

S O M E  
CONSIDERATIONS

Humbly offered to the

Right Reverend the

LORDBISHOP

O F

E X E T E R.

~~152~~

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Occasioned by his Lordship's Sermon  
Preached before Her Majesty, *March*  
8. 1708.

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By BENJAMIN HOADLY,  
Rector of *St. Peters Poor*.

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# Some Considerations

Humbly offered to the

## LORDBISHOP

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## EXETER, &c.

*My Lord,*

**I**T is with extreme Reluctance that I force my self to give your *Lordship* this present Trouble. But the *Love of Truth*, which ought to be above all humane Considerations, will, I hope, plead my Excuse with your *Lordship*, and with all Persons of impartial and honest Minds, for the great Presumption of this *Address*. The *Cause* it self, which determined me to it, is a *Cause* in which I have for some

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time

time been engaged, and which I think my self under some sort of Obligation still to prosecute; esteeming it of the utmost Importance, both to the Honour of *Christianity*, and the Security of *Humane Society*: For the Sake of both which it deserves seriously, and impartially, and frequently, to be consider'd, whether the *Nature* and End of *Government* necessarily take away from the *governed Part* of *Mankind* the *Right* of *Self-Defense*; or whether the *Gospel* of *Jesus Christ* hath utterly deprived them of any such Right, and left them naked and defenseless against all possible Attempts of their *Governours*. Your *Lordship* hath been pleased to express some Zeal for the affirmative side of these *Questions*: And I am sensible, that your *Lordship's Reputation* and *Authority* are so great, that of themselves they are thought, by many, sufficient to fix the Stamp of *Truth* upon what bears a Name so much honoured and respected. But your *Lordship* knows full well, that where a Veneration for Persons prevails more than the *Love* of *Truth*, as *Truth*; there even *Truth* it self becomes vile, and loses its Beauty and Grace before  
Men,

Men, as well as forfeits its Title to the Rewards of *God*. I humbly therefore hope, that your *Lordship* will not take it amiss, if I freely examine those Thoughts and Observations upon this *Subject*, which your *Lordship* hath lately published to the World. If I may be permitted to do this, it cannot possibly do the least Injury either to *Truth*, or the *Gospel* we profess, when it is seen that I do it with all the *Reverence* due to your *Lordship's* high Station and Character; and with all the Regard due to that *Integrity* and *Goodness*, which shine so bright in your *Lordship's* Example.

My Lord,

The *Sermon* preached by your *Lordship* before Her Majesty on the *Eighth* of *March*, 1708. is the Occasion of this Trouble: Which, compared with *that* preached at *St. Dunstan's* in the *West*, on *March* 8. 1704. gives us such an Account of your *Lordship's* Judgment concerning the *Duty* of *Subjects*, and the *Original*, and *Authority* of *Governours*, as seems to me to give just Ground for  
such

such an Examination of it as I at this Time design.

1. In the *Sermon* preached 1704. p. 9. Your *Lordship* acknowledges, that the *Scripture* leaves every *Country* to it self to establish that *Form* of *Government*, which is most suitable to its own particular *Temper* and *Genius*. Again, p. 15. There is no one particular *Form* of *Government* that can truly be said to be of *divine Institution*, and *Appointment*. Again, p. 18, 19. The *Designation* and *Appointment* of particular *Persons* to the *Administration* of the *Government*, this is humane; and the *Distribution* of the *Power* of *Government* into one, or into more *Hands*, this is likewise humane: This is the *Ordinance* of *Man* only. Again, p. 23, 24. it is declared, that *No Man* hath a *natural Right* to the *Government* of a *Kingdom*: That the only *Right* thereto must be a *Legal Right*, such a *Right* as is given him by the *Law* and *Constitution* of the *Realm*; i. e. by the *sovereign Legislative Authority* for the *Time* being. And that the *Kingly Power* is not lodged in our *King* or *Queen* solely, but in *King*, *Lords*, and *Commons*, conjointly, is freely declared by your *Lordship*.

2. I observe, that in giving an *Account* of the *divine Institution* of Government, *Sermon* 1708. p. 4, 5. Your Lordship declares, that *that* ought to be taken for the most *rightful* Government, which is established, and *that* for the *best Title*, which hath prevailed by *Prescription*, or is settled by the *Constitution*: That you do not affirm, or think it implied in any Expression of *St. Paul*, or any other *Scripture-Writer*, that the *Form* of Government, or *Person* Governing, are designed, and marked out by God, any otherwise than as all *Revolutions* are brought about by the *Working* or *Permission* of God: And that when you affirm Government to be of *divine Institution*, you understand by this, that *it is the Will of God* that some should bear *Rule*, and that others should be in *Subjection*; and that they which bear *Rule*, should enact *Laws* for the *Preservation* of *Justice* and *Peace* amongst their *Subjects*, and duly execute the *Laws* made for that *Purpose*: In which two things the whole *Power* and *Exercise* of *Sovereignty* do consist. This is all the *divine Right* your Lordship acknowledges.

3. Your Lordship adds, p. 6. That the *Authority* by which the *Magistrate* acts,

acts, in all *Forms* of Government, is a Ray or Portion of the divine Authority and Power, derived to him from, and communicated to him by God. But then your *Lordship* contends, p. 16. that this Commission from God to the Civil Magistrate is not absolute, and unlimited; and that he can act with Authority no farther, nor otherwise, than as he is warranted to do by his Commission.

After I have thus presumed to lay before your *Lordship* your own Words upon these several Heads, in order to make farther Use of them; I beg leave now to mention some *Particulars*, which seem inconsistent with these *Principles*, or in which I am forced to differ from your *Lordship*; tho' Matters of great Importance both to the Religion we profess, and to the Foundation of the present *Establishment* under which we account our selves so happy: And I beg leave, with all Submission, to examine them with that Freedom, and Impartiality which becomes a Lover of Truth. And,

I. From the *Magistrate's* being called the *Minister of God* by St. Paul, your *Lordship* argues, that he hath none above



above him upon Earth, to *question, cen-  
sure, or punish him*; and that he is ac-  
countable to none but God.

1. In Answer to this, I might here  
put your *Lordship* in Mind, that *St.  
Paul* hath guarded his own Expression  
very cautiously and judiciously; that  
he tells *Subjects*, not barely that the  
*Magistrate* is the *Minister of God*, but  
that he is *the Minister of God to them  
for Good*; which manifestly shews that  
he is speaking, in general, with re-  
spect to the Nature and Design of  
the Office; which is the Ordinance of  
*God*, as your *Lordship* before explained  
it, in this Sense, because it is agreeable  
to his Will, that so good and useful an  
Office should be kept up in humane So-  
ciety. But all this reasoning falls to the  
Ground, when once it is supposed that  
the *Magistrate* is not the *Minister of  
God*; as it is impossible he should be,  
in any thing disagreeable to his Will,  
I mean in the Sense now contended  
for. Granting therefore, that in his  
*Office* he is the *Minister of God*; yet  
in contradicting the only Design of his  
*Office* he cannot be so: nor can the  
Argument hold good. This hath been

argued at large in a *late Treatise*, concerning the *Measures of Submission*: Nor hath the least Reply been given to it, besides general, and positive Affirmations to the contrary.

2. I might likewise put your *Lordship* in Mind, that every Person in the World, who is the Instrument of Good to us, is the *Minister of God to us for Good*. And this may be affirmed of them without any such universal and unlimited Inference as this: Which is sufficient to prove, that the *Magistrate's* being called the *Minister of God*, or in the *Apostle's* Words, *the Minister of God to us for Good*, cannot justify any such Inference.

3. I will beg leave to shew your *Lordship*, that the *Magistrate's* receiving a *Commission* for one particular Work, immediately from God, ought not to be an Argument, in your *Lordship's* own Judgment, to prove that there is none upon Earth that may *question, censure, or punish* him. Your *Lordship* contends, p. 16. That his *Commission* is not *absolute and unlimited*, but confined to one Purpose, *viz.* that of *Civil Government*. Your *Lordship* likewise contends, that for another Purpose the

*Ecclesiastical Officers* have received likewise a *Commission* from *God*; and are the *Ministers* of *God* as properly, for the *Ends* of their *Office*, as the *Magistrate* is for the *Ends* of *his*. Yet, tho' they be the *Ministers* of *God*, and *his* *Servants* only; it doth not follow, according to your *Lordship*, that there is none upon *Earth* to *question*, *censure*, or *punish* them. From whence I argue, That the being the *Minister* of *God*, in the most proper *Sense*, is not, of it self, an *Argument* to prove such an *Exemption*, as is here mentioned: For if it were, then would the *Ecclesiastical Officers* be exempt from that *Restraint*, and *Censure* of the *Civil Magistrate*, under which your *Lordship* hath concluded them in all things, but those which their *Commission* empowers them to do. I would not willingly be mistaken; and therefore I add, that what I am now saying is this, That the being called the *Minister* of *God*, or the being actually commissioned by *God* for one particular *Work*, doth not, of it self, prove the *Person* so commissioned absolutely exempt from all *Question* and *Censure*. And this I was led to say by your *Lordship's* *Argument*

drawn from hence. The Truth of the Matter seems plainly this; That, as the *Commission* of the *Ministers* of the *Gospel* cannot exempt them, in *Cases* in which they are void of all *Authority*, and to which their *Commission* reacheth not; so cannot it be proved barely from their *Commission*, that *Magistrates* are in a more exempt Condition. For a *Commission* gives an *Authority*, and consequently a *Superiority*, only in those *Points* to which it extends it self; leaving all others as it found them. Your *Lordship* well observes, that they can act *with Authority* no farther than their *Commission* reaches. Consequently therefore, they can have a *Superiority* no farther than their *Commission* reacheth. And it follows infallibly from hence, that their *Superiority* vanisheth in those *Instances* in which they act *without*, or *against* their *Commission*. One of these two *Points* must be proved, either that the *Commission* given by God to *Magistrates*, gives them a positive *Authority* to act against the *Ends* of their *Institution*; and the *Design* of their *Commission*; or that they remain *Supreme*, even in those *Cases* in which they have no *Authority*; and

and in which they cannot be the *Ministers* of *God*: tho' it be their *Authority* only, and their being the *Ministers* of *God*, that gives them this *Supremacy*. Nor should this, methinks, seem so strange to your *Lordship*, since the *Case* of a *Mayor* in a *Corporation*, who, after his *Election*, is not accountable to those that chuse him, but to the *Queen*, by whose *Commission* he acts, (by which *Instance* your *Lordship* very unfortunately endeavours to illustrate your *Position*) may be found to help us very much in discovering the *Truth* of this *Matter*. For the *Commission* given to this *Mayor*, makes him not *superior* to any in the *Corporation*, unless it be in the due *Execution* of the *Office* he is called to. Nor will the *supreme Governour* censure or punish any *Freeman* for opposing this *Mayor*, in any *Cases* but those to which his *Commission* reacheth. Nor doth the *King* or *Queen* by this *Commission* exempt him from an *Equality* in other *Instances*. And in all *Cases* where the *Danger* is imminent, *Violence* is allowed to be repelled with *Violence*, and the same *Behaviour* which is allowed in the *Case* of *Equals*. Nor doth his being, in other *Cases*, the

*King's*

*King's Minister*, exempt him. The Application is so plain, I need not make it: and your *Lordship* affirms that the *Cases* are parallel. If so, then the being the *Minister of God*, and commissioned by Him, gives the *Supreme Magistrate* a *Superiority* over the *Governed Society* no farther than is consistent with the *Safety and Happiness* of the *Society*, for which alone he was commissioned.

4. Doth your *Lordship* think that *St. Paul* could not intend his Exhortations to have respect to *Deputed Magistrates*, as well as the *Supreme*; and that he could not possibly understand by the *higher Powers*, and his general way of Speaking, all in so useful an *Office* as that of *Magistracy*? If he could, as he certainly did; then *deputed Magistrates*, as well as the *Supreme*, are called by him the *Ministers of God*: and this alone will destroy your *Lordship's* Argument drawn from that Title. Nay, Are not *deputed Magistrates* the *Ministers of God*, and may they not justly be called so, who help to execute so useful an *Office*? And yet we see, this cannot prove such an *exemption* as your *Lordship* speaks of: therefore, neither will this alone prove it  
for

for others. And with respect to the *Case of deputed Magistrates*, it is observable, (what hath been often quoted by the *Patrons of Passive Obedience*) that our *Lord* told *Pilate*, that his *Power* was *from above*. But he being manifestly a *deputed Governour*, was undoubtedly accountable to *Man*: Which shews that a *Magistrate's* being called the *Minister*, or *Servant of God*, doth not imply in it what is by some deduced from it. But, after all,

5. I must intreat your *Lordship* not to think that I am contending for the Words *Accountable*, or *Censure*, or *Punishment*. I know none who are solicitous about them. All that is contended for with any Zeal, is this, that there should be a *Right* left in the *governed Society* to preserve it self from Ruine and Destruction: Which is a Point that your *Lordship* hath not touched upon. The *Commission of Fathers* is from *God*; and their very *Persons* are pointed out by Him: Yet was it never doubted, as I know of, that, should a *Father* be so outrageous, or mad, as to attempt the Lives of his *Children*, his Hands may be tied, and *Self-Defense* be justly practised  
by

by them. Nor do I know that ever any one, merely for saying this, was reviled, or thought to dissolve all *Filial Obedience*. His being the *Minister of God* therefore, let it make him never so unaccountable to his *Children*, yet doth it not, in the *Case of Habitual or Actual Madness*, take from them the *Right of Self-defense*. So likewise, let the *Magistrate* be, in never so proper a *Sense*, the *Minister of God*; and never so unaccountable, never so much superior to his *Subjects*; yet doth not this in the least devest the *Governed* from the *Right of Self-defense*, and *Self-preservation*: as we see in all other parallel *Instances* whatsoever, that *Superiority* in one doth not rob others of the *Right of Self-defense*. And with submission, my *Lord*, if the *Case* had been put after this manner, every one at first view must have seen the little force of the *Argument* now before us. And what I have been saying holds true, whatever the *Original of Government* were, and whencesoever *Governours* have their *Authority*. But because your *Lordship* hath thought fit to enter into *that*, I beg leave to follow,



II. In giving an Account of the *Authority* by which *Magistrates* act, your *Lordship* is not content that an *humane Institution* should have an *humane Authority*, but contends that the *Power* of the *Magistrate* must be immediately from *God*.

I. Your *Lordship's* first Reason is, because he can have this *Power* no other way, p. 9. for no Man hath it originally and essentially in himself, (which some Men will think a very great, and too large a Concession; ) and that he can't have it from the People, is evident; because it is such a *Power* as the People never had, nor could have; and what they have not themselves, they can't give to another. The *Power* which your *Lordship* instanceth in, is, the *Power* to cut off evil Doers, i. e. Enemies to the Society: And this your *Lordship* affirms that the People never could have. No Man hath power either over his own Life, or over his Brother's.

On the contrary, I do affirm, and hope to prove, 1. That for the sake of *public Good*, a Man is allowed to have such *Power* over his own Life, as to contract that, when *that* requireth it, it shall be given up; which is all that is pretended

in the *Case of Civil Government*. This is plain from hence, that when a *Soldier* voluntarily Lifts himself into the *Service* of his Country, he contracts in effect to this purpose, that when his *General* commands him for the Publick Service, and it becomes necessary for his Countries good, he must and will venture where he is sure to lose his Life. So likewise in *Civil Government*, a Man may have the same Power over his own Life, voluntarily to contract, that when the *public Good* requires it, and the *Magistrate* ordains it, he will submit. But your *Lordship's* Argument, drawn from a Man's not having Power or Authority to lay violent hands upon himself, gives the *Question* a wrong turn, and is apparently of no weight; since it will as well prove that a Man may not voluntarily enter into the Military Service. There is, I hope, a great difference between a Man's violently sending himself out of the World, at the time, and after the manner, which the *public Good* doth not require; and his contracting to give up his Life to the consideration of *public Safety*: and a Man may have Power to do the *one*, tho' not  
not

not to do the *other*. And because this may be thought not fully to touch the Point, I add, what will come nearer to the *Case* in hand, that supposing no fixed *Magistrate*, or *General*, a Neighbourhood of Persons, in danger from *Robbers* and *Murderers*, attempting their ruine, may jointly consent to go out against these *Enemies*: and any particular Man hath such a Power over his own Life, that He may with Honour, voluntarily run upon inevitable Death, knowing that He doth so, in order to sustain the first onset of these *Enemies*, and for the Safety and Security of his *Neighbours*. And as He hath this *Power* in himself; so, supposing a *General* chosen by *him* and *others*, he doth by this choice transfer this Right to the *General*, and oblige himself to do the same at his Command, which he *might* himself voluntarily do before. But,

2. It is of small Importance to this *Question*, whether a Man have any such Power over his own Life, or no; if so be that he appears to have it, in some particular *Cases*, over the Life of others. Now, 1. The *Question* being here,

what Power Men have, before there is supposed a fixt *Governour* of a Society, your *Lordship* manifestly puts the *Case* wrong, when you say that a *private Man* would be a *Murtherer* should he, of his own Head, kill even a *Malefactor*. For tho' this may possibly be true, in some *Cases*, supposing a *Government* fixed; yet supposing no fixed *civil Government*, this is so far from being true, that he would be a *Public Benefactor*, who should kill a *Public Enemy*. As *Cain* thought it but just to fear, that all would be armed against a *Murtherer*, as an *Enemy* to the whole Race of Mankind; and had a Right to defend themselves from such an one. So likewise supposing a *Band of Destroyers* coming down upon a Place not yet settled under *civil Government*; have not the Inhabitants such a Power over the Lives of these *Robbers*, as to enter into a *voluntary Association*, and take Arms to defend themselves by destroying them? And may not they transfer this *Right of Self-preservation*, by empowering one, or more Persons, to ordain, and do, what should be necessary on all such Occasions: and so give to them a *Power* over the *Lives* of others,

thers, as truly as any *civil Magistrate* upon Earth hath it? And if in a State, in which no *established civil Government* is supposed to be settled, (and some such there actually yet are in the *Wildnesses of the Earth*;) *Private Men* have certainly this *Right*, which is no more than that of *Self-defense* and *Self-preservation*; then they may certainly transfer and convey the Exercise of this *Right*, in all ordinary *Cases*, to one or more *Persons*, for the greater *Security of public Happiness*. And that they have not this *Right*, upon supposition of no *civil Government* settled, your *Lordship* hath not attempted to prove. But this is not all, for, 2. When a *civil Government* is actually settled, yet there are extraordinary *Cases* in which *Private Men* may justly kill *Malefactors*, of their own head, as your *Lordship* expresseth it; and consequently, have such a *Power* over their *Brother's Life*, as your *Lordship* is pleased to deny them. As in *Case* of a sudden and violent *Attaque* upon their *Lives*, and the *Lives* of their *Family*, in which an *Appeal* cannot soon enough be made to the *Magistrate*, they have a *natural Right* to  
kill

kill the *Attempters*, resulting from that *Right to Self-preservation* given them by *God*. And these things are so plain, that I cannot help expressing some *Astonishment* to find a *Person* of your *Lordship's* Judgment, and great *Abilities*, overlooking all this, and urging only a few affirmations to the contrary. All this shews that Men have such a *Right to Self-defense*, ( which implies in it often, by necessary consequence, a *Power over the Lives of others*; ) as is sufficient to convey to *civil Magistrates*, agreeably to the *Will of God*, all that *Power over the Lives of others* which they can justly claim, or lawfully put in Execution. Nor can I help observing that our *Parliament* hath openly asserted the *original Contract* between *King and People*, as the *Foundation of civil Authority*; the same *Parliament*, my *Lord*, which laid the *Foundation of that alteration* in the *Succession to the Crown*, which your *Lordship* defends in the *former of the Sermons* just now mentioned; and that *Parliament* to which we owe all the *Happineffes* we enjoy or hope for.

2. Your *Lordship* is not content with this Argument only, to deſtroy the *People* of all pretention of being the *Original* of *civil Authority*: but is pleas'd to add, that the *Position* is directly contrary to what the *Apoſtle* affirms, That *there is no Power but of God*. A way of Interpretation which will as well prove all *Uſurpers*, all *Robbers* in Power, to have a *Commission* immediately from *God*! whereas your *Lordship* knows (and hath obſerved it in this very Sermon in the *Caſe* of *Nebuchadnezzar*) that the *Scripture* uſeth this expreſſion in many *Caſes* where the *Providence*, the *permiſſive Providence* of *God* only is concern'd; and where there can be no *Commission* from Him poſſibly ſuppoſed. And here *St. Paul* ſpeaking of *Magiſtrates*, it is moſt reaſonable to interpret theſe Words, that there are none poſſeſs'd of *Authority* for the good of *Humane Society*; (which is the *Magiſtrate's Authority*;) but that this *Authority* is of *God*, agreeable to, and founded upon, his Will. And all that your *Lordship* thinks fit to make of this, and the like Expreſſions, in the former part of your *Sermon* is, that it is agreeable to the Will of *God*,  
that

that some should bear Rule, and some should Obey, in *humane Society*. But who can believe that *St. Paul* intend- ed by such an Expression at once to condemn that Doctrine, that the *Pow- er* of the *Magistrate* is originally deri- ved to Him from the Contract or Concession of the People? I am sure when your *Lordship* can prove that the *Apostle* designed in these Words to con- tradict and condemn this Notion right- ly understood ; I may undertake to de- monstrate, that by those other Words, *The Powers that be, are ordained of God,* the *Apostle* meant to assure us that the very *Forms of Government*, and the *Per- sons governing*, were then, and are al- ways, pointed out by the immediate Voice of *God*. And indeed, I shall not doubt, by the very same Arguments by which your *Lordship* will prove that *St. Paul* condemned the one, which you are pleased to condemn, to prove that *St. Paul* did likewise as positively condemn the *other*, which you are pleas- ed to maintain. And if your *Lordship* think it absurd to hold that the very *Persons governing*, are *ordained* by *God* immediately, notwithstanding the high  
Ex-



Expression of the *Apostle*, I hope others may the more easily be forgiven, who use not greater latitude in interpreting the *one* form of Expression, than your *Lordship* doth in the interpretation of the *other*. And why your *Lordship* allows not the same latitude in *both*, I cannot well imagine.

3. Another Argument I find added, *viz.* that the *Notion*, now condemned by your *Lordship*, is plainly grounded upon a Supposition false in Fact, *viz.* that there was a great Number of Men living before the Institution of Civil Government; which whole multitude of Men had then, by natural Right, the same Power over single Men, which is now exercised by the Magistrate: Which your *Lordship* denies to be true, because every Man descending from Adam and Eve, in his natural Capacity, is born a Subject to his own Parents, and, in his political Capacity, to the Chief Governour of that State, of which, at his Birth, he becomes a Member; p. 11. But,

1. Your *Lordship* in the same Place grants that *this* indeed might possibly have been true in Case this Multitude had been all created at one and the same time: Not

remembering that you had before maintained, that the *Power* of the *Magistrate* could not originally be in the *People*, for Reasons inconsistent with this way of Arguing. For what signifieth it in this *Case*, whether they came into Being all at once, or no; if the Power of Life and Death, which is in the *Magistrate*, be, as your *Lordship* hath before declared it, of that nature, that no private Man, or company of Men, can have any thing of it in themselves to communicate to any other? For if Men had all sprung up together, they could have had no more Power over their own, or their *Neighbour's* Lives, than they have now they are born one of another. Or, if your *Lordship* will give me leave to make use of this concession, that the *Power* of the *Magistrate* might have been derived from the *People*, had Mankind been created all at once; then I must argue, that all that your *Lordship* hath said before, concerning the Power of Life and Death, is of no importance to the *Cause*.

2. Your *Lordship* is pleased to distinguish between the *Natural* and *Political Capacity* of a Man born into the World;

World: From whence I argue, that a Man may possibly be born free in his *Political Capacity*, tho' not free from all the Subjection due to a *Father* and *Mother*, in his *natural Capacity*; and consequently, if *Civil* and *Paternal Government* differ, as your *Lordship* seems to think, it will not prove, that there was not a Number of Men in the World before the Institution of *Civil Government*, to allege that Men are *born* one of another: It will not prove that there always was a *Civil Government*, to allege, that there was always *Paternal Government*. The *Right to Paternal Authority* is a *Natural Right*: But your *Lordship* assures us often, that no one hath a *Natural Right* to *Civil Government*, and consequently, say I, *Paternal* and *Civil Authority* are two so distinct Things, that tho' Man be not born free with respect to the one, yet he may, with respect to the *other*; and his being born, and consequently born under *Subjection* to *Paternal Authority*, which is a *natural Right*, signifieth nothing to prove that there might not be a great Number *born*, before the *Institution* of *civil Government*, to which there is no *natural Right*.

3. Your *Lordship's* Argument against this *Freedom* is this, Every Man, since the Fall, is born a Subject to his own *Parents*, in his *natural Capacity*; and, in his *political Capacity*, a Subject to the *civil Government* under which he is born. Now the thing to be proved was, That there never was a Time without *civil Government*. The Subjection to *Parents*, I have shewn, in your *Lordship's* own Judgment, to have nothing to do with the *Freedom* we are now speaking of. And for what your *Lordship* adds, that every Man since the first is born, in his *political Capacity*, a Subject to the chief Governour of the State, of which he is born a Member; this is taking the thing for granted which is the *Question* in Dispute. For the Point in Debate is, in effect, this very thing, whether every Man, since the first, was born a Subject, in a *Political Capacity*, to a *civil Governour*: And your *Lordship* here proves it, barely by affirming it; which will not effectually convince those who seek for Reasons for what is affirmed.

4. If there be no such thing as a *Natural Right* to *civil Government*, as your *Lordship* saith, then there must be

a *State of Equality* preceding the *Institution* of it; and it must inevitably be founded upon *voluntary Compact* and *Agreement*, without which no *one* Person could have any more real, authentic Right to it than *another*. For if there were not an *original State of natural Equality* with respect to *civil Government*; then certainly there must be, in some particular Person or Persons, a *natural Right* to *civil Government*. But your *Lordship* assures us there is no such thing; therefore it follows, with a *Mathematical Evidence*, that the *State of Nature*, with respect to *civil Government*, is a *State of Equality*. And I cannot but wonder to find that your *Lordship* can urge such sort of Arguments as seem inconsistent with your own Concessions: Especially considering that your *Lordship* hath not thought fit in the least to consider what hath been largely said by several Writers in Answer to this *Argument*, or to hint the least Consideration which might furnish a Reply to them. Nor can I wonder less, to find your *Lordship* declaring, p. 4. that *the Title of the first Kings that ever were in the World was most probably only their Pa-*

*Paternal Right to rule and govern their own Children and Descendants.* For this *Paternal Right* is a *Natural Right*, and therefore cannot be thought by your *Lordship* to be a *Right to Civil Government* over their *Descendants*; because you say, there is no such thing as a *Natural Right* to that. That the *Fathers of Families* might be at first pitch'd upon by many *Claſs* and *Societies* of Men, to be *Civil Governours* likewise, hath been thought probable by many wise *Writers*; or that their *Civil Government* might have been submitted to, tho' taken up by themselves without any formal *Choice*: But then their *Right to this* could not be the *Paternal Right*; but was founded upon that *voluntary Choice*, or *Submission*. Your *Lordship* therefore hath deſtroyed the first *Kings*, (who probably had the best *Titles* in the World) of all *Title* to their *Civil Power*, by fixing it upon a *Paternal*, which is a *natural Right*; and at the same time declaring, that there is no such thing as a *natural Right to Civil Power*, and making a *Distinction* (as there is indeed a most manifest one) between *Mankind* in a *natural Capacity*, and *Mankind* in a *political Capacity*.

5. There are at this Day, and have been in every Age, Instances of *People* in the unciviliz'd Parts of the World, without any established *civil*, *Government*: And if ever *Government* comes to be rightfully settled amongst them, it must be by *voluntary*, *Compact* and *Agreement*; and, we see, hath been preceded by a *State* of as great an *Equality*, with respect to *civil* *Government*, as is contended for by any Writer that I know of.

6. But I cannot see what mighty Advantage your *Lordship* would procure to the Cause you defend, could you demonstrate that the *Authority* of *Governours* comes from *God*, in the Sense inconsistent with the Supposition of a *Contract* founded upon a *State* of *Equality*. For since (as your *Lordship* allows) the *Forms* of *Government*, and the *Persons* of *Governours*, were always, ordinarily speaking, of humane Determination; and these were certainly determined by *Societies* of Men merely in order for the greater Happiness of *Society*, and for the good Execution of a particular Office: Since this is so, I say; supposing their *Authority* (upon such *humane* *Appointment*)

pointment) to be conveyed to them immediately from God himself, yet methinks, this *Authority* can be only such as the Nature of their Office, and the Reason and Ground of the *Contract* supposed to be made with them, necessarily require. It will be very difficult, I believe, for your *Lordship* to prove; that God doth give any other *Authority* to the *Persons* of *Governours*, but what is founded upon the *End* proposed in their *Election*; or that they can be superior to the whole electing *Society*, by his Will, in any Instances to which their *Commission* doth not reach, and in which they destroy the very *End* of their *Commission* given them by God, as well as of the Charge of good *Government* reposed in them by this *Society*. Nay, your *Lordship* declares, that their *Commission* from God is *limited*; and for one Purpose only: From whence it follows, that their *Superiority* is limited; and (to come to a plain Instance) that in the *Case* of *Governours* attempting the Ruine of a *Nation*, they are without *Commission*, and so without *Superiority*; the Consequence of which is, that, in this *Case*, *Self-Defense* is a most necessary and lawful Practice. There are *King-*  
*doms*



doms which are *Elective*: as part of our own *Legislative Constitution* is. Now when the *Electors* of such a *Kingdom* chuse a *King*, expressly to rule them according to their *Established Laws*; and he knows, and solemnly agrees to it; how can his *Commission* from *God* be any other than to do so? And how can he pretend to any *Superiority* in doing the contrary? And how is it possible to suppose, that he hath immediately *Authority* from *God* to change this into an *Hereditary Kingdom*, by his own *Act*, and the *People* all obliged to submit to such a *Change*? How is it possible that he can have *Authority* to do this, unless it be in his *Commission*? and which way it can be in his *Commission*, it is past the Skill of the ablest Head to determine, unless *God* can give a Man a *Commission* to destroy those very *Ends* for which he was elected; and which he voluntarily hath sworn to answer. Again, who can imagine that our *Parliament*, chosen by the *People* to maintain our *Constitution*, and enact wholesome *Laws*, can receive immediately *Authority* from *God* to ruine it, if they think fit; and to consent to the turning it into an

*Absolute Monarchy*; nay, to the subjecting it to the *King of France*, or of any other *Country*; and the *People*, in a State of Damnation, unless they meekly submit to all this, which neither *Elected* nor *Electors* ever dream't to be in their *Commission*? Yet all this, and much more, if possible, doth your *Lordship* effectually affirm, whilst you maintain the *Authority of Governours* to be such, as that they can alter, annul, destroy *Constitutions* by divine Right; and the *Slavery of People* to be such, as that all must be patiently submitted to. These, *my Lord*, are astonishing *Positions*; such as are void of all Proof, and indeed only affirmed by your *Lordship*, *Sermon* 1704. p. 17, 18, 19. For my own Part, I must be so plain as to declare again, that I think it toucheth the Honour of *Almighty God* nearly, as well as the Happiness of humane Society, to introduce Him as granting such *Commissions* to *Governours*; and affixing his *Seal* to what is contrary to his Will; as well as carries great Absurdity along with it, to give them a *Superiority* in those Points which absolutely contradict their *Commission*; and by this to take away from *Inferiors* all

*Right*

*Right to Self-Defense* in all possible Cases. This is what is not done, I think, in any Case but *this*, in which the doing it is of the most dangerous Consequence.

7. This seems to me the Truth of the Matter. A *Community*, or *Neighbourhood* of People living together, have a Right to defend themselves against *Robbers*, and *Murderers*, and *Enemies*; which includes such Power over the Lives of them, as that they may destroy them whenever they, or any of them, meet with them. But finding this a *State* of no regular and established Security, they resolve to transfer this *Right of Self-Defense*, or *Power* over the Lives of their *Enemies*, to some particular Persons; reserving only to themselves the Exercise of *Self-Defense*, in those Cases in which the *Magistrate* cannot act for their *safety*. This is allowed to particular Persons in all *Civil Governments* that are settled, in *Case of sudden Attacks*: And for the same Reason must be allowed to the *Community*, when the *Magistrate* refuses to guard against these *Enemies*; and much more when he joins with them to bring on Ruine, and Destruction. This *Right to Self-defense*, in *Cases*

in which the *Magistrate* cannot defend the particular Members of it, was never given up to him by the Members of the *Community*: Nor was it ever supposed by any to be taken from them by God. And consequently the *Case of Public Impending Ruine* from the *Magistrate* himself being of the Number of *these*, this *Right of Defending* the *Community* in *this case* was never given away by it, or taken from it by God. From the whole I think it evident, that the *Magistrate* hath no *Authority*, properly speaking, but what the whole *Community*, or *Governed Society*, have in themselves, supposing no *Magistrate*: and consequently none but what may be transferred to *Him* by the *Governed Society*. But if your *Lordship* still be resolved to date their *Commissions* from *Heaven*, and to affirm that they are immediately from God, accurately and properly speaking, I must beg leave to reply, that this *Commission* being, according to your *Lordship*, for the *Civil Government* of the *Society* only, and *limited* to this Purpose; God *Almighty* may grant a *Commission* to others for other Purposes, as your *Lordship* well argues: and consequently, say

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I, He may, notwithstanding this *Commission* to the *Magistrate*, give a *Commission*, for *self-defense and self-preservation*, to the *Society* it self. And I will humbly presume, that it hath pleased his Goodness actually to give this *Commission* to the *Community*, till your *Lordship* is pleased to perform a Task so useful to humane *Society*, as to prove the contrary.

III. That your *Lordship* should so positively confine *St. Paul*, to have in his Eye the *Person* of the *Roman Emperour*, and *him* considered not only as a vicious Man, but a very bad *Governour*, is very strange and unaccountable: When his Words are all manifestly applicable to the *Office* in general; when he declares, that there is no *Power*, no true *Magistratical Authority*, but of *God*, in which the *Senate*, how much soever their *Power* was impaired, and overawed, must share; and in which *deputed Governours* may justly claim a Part, agreeably to what our *Lord* told *Pilate*, one of them, that his *Power* was from *above*; and agreeably to those other *Texts* which shew it to be the Concern of *Christianity*, to press *subjection* to *Magistrates* of all Ranks, and which do  
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command it in the same Words to the *supreme*, and the *deputed Magistrates*. Nay, that St. *Polycarp* thus understood St. *Paul*, is plain from his applying the Expression of *the Powers ordained of God* to the *Proconsul*, a *deputed Officer*. And that St. *Paul* designed what he said, even to hold true of *Nero*, in his worst *Character*, is what I hardly care to repeat. I rather chuse to believe St. *Paul* himself, who assures me, and all who can read him, that he is speaking of *Magistrates*, as a *Terror to evil Works* and a *Praise to them that do well*, and endeavouring to reconcile some foolish Men to the *Offices* as it is useful to *Humane Society*, and not to the *Power* employed in destroying all the Ends that it is designed to answer. And if all the Wit of Man, or Art of *Logic*, can make St. *Paul's* reasoning consistent, or tolerable, supposing him to speak of *Nero* only, when he was, even in his own Conscience, the Burthen of the Earth, and the Plague of *Society*, I will then believe any thing that can be affirmed of this Apostle. But otherwise, your *Lordship* will say, (as I see upon a like Occasion) he could mean no *Magistrates* then living.

What?

What? were there no good Orders then kept at all? No deputed *Magistrates* who did their Duty tolerably? No Acts of the *Senate* to which your *Lordship* will allow any *Validity*? No Power which they claimed that was to be obeyed, because in other things it was over-powered by *Force* and *Bribery*? None to be spoken of to a few private *Christians*, but the *supreme Head*, the great *Emperour*, of whom they knew little, and saw less? But supposing He was all that *St. Paul* had in View, might not this be written by him at the Beginning of his Reign, as hath been thought by good Judges, when he might be said to answer *St. Paul's* Character as well as most Princes? Can your *Lordship* demonstrate that this was not the time of his Writing? And if it were, can your *Lordship* possibly think, that *St. Paul* would have said the same of *him*, when the remains of *Power* in the *Senate* awoke, and fought after him for *publick Punishment*, which he said when he was truly the *Officer* that he describes a *Magistrate* to be? Let any one read the whole Passage in *St. Paul*,  
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and try the Truth of what I have here alleged.

IV. In the *Third Inference* drawn by your *Lordship* from your Interpretation of the *Magistrate's* being the *Minister* of *God*, p. 16. You lay the Duty of *Absolute Non-resistance* upon the governed *Society*. For your *Lordship* argues, that *tho' the Laws of earthly Governours be contrary to the divine Laws (in which case the Magistrate doth certainlye xceed the Bounds of his Commission) yet this doth not void their Authority. They are the Ministers of God for all this.* In what? I beseech your *Lordship*. Not in this, I hope, in which they are without his *Commission*; and in which they contradict his *Commission*; in which they are without all *Authority*, either in making the *Law*, or in annexing the *penalty* to it. They therefore who refuse to submit both to the *Law* and to the *Penalty*, do not resist the *Authority* of *God* in this *Case*, because in this *Case* there is none, But if your *Lordship* means, that they resist a *Person* who is the *Minister* of *God* in other *Cases*, it is manifest this is allowed in the *Case* of *Resistance* to *Foreign Invaders*; and to a *Parent* who should



who should in a Fit of Madness command his *Child* to cut his *Brother's* Throat, under Pain of having his own Throat cut if he did not. Here, my *Lord*, is an Instance sufficient to prove that *Absolute passive Obedience*: in some particular *Cases*, is not due to a Person, who is the *Minister* of God, and acts by his *Commission*, not in *these*, but in *others*. The same may be proved from hence, that an *Ecclesiastical Minister's* being the *Minister* of God for one Purpose, doth not make it a Duty to submit to him in what he is not the *Minister* of God. All Arguments for *Submission* in private Men to Punishments laid upon them *without*, and *against*, the *Commission* given to *Governours* by God, must be taken from *public Good*, and not from their having that *Authority* in *other* things, which they are allowed not to have in *these*. But here is the *Case*. Suppose the Matter toucheth the whole *Community*; and the Happiness of *that* be invaded by a *Governour*, turned a *public Enemy* to it in the main part of his *Conduct*: Doth his having a *Commission* from God for the *contrary*, make him not to be resisted in *this*?

*this?* His *Authority* to rule well, which is all the *Authority* he ever had, is not indeed so *made void*, but that he hath *that Authority* as long as he hath *Power*. But if he cannot rule, without ruling to the Destruction of the Public, and to the universal Ruine of the *Community*, can it possibly be supposed, that it should be *God's Will* he should still bear rule, when he gave him a *Commission* entirely for the *Good* of the *Community*, and for nothing else? Can it possibly be supposed that all *Right to Self-preservation* and *Self-defense* is taken from this whole *Community*, at a Time when they are, in effect, without any *established Governour* to defend and protect them? No more than it can be supposed that a *Father*, because he hath a *Divine Commission* to rule his *Family*, is not to be guarded against, should he be so distracted as to seek the Lives of his *Dependents*; or may not lawfully be put out of *Rule*, and *Government*, because as long as he hath *Power*, his *Authority* in those *Cases*, in which he hath *Authority*, is valid.

But if your *Lordship* recurr, as I see you do, to the general Declaration of

St. Paul against *Resistance*, I beg of your *Lordship* to give a fair Account of this way of Proceeding, and to prove plainly, why it is, that this *general prohibition* of St. Paul's must be interpreted *absolutely*, and declared to be without any *limitation*, when in our *Lord's* own most express *prohibition* of *Resistance* in *Case* of *private Injuries, Limitations and Exceptions* are not only allowed but contended for? Nay, when there are such a Number of general *Precepts* and *Prohibitions* in which all admit, and plead for them, If your *Lordship* say that *public Good* requires it, as you seem to say, when you tell us, p, 29. *That it is much for the Peoples good to be thus put in subjection to Magistrates*, you must give others leave to wonder how it can possibly be for the *Good* of the *People*, [ i. e. every individual Person, of what Rank and Quality soever, besides the *supreme Governour* ] to suffer themselves and their *Posterity* to be made miserable at the Will of the *supreme Governour*, when they see they can save themselves if they will, and establish a better State of Things. It is just as if a *Quaker* should argue that it is for the

good of all *private Men* that they are forbid absolutely to resist *Robbers* and *Cut-throats*; it is for their temporal Security and Prosperity, to let them come into their Houses, and cut the Throats of themselves, their Wives, and their Children, when they might prevent this if they would. It is for their good to be thus put in *Subjection* to their *Enemies*. But this I believe, with some sort of *satisfaction*, that as *Nature* it self will not suffer the *Quaker* to practise according to this *Doctrine*; so neither will the powerful *Law of Self-preservation* ever suffer a *Nation* of Men of the most *passive Principles* to sit down contented with their Ruine, when they have it in their Power to keep it off.

*My Lord,*

I will not trouble your *Lordship* much longer: but permit me to speak a little freely, with all the deference due to your *Station*, and all that *respect* which I have for your Character. There was a Time, which must be still fresh in your *Lordship's* Memory, when *Universal Ruine* was thought to hang over the  
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the whole *Community*. At this time the *People*, (which is not a contemptible Word, signifying only *Coblers* and *Tinkers*, as some make it,) the *Lords*, the *Bishops*, the *Gentry*, the *Commonalty*, were all under one common Sense of Danger. Those of the Highest as well as Holiest Rank, and of the best Quality, invited over a *Prince* with armed Men, to awe their *Legal King*, and force him into a *Compliance*: and this they did in their private Capacity. Numbers joined themselves to Him when He came. Nor do we account any part of our Excellent *Queen's* Behaviour more truly great; more lovely, or more beneficial, than the Part she bore in this Transaction; when she prefer'd the Safety of a Nation before all other Temporal Considerations; and encouraged by her Example this glorious Design. The same was done by some of my *Lords* the *Bishops*, to their immortal Honour, with a Zeal beyond what is common. A *Revolution* succeeded, which your *Lordship* acknowledgeth to have wonderfully saved both *Church* and *State* from Ruine. Upon this Foundation

dation is built all our Happiness. To this we owe the present Felicity of a *Glorious and Beneficent* Reign. To this we owe that *Settlement* in the *Protestant Line*, for which your *Lordship* is an *Advocate*, even so far, as to wish it had been fixed many Years ago. And now, *my Lord*, how must it surprize all who can think, to hear it affirmed that it would have been *good* for the *People* to have acted as if they had been put under such Subjection as your *Lordship* pleads for? That it would have been *good* for the *Nation* not to have invited over Arms, and to have join'd themselves to them? And for their Temporal Advantage to have missed that opportunity, and to have sit down contented with their Ruine, unless *Regular Forms* prevented it? And how must it concern all good *Subjects*, to hear a Man of your *Lordship's* Character, and Authority, assuring the World that her *Majesty's* Title is only that of a *successful Usurpation*; that *Submission* to Her *Government* is indeed lawful, now it is *settled*; but that the *Foundation* of that *Settlement* was laid in a *damnable Sin*: to find that on a *Day*,

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set apart to celebrate the *Nation's* happiness in Her *Majesty's* Accession to the Throne, a *Sentence of Condemnation* must be read against that *Resistance*, without which *She* had never enjoyed either the *Crown*, or perhaps Her *Life*; and all the *Nobility* and *Bishops*, and others who so bravely interposed, to secure the *Throne* for Her *Majesty*, and Her *Majesty* for the *Throne*; called, in effect, to *Humiliation* and *Repentance*? According to what your *Lordship* hath delivered, we ought all unanimously to move, that the *Fifth* of *November* may be changed into a *Day of solemn Humiliation and Fasting*, a *Day of Reproach* to the *Nation*, when the *Arms* of *Resistance* landed, upon the *Invitation*, and to the *Satisfaction*, of the whole *People*? For, upon your *Lordship's* Principles, it was a *Guilt*, not to be washed out in many *Years*, till grievously repented of: and to be visited in some terrible manner upon late *Posterity*; as some think it hath been upon our *Selves* by a long and expensive *War*. And I must observe, that if it were a *Guilt*, it was much more a *National Guilt*, than the *Murder* of *K. Ch. I.* For *this* we  
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are assured by *Authority* was the *Contrivance* and *Work* of a few *Miscreants* against the general bent of the *Nation*: Whereas the *Resistance* practised against K. *James* II. was the *Contrivance* and *Work* of all *Ranks* and *Orders* of *Men*, against the bent but of a very *few*.

But I know your *Lordship* is too well pleased with the *National* and *Beneficial* *Consequences* of this *Rebellion*, to proceed so far. Without it we had never had a *Queen*, so great an Ornament to the *Throne*; nor *Bishops* so great Ornaments to the *Mitre*; nor any thing of *Property* and *Protestantism* by this time left. And since this is so, *my Lord*; since these are the *Benefits* which the *Nation* hath reaped by *Resistance*; since to *Resistance* we owe that *Establishment* in the *Protestant Line* which your *Lordship* wisheth had been many *Years* ago made; since without it we had had an *Establishment* in the *Popish Line* so much dreaded, I dare say, by your *Lordship*; I may ask, what harm hath *Resistance* lately done either to the *Queen*, the *Church*, or the *Nation*, that it must be thus run against with so unlimited a  
Zeal?



Zeal? And why should *that* be absolutely and entirely condemned as a *damnable Sin*, any more than *Church-Separation*, by which we got rid of the *Tyranny of Rome*. *This* is allowed to be lawful in some *Cases*; tho' the Allowance may be as much abused, and tho' *Schism* be as damnable a Sin: and can your *Lordship* tell why the same way of proceeding may not be allowed in the *Case of Resistance*? All *Separation* is not *Schism*; All *Church-Reformation* is not *Church-Destruction*; All *Killing* is not *Murther*; All *speaking Evil* of a Man is not *Slander*; All *Swearing* is not a Violation of the *general Law* against *Swearing*; All *Resistance to private Injuries*, is not a Transgression of the *general Gospel-prohibition*: And can your *Lordship* tell why all *Resistance* in a whole Nation should be called *Rebellion*, and the *Practisers* and *Defenders* of it, in any *Case* whatsoever, be so often doomed to eternal Damnation? It is wholly unaccountable by all Rules of Interpreting the *Scripture*, and moral Prohibitions. But not more *unaccountable* than to establish a *Government*

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by destroying the *Foundation* of it; to reconcile Men to an *Establishment*, by condemning the Proceedings without which the *Establishment* could not have been made; to be preaching up the most absolute *Passive Obedience* under an *Administration* which needs not such a Support, and which deserves not so bad a *Complement*. But however; if your *Lordship* think it fit to endeavour to reconcile Men to the present *Constitution*, as far as your *Lordship* judgeth it proper, I hope you will pardon others, if they endeavour, by fair and calm Reasoning, to make them love and approve the very *Ground* upon which it stands: and whilst the *former* of these Methods can be applauded, it is to be hoped that, by all *candid Judges*, the *latter* will not be thought against the *Interest* of the *Nation*, or the *Government*. And as long as your *Lordship*, and those of the same Mind, go on to defend and secure the *Establishment*, by bringing an *Odium*, at the same time, upon the *Foundation* on which it is built; and making the *Gospel* to patronize the most abject, and most universal *Slavery*; to the great *Satisfaction* and *Mirth* of the *Common*

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*Enemies* both of *Church* and *State* amongst us: So long, I believe, I may assure your *Lordship*, there will be a *Spirit* in some *others* to take what care they can that the *Foundation* shall not be undermined, to the manifest Prejudice of that *Establishment*; nor the Doctrine of *Servitude* imposed upon whole Nations, to the Scandal of the *Church*, and the Disgrace of *Christianity*. And as particular Notice hath been taken, and distinct Replies given long ago to every Position of your *Lordship's*, in favour of *Absolute Non-resistance*, as well as to every *Argument* that hath been urged by others; which will be esteemed, by all good Judges, a great Advantage to the contrary *Cause*: So, I hope, the same Method will be taken for the future with all plainness, and all *Christian Temper*. But I must observe, that neither your *Lordship*, nor any other *Writer*, hath ever attempted to disprove those *Replies* that have been given; or to advance any thing but *positive* and *general Affirmations* against them: which will be always a wonder to those, who know that *Truth* fears not the *Light*; or rather, that the *Darkness* of every  
*Falsch-*

*Falshood* will presently vanish, when the *Light of Truth* is brought near it.

I beseech your *Lordship* to pardon the *trouble* and *boldness* of this *Address* from *One* whom a profound *Veneration* for your *Lordship* induced seriously to consider what proceeded from so excellent and judicious a Person; and who assures your *Lordship*, with the utmost Sincerity, that He is, with a very high degree of *Respect* and *Esteem*,

My Lord,

Your Lordship's most Obedient

Humble Servant,

Benjamin Hoadly.

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F I N I S.