and considers fundamental questions about the authority and legitimacy of government (religious and secular), about the nature of law, and about various kinds of law, including the laws of physics as well as the laws of England. In the course of his book he sets forth the Anglican view of the Church, and the Anglican approach to the discovery of religious truth (the so-called **Via Media**, or **middle road**), and explains how this differs from the position of the Puritans, on the one hand, and the adherents of the Pope, on the other. He is very heavy reading, but well worth it. (He says, on the first page of Chapter I: "Those unto whom we shall seem tedious are in no wise injured by us, seeing that it lies in their own hands to spare themselves the labor they are unwilling to endure." This translates into modern English as: "If you can't take the intellectual heat, get out of the kitchen. If you can't stand a book that makes you think, go read the funny papers.")

The effect of the book has been considerable. **Hooker greatly influenced John Locke, and (both directly and through Locke), American political philosophy in the late 1700's.** Although Hooker is unsparing in his censure of what he believes to be the errors of Rome, his contemporary, Pope Clement VIII (died 1605), said of the book: "It has in it such seeds of eternity that it will abide until the last fire shall consume all learning."

109 Richard Hooker, *The Laws of Ecclesiastical Polity*, Books VI- VIII (Nashotah, WI: Nashotah House Press, 2012), p. 56.

On the person of God and His divine Providence and authority over human affairs, law, and civil government, Sir William Blackstone, in his *Commentaries on the Laws of England* (1765), adopted the same conclusion as Hooker's.¹¹⁰

The application of the Holy Bible as a book of secular constitutional law is understandable, if not altogether justifiable to modern readers. Most of the Sacred Scriptures focuses upon the saga or chronicles of these ancient kings of Israel and Judah, and of the prophetic responses to their deeds. With the notable exception of the *Book of Leviticus*, which is directed at the priests of ancient Israel, most of the remaining books of the Old Testament appear to be directed at the Judges and Kings of ancient Israel— at the quality and nature of civil polity, social and civil justice, and the leadership of civil magistrates. Very little of the Old Testament has to do with the Levitical priests or the liturgical practices of the Tabernacle, Temple or synagogue. Most of the Old Testament has to do with divine Providence over the spheres of political science, constitutional law, and social justice. Indeed, after the deaths of Moses and Joshua, we find in the *Book of Judges* the narratives of several judges—warlords, justices of the peace, prophets, priests, etc. In the *Book of Ruth*, we find the story of a pagan Moabite woman named Ruth, who marries a Hebrew named Boaz and later becomes the great-grandmother of King David—again, no Levitical priests are mentioned with any significant role. “The Book of First Samuel describes the transition of leadership in Israel from judges to kings. Three characters are prominent in the book: Samuel the last judge and first prophet; Saul, the first king of Israel; and David, the king-elect, anointed but not yet

110 See, generally, William Blackstone, *Commentaries on the Laws of England* (1765), pp. 27-28 (“This law of nature, being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe in all countries, and at all times: no human laws are of any validity, if contrary to this; and such of them as are valid derive all their force and all their authority, mediately or immediately, from this original.... As then the moral precepts of this law are indeed of the same original with those of the law of nature, so their intrinsic obligation is of equal strength and perpetuity.... Upon these two foundations, the law of nature and the law of revelation, depend all human laws; that is to say, no human laws should be suffered to contradict these.”)

recognized as Saul’s successor.”¹¹¹ “The Book of Second Samuel records the highlights of David’s reign, first over the territory of Judah, and finally over the entire nation of Israel.”¹¹² “The first half of First Kings traces the life of Solomon.... For the next century, the Book of First Kings traces the twin histories of two sets of kings and two nations of disobedient people who are growing indifferent to God’s prophets and precepts.”¹¹³ “The Book of Second Kings continues the drama begun in First Kings—the tragic history of two nations on a collision course with captivity.”¹¹⁴ “The books of First and Second Chronicles cover the same period of Jewish history described in Second Samuel through Second Kings....”¹¹⁵ “The Book of Second Chronicles... focuses on those kings who pattern their lives and reigns after the life and reign of godly King David. It gives extended treatment to such zealous reformers as Asa, Jehoshaphat, Joah, Hezekiah, and Josiah.”¹¹⁶

The several books of the prophets—Isaiah, Jeremiah, Ezekiel (also a priest), Daniel, Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah— cover the periods of history contained in the several books of I & II Samuel, I & II Kings, and I & II Chronicles and depict men who prophesied (or preached) during the reigns of the several kings of Judah and Israel. The last three prophets—Haggai, Zechariah, and Malachi—are post-exilic prophets who pave the way for John the Baptist and the Messiah, the last and eternal King of Israel. And if we consider the Apostle John’s *Book of Revelation* to be the last bible prophecy, we see clearly that Jesus Christ, as descendent of the House of Judah—and not the tribe of Levi—was, as heir to the throne of David, an eternal king.

111 *The Holy Bible* (KJV)(Nashville, TN: Thomas Nelson, 2017), p. 386.

112 *Ibid.*, p. 434.

113 *Ibid.*, p. 474.

114 *Ibid.*, p. 521.

115 *Ibid.*, p. 565.

116 *Ibid.*, p. 608.

We are left, then, with an impression of the Sacred Scriptures as a vast and voluminous discourse on political theory, constitutional law, and jurisprudence— and not simply a discourse on church doctrine and Christian theology in the conventional sense in which those terms are used today. And I am convinced that this is how the Early Church, and especially the Latin Church, interpreted the Sacred Scriptures, from ancient times up through the early modern period. This helps us to understand why the Sacred Scriptures is a book of Law, and it also explains why the entire body politic of every nation on earth, which is ordained by God to mete out civil justice, constitutes an “ecclesia” or “type of church,” in a general sense.¹¹⁷ For it is within this sense that the United States government, and every government on earth, constitute a “type of church” or a “church-state.” From the perspective of the God of the Sacred Scriptures, all nations are under His divine Providence. Within the *Book of Revelation*, Christ is called the judge and ruler over all nations upon earth. Therefore, from this perspective, the Sacred Scriptures do not, as a general rule, serve as an instruction manual only for rabbis, priests, and pastors regarding how to operate and manage synagogues, temples, mosques, and churches. The Sacred Scriptures do not constitute a manual on the canons of the Levitical priesthood, on the liturgical practices of the Jewish Temple, or on the differences between the several religious belief-systems with Judaism (e.g., the Essenes, Pharisees, Sadducees, etc.) Instead, we are to construe the Sacred Scriptures as a fundamental law (i.e., general equity) whereby every other law—international law, constitutional law, statutory law, and common law—must *be measured and made to conform*.

The kings of ancient Israel served as the primary model whereby the kings of England discharged their divine duties to discharge the fundamental law of England.¹¹⁸ For instance,

¹¹⁷ See, e.g., Jeremy Gregory, Editor, *The Oxford History of Anglicanism: Establishment and Empire, 1662 – 1829*, Vol. II (Oxford, U.K.: Oxford University Press, 2017), p. 69 (“...the English state and Church were two sides of the same coin....”)

¹¹⁸ Regarding the religious mandates upon the kings of England, see Goldwin Smith, *A Constitutional and Legal History of England* (New York, N.Y.: Dorset Press, 1990), pp. 5-8. (“Kings, weak or strong, had considerable moral power. They were often hailed as heroes and frequently regarded as being hedged with

just as in ancient Israel and Judah where kings were “weighed in the balanced” and determined to have done good or evil, so too, throughout English history, were the kings or queens “weighed in the balance” and determined to have done good or evil. Indeed, several of them were deposed, executed, or publicly censored in various ways, for having violated England’s “fundamental laws,” as in the case of Edward II in 1327; Richard II in 1399; Henry VI in 1461; Richard III in 1485; Charles I in 1649; and George III in 1776.

English or British King	Royal House	Period of Reign	Public Rebuke or Condemnation
Edward II (1284-1327)	Plantagenet	1307 - 1327	Deposed in 1327. ¹¹⁹
Richard II (1367 – 1400)	Plantagenet	1377- 1399	Deposed in 1399. ¹²⁰
Henry VI (1421 – 1471)	Lancaster	1422 – 1461; 1470-1471.	Captured in military campaign and exiled in 1460; Imprisonment and Death in 1471.
Richard III (1452-1485)	York	1483-1485	Executed by Henry Tudor (Henry VII) at the Battle of Bosworth in 1485. ¹²¹

divinity, first in a pagan and then in a Christian sense. After Christianity returned to England the church helped to increase the strength of the monarchy.... [K]ingship was invested with strong religious sanctions.... In both pagan and Christian days the king was a symbol, a representative of his nation, a being who embodied the national ideals.”)

119 Goldwin Smith, *A History of England*, supra, p. 131 (“In January, 1327, articles of accusation against Edward II declared that he was ‘incompetent to govern in person.’”)

120 Ibid., p. 145 (“The Parliament of 1399 accepted Richard’s abdication and a commission was appointed to draw up the final document of deposition. ‘Those statements of his crimes and defaults were notoriously sufficient for deposing the same king,’ declared the Parliament roll of 1399, ‘considering also his own confession with regard to his incompetence.’ Like James II, three centuries later, Richard II was denounced above all on the ground that he had broken **the fundamental laws of England**. He was formally charged with the crime of having declared the laws to be ‘**in his own heart**.’ Richard, with all his vagaries, had finally aimed at making himself an absolute monarch; the result was revolution and the establishment of the Lancastrian dynasty.”)

121 Ibid., pp. 186-187 (“The glittering bait of the crown was tempting. There appears to be no doubt that Edward V and his brother were murdered in the Tower and that Richard III was responsible for the deed. The bones of the boys were discovered in the Tower in the reign of Charles II. It is also probable that Richard had a

Charles I (1600 – 1649)	Stuart	1625 -1649	Tried and executed in 1649. ¹²²
James II (1633-1701)	Stuart	1685 - 1688	Deposed in 1688. ¹²³
George III (1738 – 1820)	Hanover	1760 -1820	Publicly condemned by the American Declaration of Independence . ¹²⁴ Lost the United American Colonies as a final end to the American Revolutionary War

Wherefore, as the chart above cogently illustrates, the fundamental law of the United States, which is plainly enunciated in the American Declaration of Independence (1776),¹²⁵ was

hand in the murder of his wife, his brother Clarence, and Henry VI. Even in a callous and bloody age the vicious murder of the two princes by an uncle who had them in his trust shocked the nation. Many Yorkists joined the Lancastrians in rebellion against the villainous Richard. A premature revolt in 1484 was crushed. Soon, however, the opponents of Richard produced their candidate for the throne. He was Henry Tudor, earl of Richmond.”)

122 Charles I was executed as a part of the final result of the English Civil War (1642 – 1651). He was accused of arrogating absolute power to himself and having thus violated the **fundamental laws of England**. “For example, in 1641 the House of Commons of England protested that the Roman Catholic Church was “... **subverting the fundamental laws of England and Ireland....**”, part of a campaign ending in 1649 with the beheading of King Charles I.” https://en.wikipedia.org/wiki/Fundamental_Laws_of_England

123 “This Convention assembled on January 22, 1689. Whigs and Tories mingled their principles in the famous resolution that James II, ‘having endeavored to **subvert the constitution of the kingdom by breaking the original contract between king and people**, and having, by the advice of Jesuits and other wicked persons, **violated the fundamental laws** and withdrawn himself out of the kingdom, has abdicated and the throne is thereby vacant.’)

124 The text of the American Revolution condemns King George III for having violated the American colonists’ fundamental rights to “life, liberty, and the pursuit of happiness.” Influenced by Locke, the 1776 United States Declaration of Independence stated:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

125 THE AMERICAN DECLARATION OF INDEPENDENCE

The unanimous Declaration of the thirteen united States of America,

inherited from the Christian religion and constitutional or fundamental law of Great Britain¹²⁶ To this very point, Rev. William Goodell has written:

An echo of these expositions we have in our Declaration of Independence. Bracton, in his exposition of Romans xiii., had said:

‘He is called a king for ruling righteously, and not because he reigns. Wherefore he is a king when he governs with justice, but a tyrant when he oppresses the people committed to his charge.’

In nearly the same language our Declaration of Independence abjures the authority of the British monarch:

‘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.’

These words of Jefferson seem but a paraphrase or application of Bracton’s, and Bracton’s are but his own reference from his own exposition of Paul.¹²⁷

Hence, the American Declaration of Independence (1776) is a restatement of England’s fundamental law. In volume five of this post-doctoral study, we shall analyze the various

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which **the Laws of Nature and of Nature’s God** entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, —That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. ...

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to **the Supreme Judge of the world** for the rectitude of our intentions....

And for the support of this Declaration, with a firm reliance on the **protection of divine Providence**, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

126 Indeed, theologically speaking, the American Declaration of Independence (1776), which laid the foundation for the United States Constitution, represents the culmination of a thousand years of development of the English Common Law and Christian political philosophy that was deeply rooted in the Apostle Paul’s *Epistle to the Romans* (13:1-10).

127 William Goodell, *The Democracy of Christianity, or; An Analysis of the Bible and its Doctrines in Their Relation to the Principles of Democracy* (New York, N.Y.: Cady and Burgess, 1852), pp. 376-377. See, also, **Appendix D**, “Of Thomas Jefferson and the Jeffersonians.”

theological, religious, and political factors which comprised the movement for the American Revolutionary War and Independence from Great Britain.

— END OF VOLUME FOUR —

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