

## The Tenure of Kings and Magistrates

(1650)

**I**F men within themselves would be govern'd by reason, and not generally give up understanding to a double tyrannie, of Custom from without, and blind affections within, they would discern better, what it is to favour and uphold the Tyrant of a Nation. But being slaves within doors, no wonder that they strive so much to have the public State conformably govern'd to the inward vitious rule, by which they govern themselves. For indeed none can love freedom heartilie, but good men; the rest love not freedom, but licence; which never hath more scope or more indulgence then under Tyrants. Hence is it that Tyrants are not oft offended, nor stand much in doubt of bad men, as being all naturally servile; but in whom vertue and true worth most is eminent, them they feare in earnest, as by right thir Maisters, against them lies all thir hatred and suspicion. Consequentlie neither doe bad men hate Tyrants, but have been alwayes readiest with the falsifi'd names of *Loyalty*, and *Obedience*, to colour over thir base compliances. And although somtimes for shame, and when it comes to thir owne grievances, of purse especially, they would seeme good Patriots, and side with the better cause, yet when others for the deliverance of thir Countrie, endu'd with fortitude and Heroick vertue to feare nothing but the curse writt'n against those *That doe the worke of the Lord negligently*, would goe on to remove, not only the calamities and thraldoms of a People, but the roots and causes whence they spring, streight these men, and sure helpers at need, as if they hated only the miseries but not the mischiefs, after they have juggl'd and palter'd with the world, bandied and born armes against thir King, devested him, disannoynted him, nay curs'd him all over in thir Pulpits and thir Pamphlets, to the ingaging of sincere and real men, beyond what is possible or honest to retreat from, not only turne revolters from those principles, which only could at first move them, but lay the staine of disloyaltie, and worse, on those proceedings, which are the necessary consequences of thir own former actions; nor dislik'd by themselves, were they manag'd to the intire advantages of thir own Faction; not considering the while that he toward whom they boasted thir new fidelitie, counted them accessory; and by those Statutes and Lawes which they so impotently brandish against others, would have doom'd them to a Traytors death, for what they have don already. 'Tis true, that most men are apt enough to civill Wars and commotions as a noveltie, and for a flash hot and active; but through sloth or inconstancie, and weakness of spirit either fainting, ere thir own pretences, though never so just, be half attain'd, or through an inbred falshood and wickednes, betray oft times to destruction with themselves, men of noblest temper joyn'd with them for causes, whereof they in their rash undertakings were not capable.

<[http://www.dartmouth.edu/~milton/reading\\_room/tenure/](http://www.dartmouth.edu/~milton/reading_room/tenure/)>

*Introduction. The Tenure of Kings and Magistrates (TKM)* tries to be several things at once—a closely argued and authoritatively supported treatise in political science, a polemical pamphlet, and an essay in biblical interpretation. In her recent *The Life of John Milton*, Barbara Lewalski describes its various generic elements: "Several elements are intertwined here, somewhat disjointedly: castigation of backsliding Presbyterians, rhetorical appeals to the fragmenting revolutionary parties, defenses of tyrannicide, and development of a republican political theory derived from classical and contemporary sources, and the Bible" (230). For all of its claims to be chiefly a work of theory, there's much to be gained from reading it as an occasional piece, prompted by one of England's most important political emergencies.

By December 1648, King Charles I's royalist forces had been utterly defeated by the Parliamentary Army led by Generals Thomas Fairfax and Oliver Cromwell. Attempts to come to some compromise with the King had all failed and there was very good reason to suspect that the King and his agents were negotiating (when they agreed to negotiate at all) in bad faith. Still, many in Parliament, including some Presbyterians who had supported war against the king for nearly seven years, balked at the idea of trying King Charles I for treason, and deposing and executing him. Milton argues that these procedures, however radical they may appear, are nothing more than the logical and necessary extension of having waged a just war on a tyrant who remains unrepentant and a danger to the commonwealth.

On the sixth of December, 1648, Colonel Thomas Pride led troops into the House of Commons and forcibly ejected royalist and Presbyterian supporters of rapprochement with the King. The remaining members, known as the Rump Parliament empowered a commission to try the king for treason; it found him guilty and deposed and executed him on January 30, 1649. Milton wrote *TKM* at this moment in support of the Rump and the Army. Though he argues forcefully for the right of a people to re-assume its natural and God-given right of popular sovereignty, he never addresses the crucial issue of whether the Rump or the Army that shaped it could justly be said to represent the sovereignty of a free-born people. By March, Milton had been appointed to a post—Secretary for Foreign Tongues—in the new commonwealth government shorn of the king (though not entirely of monarchy) and the House of Lords.

The first edition of *TKM* is dated 1649 on its title page and runs to forty-two quarto pages. The second edition runs to sixty quarto pages, adding a number of quotations, paraphrases, and citations from Protestant authors, continental, English, and Scottish. Some second edition copies are dated 1649 and some 1650. The Julian Calendar, which sets the new year on March 25, and the Gregorian Calendar, promulgated by a papal bull of 1582, were variously used by English printers well into the seventeenth century. For this edition I have followed the second edition, specifically the Harvard University Library's copy (Wing M2183) from *Early English Books Online*. For more information on early editions, see Merritt Y. Hughes preface to *TKM* in the *Yale Complete Prose* volume 3 (185-88); and John T. Shawcross, "Milton's Tenure of Kings and Magistrates: Date of Composition, Editions, and Issues." *Thomas H. Luxon*

*The Tenure of Kings and Magistrates*. The complete title from the 1650 edition is "The Tenure of Kings and Magistrates: Proving, That it is Lawfull, and hath been held so through all Ages, for any, who have the Power, to call to account a Tyrant, or wicked

King, and after due conviction, to depose, and put him to death; if the ordinary Magistrate have neglected, or deny'd to doe it. And that they, who of late so much blame Depositing, are the Men that did it themselves. *Published now the second time with some additions, and many Testimonies also added out of the best & learnedest among Protestant Divines asserting the position of this book.*"

*double tyrannie.* On the "inward vitious rule" of "blind affections from within," see *Paradise Lost* 12.83-96 where the archangel Michael locates the blame for tyrannical oppression in the fallen soul, both victim and culprit.

*Custom.* By capitalizing the word, Milton appears almost ready to personify Custom as he did in the opening address "To Parliament" in *The Doctrine and Discipline of Divorce* (1644).

*offended.* Attacked.

*naturally servile.* That some beings -- women, slaves and animals in particular -- are naturally inferior to others and therefore naturally serve their superiors, Aristotle argues at some length in his *Politics* 1254b-1255a.

*That doe the worke of the Lord negligently.* Milton's printed marginal note refers readers to "Jer. 48. 19," but that is probably a missprint for Jeremiah 48.10: "Cursed be he that doeth the work of the LORD deceitfully, and cursed be he that keepeth back his sword from blood." Thus Milton implies that those Presbyterians who had made war on King Charles I but stopped short of trying and executing him are like the Moabites Jeremiah curses. See the *Encyclopedia Britannica* article on Oliver Cromwell and Henry Ireton.

*these men.* The Presbyterian leaders in Parliament.

*palter'd.* Equivocated.

*Faction.* The faction or party Milton refers to is the Presbyterian leadership in Parliament. They were prepared to come to terms with King Charles I if only he would agree to establish Presyterianism in England as it had been established in Scotland. Indeed, in the Engagement of December 26, 1648, Charles had promised (under pressure) the Scottish Commissioners that Presbyterianism would be established for three years and that he would suppress Independency. Milton regarded this as treachery against the republican cause and against those independents who helped Parliament win the civil war.

*he toward whom they boasted thir new fidelitie.* That is, King Charles I, who boasted to others that his promises to establish Presbyterianism and suppress Independency were but pretenses to buy him time.

*Traytors death.* That is to say that given half a chance King Charles would have hanged the Presbyterian leaders as traitors along with the Independents who helped them defeat the King's forces.

