Two Treatises of Civil Government

by John Locke

Natural Law · Libra Arcana Public Domain Edition

Locke's landmark defense of natural rights, consent of the governed, and limited constitutional power.

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Perhaps the Annals of History do not furnish a period, more appropriate for the dissemination of the political opinions of the Immortal Locke, than the present; when Sovereigns and Governmemts, are eagerly waiting, and readily embracing every opportu- nity to increase their Power ; and when many of the Governed are equally impatient under the wholesome, as well as the more oppressive Laws of those that govern ; to lay before both parties, the real origin of the power of the One, and for what purpose it was granted ; and the just obedience due by the Other ; when those purposes tend to the preservation, and good of society in general.

THE LATTER IS AN ESSAY CONCERNING THE TRUE ORIGINAL EXTENT AND END OF CIVIL GOVERNMENT.

HEADER, thou hast here the beginning and end of a discourse concerning government; what fate has otherwise disposed of the papers that should have fdled up the middle, and were more than all the rest, it is not worth while to tell thee. These, which remain, I hope are sufficient to establish the throne of our great restorer, or present King William ; to make good his title, in the consent of the people, which being the only one of all lawful governments, he has more fully and clearly, than any prince in Christendom ; and to justify to the world the people of England, whose love of their just and natural rights, with their resolution to preserve them, saved the nation when it was on the very brink of slavery and ruin. If these papers have that evidence, I flatter myself is to be found in them, there will be no great miss of those which are lost, and my reader may be satisfied without them : for 1 imagine, I shall have

neither the time, nor inclination to repeat my pains, and till np the wanting part of my answer, by tracing Sir Robert again, through all the windings and obscurities, which are to be met with in the several branches of his wonderful system. The king, and body of the nation, have since so thoroughly confuted his Hypothesis, that I suppose no body hereafter will have either the confidence to appear against our common safety, and be again an advocate for slavery; or the weakness to be deceived with contradictions dressed up in a popular stile, and well-turned periods : for if any one will be at the pains, himself, in those parts, which are here untouched, to strip Sir Robert's discourses of the flourish of doubtful expressions, and endeavour to reduce his words to direct, positive, intelligible propositions, and then compare them one with another, he will quickly be satisfied, there was never so much glib nonsense put together in well-sounding English. If he think it not worth while to examine his works all through, let him make an experiment in that part, where lie treats of usurpation ; and lot him try, whether he can, with all his skill, make Sir Robert intelligible, and consistent with himself, or common sense. J should not speak so plainly of a gentlemen.

long since past answering, had not the pulpit, of late years, publicly owned his doctrine, and made it the current divinity of the times. It is necessary those men, who taking on them to be teachers, have so dangerously misled others, should be openly shewed of what authority this their Patriarch is, whom they have so blindly followed, so that they may either retract what upon so ill grounds they have vented, and cannot be maintained ; or else justify those principles which they preached up for gospel ; though they had no better an author than an English courtier: for [should not have writ against Sir Robert, or taken the

pains to shew his mistakes, inconsistencies, and want of (what he so much boasts of, and pretends wholly to build on) scripture- proofs, were there not men amongst us, who, by crying up his books, and espousing his doctrine, save me from the reproach of writing against a dead adversary. They have been so zealous in this point, that, if I have done him any wrong, 1 can- not hope they should spare me. I wish, where they had done the truth and the public wrong, they would be as ready to redress it, and allow its just weight to this reflection, viz. that there cannot be done a greater mischief to prince and people, than the propagating wrong notions

concerning government: that so at last all times might not have reason to complain of the drum ecclesiastic. If any one, concerned really for truth, undertake the confutation of my hypothesis, I promise him either to recant mistake, upon fair conviction ; or to answer his difficulties. But he must remember two things.

First, That cavilling here and there, at some expression, or little incident of my discourse, is not an answer to my book.

Secondly, That I shall not take railing for arguments, nor think either of these worth my notice: Though 1 shall always look on my- self as bound to give satisfaction to any one who shall appear to be conscientiously scru- pulous in the point, and shall shew any just grounds for his scruples.

I have nothing more, but to advertise the reader, that Observations stands for Observa- tions on Hobbes, Milton, &c. and that a bare quotation of pages always mean Pages of his Patriarcha. Edit. 1680.

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§. 1. Slavery is so vile and miserable an estate of man, and so directly opposite to the generous temper and courage of our nation ; that it is hardly to be conceived, that an Eng- lishman, much less a gentleman, should plead for it. And truly I should have taken Sir Robert Filmers Patriarcha, as any other trea- tise,

which would persuade all men, that they are slaves, and ought to be so, for such another exercise of wit, as was his who writ the en- comium of Nero; rather than for a serious discourse meant in earnest, had not the gravity of the title and epistle, the picture in the front of the book, and the applause that followed it, required me to believe, that the author and publisher were both in earnest. I therefore took it into my hands with all the expectation, and read it through with all the attention due to a treatise that made such a noise at its coming abroad, and cannot but confess myself mightily surprised that in a book, which v, is

to provide chains for all mankind, I should find nothing but a rope of sand, useful perhaps to such, whose skill and business it is to raise a dust, and would blind the people, the better to mislead them ; but in truth not of any force to draw those into bondage who have their eyes open, and so much sense about them as to consider, that chains are but an ill wearing, how much care soever hath been taken to file and polish them.

§. 2. If any one think I take too much liberty in speaking so freely of a man, who is the great champion of absolute power, and the idol of those who worship it ; I beseech him to make this small allowance for once, to one, who, even after the reading of Sir Robert's book, cannot but think himself, as the laws allowr him, a freeman : and I know no fault it is to do so, unless any one better skilled in the fate of it, than I, should have it revealed to him, that this treatise, which has lain dormant so long, was, when it appeared in the world, to carry, by strength of its arguments, all liberty out of it ; and that thenceforth our author's short model was to be the pattern in the mount, and the perfect standard of politics for the future. His system lies in a little compass, it is no more but this,

That all government is absolute monarchy. And the ground he builds on, is this,

%. 3. In this last age a generation of men has

sprung up amongst us, that would flatter princes with an opinion, that they have a divine right to absolute power, let the laws by which they are constituted, and are to govern, and the conditions under which they enter upon their authority, be what they will, and their engagements to observe them never so well ratified by solemn oaths and promises. To make way for this doctrine, they have denied mankind a right to natural freedom ; whereby they have not only, as much as in them lies, exposed all subjects to the utmost misery of tyranny and oppression, but have also unset- tled the titles, and shaken the thrones of princes : (for they too by these men's system, except only one, are all born slaves, and by divine right are subjects to Adams right heir;) as if they had designed to make war upon all government, and subvert the very foundation of human society, to serve their present turn.

§. 4. However we must believe them upon their own bare words, when they tell us, we are all born slaves, and we must continue so, there is no remedy for it ; life and thraldom we entered into together, and can never be quit of the one, till we part with the other. Scripture or reason I am sure do not any where say so, notwithstanding the noise of divine right, as if divine authority hath subjected us to the unlimited will of another. An admi- rable state of mankind, and that which they have not had wit enough to find out till this

latter age. For, however Sir Robert Filmet seems to condemn the novelty of the contrary opinion, Pair. p. 3. yet 1 believe it will be hard for him to find any other age, or country of the world, but this, which has asserted mo- narchy to be jure divino. And he confesses, Patr. p. 4. That Heyivard, Blackwood, Bar- clay,

and others, that have bravely vindicated the right of Icings in most points, never thought of this, but with one consent admitted the natural liberty and equality of mankind.

§. 5. By whom this doctrine came at first to be broached, and brought in fashion amongst us, and what sad effects it gave rise to, I leave to historians to relate, or to the memory of those, who were contemporaries with Sibthorp and Mantuering, to recollect. My business at present is only to consider what Sir Robert Filmer, who is allowed to have carried this argument farthest, and is supposed to have brought it to perfection, has said in it ; for him every one, who . would be as fashionable as French was at court, has learned, and runs away with this short system of politics, viz. Men are not born free, and therefore could never have the liberty to choose either governors, or forms of government . Princes have their power absolute, and by divine right ; for slaves could never have a right to compact or consent. Adam was an absolute monarch, and so arc all princes ever since.

§. (>. Sir Robert Filmers great position is, that men are not naturally free. This is the; foundation on which his absolute monarchy stands, and from which it erects itself to such an height, that its power is above every power, caput inter nubila, so high above all earthly and human things, that thought can scarce reach it; that promises and oaths, which tie the infinite Deity, cannot confine it. But if this foundation fails, all his fabric falls with it, and governments must be left again to the old way of being made by contrivance, and (he consent of men ('A»'fyw7nV>/ Kriair) making use of their reason to unite together into society. To prove this grand position of his, he tells us, p. 12. Men are horn in subjection to their parents, and therefore eannot be free. And this authority of parents he calls royal authority, p. 12, 14. Fatherly authority, right of fatherhood, p. 12, 20. One Mould have thought he would, in the beginning of such a work as this, on which was to depend the authority of princes, and the obedience of subjects, have told us expressly, what that fatherly authority is, have defined it, though not limited it, because in some other treatises of his he tells us, it is unlimited and unlimit-

able* ; he should at least have given us such an account of it, that we might have had an entire notion of this fatherhood, or fatherly au- thority, whenever it came in our way in his writings : this I expected to have found in the first chapter of his Patriarcha. But instead thereof, having, 1. en passant, made his obey- sance to the arcana imperii, p. 5. 2. made his compliment to the rights and liberties of this or any other nation, p. 6. which he is going pre- sently to null and destroy ; and, 3. made his leg to those learned men, who did not see so far into the matter as himself, p. 7. he comes to fall on Bellarmine, p. 8. and, by a victory over him, establishes his fatherly authority beyond any question. Bellarmine being routed by his own confession, p. 11. the day is clear got, and there is no more need of any forces : for having done that, I observe not that he states the question, or rallies up any arguments to make good his opinion, but rather tells us the story, as he thinks fit, of this strange kind of domineering phantom, called the father- hood, which whoever could catch, presently got empire, and unlimited absolute power. He assures us how this fatherhood began in Adamf

* In grants and gifts that have their original from God or nature, as the power of the father hath, no inferior power of man can limit, nor make any law of prescription against them. Observations, 158.

The scripture teaches, that supreme power was originally in the father, without any limitation. Observations, 245.

continued its course, and kept the world in order all the time of the patriarchs till the flood, got out of the ark with Noah and his sons, made and supported all the kings of the earth till the captivity of the Israelites in Egypt, and then the poor fatherhood was under hatches, till God, by giving the Israelites kings, re-established the ancient and prime right of the lineal succession in paternal government. This is his business from p. 12, to p. 19. And then obvia- ting an objection, and clearing a difficulty or two, with one half reason, p. 23. to confirm the natural right of regal power, he ends the first chapter. I hope it is no injury to call an half quotation an half reason ; for God says, Honour thy father and mother ; but our author contents himself with half, leaves out thy mo- ther quite, as little serviceable to his purpose. But of that more in another place.

§. 7. I do not think our author so little skilled in the way of writing discourses of this nature, nor so careless of the point in hand, that he by oversight commits the fault, that he himself, in his Anarchy of a mixed Monarchy, p. 239. ob- jects to Mr. Hunton in these words : Where first I charge the author, that he hath not given us any definition, or description of Monarchy in general; for by the rules of method he should have first defined. And by the like rule of me- thod Sir Robert should have told us, what his fatherhood or fatherly authority is, before he had told us, in whom it was to be found, and

talked so much of it. But perhaps Sir Robert found, that this fatherly authority, this power of fathers, and of kings, for he makes them both the same, p. 24. would make a very odd and frightful figure, and very disagreeing with what either children imagine of their parents, or subjects of their kings, if he should have given us the whole draught together in that gigantic form, he had painted it in his own fancy; and therefore, like a wary physician, when he would have his patient swallow some harsh or corrosive liquor, he mingles it with a large quantity of that which may dilute it; that the scattered parts may go down with less feeling, and cause less aversion.

§. 8. Let us then endeavour to find what account he gives us of this fatherly authority, as it lies scattered in the several parts of his writings. And first, as it was vested in Adam, he says, Not only Adam, but the succeeding patriarchs, had, by right of fatherhood, royal authority orcr their children, p. 1*2. This lordship which Adam by command had orcr the whole uorld, and by right descending from him the patriarchs did enjoy, was as large and ample as the absolute dominion of any monarch, which hath been since the creation, p. 13. Dominion of life and death, making war, and concluding peace, p. 13. Adam and the patriarchs had absolute power of life and death, p. 35. Kings, in the right of parents, succeed to the exercise of supreme jurisdiction, p. 19. As kingly power

is by the law of God, so it hulk no inferior fate to limit it ; Adam was lord of all, p. 40. The father of a family governs by no other lair, than by his own will, p. 78. The superiority of princes is above laws, p. 79. The unlimited jurisdiction of kings is so amply described by Samuel, p. 80. Kings are above the laws, p. 03. And to this purpose see a great deal more which our author delivers in JBodins words : It is certain, that all laws, privileges, and grants of princes, have no force, but during their life; if they be not ratified by the express consent, or by sufferance of the prince following, especially privileges, Observations, p. 279. The

reason, why laws have been also made by kings,was this ; when kings were either busied with tears, or distracted with public cares, so that every private man could not have access to their pjersons, to learn their wills and pleasure, then were laws of necessity invented, that so every particular sub- ject might find his prince s pleasure dccyphcrcd unto him in the tables of his lairs, p. 02. In a monarchy, the king must by necessity be above the laws, p. 100. A perfect kingdom is that, wherein the king rules all things according to his own will, p. 100. Neither common nor statute laics are, or can be, any diminution of that general power, which kings have over their people by right of fatherhood, p. 115. Adam was the father, king, and lord over his family ; a son, a subject, and a servant or slave, were one and the same thing at first. The father had

power io dispose or sell his children or servants ; whence ive find, that the first reckoning up of goods in scripture, the man-servant and the maid- servant, are numbered among the possessio?is and substance of the owner, as other goods were, Observations Pref. God also hath given to the father a right or liberty, to alien his power over his children to any other ; whence we find the sale and gift of children to have been much in use in the beginning of the ivorld, when men had their servants for a possession and an inheritance, as well as other goods ; whereupon we find the power of castrating and making eunuchs much in use in old times, Observations, p. 155. Lata is nothing else but the will of him that hath the power of the supreme father, Observations, p. 223. It teas God's ordinance that the supre- macy should be unlimited in Adam, and as large as all the acts of his will; and as in him so in all others that have supreme power, Observa- tions, p. 245.

§. 9. I have been fain to trouble my reader with these several quotations in our author's own words, that in them might be seen his own description of his fatherly authority, as it lies scattered up and down in his writings, which he supposes was first vested in Adam, and by right belongs to all princes ever since. This fatherly authority then, or right of fatherhood, in our author's sense, is a divine unalterable right of sovereignty, whereby a father or a prince halh an absolute, arbitrary, unlimited.

and unlhnitable power over the lives, liberties, and estates of his children and subjects ; so that he may take or alienate their estates, sell, castrate, or use their persons as he pleases, they being all his slaves, and he lord or proprietor of every thing, and his unbounded will their law. §. 10. Our author having placed such a mighty power in Adam, and upon that sup- position founded all government, and all power of princes, it is reasonable to expect, that he should have proved this with arguments clear and evident, suitable to the weightiness of the cause ; that since men had nothing else left them, they might in slavery have such undeni- able proofs of its necessity, that their con- sciences might be convinced, and oblige them to submit peaceably to that absolute dominion, which their governors had a right to exercise over them. Without this, what good could our author do, or pretend to do, by erecting such an unlimited power, but flatter the natural vanity and ambition of men, too apt of itself to grow and encrease with the possession of any power? and by persuading those, who, by the consent of their fellow-men, are advanced to great, but limited degrees of it, that by that part which is given them, they have a right to all, that was not so ; and therefore may do what they please, because they have authority to do more than others, and so tempt them to do what is neither for their own, nor the

good of those under their care; whereby great mischiefs cannot but follow.

§. 11. The sovereignty of Adam, being that on which, as a sure basis, our author builds his mighty absolute monarchy, I expected, that in his Patriarcha, this his main supposition would have been proved, and established with all that evidence of arguments, that such a fundamental tenet required ; and that this, on which the great stress of the business depends, would have been made out with reasons sufti- cient to justify the confidence with which it was assumed. But in all that treatise, I could find very little tending that way ; the thing i> there so taken for granted, without proof, that I could scarce believe myself, when, upon at- tentive reading thai treatise, I found there so mighty a structure raised upon the bare sup- position of this foundation : for it is scarce credible, that in a discourse, where he pretends to confute the erroneous principle of man's natural freedom, he should do it by ;i bare supposition of Adam's authority, without offer- ing any proof for that authority. Indeed he confidently saj s, that Adam had royal authority, p. 12, and 13. absolute lordship and dominion °f Hfo filld death, p. 13. an universal monarchy, p. 33. absolute power of life and death, p. 35. He is very frequent in such assertions ; but, what is strange, in all his whole Patriarcha 1 find not one pretence of a reason to establish

this his great foundation of government; noi an) thing that looks like an argument, but

these words : To con/um this natural right of regal power, tee find in the Decalogue, that the law which enjoins obedience to kings, is delivered in the terms, Honour thy father, as if all power were originally in the father. And why nia\ I not add as well, that in the Decalogue, the law that enjoins obedience to queens, is de- livered in the terms of Honour thy mother, as if all power were originally in the mother 1 The argument, as Sir Robert puts it, will hold as well for one as the other: but of this, more in its due place.

§. 12. All that I take notice of here, is, that this is all our author says in his first, or any oi the following chapters, to prove the absolute power of Adam, which is his great principle: and yet, as if he had there settled it upon sure demonstration, he begins his second chapter with these words, 13y conferring these proofs and reasons, drawn from the autho) ity of the scripture. Where those proofs and reasons for Adam's sovereignty are, bating that of Honour thy father, above mentioned, I confess, I cannot find; unless what he says, p. 11. In these words we have an evident confession, viz. of Bellarmine, that creation made man prince of his posterity, must be taken for proofs and reasons drawn from scripture, or for any sort of proof at all: though from thence by a new way < f inference, in the words immedia" ,_

following, he concludes, the royal authority of Adam sufficiently settled in him.

§. 13. If he has in that chapter, or anywhere in the whole treatise, given any other proofs of Adams royal authority, other than by often repeating it, which among some men, goes for argument, I desire any body for him to shew me the place and page, that I may be convinced of my mistake, and acknowledge my oversight. If no such arguments are to be found, I beseech those men, who have so much cried up this book, to consider, whether they do not give the world cause to suspect, that it is not the force of reason and argument, that makes them for absolute monarchy, but some other by interest, and therefore are resolved to applaud any au- thor, that writes in favour of this doctrine, whether he support it with reason or no. But I hope they do not expect, that rational and indifferent men should be brought over to their opinion, because

this their great doctor of it, in a discourse made on purpose, to set up the absolute monarchical power of Adam, in oppo- sition to the natural freedom of mankind, has said so little to prove it, from whence it is rather naturally to be concluded, that there is little to be said.

§. 14. But that I might omit no care to inform myself in our author's full sense, I con- sulted his Observations on Aristotle, Hobbes, §c. to see whether in disputing with others he made use of any arguments for this his darling tenet

of Adams sovereignty ; since in his treatise of the Natural power of Kings, he hath been so sparing of them. In his Observations on Mr. Uobbess Leviathan, 1 think he has put, in short, all those arguments for it together, which in his writings I find him any where to make use of: his words are these: If God created only Adam, and of a piece of him made the ivoman, and if by generation from them two, as parts of them, all mankind be propagated: if also God gave to Adam, not only the dominion over the woman and the children that should issue from them, but also over all the earth to subdue it, and over all the creatures on it, so that as long as Adam lived, no man could claim or enjoy any thing but by donation, assignation or permission from /tim, I wonder, &c. Observations, p. 165. Here we have the sum of all his arguments, for Adam's sovereignty, and against natural freedom, which I find up and down in his other treatises: and they are these following ; God's creation of Adam, the dominion he gave him over Eve, and the dominion he had as father over his children: all which I shall particularly consider.

Of Adam's Title to Sovereignty by Creation.

§. 15. Sir Robert, in his preface to his Ob- servations on Aristotle s Politics, tells us, A

natural freedom of mankind cannot be supposed without the denial of the creation of Adam : but how Adams being created, which was nothing 1ml his receiving a being immediately from omnipotence and the hand of God, gave Adam a sovereignty over any thing-, I cannot sec, nor consequently understand, how a sup- position of natural freedom is a denial of 'Adam's creation, and would be glad any body else (since our author did not vouchsafe us the fa \ our) would make it out for him: for 1 find no difficulty to suppose thv freedom of mankind, though I have always believed the creation of Adam. He was created, or began to exist by God's immediate power, without the interven- tion ofparents or the pre-existence of any of the same species to beget him, when it pleased God he should ; and so did the lion, the king of beasts, before him, by the same creating power of God : and if hare existence by that power, and in that way, will give dominion without any more ado, our author, by this argument, will make the lion have as good a title to it, as he, and certainly the ancienter. No! for Adam had his title by the appointment of God, says our author in another place. Then hare creation gave him not dominion, and one might have supposed mankind free without the denying the creation of Adam, since it was God's appointment made him monarch.

But let us see, hov ' puts his ct ea-

tion and this appointment together. By the

appointment of (rod, says Sir Robert, as soon as Adam was created, lie teas monarch of the world, though he had no subjects ; for though there could not be actual government till there were subjects, yet by (he

right of nature it was due to Adam to be governor of his posterity: though not in act, yet at least in habit, Adam was a king from his creation. I wish lie had told us here, what he meant by God's appoint- ment : for whatsoever providence orders, or the law of nature directs, or positive revelation declares, may be said to he by God's appoint- ment : but I suppose it cannot be meant here in the first sense, i. e. by providence ; because that would be to say no more, but that as soon as Adam was created he was dej'acto monarch, because by right of nature it was due to Adam, to be governor of his posterity. But he could not de facto be by providence constituted the governor of the world, at a time when there was actually no government, no subjects to be go- verned, which our author here confesses. Monarch of the world is also differently used by our author; for sometimes he means by it a proprietor of all the world exclusive of the rest of mankind, and thus he does in the same page of his preface before cited : Adam. says he, being commanded to multiply and peo- ple the earth, and to subdue it, and having dominion given him over all creatures, teas thereby the monarch of the whole world; none

of his posterity had any right to possess any thing but by his grant or permission, or by succession from him. 2. Let us understand then by mo- narch proprietor of the world, and by appoint- ment Gods actual donation, and revealed posi- tive grant made to Adam, Gen. i. 28. as we see Sir Robert himself does in this parallel place, and then his argument will stand thus : by the positive grant of God, as soon as Adam was created, he teas proprietor of the world, because by the right of nature it was due to Adam to be governor of his posterity. In which way of arguing there are two manifest false- hoods. First, It is false, that God made that grant to Adam, as soon as he was created, since, though it stands in the text immediately after his creation, yet it is plain it could not be spoken to Adam, till after Eve was made and brought to him : and how then could he be monarch by appoint ment as soon as created, especially since he calls, if I mistake not, that which God says to Eve, Gen. iii. 16, the ori- ginal grant of government, which not being till after the fall, when Adam was somewhat, at least in time, and very much distant in con- dition, from his creation, I cannot see, how our author can say in this sense, that by God's ap- pointment, as soon as Adam ivas created, he was monarch of the world. Secondly, were it true that God's actual donation appointed Adam monarch of the world as soon as he icas created, yet the reason here given for it, would not prove

ii ; but it would always be a false inference, that God, by a positive donation, appointed Adam monarch of the world, because by right of nature it was due to Adam to be governor of his posterity : for having given him the right of government by nature, there was no need of a positive donation ; at least it will never be a proof of such a donation.

§. 17. On the other side the matter will not be much mended, if we understand by God's appointment the law of nature, (though it be a pretty harsh expression for it in this place) and by monarch of the ivorld, sovereign ruler of mankind : for then the sentence under consi- deration must run thus : By the law of nature, as soon as Adam was created he was governor of mankind, for by right of nature it was due to Adam to be governor of his posterity ; which amounts to this, he was governor by right of nature, because he was governor by right of nature: but supposing we should grant, that a man is by nature governor of his children, Adam could not hereby be a monarch as soon as created : for this right of nature being found- ed in his being their father, how Adam could have a natural right to be governor, before he was a father, when by being a father only he had that right, is methinks, hard to conceive, unless he will have him to be a

father before lie was a father, and to have a title before he had it.

<§. 18. To this foreseen objection, our author c 2

answers very logically, he was governor in habit, and not in act: a very pretty way of beins* a Governor without government, a father without children, and a king without subjects. And thus Sir Robert was an author before he writ his book ; not in act, it is true, but in habit; for when he had once published it, it was due to him by the right of nature, to be an author, as much as it was to Adam to be governor of his children, when he had begot them : and if to be such a monarch of the world, an absolute monarch in habit, but not in act, will serve the turn, I should not much envy it to any of Sir Robert's friends, that he thought fit graciously to bestow it upon, though even this of acrand habit, if it signified any thing but our author's skill in distinctions, be not to his purpose in this place. For the question is not here about Adams actual exercise of government, but actually having a title to be governor. Government, says our author, was due to Adam by the right of na- ture: what is this right of nature? A right fathers have over their children by begetting them ; gcneratione jus acquiritur parentibus in liberos, says our author out of Grotius, Observations, '223. The right then follows the begetting as arising from it ; so that, ac- cording to this way of reasoning or distin- guishing of our author, Adam, as soon as he was created, had a title only in habit, and not in act, which in plain English is, he had ac- tually no title at all.

i: 19. To speak less learnedly, and more intelligibly, one may say of Adam, he was in a possibility of" being- governor, since it was possible lie might beget children, and thereby acquire that right of nature, be it what it will, to govern them, that accrues from thence : but what connection has this with Adams creation, to make him say, that, as soon as he was created, he was monarch of the world1, for it may be as well said of Noah, that as soon as he was born, he was monarch of the world, since he was in possibility (which in our author's sense is enough to make a monarch, a monarch in habit,) to outlive all mankind, but his own posterity. What such necessary connexion there is betwixt Adams creation and his right to government, so that a natural freedom of man- kind cannot be supposed without the denial of the creation of Adam, 1 confess for my part I do not see; nor how those words, by the ap- pointment, cj'c. Observations, 25 J. however explained, can be put together, to make any tolerable sense, at least to establish this position, with which they end, viz. Adam was a king from his creation; a king, says our author, not in act but in habit, i. c actually no king at all.

§. 20. I fear T have tired my reader's pa- tience, by dwelling longer on this passage, than the weightiness of any argument in it seems to require; but I have unavoidably been engaged in it by our author's way of writing,

•who, huddling several suppositions together, and that in doubtful and general terms, makes such a medley and confusion, that it is impos- sible to shew his mistakes, without examining the several senses wherein his words may be taken, and without seeing how, in any of these various meanings, they will consist together, and have any truth in them : for in this present passage before us, how can any one argue against this position of his, that Adam teas a king from his creation, unless one examine, whether the words, from his creation, be to be taken, as they may, for the time of the commencement of his government, as the foregoing words import, as soon as he was created he ivas monarch ; or, for the cause of it, as he says, p. 11.

creation made man prince of his posterity ? how farther can one judge of the truth of his being thus king, till one has exa- mined whether king be to be taken, as the words in the beginning of this passage would persuade, on supposition of his private do- minion, which was, by Gods positive grant, monarch of the world by appointment ; or king on supposition of his fatherly power over his offspring, which was by nature, due by the right of nature ; whether, I say, king be to be taken in both, or one only of these two senses, or in neither of them, but only this, that creation made him prince, in a way different from both the other? For though this assertion, that Adam was king from his creation, be due in no

sense, yet it stands here as an evident conclu- sion drawn from the preceding- words, though in truth it he but a bare assertion joined to other assertions of the same kind, which confi- dently put together in words of undetermined and dubious meaning-, look like a sort of arguing, when there is indeed neither proof nor connection: a way very familiar with our author: of which having given the reader a taste here, I shall, as much as the argument will permit me, avoid touching on hereafter; and should not have done it here, were it not to let the world see, how incoherences in matter, and suppositions without proofs put handsomely together in good words and a plausible stile, are apt to pass for strong- reason and good sense, till they come to be looked into with attention.

Of Adam's Title to Sovereignty by Donation, Gen. i. 28.

§. 21. Having at last got through the fore- going passage, where we have been so long- detained, not bv the force of arguments and opposition, but by the intricacy of the words, and the doubtfulness of the meaning ; let us go on to his next argument for Adam's sove- reignty. Our author tells us in the words of Mr. Selaen, that ^idam hy donation from God,

Gen. i. 28. was made the general lord of all things, not without such a private dominion to himself, as without his grant did exclude his children. This determination of Mr. Selden, says our author, is consonant to the history of the Bible, and natural reason, Observations 210. And in his Pref. to his Observations on Aristotle, he says thus, The first government in the ivorld was monarchial in the father of all flesh, Adam being commanded to people and multiply the earth, and to subdue it, and having dominion given him over all creatures, was thereby the monarch of the whole world: none of his posterity had any right to possess any thing, but by his grant or permission, or by succession from him: The earth, saith the Psalmist, hath he given to the children of men, which shew the title comes from fatherhood ,

§. 22. Before I examine this argument, and the text on which it is founded, it is necessary to desire the reader to observe, that our au- thor, according to his usual method, begins in one sense, and concludes in another; he begins here with Adam's propriety, or private dominion, by donation; and his conclusion is, which shew the title comes from fatherhood.

§. 23. But let us see the argument. The words of the text are these : and God blessed them, and God said unto them, be fruitful and multiply, toid replenish the earth and subdue it, and have dominion over the Jish of the sea, and over the fowl of the air, and over every living

thing' that moveth on the earth, Gen. i. *28. from whence our author concludes, that Adam, having here dominion given him over all crea- tures, ivas therehy the monarch of the whole world: whereby must he

meant, that either this grant of God gave Adam property, or as our author calls it, private dominion over the earth, and all inferior or irrational creatures, and so consequently that he was thereby mo- narch: or 2dly, that it gave him rule and dominion over all earthly creatures whatso- ever, and thereby over his children ; and so he was monarch : for, as Mr. Selden has pro- perly worded it, Adam was made general lord of all things, one may very clearly understand him, that he means nothing to be granted to Adam here but property, and therefore he says not one word of Adams monarchy . J3ut our author says, Adam was hereby monarch of the world, which, properly speaking, signifies so- vereign ruler of all the men in the world ; and so Adam, by this grant, must be constituted such a ruler. If our author means otherwise, he might with much clearness have said, that Adam was hereby proprietor of the whole world. But he begs your pardon in that point: clear distinct speaking not serving every where to his purpose, you must not expect it in him, as in Mr. Selden, or other such writers.

§. 24. In opposition therefore to our author's doctrine, that Adam was monarch of the whole world, founded on this place, I shall shew,

1. That by this grant, Gen. i. 28. God gave no immediate power to Adam over men, over his children, over those of his own species; and so he was not made ruler, or monarch, by this charter.

2. That by this grant God gave him not private dominion over the inferior creatures, but right in common with all mankind ; so neither was he monarch, upon the account of the property here given him.

§. 25. That this donation, Gen. i. 28. gave Adam no power over men, will appear if we consider the words of it : for since all positive grants convey no more than the express words they are made in will carry, let us see which of them here will comprehend mankind, or Adam's posterity; and those, I imagine, if any, must be these, evert/ living thing thai moveth : the words in Hebrew are rwftin nvr i.e. JSes- tiam Repfanlem, of which words the scripture itself is the best interpreter: God having created the fishes and fouls the fifth day, the beginning of the sixth he creates the irrational inhabitants of the dry land, which, v. 24. are described in these words, let the earth bring forth the living creature after his hind; cattle and creeping things, and beasts of the earth, after his kind. v. 2. And God made the beasts of the earth after his hind, and cattle after their hind, and every tiling that creepeth on the earth after his hind: here, in the creation of the brute inhabi- tants of the earth, he first speaks of them all

under one general name, of living creatures, and then afterwards divides them into three ranks, 1. Cattle, or such creatures as were or might be tame, and so be the private posses- sion of particular men ; 2. nvr which, vcr. 24 and 25. in our Bible, is translated beasts, and by the Sepluagint 6>]pia, ivild beasts, and is the same word, that here in our text, ver. 28. where we have this great charter to Adam, is translated living thins- and is also the same word used, Gen. ix. 2. where this grant is renewed to Noah, and there likewise transla- ted beast. 5. The third rank were the creeping animals, which ver. 24 and 25. are comprised under the word JittfDTr, the same that is used here, ver. 28. and is translated moving, but in the former verses creeping, and by the Seplua- gint in all these places, ip-ire-fr, or reptiles ; from whence it appears, that the words which we translate here in God's donation, ver 28. living creatures moving, are the same, Which in the history of the creation, ver. 24, 25. signify two ranks of terrestrial creatures, viz. wild beasts and reptiles, and are so understood by the Septuagint .

§. 26. When God had made the irrational animals of the world, divided into three kinds, from the places of their habitation, viz. Jishcs of the sea, fowls of the air, and living creatures of the earth, and these again into cattle, wild beasts, and reptiles, he considers of making man, and the dominion lie should ha\e over

the terrestrial world, ver. 26. and then he reckons up the inhabitants of these three king- doms, but in the terrestrial leaves out the second rank nrr or wild beasts : but here, ver. 28. where he actually exercises this design, and gives him this dominion, the text mentions the fishes of the sea, and fowls of the air, and the terrestrial creatures in the words that signify the wild beasts and reptiles, though translated living thing that movelh, leaving out cattle. In both which places, though the word that signifies wild beasts be omitted in one, and that which signifies cattle in the other, yet, since God certainly executed in one place, what he declares he designed in the other, we cannot but understand the same in both places, and have here only an account, how the ter- restrial irrational animals, which were already created and reckoned up at their creation, in three distinct ranks of cattle, wild beasts, and reptiles, were here, ver. 28. actually put under the dominion of man, as they were designed ver. 26. nor do these words contain in them the least appearance of any thing that can be wrested to signify Gods giving to one man dominion over another, to Adam over his posterity.

*. 27. And this further appears from Gen.

ix. 2. where God renewing this charter to ISoah

and his sous, he gives them dominion over the

fouls of the air, and the fishes of the sea, and the

terrestrial creatures, expressed by rvn and t^DTT

wild beasts and reptiles, the same words that in the text before us, Gen. i. 28. are translated every moving thing, that moveth on the earth, which by no means can comprehend man, the grant being made to Noah and his sons, all the men then living-, and not to one part of men over another : which is yet more evident from the very next words, ver. 3. where God gives every W21 every moving thing, the very words used, ch. i. 28. to them for food. By all which it is plain that God's donation to Adam, ch. i. 28. and his designation, ver. 26. and his grant again to Noah and his sons, refer to and con- tain in them neither more nor less than the works of the creation the fifth day, and the beginning of the sixth, as they are set down from the 20th to the 26th ver. inclusively of the 1st chap, and so comprehend all the species of irrational animals of the terraqueous globe, though all the words, whereby they are ex- pressed in the history of their creation, are no where used in any of the following grants, but some of them omitted in one, and some in another. From whence I think it is past all doubt, that man cannot be comprehended in this grant, nor any dominion over those of his own species be conveyed to Adam. All the terrestrial irrational creatures are enumerated at their creation, ver. 25. under the names beasts of the earth, cattle and creeping things ; but man being not then created, was not con- tained under any of those names ; and there-

fore, whether we understand the Hebrew words right or uo, they cannot be supposed to comprehend man, in the very same history, and the very next verses following, especially since that Hebrew word ttfS")

which, if any in this donation to Adam, ch. i. 28. must comprehend man, is so plainly used in contradistinction to him, as Gen. vi. 20. vii. 14,21, 23. Gen. viii. 17, 19. And if God made all mankind slaves to Adam and his heirs, by giving Adam dominion over every living thing that movelhon the earth, ch. i. 28. as our author would have it, methinks Sir Robert should have carried his monarchial power one step higher, and satisfied the world, that princes might eat their subjects too, since God gave as full power to Noah and his heirs, ch. ix. 2. to eat every living tiling that move/ A, us he did to Adam to have dominion over them, the Hebrew words in both places being the same.

§. 28. David, who might be supposed to understand the donation of God in this text, and the right of kings too, as well as our author in his comment on this place, as the learned and judicious Ainsivorth calls it, in the 8th Psalm, finds here uo such charter of mo- narchial power : his words are, Thou hast made him, i. e. man, the son of man, a little lower than the angels; thou modest him to have dominion over the works of thy hands ; thou hast put all things under his feel, all sheep and oxen, and the beasts of the field, and the fowls of the

air, and fish of the sea, and whatsoever passeth through the paths of the sea. In which words, if any one can find out, that there is meant any monarchial power of one man over another, but only the dominion of the whole species of mankind, over the inferior species of creatures, he may, for aught I know, deserve to be one of Sir Robert's monarch s in habit, for the rareness of the discovery. And by this time, I hope it is evident, that he that gave dominion over every living thing that moveth on the earth, gave Adam no monarchial power over those of his own species, which will yet appear more fully in the next thing I am to shew.

§. 29. 2. Whatever God gave by the words of this grant, Gen. i. 28. it was not to Adam in particular, exclusive of all other men : what- ever dominion he had thereby, it was not a private dominion, but a dominion in common with the rest of mankind. That this donation was not made in particular to Adam, appears evidently from the words of the text, it being made to more than one; for it was spoken in the plural number, God blessed them, and said unto them, Have dominion. God says unto Adam and Eve, Have dominion ; thereby, says our author, Adam was monarch of the world : but the grant being to them, i. e. spoke to Eve also, as many interpreters think with reason, that these words were not spoken till Adam had his wife, must not she thereby be lady, as Mill as he lord of the world? If it be said, thai

Eve was subjected to Adam, it seems she was not so subjected to him, as to binder her do- minion over the creatures, or property in them: for shall we say that God ever made a joint grant to two, and one only was to have the benefit of it I

§. 30. But perhaps it will be said, Eve was not made till afterward : grant it so, what ad- vantage will our author get by it? The text will be only the more directly against him, and shew that God, in this donation, gave the world to mankind in common, and not to Adam in parti- cular. The word them in the text must include the species of man, for it is certain them can by no means signify Adam alone. In the 26th verse, where God declares his intention to give this dominion, it is plain he meant, that he would make a species of creatures, that should have dominion over the other species of this terrestrial globe : the words are, And God said, Let ns make man in our image, after our like- ness, and let them have dominion over the Jish,

<§c. They then were to have dominion. Who? even those who were to have the image of God, the individuals of that species of man, that he was going to make; for that them should signify Adam singly, exclusive of the rest that should be in the world with him, is against both scripture and all reason: and it cannot possibly be made sense, if man in the former part of the verse do not signify the same with them in the latter ; only man there, as is usual,

is taken for the species, and them the indivi- duals of that species: and we have a reason in the very text. God makes him in his own image, after his own likeness; makes him an intellectual creature, and so capable of do- minion: for whereinsoever else the image of God consisted, the intellectual nature was certainly a part of it, and belonged to the whole species, and enabled them to have dominion over the inferior creatures ; and therefore David says in the 8th Psalm above cited, Thou hast made him little lower than the angels, thou hast made him to have dominion. It is not of Adam king' David speaks here, for verse 4. it is plain, it is of man, and the son of man, of the species of mankind.

§.31. And that this grant spoken to Adam was made to him, and the whole species of man, is clear from our author's own proof out of the Psalmist. The earth, saith the Psalmist, hath he given to the children of men; which shews the title comes from fatherhood. These are Sir Roberfs words in the preface before cited, and a strange inference it is he makes ; God hath given the earth to the children of men, ergo the title comes from fatherhood. It is pity the propriety of the Hebrew tongue had not used fathers of men, instead of children of men, to express mankind, then indeed our author might have had the countenance of the sound of words, to have placed the title in the father- hood. But to conclude, that the fatherhood

had the right to the earth, because God gave it to the children of men, is a way of arguing peculiar to our author : and a man must have a great mind to go contrary to the sound as well as the sense of the words before he could light on it. But the sense is yet harder, and more remote from our author's purpose : for as it stands in his preface, it is to prove Adam's being monarch, and his reasoning is thus, God gave the earth to the children of men, ergo Adam was monarch of the world. I defy any man to make a more pleasant conclusion than this, which cannot be excused from the most obvious absurdity, till it can be shewn, that by children of men, he who had no father, Adam alone is signified ; but whatever our author does, the scripture speaks not nonsense.

§. 32. To maintain this property and private dominion of Adam, our author labours in the following page to destroy the community grant- ed to Noah and his sons, in that parallel place, Gen. ix. 1, 2, 3, and he endeavours to do it two ways.

1 . Sir Robert would persuade us against the express words of the scripture, that what was here granted to Noah, was not granted to his sons in common with him. His words are, As for the general community betiveen Noah and his sons, which Mr. Selden will have to be granted to them, Gen. ix. 2. the text doth not warrant it. What warrant our author would have, when the plain express words of scrip-

tare, not capable of another meaning, will not satisfy him, who pretends to build wholly on scripture, is not easy to imagine. The text says, God blessed Noah and his sons, and said unto them, i. e. as our author would have it, unto him: for, saith he, although the sons are there mentioned with Noah in the blessing, yet

it may best be understood, with a subordination or benediction in succession, Observations, 21 J. That indeed is best, for our author to be under- stood, which best serves to his purpose; but that truly may best be understood by any body else, which best agrees with the plain construc- tion of the words, and arises from the obvious meaning of the place ; and then with subordi- nation and in succession, will not be best under- stood, in a grant of God, where he himself put them not, nor mentions any such limitation. But yet, our author has reasons, why it may best be understood so. The blessing, says he in the following words, might truly be fidjilled, if the sons, either under or after their father, enjoyed a private dominion, Observations, 211. which is to say, that a grant, whose express words give a joint title in present (for the text says, into your hands they are delivered) may best be understood with a subordination, or in succession; because it is possible, that in subordination, or in succession, it may be enjoyed. Which is all one as to say, that a grant of any thing in present possession, may best be understood of reversion ; because it is

possible one may live to enjoy it in reversion. Ifthe grant be indeed to a father and to his sons after him, who is so kind as to let his children enjoy it presently in common with him, one may truly say, as to the event one will be as good as the other ; but it can never be true, that what the express words grant in possession, and in common, may best be un- derstood, to be in reversion. The sum of all his reasoning amounts to this : God did not give to the sons of Noah the world in common with their father, because it was possible they might enjoy it under, or after him. A very good sort of argument against an express text of scripture : but God must not be believed, though he speaks it himself, when he says he does any thing, which will not consist with Sir Robert's hypothesis.

§. 33. For it is plain, however he would ex- clude them, that part of this benediction, as he would have it in succession, must needs be meant to the sons, and not to Noah himself at all : Be fruitful, and multiply, and replenish the earth, says God, in this blessing. This part of the benediction, as appears by the sequel, concerned not Noah himself at all : for we read not of any children he had after the flood ; and in the following chapter, where his posterity is reckoned up, there is no mention of any ; and so this benediction in succession was not to take place till 350 years after : and to save our author's imaginary monarchy, the peopling

of the world must be deferred 350 years ; for this part of the benediction cannot be under- stood with subordination, unless our author will say, that they must ask leave of their father Noah to lie with their wives. But in this one point our author is constant to himself in all his discourses, he takes great care there should be monarchs in the world, but very little that there should be people; and indeed his way of government is not the way to people the world : for how much absolute monarchy helps to fulfil this great and primary blessing of God Almighty, Be fruitful, and multiply, and re- plenish the earth, which contains in it the improvement too of arts and sciences, and the conveniences of life, may be seen in those large and rich countries which are happy under the Turkish government, where are not now to be found one third, nay, in many, if not most parts of them one thirtieth, perhaps I might say not one hundredth of the people, that were formerly, as will easily appear to any one, who will compare the accounts we have of it at this time, with antient history. But this by the by. §. 34. The other parts of this benediction, or grant, are so expressed, that they must needs be understood to belong equally to them all ; as much to Noah's sons as to

Noah himself, and not to his sons ivith a subordination, or in succession. The fear of you, and the dread of you, says God, shall be upon every beast, &c. Will any body but our author say, that the

creatures feared and stood in awe of Noah only, and not of his sons without his leave, or till after his death? And the following words, into your hands they are delivered, are they to be understood as our author says, if your father please, or they shall be delivered into your hands hereafter? If this be to argue from scripture, I know not what may not be proved by it ; and I can scarce see how much this differs from that fiction and fansie, or how much a surer foundation it will prove, than the opinions of philosophers and poets, which our author so much condemns in his preface.

§. 35. But our author goes on to prove, that it may best be understood with a subordination, or a benediction in succession ; for, says he, it is not probable that the private dominion which God gave to Adam, and by his donation, assig- nation, or cession to his children, teas abrogated, and a community of all things instituted between

Noah and his sons Noah was left the sole

heir of the world; tvhy shoidd it be thought that God ivould disinherit him of his birth- right, and make him of all men in the icorld the only tenant in common with his children? Observations, 211.

§. 36. The prejudices of our own ill-ground- ed opinions, however by us called probable, cannot authorise us to understand scripture contrary to the direct and plain meaning of the words. 1 grant, it is not probable, that Adam's)>rivale dominion was here abrogated:

because it is more than probable, (for it will never be proved) that ever Adam had any such private dominion: and since parallel places of scripture are most probable to make us know how they may be best understood, there needs but the comparing this blessing here to Noah and his sons after the flood, with that to Adam after the creation, Gen. i. 28. to assure any one that God gave Adam no such private domi- nion. It is probable, I confess, that Noah should have the same title, the same property and dominion after the flood, that Adam had before it : but since private dominion cannot consist with the blessing and grant God gave to him and his sons in common, it is a suffi- cient reason to conclude, that Adam had none, especially since in the donation made to him, there are no words that express it, or do in the least favour it ; and then let my reader judge whether it may best be understood, when in the one place there is not one word for it, not to say what has been above proved, that the text itself proves the contrary ; and in the other, the words and sense are directly against it.

§. 37. But our author says, Noah urns the sole heir of the world ; why should it be thought that God tvoidd disinherit him of his birth- right? Heir, indeed, in England, signifies the eldest son, who is by the law of England to have all his father's land ; but Avhere God ever appointed any such heir of the world, our author would have done well to have

shewed us ; and how God disinherited him of his birth-right, or what harm was done him if God gave his sons a right to make use of a part of the earth for the support of themselves and families, when the whole was not only more than Noah himself, but infinitely more than they all could make use of, and the pos-

sessions of one could not at all prejudice, or, as to any use, streighten that of the other.

§. 38. Our author probably foreseeing he might not be very successful in persuading people out of their senses, and, say what he could, men would be apt to believe the plain words of scripture, and think, as they saw, that the grant was spoken to Noah and his sons jointly; he endeavours to insinuate, as if this grant to Noah conveyed no property, no dominion ; because, subduing the earth and dominion over the creatures are therein omit- ted, nor the earth once named. And therefore, says he, there is a considerable difference be- tween these two texts ; the first blessing gave Adam a dominion over the earth and all crea- tures; the latter allows Noah liberty to use the living creatures for food: here is no alteration or diminishing of his title to a property of all things, but an enlargement only of his com- mons, Observations, 211. So that in our author's sense, all that was said here to Noah and his sons, gave them no dominion, no pro- perty, but only enlarged the commons; their commons, I should say, since God says, to you

are they given, though our author says his ; for as for Noah's sons, they, it seems, by Sir Ro- bert's appointment, during- their father's life- time, were to keep fasting days.

§. 39. Any one but our author would be mightily suspected to be blinded with preju- dice, that in all this blessing to Noah and his sons, could see nothing but only an enlarge- ment of commons : for as to dominion which our author thinks omitted, the fear of you, and the dread of you, says God, shall be upon every beast, which I suppose expresses the dominion^ or superiority was designed man over the living creatures, as fully as may be ; for in that fear and dread seems chiefly to consist what was given to Adam over the inferior animals ; who, as absolute a monarch as he was, could not make bold with a lark or rabbet to satisfy his hunger, and had the herbs but in common with the beasts, as is plain from Gen. i. 2, 9, and 30. In the next place, it is manifest that in this blessing to Noah and his sons, property is not only given in clear words, but in a larger extent than it was to Adam. Into your hands they are given, says God to Noah and his sons ; which words, if they give not pro- perty, nay, property in possession, it will be hard to find words that can; since there is not a way to express a man's being possessed of any thing more natural, nor more certain, than to say, it is delivered into his hands. And ver. 3. to shew, that they had then given them

the utmost property man is capable of, which is to have a right to destroy any thing by using it ; Every moving thing that liveth, saith God, shall be meat for you; which was not al- lowed to Adam in his charter. This our au- thor calls a liberty of using them for food, and only an enlargement of commons, but no altera- tion of property, Observations, 21 1. What other property man can have in the creatures, but the liberty of using them, is hard to be understood : so that if the first blessing, as our author says, gave Adam dominion over the creatures, and the blessing to Noah and his sons, gave them such a liberty to use them, as Adam had not; it must needs give them something that Adam with all his sovereignty wanted, something that one would be apt to take for a greater proper- ty ; for certainly he has no absolute dominion over even the brutal part of the creatures ; and the property he has in them is very narrow and scanty, who cannot make that use of them, which is permitted to another. Should any one who is absolute lord of a country, have bidden our author subdue the earth, and given him dominion over the creatures in it, but not have permitted him to have taken a kid or a lamb out of the flock, to satisfy his hunger, I guess, he would scarce have thought him- self lord or proprietor of that land, or the cattle on it; but would have found the

dif- ference between having dominion, which a shepherd may have, and having full property

as an owner. So that, had it been his own case, Sir Robert, I believe, would have thought here was an alteration, nay, an enlarging of property ; and that Noah and his children had by this grant, not only property given them, but such a property given them in the crea- tures, as Adam had not : for however, in re- spect of one another, men may be allowed to have propriety in their distinct portions of the creatures ; yet in respect of God the maker of heaven and earth, who is sole lord and pro- prietor of the whole world, man's propriety in the creatures is nothing but that liberty to use them, which God has permitted ; and so man's property may be altered and enlarged, as we see it was here, after the flood, when other uses of them are allowed, which before were not. From all which 1 suppose it is clear, that neither Adam, nor Noah, had any private dominion, any property in the crea- tures, exclusive of his posterity, as they should successively grow up into need of them, and come to be able to make use of them.

§. 40. Thus we have examined our author's argument for Adams monarchy, founded on the blessing pronounced, Gen. i. 28. wherein I think it is impossible for any sober reader, to find any other but the setting of mankind above the other kinds of creatures, in this habitable earth of ours. It is nothing but the giving lo man, the whole species of man, as the chief inhabitant, who is the image of hi^

maker, the dominion over the other creatures. This lies so obvious in the plain words, that any one, but our author, would have thought it necessary to have shewn, how these words, that seemed to say quite the contrary, gave Adam monarchial absolute power over other men, or the sole property in all the creatures ; and methinks in a business of this moment, and that whereon he builds all that follows, he should have done something* more than barely cite words, which apparently make against him ; for I confess, I cannot see any thing in them, tending to Adams monarchy, or private dominion, but quite the contrary. And I the less deplore the dulness of my apprehension herein, since I find the apostle seems to have as little notion of any such private dominion of Adam as 1, when he says, God gives ns all things richly to enjoy, which he could not do, if it were all given away already, to monarch Adam, and the monarchs his heirs and successors. To conclude, this text is so far from proving Adam sole proprietor, that, on the contrary, it is a confirmation of the original community of all things amongst the sons of men, which appear- ing from this donation of God, as well as other places of scripture, the sovereignty of Adam, built upon his private dominion, must fall, not having any foundation to support it.

§.41. But yet, if after all, any one will needs have it so, that by this donation of God, Adam was made sole proprietor of the whole

earth, what will this be to his sovereignty? and how will it appear, that propriety in land gives a man power over the life of another? or how will the possession even of the whole earth, give any one a sovereign arbitrary authority over the persons of men? The most specious thing to be said, is, that he that is proprietor of the whole world, may deny all the rest of mankind food, and so at his pleasure starve them, if they will not acknowledge his so- vereignty, and obey his will. If this were true, it would be a good argument to prove, that there never was any such property, that God never gave any such private dominion ; since it is more reasonable to think, that God, who bid mankind increase and multiply, should rather himself give them all a right to make use of the food and raiment, and other conve- niences of life, the materials

whereof he had so plentifully provided for them ; than to make them depend upon the will of a man for their subsistence, who should have power to destroy them all when he pleased, and who, being no better than other men, was in succession like- lier, by want and the dependence of a scanty fortune, to tie them to hard service, than by liberal allowance of the conveniences of life to promote the great design of God, increase and multiply : he that doubts this, let him look into the absolute monarchies of the world, and see what becomes of the conveniences of life, and the multitudes of people.

§. 42. But we know God hath not left one man so to the mercy of another, that he may starve him if he please : God the Lord and Father of all, has given no one of his children such a property in his peculiar portion of the things of this world, but that he has given his needy brother a right to the surplusage of his goods; so that it cannot justly be denied him, when his pressing wants call for it : and there- fore no man could ever have a just power over the life of another by right of property in land or possessions ; since it would always be a sin, in any man of estate, to let his brother perish for want of affording him relief out of his plenty. As justice gives every man a title to the product of his honest industry, and the fair acquisitions of his ancestors descended to him ; so charity gives every man a title to so much out of another's plenty, as will keep him from extreme want, where he has no means to subsist otherwise : and a man can no more justly make use of another's necessity, to force him to become his vassal, by with-holding that relief, God requires him to afford to the wants of his brother, than he that has more strength can seize upon a weaker, master him to his obedience, and with a dagger at his throat offer him death or slavery.

§. 43. Should any one make so perverse an use of God's blessings poured on him with a liberal hand ; should any one be cruel and un- charitable to that extremity, yet all this would

not prove that propriety in land, even in this case, gave any authority over the persons of men, but only that compact might ; since the authority of the rich proprietor, and the sub- jection of the needy beggar, began not from the possession of the lord, but the consent of the poor man, who preferred being his subject to starving. And the man he thus submits to, can pretend to no more power over him, than he has consented to, upon compact. Upon this ground a man's having his stores filled in a time of scarcity, having money in his pocket, being in a vessel at sea, being able to swim, fyc. may as well be the foundation of rule and dominion, as being possessor of all the land in the world ; any of these being sufficient to enable me to save a man's life, who would perish if such assistance were denied him ; and any thing, by this rule, that may be an occasion of working upon another's necessity, to save his life, or any thing dear to him, at the rate of his freedom, may be made a foundation of sovereignty, as well as property. From all which it is clear, that though God should have given Adam private dominion, yet that private dominion could give him no sovereignty ; but we have already sufficiently proved, that God gave him no private dominion.

Of Adam's Title to sovereignty by the subjec- tion o/"Eve.

§. 44. The next place of scripture we find our author builds his monarchy of Adam on, is, Gen. iii. 26. And thy desire shall be to thy husband, and he shall rule over thee. Here ice have (says he) the original grant of government , from whence he concludes, in the following part of the page, Observations, 244. That the supreme poiver is settled in the fatherhood, and limited to one kind of government, that is, to monarchy. For let his premises be what they will, this is always the conclusion ; let rule, in any text, be but once

named, and presently absolute monarchy is by divine right established. If any one will but carefully read our author's own reasoning from these words, Observations, 244. and consider, among other things, the line and posterity of Adam, as he there brings them in, he will find some difficulty to make sense of what he says ; but we will allow this at present to his peculiar May of writing, and consider the force of the text in hand. The words are the curse of God upon the woman for having been the first and forwardest in the disobedience ; and if we will consider the occasion of what God says here to our first parents, that he was denouncing judgement,

and declaring lii.s wrath against them both, for their disobedience, we cannot suppose that this was the time, wherein God was granting Adam prerogatives and privileges, investing him with dignity and authority, elevating him to dominion and monarchy : for though, as a helper in the temptation, Eve was laid below him, and so he had accidentally a superiority over her, for her greater punishment; yet he too had his share in the fall, as well as the sin, and was laid lower, as may be seen in the following verses ; and it would be hard to imagine, that God, in the same breath, should make him universal monarch over all mankind, and a day-labourer for his life ; turn him out of paradise to till the ground, ver. 23. and at the same time advance him to a throne, and all the privileges and ease of absolute power. §. 45. This was not a time, when Adam could expect any favours, any grant of privi- leges from his offended Maker. If this be the original grant of government, as our author tells us, and Adam was now made monarch, whatever Sir Robert would have him, it is plain, God made him but a very poor monarch, such an one, as our author himself would have counted it no great privilege to be. God sets him to work for his living, and seems rather to give him a spade into his hand, to subdue the earth, than a sceptre to rule over its inhabi- tants. In the sweat of thy face thou shall eat thy bread, says God to him, ver. 19. This was

unavoidable, may it perhaps be answered, because he was yet without subjects, and had nobody to work for him ; but afterwards, living as he did above 900 years, he might have people enough, whom he might command to work for him ; no, says God, not only whilst thou art without other help, save thy wife, but as long thou livest, shalt thou live by thy labour, In the sweat of thy face, shalt thou eat thy bread, till thou return unto the ground, for out of it wast thou taken, for dust thou art, and unto dust shalt thou return, v. 19. It will perhaps be answered again in favour of our author, that these words are not spoken person- ally to Adam, but in him, as their representa- tive, to all mankind, this being a curse upon mankind, because of the fall.

§. 46. God, I believe, speaks differently from men, because he speaks with more truth, more certainty : but when he vouchsafes to speak to men, I do not think he speaks differently from them, in crossing the rules of language in use amongst them : this would not be to condescend to their capacities, when he humbles himself to speak to them, but to lose his design in speaking what, thus spoken, they could not understand. And yet thus must we think of God, if the interpretations of scripture, necessary to maintain our author's doctrine, must be received for good : for by the ordinary rules of language, it will be very hard to understand what God says, if what he

speaks here, in the singular number, to Adam, must be understood to be spoken to all man- kind, and what he says in the plural number, Gen. i. 26, and 28. must be understood of Adam alone, exclusive of all

others, and what he says to Noah and his sons jointly, must be understood to be meant to Noah alone, Gen. ix.

§. 47. Farther it is to be noted, that these words here of Gen. iii. 10. which our author calls the original grant of government, were not spoken to Adam, neither indeed was there any grant in them made to Adam, but a punishment laid upon Eve: and if we will take them as they were directed in particular to her, or in her, as their representative to all other women, they will at most concern the female sex only, and import no more, but that subjection they should ordinarily be in to their husband : but there is here no more law to oblige a woman to such subjection, if the circumstances either of her condition, or contract with her husbands, should exempt her from it, than there is, that she should bring forth her children in sorrow and pain, if there could be found a remedy for it, which is also a part of the same curse upon her : for the whole verse runs thus, Unto the woman he said, I will greatly multiply thy sorrow and thy conception ; in sorrow thou shalt bring forth children, and thy desire shall be to thy husband, and he shall rule over thee. It would, I think, have been a hard matter for

any body, but our author, to have found out a grant of monarchical government to Adam in these words, which were neither spoke to, nor of him : neither will any one, I suppose, by these words, think the weaker sex, as by a law, so subjected to the curse contained in them, that it is their duty not to endeavour to avoid it. And will any one say, that Ere, or any other woman, sinned, if she were brought to bed without those multiplied pains God threatens her here with ? or that either of our queens, Mary or Elisabeth, had they married any of their subjects, had been by this text, put into a political subjection to him ? or that he thereby should have had monarchical rule over her? God, in this text, gives not, that I see, any authority to Adam over Eve, or to men over their wives, but only foretels what should be the woman's lot, how by his provi- dence he would order it so, that she should be subject to her husband, as we see that generally the laws of mankind and customs of nations have ordered it so; and there is, I grant, a foundation in nature for it.

§. 48. Thus when God says of Jacob and Esau, that the elder should serve the younger, Gen. xxv. 23. no body supposes that God hereby made Jacob Esaus sovereign, but fore- told what should de facto come to pass.

But if these words here spoke to Eve must needs be understood as a law to bind her and all other women to subjection, it can be no

other subjection than what every wife owes her husband : and then if this be the original grant of government and the foundation of monar- chical power, there will be as many inonarchs as there are husbands : if therefore these words give any power to Adam, it can be only a con- jugal power, not political ; the power that every husband hath to order the things of private con- cernment in his family, as proprietor of the goods and land there, and to have his will take place be- fore that of his wife in all things of their common concernment; but not a political power of life and death over her, much less over any body else. §. 49. This I am sure : if our author will have this text to be a grant, lite original grant of government, political government, he ought to have proved it by some better arguments than by barely saying, that thy desire shall be unto thy husband, was a law whereby Eve, and all that should come of her,

were subjected to the absolute monarchical power of Adam and his keirs. Thy desire shall be to thy husband, is too doubtful an expression, of whose signi- fication interpreters are not agreed, to build so confidently on, and in a matter of such moment, and so great and general concernment: but our author, according to his way of writing, having once named the text, concludes pre- sently without any more ado, that the meaning is as he would have it. Let the words rule and subject be but found in the text or margent, and it immediately signifies the duty of a sub-

ject to' his prince; the relation is changed, and though God says husband, Sir Robert will have it king; Adam has presently absolute monarchial power over Eve, and not only over Eve, but all that should come of her, though the scripture says not a word of it, nor our author a word to prove it. But Adam must for all that be an absolute monarch, and so down to the end of the chapter. And here I leave my reader to consider, whether my bare saying, without offering any reasons to evince it, that this text gave not Adam that absolute monarchial power, our author supposes, be not sufficient to destroy that power, as his bare assertion is to establish it, since the text men- tions neither prince nor people, speaks nothing of absolute or monarchial power, but the sub- jection of Eve to Adam, a wife to her husband. And he that would trace our author so all through, would make a short and sufficient answer to the greatest part of the grounds he proceeds on, and abundantly confute them by barely denying ; it being a sufficient answer to assertions without proof, to deny them without giving a reason. And therefore should I have said nothing but barely denied, that by this text the supreme power was settled and founded by God himself, in the fatherhood, limited to monarchy, and that to Adam's person and heirs, all which our author notably concludes from these words, as may be seen in the same page, Observations, 244. it had been a sufficient an-

swer: should I have desired any sober man only to have read the text, and considered to whom, and on what occasion it was spoken, he would no doubt have wondered how our author found out monarchial absolute power in it, had he not had an exceeding good faculty to find it himself, where he could not shew it others. And thus we have examined the two places of scripture, all that I remember our author brings to prove Adams sovereignty, that supremacy, which he says, it was Gods ordi- nance should be unlimited in Adam, and as large as all the acts of his will, Observations, 254. viz. Gen. i. 28. and Gen. hi. 16. one where- of signifies only the subjection of the inferior ranks of creatures to mankind, and the other the subjection that is due from a wife to her husband, both far enough from that which subjects owe the governors of political societies.

Of Adam's Title to Sovereignty by Fatherhood.

§. 50. There is one thing more, and then I think I have given you all that our author brings for proof of Adam's sovereignty, and that is a supposition of a natural right of domi- nion over his children, by being their father : and this title of fatherhood he is so pleased with, that you will find it brought in almost in every page; particularly he says, not only

Adam, but the succeeding patriarchs had by right of fatherhood royal authority over their children, p. 12. And in the same page, this subjection of children being the fountain of all regal authority, &c. This being, as one would think by his so frequent mentioning it, the main basis of all his frame, we may well ex- pect clear and evident reason for it, since he lays it down as a position necessary to his purpose, that every man

that is born is so far from being free, that by his very birth he becomes a subject of him that begets him, Observations, 156. so that Adam being the only man created, and all ever since being begotten, no body has been born free. If we ask how Adam comes by this power over his children, he tells us here it is by begetting them : and so again, Ob- servations, 223. this natural dominion of Adam, says he, may be proved out of Grotius, himself, who teacheth, that generatione jus acquiritur parentibus in liberos. And indeed the act of begetting being that which makes a man a father, his right of a father over his children can naturally arise from nothing else.

§. 51. Grotius tells us not here how far this jus in liberos, this power of parents over their children extends; but our author, always very clear in the point, assures us, it is supreme powet\ and like that of absolute monarchs over their slaves, absolute power of life and death. He that should demand of him, how, or for what reason it is, that begetting a child gives the

father such an absolute power over him, will find him answer nothing : we are to take his word for this, as well as several other things; and by that the laws of nature and the consti- tutions of government must stand or fall. Had he been an absolute monarch, this way of talk- ing might have suited well enough ; pro ratione voluntas might have been of force in his mouth ; but in the way of proof or argument is very unbecoming, and will little advantage his plea for absolute monarchy. Sir Robert has too much lessened a subject's authority to leave himself the hopes of establishing any thing by bis bare saying it; one slave's opinion without proof is not of weight enough to dispose of the liberty and fortunes of all mankind. If all men are not, as I think they are, naturally equal, I am sure all slaves are; and then I may without presumption oppose my single opinion to his ; and be confident that my say- ing, that begetting of children makes them not slaves to their fathers, as certainly sets all man- kind free, as his affirming the contrary makes them all slaves. But that this position, which is the foundation of all their doctrine, who would have monarchy to be jure divino, may have all fair play, let us hear what reasons others give for it, since our author offers none.

§. 52. The argument, I have heard others make use of, to prove that fathers, by begetting them, come by an absolute power over their children, is this; that fathers have a power over

the lives of their children, because they give them life and being; which is the only proof it is capable of: since there can be no reason, why naturally one man should have any claim or pretence of right over that in another, which was never his, which he bestowed not, but was received from the bounty of another. 1. I an- swer, that every one who gives another any thing, has not always thereby a right to take it away again. But, 2. They who say the father gives life to his children, are so dazzled with the thoughts of monarchy, that they do not, as they ought, remember God, who is the au- thor and giver of life : it is in him alone ive lire, more, and hare our being. How can he be thought to give life to another, that knows not wherein his own life consists? Philoso- phers are at a loss about it after their most diligent enquiries ; and anatomists, after their whole lives and studies spent in dissections, and diligent examining the bodies of men, con- fess their ignorance in the structure and use of many parts of man's body, and in that operation wherein life consists in the whole. And doth the rude plough-man, or the more ignorant voluptuary, frame or fashion such an admirable engine as this is, and then put life and sense into it? Can any man say, he formed the parts that

are necessary to the life of his child ? or can he suppose himself to give the life, and yet not know what subject is fit to receive it, nor what actions or organs are necessary for its reception or preservation ?

§; o3. To give life to that Which has yet no being, is to frame and make a living- creature, fashion the parts, and mould and suit them to their uses, and having proportioned and titted them together, to put into them a living soul. He that could do this, might indeed have some pretence to destroy his own workman- ship. But is there any one so bold, that dares thus far arrogate to himself, the incomprehen- sible works of the Almighty? Who alone did at first, and continues still to make a living soul, he alone can breathe in the breath of life. If any one thinks himself an artist at this, let him number up the parts of his child's body which he hath made, tell me their uses and operations, and when the living and rational soul began to inhabit this curious structure, when sense began, and how this engine, which he has framed, thinks and reasons: if he made it, let him, when it is out of order, mend it, at least tell wherein the defects lie. Shall he that made the eye not see ? says the Psalmist, Psalm xciv. 9. See these men's vanities : the struc- ture of that one part is sufficient to convince us of an all-wise contriver, and he has so visi- ble a claim to us as his workmanship, that one of the ordinary appellations of God in scripture is, God our Maker, and the Lord our Maker. And therefore though our author, for the magnifying his fatherhood, be pleased to say, Observations, 159. That even the power which God himself exercisclh over mankind is

by right of fatherhood, yet this fatherhood is such an one as utterly excludes all pretence of title in earthly parents ; for he is king, because he is indeed maker of us all, which no parents can pretend to be of their children.

§. 54. But had men skill and power to make their children, it is not so slight a piece of workmanship, that it can be imagined, they could make them without designing it. What father of a thousand, when he begets a child, thinks farther than the satisfying his present appetite! God in his infinite wisdom has put strong desires of copulation into the consti- tution of men, thereby to continue the race of mankind, which he doth most commonly with- out the intention, and often against the consent and will of the begetter. And indeed those who desire and design children, are but the occasions of their being, and when they design and wish to beget them, do little more towards their making, than Deucalion and his wife in the fable did towards the making of mankind, by throwing pebbles over their heads.

§. 55. But grant that the parents made their children, gave them life and being, and that hence there followed an absolute power. This would give the father but a joint dominion with the mother over them : for nobody can deny but that the woman hath an equal share, if not the greater, as nourishing the child a long time in her own body out of her own substance ; there it is fashioned, and from her

it receives the materials and principles of its constitution : and it is so hard to imagine the rational soul should presently inhabit the yet unformed embrio, as soon as the father has done his part in the act of generation, that if it must be supposed to derive any thing from the parents, it must certainly owe most to the mother. But be that as it will, the mother cannot be denied an equal share in begetting of the child, and so the absolute authority of of the father will not arise from hence. Our author indeed is of another mind ; for he says, We know that God at the creation gave the sovereignty to the man over the woman, as being the nobler and principal agent in generation, Observations, 172. I remember not this in my Bible; and when

the place is brought where God at the creation gave the sovereignty to man over the woman, and that for this reason, because he is the nobler and principal agent in generation, it will be time enough to consider, and answer it. But it is no new thing for our author to tell us his own fancies for certain and divine truths, though there be often a great deal of difference between his and divine revelations ; for God in scripture says, his father and his mother that begot him. §. 56. They who alledge the practice of mankind, for exposing or selling their children, as a proof of their power over them, are with Sir Robert happy arguers ; and cannot but recommend their opinion, by founding it on

Ihe most shameful action, and most unnatural murder, human nature is capable of. The dens of lions and nurseries of wolves know no such cruelty as this : these savage inhabitants of the desalt obey God and nature in being- tender and careful of their offspring: they will hunt, watch, fight, and almost starve for the preservation of their young ; never part with them; never forsake them, till they are able to shift for themselves. And is it the privilege of man alone to act more contrary to nature than the wild and most untamed part of the creation? Doth God forbid us under the se- verest penalty, that of death, to take away the life of any man, a stranger, and upon provoca- tion ? and does he permit us to destroy those, he has given us the charge of; and by the dictates of nature and reason, as well as his revealed command, requires us to preserve? He has in all the parts of the creation taken a peculiar care to propagate and continue the several species of creatures, and make the in- dividuals act so strongly to this end, that they sometimes neglect their own private good for it, and seem to forget that general rule, which nature teaches all things, of self-preservation; and the preservation of their young, as the strongest principle in them, over-rules the con- stitution of their particular natures. Thus we see, when their young stand in need of it, the timorous become valiant, the fierce and savage kind, and the ravenous tender and liberal.

&. .57. But if the example of what bath been done, be the rule of what ought to be, history would have furnished our author with instances of this absolute fatherly power in its height and perfection, and he might have shewed us in Peru, people that begot children on purpose to fatten and eat them. The story is so remarkable that I cannot but set it down in the author's words. " In some provinces, says he, " they were so liquorish after man's flesh, that " they would not have the patience to stay " till the breath was out of the body, but " would suck the blood as it ran from the " wounds of the dying man ; they had public " shambles of man's flesh, and their madness " herein was to that degree, that they spared " not their own children, which they had begot " on strangers taken in war: for they made " their captives their mistresses, and choicely " nourished the children they had by them, till " about thirteen years old they butchered and " eat them; and they served the mothers after " the same fashion, when they grew past child- " bearing, and ceased to bring them any more " roasters." Garci lasso de la vega Hist, ties Yucas de Peru, 1. i. c. 12.

§. 58. Thus far can the busy mind of man carry him to a brutality below the level of beasts, when he quits his reason, which places him almost equal to angels. Nor can it be otherwise in a creature, whose thoughts are more than the sands, and wider than the ocean,

-where fancy and passion must needs run him into strange courses, if reason, which is his only star and compass be not that he steers by. The imagination is always restless, and suggests variety of thoughts, and the will, reason being laid aside, is ready for every extra- vagant project ; and in this state, he that goes

farthest out of the way, is thought fittest to lead, and is sure of most followers: and when fashion hath once established what folly or craft began, custom makes it sacred, and if will be thought impudence, or madness, to con- tradict or question it. He that will imparti- ally survey the nations of the world, will find so much of their religions, governments and manners, brought in and continued amongst them by these means, that he will have but little reverence for the practices which are in use and credit amongst men ; and will have reason to think, that the woods and forests, where the irrational untaught inhabitants keep right by following nature, are fitter to give us rules, than cities and palaces, where those that call themselves civil and rational, go out of their way, by the authority of example. If precedents are sufficient to establish a rule in this case, our author might have found in holy writ children sacrificed by their parents, and this amongst the people of God themselves: the Psalmist tells us, Psal. cvi. 38. They shed innocent blood, even the blood of their sons and of their daughters, whom they sacrificed unto

the idols of Canaan. But God judged not of this by our author's rule, nor allowed of the authority of practice against his righteous law ; but as it follows there, the land teas polluted with blood; therefore teas the wrath of the Lord kindled against his people, insomuch that he abhorred his own inheritance. The killing of their children, though it were fashionable, was charged on them as innocent blood, and so had in the account of God the guilt of murder, as the offering them to idols had the guilt of idolatry.

§. 59. Be it then, as Sir Robert says, that anciently it was usual for men to sell and cas- trate their children, Observations, 155. Let it be, that they exposed them ; add to it, if you please, for this is still greater power, that they begat them for their tables, to fat and eat them : if this proves a right to do so, we may, by the same argument, justify adultery, incest and sodomy, for there are examples of these too, both ancient and modern ; sins, which I suppose have their principal aggravation from this, that they cross the main intention of nature, which willeth the increase of mankind, and the continuation of the species in the high- est perfection, and the distinction of families, with the security of the marriage-bed, as necessary thereunto.

§. 60. In confirmation of this natural autho- rity of the father, our author brings a lame proof from the positive command of God in

scripture: his words are, To confirm the natural right of regal power, ice find in the Decalogue, that the law which enjoins obedience to kings, is delivered in the terms, Honour thy father, p. 23. Whereas many confess, that government only in the abstract, is the ordinance of God, they are not able to prove any such ordinance in the scripture, but only in the fatherly power; and therefore we find the commandment, thai enjoins obedience to superiors, given in the terms, Honour thy father; so that not only the power and right of government, but the form of the power governing, and the person having the power, are all the ordinances of God. The first father had not only simply power, but power monarchical, as he was father immediately from God, Observations, 254. To the same purpose, the same law is cited by our author in several other places, and just after the same fashion; that is, and mother, as apochrvphal words, are always left out ; a great argument of our authors ingenuity, and the goodness of his cause, which required in its defender zeal to a degree of warmth, able to warp the sacred rule of the word of God, to make it comply with his present occasion ; a way of proceeding not unusual to those, who embrace not truths, because reason and revelation offer them, but espouse tenets and parties for ends different from truth, and then

resolve at any rate to defend them ; and so do with the words and sense of authors, they would fit to their purpose,

just as Procrustes did with his guests, lop or stretch them, as may best fit them to the size of their notions : and they always prove like those so served, deformed, lame, and useless.

§. 61. For had our author set down this com- mand without garbling, as God gave it, and joined mother to father, every reader would have seen, that it had made directly against him ; and that it was so far from establishing the monarchical power of the father, that it set up the mother equal with him, and enjoined nothing but what was due in common, to both father and mother : for that is the constant tenor ' of the scripture, Honour thy father and thy mother, Exod. xx. He that smiteth his father or mother, shall surely he put to death, xxi. 15. He that curs el h his father or mother, shall surely be put to death, ver. 17. Repeated, Lev. xx. 9. and by our Saviour, Matth. xv. 4. Ye shall fear every man his mother and his father, Lev. xix. 3. If a man have a rebellious son, which will not obey the voice of his father, or the voice of his mother ; then shall his father and his mother lay hold on him, and say, This our son is stubborn and rebellious, he ivill not obey our voice, Deut. xxi. 18, 19, 20, 21. Cursed be he that setteth light by his father or his mother, xxviii. 16*. My son, hear the instructions of thy father, and forsake not the law of thy mother, are the words of Solomon, a king who was not ignorant of what belonged to him as

a father or a king; and yet he joins father and mother together, in all the instruction he gives children quite through his book of Proverbs. Woe unto him, that sayeth unto his father. What beget test thou? or to the woman, What hast thou brought forth? Isa. xi. ver. 10. In thee hare they set light by father or mother, Ezek. xxviii. *2. And it shall come to jrnss, that when any shall yet prophesy, then his father and his mother that begat him, shall say unto him, thou shall not live ; and his father and his mother that begat him, shall thrust him through when he prophesieth, Zech. xiii. 3. Here not the father only, but the father and mother jointly, had power in this case of life and death. Thus ran the law of the Old Tes- tament, and in the New they are likewise joined, in the obedience of their children, Eph. vi. J. The rule is, Children, obey your parents ; and I do not remember, that I any where read, Children, obey your father, and no more : the scripture joins mother too in that homage, which is due from children ; and had there been any text, where the honour or obedience of children had been directed to the father alone, it is not likely that our author, who pretends to build all upon scripture, would have omitted it : nay, the scripture makes the authority of father and mother, in respect of those they have begot, so equal, that in some places it neglects even the priority of order, which is thought due to the father, and the mother is put first,

as Lev. xix. 3. from which so constantly joining father and mother together, as is found quite through the scripture, we may conclude that the honour they have a title to from their children, is one common right belonging so equally to them both, that neither can claim it wholly, neither can be excluded.

§. 62. One would wonder then how our au- thor infers from the fifth commandment, that all power ivas originally in the father ; how he finds monarchical power of government settled and fixed by the commandment, Honour thy father and thy mother. If all the honour due by the commandment, be it what it will, be the only right of the father because he, as our author says, has the sovereignty over the woman, as being the nobler and principaler agent in generation, why did God afterwards all along join the mother

with him, to share in his honour? can the father, by this sovereignty of his, dis- charge the child from paying this honour to his mother ? The scripture gave no such licence to the Jews, and yet there were often breaches wide enough betwixt husband and wife, even to divorce and separation : and, I think, nobody will say a child may with-hold honour from his mother, or, as the scripture terms it, set light by her, though his father should com- mand him to do so; no more than the mother could dispense with him for neglecting to honour his father: whereby it is plain, that this command of God gives the father no sove- reignty, no supremacy.

§. 63. 1 agree with our author that the title to this honour is vested in the parents by na- ture, and is a right which accrues to them by their having begotten their children, and God by many positive declarations has confirmed it to them : I also allow our authors rule, that in grants and gifts, that have their original from God and nature, as the power of the father, (let me add and mother, for whom God hath joined together, let no man put asunder) no inferior power of men can limit, nor make any law of prescription against them, Obser- vations, 158. So that the mother having, by this law of God, a right to honour from her children, which is not subject to the will of her husband, we see this absolute monarchical power of the father can neither be founded on it, nor consist with it; and he has a power very far from monarchical, very far from that absoluteness our author contends ; when ano- ther has over his subjects the same power he hath, and by the same title : and therefore he cannot forbear saying himself that he cannot see how any mans children can be free from subjection to their parents, p. 12. which, in common speech, I think, signifies mother as well as father; or if parents here signifies only father, it is the first time I ever yet knew it to do so, and by such an use of words one may say any thing.

§. 64. By our author's doctrine, the father, having absolute jurisdiction over his children,

has also Hie same over their issue; and the consequence is good, were it true, that the father had such a power : and yet I ask our author whether the grandfather, by his sove- reignty, could discharge the grandchild from paying to his father the honour due to him by the fifth commandment. If the grandfather hath, by right of fatherhood, sole sovereign power in him, and that obedience which is due to the supreme magistrate, be commanded in these words, Honour thy father, it is certain the grandfather might dispense with the grand- son's honouring his father, which since it is evident in common sense he cannot, it follows from hence, that Honour thy father and mother, cannot mean an absolute subjection to a sove- reign power, but something else. The right therefore which parents have by nature, and which is confirmed to them by the fifth com- mandment, cannot be that political dominion which our author would derive from it: for that being in every civil society supreme some- where, can discharge any subject from any political obedience to any one of his fellow- subjects. But what law of the magistrate can i^ive a child liberty, not to honour his father and mother? It is an eternal law, annexed purely to the ralation of parents and children, and so contains nothing of the magistrate's power in it, nor is subjected to it.

§. 05. Our author says, God hath given, to a father a right or liberty to alien his power over

his children to any other, Observations, 155. 1 doubt whether he can alien wholly the right of honour that is due from them: but be that as it will, this 1 am sure, lie cannot alien, and retain the same power. If therefore the ma- gistrate's sovereignty be, as our author would have it, nothing but the authority of a su-

preme father, p. 23. it is unavoidable, that if the magistrate hath all this paternal right, as he must have if fatherhood be the fountain of all authority ; then the subjects, though fathers, can have no power over their children, no right to honour from them : for it cannot be all in another's hands, and a part remain with the parents. So that, according to our author's own doctrine, Honour thy father and mother cannot possibly be understood of political subjection and obedience ; since the laws both in the Old and New Testament, that com- manded children to honour and obey their parents, were given to such, whose fathers were under civil government, and fellow-sub- jects with them in political societies ; and to have bid them honour and obey their parents, in our authors sense, had been to bid them be subjects to those who had no title to it ; the right to obedience from subjects, being all vested in another ; and instead of teaching- obedience, this had been to foment sedition, by setting up powers that were not. If there- fore this command, Honour thy father and mother, concern political dominion, it directly

overthrows our author's monarchy ; since it being- to be paid by every child to his father, even in society, every father must necessarily have political dominion, and there will be as many sovereigns as there are fathers : besides that the mother too hath her title, which de- stroys the sovereignty of one supreme monarch. But if Honour thy father and mother mean something distinct from political power, as necessarily it must, it is besides our author's business, and serves nothing to his purpose.

§. 66. Hie law that enjoins obedience to kings is delivered, says our author, in the terms, Honour thy father, as if all power were ori- ginally in the father, Observations, 254. and that law is also delivered, say I, in the terms, Honour thy mother, as if all power were ori- ginally in the mother. I appeal whether the argument be not as good on one side as the other, father and mother being joined all along in the Old and New Testament wherever ho- nour or obedience is enjoined children. Again our author tells us, Observations, 254. that this command, Honour thy father gives the right, to govern, and makes the form of government mo- narchical. ■ To which I answer, that if by Honour thy father be meant obedience to the political power of the magistrate, it concerns not any duty we owe to our natural fathers, who are subjects ; because they, by our author's doctrine, are divested of all that power, it being placed wholly in the prince, and so being

equally subjects and slaves with their children, can have no right, by that title, to any such honour or obedience, as contains in it political subjection : if Honour thy father and mother signifies the duty we owe our natural parents, as by our Saviour's interpretation, Matlli. xv. 4. and all the other mentioned places, it is plain it does, then it cannot concern political obedience, but a duty that is owing to persons, who have no title to sovereignty, nor any political authority as magistrates over subjects. For the person of a private father, and a title to obedience, due to the supreme magistrate, are things inconsistent ; and therefore this command, which must necessarily comprehend the persons of our natural fathers, must mean a duty we owe them distinct from our obedience to the magistrate, and from which the most absolute power of princes cannot absolve us. What this duty is, we shall in its due place examine.

§. 67. And thus we have at last got through all, that in our author looks like an argument for that absolute unlimited sovereignty described, Sect. 8. which he supposes in Adam; so that mankind ever since have been all born slaves, without any title to freedom. But if creation, which gave nothing but a being, made

not Adam prince of his posterity : if Adam, Gen. i. 28. was not constituted lord of mankind, nor had a private dominion given him exclusive of his children, but only a right and power over

the earth, and inferior creatures in common with the children of men ; if also Gen. iii. 16. God gave not any political power to Adam over his wife and children, but only subjected Eve to Adam, as a punishment, or foretold the subjection of the weaker sex, in the ordering the common concernments of their families, but gave not thereby to Adam, as to the hus- band, power of life and death, which necessarily belongs to the magistrate: if fathers by be- getting their children acquire no such power over them ; and if the command, Honour thy father and mother, give it not, but only enjoins a duty owing to parents equally, whether subjects or not, and to the mother as well as the father; if all this be so, as I think, by what has been said, is very evident; then man has a natural freedom, notwithstanding all our author confidently says to the contrary ; since all that share in the same common nature, faculties and powers, are in nature equal, and ought to partake in the same common rights and privi- leges, till the manifest appointment of God, who is Lord over all, blessed for ever, can be produced to shew any particular person's supremacy ; or a man's own consent subjects him to a superior. This is so plain, that our author confesses, that Sir John Hayivard, Blackwood and Barclay, the great vindicators of the right of kings, could not deny it, but admit ivith one consent the natural liberty and equality of mankind, for a truth unquestionable.

And our author hath been so far from produ- cing any tiling*, that may make good his great position that Adam was absolute monarch, and so men are not naturally free, that even his own proofs make against him ; so that to use his own way of arguing, the Jirst erroneous prin- ciplefailing, the whole fabric of this vast engine of absolute power and tyranny drops down of itself and there needs no more to be said in answer to all that he builds upon so false and frail a foundation.

§. 68. But to save others the pains, were there any need, he is not sparing himself to shew, by his own contradictions, the weak- ness of his own doctrine. Adams absolute and sole dominion is that, which he is every where full of, and all along builds on, and yet he tells us, p. 12. that as Adam was lord of his children, so his children under him had a command and power over their own children. The unlimited and undivided sovereignty of Adams fatherhood, by our author's computa- tion, stood but a little while, only during the first generation, but as soon as he had grand- children, Sir Robert could give but a very ill account of it. Adam, asjather of his children, saith he, hath an absolute, unlimited royal power over them, and by virtue thereof over those that they begot, and so to all generations ; and yet his children, viz. Cain and Seth, have a paternal power over their children at the same lime; so that Ihey are at the same time

absolute lords, and yet vassals and slares; Adam has all the authority, as grandfather of the people, and they have a part of it as fathers of a part of them : lie is absolute over them and their posterity, by having- begotten them, and yet they are absolute over their own chil- dren by the same title. No, says our author, Adams children under him had power over their own children, but still with subordination to the first parent. A good distinction that sounds well, and it is pity it signifies nothing, nor can be reconciled with our author's words. I readily grant, that supposing Adams absolute power over his posterity, any of his children might have from him a delegated, and so a subordinate power over a part, or all the rest : but that cannot be the power our author speaks of here; it is not a power by grant and com- mission, but the natural

paternal power he supposes a father to have over his children. For 1. he says, As Adam ivas lord of his chil- dren, so his children under him had a power over their own children: they were then lords over their own children after the same manner, and by the same title, that Adam was, i. e. by right of generation, by right of fatherhood. 2. It is plain he means the natural power of fathers, because he limits it to be only over their own children ; a delegated power has no such limi- tation, as only over their own children, it might be over others, as well as their own children. 3. If it were a delegated power, it must ap-

pear in scripture; but there is no ground in scripture to affirm, that Adams children had any other power over theirs, than what they naturally had as fathers.

§. 69. But that he means here paternal power and no other, is past doubt, from the inference he makes in these words immediately following, I see not then hoiv the children of Adam, or of any man else, can be free from subjection to their 'parents. Whereby it appears that the power on one side, and the subjection on the other, our author here speaks of, is that natural power \ and subjection between parents and children: for that which every man's children owed, could be no other; and that our author always affirms to be absolute and unlimited. This natural power of parents over their children, Adam had over his posterity, says our author; and thispower of parents over their children, his children had over theirs in his life-time, says our author also; so that Adam, by a natural right of father, had an absolute unlimited power over all his posterity, and at the same time his children had by the same right abso- lute unlimited power over theirs. Here then are two absolute unlimited powers existing to- gether, which I would have any body reconcile one to another, or to common sense. For the salvo he has put in of subordination, makes it more absurd : To have one absolute, unlimited, nay, unit mil able power, in subordination to another, is so manifest a contradiction, that

nothing can be more. Adam is absolute prince ivith the unlimited authority of fatherhood over all his posterity; all his posterity are then absolutely his subjects; and, as our author says, his slaves, children, and grandchildren, are equally in this state of subjection and slavery ; and yet, says our anthor, the chil- dren of Adam have paternal, i. c. absolute un- limited power over their own children : which in plain English is, they are slaves and abso- lute princes at the same time, and in the same government ; and one part of the subjects have an absolute unlimited power over the other by the natural right of parentage.

<§. 70. If any one will suppose, in favour of our author, that he here meant, that parents, who are in subjection themselves to the abso- lute authority of their father, have yet some power over their children; I confess he is something nearer the truth : but he will not at all hereby help our author: for he no where speaking of the paternal power, but as an absolute unlimited authority, cannot be sup- posed to understand any thing else here, unless he himself had limited it, and shewed how far it reached. And that he means here pater- nal authority in that large extent, is plain from the immediately following words ; This sub- jection of children being, says he, the founda- tion of all regal authority, p. J 2. the subjection then that in the former line, he says, every man is in to his parents, and consequently what Adam's

grand-children were in to their parents, was that which was the fountain of all regal au- thority, i. e. according to our author, absolute unlimited authority. And thus Adams chil- dren had regal authority over their children, whilst they themselves were subjects to their father, and fellow-subjects with their children.

But let him mean as he pleases, it is plain he allows Adam 's children to have paternal power y p. 12. as also all other fathers to have paternal power over their children, Observations, 156. From whence one of these two things will necessarily follow, that either Adam's children, even in his life-time, had, and so all fathers have, as he phrases it, p. 12. by right of father- hood, royal authority over their children, or else, that Adam, by right of fatherhood, had not royal authority. For it cannot be but that paternal power does, or does not, give royal authority to them that have it : if it does not, then Adam could not be sovereign by this title, nor any body else ; and then there is an end of all our author's politics at once : if it does give royal authority, then every one that has pa- ternal power, has royal authority ; and then by our authors patriarchal government, there will be as many kings as there are fathers.

§.71. And thus what a monarchy he hath set up, let him and his disciples consider. Princes certainly will have great reason to thank him for these new politics, which set up as many absolute kings in every country as

there are fathers of children. And yet who can blame our author for it, it lying unavoid- ably in the way of one discoursing upon our author's principles ? For having placed an ab- solute power in fathers by right of begetting, he could not easily resolve how much of this power belonged to a son over the children he had begotten ; and so it fell out to be a hard matter to give all the power, as he does, to Adam, and yet allow a part in his life-time to his children, when they were parents, and which he knew not well how to deny them. This makes him so doubtful in his expressions, and so uncertain where to place this absolute natural power, which he calls fatherhood. Sometimes Adam alone has it all, as p. 13. Observations, 244, 245. 6f Pre/.

Sometimes parents have it, which word scarce signifies the father alone, p. 12, 19.

Sometimes children during their fathers life- time, as p. 12.

Sometimes fathers of families, as p. 78, &79.

Sometimes fathers indefinitely, Observations, 155.

Sometimes the heir to Adam, Observations, 253.

Sometimes the posterity o/*Adam, 244, 246.

Sometimes prime fathers, all sons or grand- children o/'Noah, Observations, 244.

Sometimes the eldest parents, p. 12,

Sometimes all that have supreme power, Ob- servations, 245.

Sometimes heirs to those first progenitors, who were at first the natural parents of the whole people, p. 19.

Sometimes those, whether a few or a multi- titude, that govern the commonwealth, p. 23.

Sometimes he that can catch it, an usurper, p. 23. Observations, 155.

§. 72. Thus this neiv nothing, that is to carry with it all power, authority, and government; this fatherhood, which is to design the person, and establish the throne of monarch's, whom the people are to obey, may, according to Sir Robert, come into any hands, any how, and so by his politics give to democracy royal autho- rity, and make an usurper a lawful prince. And if it will do all these fine feats, much good do our author and all his followers with their omnipotent fatherhood, which can serve for nothing but to unsettle and destroy all the lawful governments in the world, and to es- tablish in their room disorder, tyranny, and usurpation.

Of Fatherhood and Property considered together as Fountains of Sovereignty.

§. 73. In the foregoing chapters we have seen what Adam's monarchy was, in our au- thor's opinion, and upon what titles he founded it. The foundations which he lays the chief stress on, as those from which he thinks he may derive monarchical power to future princes, are two, viz. Fatherhood and property: and therefore the way he proposes to remove the ab- surdities and inconveniencies of the doctrine of natural freedom^ is, to maintain the natural and private dominion of Adam, Observations, 222. Conformable hereunto, he tells us, the grounds and jjrinciplcs of government necessarily depend upon the original of property. Observations, 108. The subjection of children to their pa- rents is the fountain of all regal authority, p. 12. And all power on earth is either derived or usurped from the fatherly poiver, their being no other original to be found of any power what- soever, Observations, 158. I will not stand here to examine how it can be said without a contradiction, that the first grounds and princi- ples of government necessarily depend upon the original of property, and yet, that there is no other original of any power whatsoever, but that of the father ; it being hard to understand how

there can be no other original but fatherhood, and yet that the grounds and principles of go- vernment depend upon the original of property ; property and fatherhood being- as far different as lord of a manor and father of children. Nor do I see how they will either of them agree with what our author says, Observations* 244. of God's sentence against Eve, Gen. iii. 16. That it is the original grant of government : so that if that were the original, government had not its original, by our authors own con- fession, cither from property or fatherhood : and this text, which he brings as a proof of Adam's power over Eve, necessarily contradicts what he says of the fatherhood, that it is the sole fountain of all poiuer : for if Adam had any such regal power over Eve, as our author contends for, it must be by some other title than that of begetting.

§. 74. But I leave him to reconcile these contradictions, as well as many others, which may plentifully be found in him by any one, who will but read him with a little attention ; and shall come now to consider, how these two originals of government, Adams natural and private dominion, will consist, and serve to make out and establish the titles of suc- ceeding monarchs, who, as our author obliges them, must all derive their power from these fountains. Let us then suppose Adam made, by God's donation, lord and sole proprietor of the whole earth, in as large and ample a manner

as Sir ^Robert could wish; let us suppose him also, by right of fatherhood, absolute ruler over his children with au unlimited supremacy; I ask then, upon Adams death what becomes of both his natural and private dominion? and I doubt not it will be answered, that they descended to his next heir, as our author tells us in

several places. But this way, it is plain, cannot possibly convey both his natural and private dominion to the same person : for should we allow, that all the property, all the estate of the father, ought to descend to the eldest son, (which will need some proof to establish it) and so he has by that title all the private dominion of the father, yet the father's natural dominion, the paternal power cannot descend to him by inheritance : for it being a right that accrues to a man ouly by begetting, no man can have this natural dominion over any one he does not beget; unless it can be supposed, that a man can have a right to any thing, with- out doing that upon which that right is solely founded : for if a father by begetting, and no other title, has natural dominion over his chil- dren, he that does not beget them cannot have this natural dominion over them ; and therefore be it true or false, that our author says, Obser- vations, 1 5t>. That every man that is born, by his very birth becomes subject to him that begets him, this necessarily follows, viz. That a man by his birth cannot become a subject to his brother, who did not beget him ; unless it can

be supposed that a man by the very same title can come to be under the natural and absolute dominion of two different men at once ; or it be sense to say, that a man by birth is under the natural dominion of his father, only be- cause he begat him, and a man by birth also is under the natural dominion of his eldest brother, though he did not beget him.

§. 75. If then the private dominion of Adam, i. e. his property in the creatures, descended at his death all entirely to his eldest son, his heir ; (for, if it did not, there is presently an end of all Sir Robert's monarchy) and his natural dominion, the dominion a father has over his children by begetting them, belonged immediately, upon Adams decease, equally to all his sons who had children, by the same title their father had it, the sovereignty founded upon property, and the sovereignty founded upon fatherhood, come to be divided ; since Cain, as heir, had that or property alone; Seth, and the other sons, that of fatherhood equally with him. This is the best that can be made of our authors doctrine, and of the two titles of sovereignty he sets up in Adam : one of them Will either signify nothing ; or, if (hey both must stand, they can serve only to confound the rights of princes, and disorder government in his posterity : for by building upon two titles to dominion, which cannot descend together, and which he allows may be separated, (for he yields that Adam's chil-

dren had their distinct territories by right of private dominion, Observations, 210, p. 40.) he makes it perpetually a doubt upon his prin- ciples where the sovereignty is, or to whom we owe our obedience, since fatherhood and property are distinct titles, and began presently upon Adams death to be in distinct persons. And which then was to give way to the other? §. 76. Let us take the account of it, as he himself gives it us. He tells us out of Grotius, That Adams children by donation, assignation, or some kind of cession before he was dead, had their distinct territories by right of private dominion; Abel had his flocks and pastures for them : Cain had his fields for corn, and the land of Nod, where he built him a city, Obser- vations, 210. Here it is obvious to demand, which of these two after Adams death was sovereign? Cain, says our author, p. 19. By what title ? As heir ; for heirs to progenitors, ivho ivere natural parents of their people, are not only lords of their own children, but also of their brethren, says our author, p. 19. What was Cain heir to? Not the entire possessions, not all that which Adam had private dominion in ; for our author allows that Abel by a title derived from his father, had his distinct terri- tory for pasture by right of private dominion. What then Abel had by private dominion, was exempt from Cain's dominion : for he could not

have private dominion over that which was under the private dominion of another; and

therefore his sovereignty over his brother is gone with this private dominion, and so there are presently two sovereigns, and his imaginary title of fatherhood is out of doors, and Cain is no prince over his brother : or else, if Cain retain his sovereignty over Abel, notwithstand- ing his private dominion, it will follow, that the first grounds and principles of government have nothing to do with property, whatever our author says to the contrary. Jt is true, Abel did not outlive his father Adam; but that makes nothing to the argument, which will hold good against Sir Robert in Abels issue, or in Seth, or any of the posterity of Adam% not descended from Cain.

\. 77. The same inconvenience he runs into about the three sons of Noah, who, as he says, p. 13. had the whole world divided amongst them by their father. I ask then, in which of the three shall we find the establishment of regal poiver after Noah's death? If in all three, as our author there seems to say ; then it will follow, that regal power is founded in property of land, and follows private dominion, and not in paternal power, or natural dominion; and so there is an end of paternal power as the fountain of regal authority, and the so-much- magnified fatherhood quite vanishes. If the regal power descended to Shem as eldest, and heir to his father, then NoaJts division of the world by lot, to his sons or his ten years sailing about the Mediterranean to appoint each son

his part, which our author tells of, p. 15. was labour lost; his division of the world to them, was to ill, or to no purpose: for his grant to Cham and Japhel was little worth, if Shem, notwithstanding this grant, as soon as Noah was dead, was to be lord over them. Or, if this grant of private dominion to them, over their assigned territories, were good, here were set up two distinct sorts of power, not subor- dinate one to the other, with all those incon- veniencies which he musters up against the potter of the people, Observations, 158. which I shall set down in his own words, only changing property for people. All power on earth is either derived or usurped from the fatherly power, there being no other original to be found of any power whatsoever : for if there should be granted two sorts of power, without any subordination of one to the other, they ivould be in perpetual strife which should be supreme, for two supremes can- not agree: if the fatherly power be supreme, then the power grounded on private dominion must be subordinate, and depend on it; and if the power grounded on property besupreme, then the father- ly power must submit to it, and cannot be exercised without the licence of the proprietors, ivhich must quite destroy the frame and course of nature. This is his own arguing against two distinct inde- pendent powers, which I have set down in his own words, only putting power rising from pro- perty, for power of I he people ; and when he has answered what he himself has urged here against

two distinct powers, we shall be better able to see how, with any tolerable sense, he can derive all regal authority from the natural and private dominion of Adam, from fatherhood and pr&perty together, which are distinct titles, that do not always meet in the same person; and it is plain, by his own confession, presently separated as soon both as Adams and Noatis death made way for succession : though our author frequently in his writings jumbles them together, and omits not to make use of either, where he thinks it will sound best to his purpose. But the absurdities of this will more fully appear in the next chapter, where we shall examine the ways of conveyance of the sovereignty of Adam, to princes that were to reiiiu after

him.

Of the Conveyance of Adams Sovereign Monarchical Power.

§. 78. Sir Robert, not having been very happy in any proof he brings for the sovereign- ty of Adam, is not much more fortunate in conveying it to future princes, who, if his politics be true, must all derive their titles from that first monarch. The ways he has assigned, as they lie scattered up and down in his writings, I will set down in his own words : in his preface he tells us, That Adam being

monarch of the ivhole world, none of his poste- rity had any right to j^ossess any thing, but by his grant or permission, or by succession from him. Here he makes two ways of conveyance of any thing Adam stood possessed of; and those are grants or succession. Again he says, All kings either are, or are to be reputed, the next heirs to those first progenitors, ivho were at first the natural parents of the ivhole people, p. 19. There cannot be any multitude of men whatsoever, but that in it, considered by itself there is one man amongst them, that in nature hath a right to be the king of all the rest, as being the next heir to Adam, Observations, 253. Here in these places inheritance is the only way he allows of conveying- monarchical power to princes. In other places he tells ns, Obser- vations, 155. All power on earth is either derived or usurped from the fatherly power, Observations, 158. All kings that now are, or ever were, are or were either fathers of their people, or heirs of such fathers, or usurpers of the right of such fathers, Observations, 253. And here he makes inheritance or usurpation the only ways whereby kings come by this original power: but yet he tells us, This fatherly empire, as it ivas of itself hereditary, so it was alienable by patent and seizable by an usurper, Observa- tions, 190. So then here inheritance, grant, or usurpation, will convey it. And last of all, which is most admirable, he tells us, p. 100. It skills not which way kings come by their

poiver, whether by election, donation, succession, or by any other means ; for it is still the manner of the government by supreme power, that makes them properly kings, and not the means oj obtaining their crowns. Which I think is a full answer to all his whole hypothesis and discourse about Adams royal authority, as the fountain from which all princes are to derive theirs: and he might have spared the trouble of speak- ing- so much as he does, up and down, of heirs and inheritance, if to make one properly a king, needs no more but governing by supreme poiver, and it matters jwt by what means he came by it.

§. 79. By this notable way, our author may make Oliver as properly king, as any one else he could think of: and had he had the happi- ness to live under Massanetta's government, he could not by this his own rule have forborn to have done homage to him, with O king live for ever, since the manner of his government by supreme power, made him properly king, who was but the day before properly a fisher- man. And if Don Quixote had taught his squire to govern with supreme authority, our author no doubt could have made a most loyal subject in Sancho Pancluis island; and he must needs have deserved some preferment in such governments, since I think he is the first politician, who, pretending to settle government upon its true basis, and to establish the thrones of lawful princes., ever told the world. Thai he

was properly a king, whose manner of govern- ment was by supreme power, by what means soever he obtained it : which in plain English is to say, that regal and supreme power is properly and truly his, who can by any means seize upon it; and if this be to be properly a king, 1 wonder how he came to think of, or

where lie will find, an usurper.

§. 80. This is so strange a doctrine, that the surprise of it hath made me pass by, without their due reflection, the contradictions he runs into, by making sometimes inheritance alone, sometimes only grant or inheritance, sometimes only inheritance or usurpation, sometimes all these three, and at last election, or any other means, added to them, whereby Adams royal authority, that is, his right to supreme rule, could be conveyed down to future kings and governors, so as to give them a title to the obedience and subjection of the people. But these contradictions lie so open, that the very reading of our author's own words will discover them to any ordinary understanding; and though what I have quoted out of him (with abundance more of the same strain and coherence which might be found in him) might well excuse me from any farther trouble in this argument, yet having proposed to myself, to examine the main parts of his doctrine, I shall a little more particularly consider how inheri- tance, grant, usurpation, or election, can any way make out government in the world upon

his principles ; or derive to any one a right of empire from this regal authority of Adam, had it been never so well proved, that he had been absolute monarch, and lord of the whole world.

Of Monarchy by Inheritance from Adam.

§.81. Though it be never so plain, that there ought to be government in the world, nay, should all men be of our author's mind, that divine appointment had ordained it to be monarchical; yet, since men cannot obey any thing, that cannot command ; and ideas of government in the fancy, though never so per- fect, though never so right, cannot give laws, nor prescribe rules to the actions of men ; it would be of no behoof for the settling of order, and establishing of government in its exercise and use amongst men, unless there were a way also taught how to knowr the person, to whom it belonged to have this power, and exercise this dominion over others. It is in vain then to talk of subjection and obedience without telling us whom we are to obey : for were I never so fully persuaded that there ought to be magistracy and rule in the world ; yet I am nevertheless at liberty still, till it appears who is the person that hath right to my obedience ; since, if there be no marks to know him bv,

and distinguish him that hath right to rule from other men, it may be myself, as well as any other. And therefore, though submission to government be every one's duty, yet since that signifies nothing but submitting to the direction and laws of such men as have authority to com- mand, it is not enough to make a man a subject, to convince him that there is a regal power hi the world ; but there must be ways of designing, and knowing the person to whom this regal power of right belongs : and a man can never be obliged in conscience to submit to any power, unless he can be satisfied who is the person who has a right to exercise that power over him. If this were not so, there would be no distinction between pirates and lawful princes ; he that has force is without any more ado to be obeyed, and crowns and sceptres would become the inheritance only of violence and rapine. Men too might as often and as innocently change their governors, as they do their physicians, if the person cannot be known who has a right to direct me, and whose prescriptions I am bound to follow. To settle therefore men's consciences, under an obliga- tion to obedience, it is necessary that they know not only, that there is a power somewhere in the world, but the person who by right is vested with this power over them.

§. 82. How successful our author has been in his attempts, to set up a monarchical absolute potter in Adam, the reader may judge by what

has been already said ; but were that absolute monarchy as clear as our author would desire it, as I presume it is the contrary, yet it could be of no use to the government of mankind now in the world, unless he also make out these two things.

First, That this power of Adam was not to end with him, but was upon his decease con- veyed intire to some other person, and so on to posterity.

Secondly, That the princes and rulers now on earth are possessed of this power of Adam, by a right way of conveyance derived to them.

§. 83. If the first of these fail, the power of Adam, were it never so great, never so certain, will signify nothing to the present government and societies in the world ; but we must seek out some other original of power for the govern- ment of politys than this of Adam, or else there will be none at all in the world. If the latter fail, it will destroy the authority of the present governors, and absolve the people from subjection to them, since they, having no better a claim than others to that power, which is alone the fountain of all authority, can have no title to rule over them.

§. 84. Our author, having fancied an abso- lute sovereignty in Adam, mentions several ways of its conveyance to princes, that were to be his successors ; but that which lie chiefly insists on, is that of inheritance, which occurs so often in his several discourses ; and I having

in the foregoing chapter quoted several of these passages, I shall not need here again to repeat them. This sovereignty he erects, as has been said, upon a double foundation, viz. that of property, and that of fat her hood. One was the right he was supposed to have in all creatures, a right to possess the earth with the beasts, and other inferior ranks of things in it, for his private use, exclusive of all other men. The other was the right he was supposed to have, to rule and govern men, all the rest of mankind.

§. 85. In both these rights, there being sup- posed an exclusion of all other men, it must be upon some reason peculiar to Adam, that they must both be founded.

That of his property our author supposes to arise from Gods immediate donation, Gen. i. 28. and that of fatherhood from the act of begetting: now in all inheritance, if the heir succeed not to the reason upon which his father's right was founded, he cannot succeed to the right which followeth from it. For ex- ample, Adam had a right of property in the creatures upon the donation and grant of God almighty, who was lord and proprietor of them all : let this be so as our author tells us, yet upon his death his heir can have no title to them, no such right of property in them, unless the same reason, viz. God's donation, vested a right in the heir too : for if Adam could have had no property in, nor use of the creatures,

without this positive donation from God, and this donation were only personally to Adam, his heir could have no right by it ; but upon his death it must revert to God, the lord and owner again ; for positive grants give no title farther than the express words convey it, and by which only it is held. And thus, as if our author himself contends, that donation, Gen. i. 28. were made only to Adam personally, his heir could not

succeed to his property in the creatures ; and if it were a donation to any but Adam, let it be shewn, that it was to his heir in our author's sense, i. e. to one of his children, exclusive of all the rest.

§. 86. But not to follow our author too far out of the way, the plain of the case is this. God having made man, and planted in him, as in all other animals, a strong desire of self- preservation ; and furnished the world with things fit for food and raiment, and other necessaries of life, subservient to his design, that man should live and abide for some time upon the face of the earth, and not that so curious and wonderful a piece of workmanship, by his own negligence, or want of necessaries, should perish again, presently after a few moments continuance ; God, I say, having made man and the world thus, spoke to him, (that is) directed him by his senses and reason, as he did the inferior animals by their sense and instinct, which were serviceable for his subsistence, and given him as the means of his

preservation. And therefore I doubt not, but before these words were pronounced, Gen. i. 28, 29. (if they must be understood literally to have been spoken) and without any such verbal donation, man had a right to an use of the creatures, by the will and grant of God : for the desire, strong desire of preserving his life and being, having been planted in him as a principle of action by God himself, reason, which ivas the voice of God in him, could not but teach him and assure him, that pursuing that natural inclination he had to preserve his being, he followed the will of his Maker, and therefore had a right to make use of those creatures, which by his reason or senses he could discover would be serviceable thereunto. And thus man's property in the creatures was founded upon the right he had to make use of those things that were necessary or useful to his being.

§. 87. This being the reason and foundation of Adams property, gave the same title, on the same ground, to all his children, not only after his death, but in his life-time : so that here was no privilege of his heir above his other chil- dren, which could exclude them from an equal right to the use of the inferior creatures, for the comfortable preservation of their beings, which is all the property man hath in them ; and so Adams sovereignty built on property, or, as our author calls it, private dominion, comes to nothing. Every man had a right to

the creatures, by the same title Adam had, viz. by the right every one had to take care of, and provide for their subsistence: and thus men had a right in common, Adam's children in common with him. But if any one had began, and made himself a property in any particular thing, (which how he, or any one else, could do, shall be shewn in another place) that thing, that possession, if he disposed not otherwise of it by his positive grant, descended naturally to his children, and they had a right to succeed to it, and possess it.

§. 88. It might reasonably be asked here, how come children by this right of possessing, before any other, the properties of their parents upon their decease ? for it being personally the parents, when they die, without actually trans- ferring their right to another, why does it not return again to the common stock of mankind ? It will perhaps be answered, that common consent hath disposed of it to their children. Common practice, we see indeed, does so dis- pose of it; but we cannot say, that it is the common consent of mankind ; for that hath never been asked, nor actually given; and if common tacit consent hath established it, it would make but a positive, and not a natural right of children to inherit the goods of their parents: but where the practice is universal, it is reasonable to think the cause is natural. The ground then I think to be

this. The first and strongest desire God planted in men, and

wrought into the very principles of their nature, being that of self-preservation, that is the foundation of a right to the creatures for the particular support and use of each individual person himself. But, next to this, God planted in men a strong desire also of propagating their kind, and continuing themselves in their posterity; and this gives children a title to share in the property of their parents, and a right to inherit their possessions. Men are not proprie- tors of what they have, merely for themselves; their children have a title to part of it, and have their kind of right joined with their parents, in the possession which comes to be wholly theirs, when death, having put an end to their parents use of it, hath taken them from their possessions ; and this we call inheritance : men being by a like obligation bound to pre- serve what they have begotten, as to preserve themselves, their issue come to have a right in the goods they are possessed of. That chil- dren have such a right, is plain from the laws of God ; and that men are convinced that children have such a right, is evident from the law of the land ; both which laws require parents to provide for their children.

§. 89. For children being by the course of nature, born weak, and unable to provide for themselves, they have by the appointment of God himself, who hath thus ordered the course of nature, a right to be nourished and main- tained by their parents ; nay, a right not only

to a bare subsistence, but to the conveniencies and comforts of life, as far as the conditions of their parents can afford it. Hence it comes, that when their parents leave the world, and so the care due to their children ceases, the effects of it are to extend as far as possibly they can, and the provisions they have made in their life-time, are understood to be intended, as nature requires they should, for their chil- dren, whom, after themselves, they are bound to provide for : though the dying parents, by express words, declare nothing about them, nature appoints the descent of their property to their children, who thus come to have a title, and natural right of inheritance to their fathers goods, which the rest of mankind cannot pretend to.

§. 90. Were it not for this right of being nourished and maintained by their parents, which God and nature has given to children, and obliged parents to as a duty, it would be reasonable, that the father should inherit the estate of his son, and be preferred in the inhe- ritance before his grandchild : for to the grand- father there is due a long score of care and expences laid out upon the breeding and education of his son, which one would think in justice ought to be paid. But that having been done in obedience to the same law, whereby he received nourishment and educa- tion from his own parents : this score of education, received from a man's father, is paid

by taking care, and providing for his own children ; is paid, I say, as much as is required of payment by alteration of property, unless present necessity of the parents require a return of goods for their necessary support and sub- sistence : for we are not now speaking of that reverence, acknowledgment, respect and ho- nour, that is always due from children to their parents ; but of possessions and commodities of life valuable by money. But though it be incumbent on parents to bring up and provide for their children, yet this debt to their children does not quite cancel the score due to their parents ; but only is made by nature preferable to it: for the debt a man owes his father, takes place, and gives the father a right to in- herit the son's goods, where, for want of issue, the right of children doth not exclude that title. And therefore a man

having a right to be maintained by his children, where he needs it; and to enjoy also the comforts of life from them, when the necessary provision due to them and their children will afford it; if his son die without issue, the father has a right in nature to possess his goods, and inherit his estate, (whatever the municipal laws of some countries may absurdly direct otherwise ;) and so again his children and their issue from him ; or, for want of such, his father and his issue. But where no such are to be found, i. e. no kindred, there we see the possessions of a private man revert to the community, and so

in politic societies come into the hands of the public magistrate ; but in the state of nature become again perfectly common, nobody having a right to inherit them : nor can any one have a property in them, otherwise than in other things common by nature ; of which 1 shall speak in its due place.

§. 9J. I have been the larger, in shewing upon what ground children have a right to succeed to the possession of their fathers pro- perties, not only because by it, it will appear, that if Adam had a property (a titular, insigni- ficant, useless property; for it could be no better, for he was bound to nourish and maintain his children and posterity out of it) in the whole earth and its product, yet all his children coming to have, by the law of nature, and right of inheritance, a joint title, and right of property in it after his death, it could convey no right of sovereignty to any one of his pos- terity over the rest : since every one having a right of inheritance to his portion, they might enjoy their inheritance, or any part of it in common, or share it, or some parts of it, by division, as it best liked them. But no one could pretend to the whole inheritance, or any sovereignty supposed to accompany it; since a right of inheritance gave every one of the rest, as well as any one, a title to share in the goods of his father. Not only upon this account, 1 say, have I been so particular in examining tht reason of children's inheriting

the property of their fathers, but also because it will give us farther light in the inheritance of rule and power, which in countries where their particular municipal laws give the whole pos- session of land entirely to the first-born, and descent of power has gone so to men by this custom, some have been apt to be deceived into an opinion, that there was a natural or divine right of primogeniture, to both estate and power; and that the inheritance of both rule over men, and property in tilings, sprang from the same original, and were to descend by the same rules.

§. 92. Property, whose original is from the right a man has to use any of the inferior creatures, for the subsistence and comfort of his life, is for the benefit and sole advantage of the proprietor, so that he may even destroy the thing, that he has property in by his use of it, where need requires: but government being for the preservation of every man's right and property, by preserving him from the violence or injury of others, is for the good of the govern- ed : for the magistrate's sword being for a terror to evil doers, and by that terror to in- force men to observe the positive laws of the society, made conformable to the laws of nature, for the public good, i. e. the good of every particular member of that society, as far as by common rules it can be provided for; the sword is not given the magistrate for his own good alone.

§. 93. Children therefore, as has been shew- ed, by the depend ance they have on their parents for subsistence, have a right of inheri- tance to their fathers property, as that which belongs to them for their proper good and behoof, and therefore are fitly termed goods, wherein the first-born has not a sole or peculiar right by any law of God and nature, the younger children having an equal title with him, founded on

that right they all have to maintenance, support, and comfort from their parents, and on nothing else. But government being for the benefit of the governed, and not the sole advantage of the governors, (but only for theirs with the rest, as they make a part of that politic body, each of whose parts and members are taken care of, and directed in its peculiar functions for the good of the whole, by the laws of society) cannot be inherited by the same title, that children have to the goods of their father. The right a son has to be maintained and provided with the necessaries and conveniencies of life out of his father's stock, gives him a right to succeed to his father's property for his own good ; but this can give him no right to succeed also to the rule, which his father had over other men. All that a child has right to claim from his father is nourishment and education, and the things nature furnishes for the support of life : but he has no right to demand rule or dominion from him : he can subsist and receive from him

(lie portion of good tilings, and advantages of education naturally due to him, without empire and dominion. That (if his father hath any) was vested in him, for the good and behoof of others : and therefore the son cannot claim or inherit it by a title, which is founded wholly on his own private good and advantage.

§. 94. We must know how the first ruler, from whom any one claims, came by his au- thority, upon what ground any one has empire, what his title is to it, before we can know who has a right to succeed him in it, and inherit it from him : if the agreement and consent of men first gave a sceptre into any one's hand, or put a crown on his head, that also must direct its descent and conveyance ; for the same authority, that made the first a lawful ruler, must make the second too, and so give right of succession: in this case inheritance, or primogeniture, can in itself have no pretence to it, any farther than that consent, which established the form of the government, »hath so settled the succession. And thus we see, the succession of crowns, in several countries, places it on different heads, and he comes by right of succession to be a prince in one place, who would be a subject in another.

§. 95. If God, by his positive grant and re- vealed declaration, first gave rule and dominion to any man, he that will claim by that title, must have the same positive grant of God for his succession: for if that has not directed the

course of its descent and conveyance down to others, nobody can succeed to this title of the first ruler. Children have no right of inheri- tance in this ; and primogeniture can lay no claim to it, unless God, the author of this constitution, hath so ordained it. Thus we see, the pretensions of Saul's family, who re- ceived his crown from the immediate appoint- ment of God, ended with his reign; and David, by the same title that Saul reigned, viz. God's appointment, succeeded in his throne, to the exclusion of Jonathan, and all pretensions of paternal inheritance : and if Solomon had a right to succeed his father, it must be by some other title, than that of primogeniture. A cadet, or sister's son, must have the preference in succession, if he has the same title the first law- ful prince had : and in dominion that had its foundation only in the positive appointment of God himself, Benjamin, the youngest, must have the inheritance of the crown, if God so direct, as well as one of that tribe had the first possession.

§. 96. If paternal right, the act of begetting, give a man rule and dominion inheritance or primogeniture can give no title : for he that cannot succeed to his father's title, which was begetting, cannot succeed to that

power over his brethren, which his father had by paternal right over them. But of this I shall have occasion to say more in another place. This is plain in the mean time, that any government,

whether supposed to be at first founded in paternal rigid, consent of the people, or the positive appointment of God himself, which ran supersede either of the other, and so begin a new government upon a new foundation ; I say, any government began upon either of these, can by right of succession come to those only, who have the title of him they succeed to : power founded on contract can descend only to him, who has right by that contract : power founded on begetting, he only can have that begets; and power founded on the positive grant or donation of God, he only can have by right of succession, to whom that grant directs it.

§. 97. From what I have said, I think this is clear, that a right to the use of the creatures, being founded originally in the right a man has to subsist and enjoy the conveniencies of life ; and the natural right children have to inherit the goods of their parents, being founded in the right they have to the same subsistence and commodities of life, out of the stock of their parents, who are therefore taught by natural love and tenderness to provide for them, as a part of themselves ; and all this being only for the good of the proprietor, or heir; it can be no reason for children's inheriting of rule and dominion, which has another original and a different end. Nor can primogeniture have any pretence to a right of solely inheriting either property or power, as we shall, in its due

place, see more fully. It is enough to have shewed here, that Adam's property, or private dominion, could not convey any sovereignty or rule to his heir, who not having a right to in- herit all his fathers possessions, could not thereby come to have any sovereignty over his brethren : and therefore, if any sovereignty on account of his property had been vested in Adam, which in truth there was not, yet it would have died with him.

§. 98. As Adams sovereignty, if, by virtue of being proprietor of the world, he had any authority over men, could not have been in- herited by any of his children over the rest, because they had the same title to divide the inheritance, and every one had a right to a portion of his father's possessions ; so neither could Adams sovereignty by right of father- hood, if any such he had, descend to any one of his children : for it being, in our author's account, a right acquired by begetting to rule over those he had begotten, it was not a power possible to be inherited, because the right being* consequent to, and built on, an act perfectly personal, made that power so too, and impos- sible to be inherited : for paternal power, being a natural right rising only from the relation of father and son, is as impossible to be inherited as the relation itself; and a man may pretend as well to inherit the conjugal power the hus- band, whose heir he is, had over his wife, as he can to inherit the paternal power of a father

over his children : for the power of the husband being founded on contract, and the power of the father on begetting, he may as well inherit the power obtained by the conjugal contract, which was only personal, as he may the power obtained by begetting-, which could reach no farther than the person of the begetter, unless begetting can be a title to power in him that does not beget.

§. 90. Which makes it a reasonable question to ask, whether Adam, dying before Eve, his heir, (suppose Cain or Seth) should have by right of inheriting Adam s fatherhood, sovereign power over Eve his mother : for Adams father- hood being nothing but a right he had to govern his children, because he begot them, he that inherits Adams fatherhood, inherits nothing, even in our author's sense, but the right Adam had to govern his children, because he begot them : so that the monarchy of the heir would not have taken in Eve; or if it did, it being nothing but the fatherhood of Adam descended by inheritance, the heir must have right to govern Eve, because Adam begot her; for fatherhood is nothing else.

§. 100. Perhaps it will be said with our author, that a man can alien his power over his child; and what may be transferred by compact, may be possessed by inheritance. I answer, a father cannot alien the power he has over his child : he may perhaps to some degrees forfeit it, but cannot transfer it; and if any

other man acquire it, it is not by the fathers grant, but by some act of his own. For ex- ample, a father, naturally careless of his child, sells or gives him to another man ; and he again exposes him ; a third man finding him, breeds up, cherishes, and provides for him as his own : I think in this case, nobody will doubt, but that the greatest part of filial duty and subjection was here owing, and to be paid to this foster-father ; and if any thing could be demanded from the child by either of the other, it could only be due to his natural father, who perhaps might have forfeited his right to much of that duty comprehended in the com- mand, Honour your parents, but could transfer none of it to another. He that purchased, and neglected the child, got by his purchase and grant of the father, no title to duty or honour from the child ; but only he acquired it, who by his own authority, performing the office and care of a father, to the forlorn and perishing infant, made himself, by paternal care, a title to proportionable degrees of paternal power. This will be more easily admitted upon consi- deration of the nature of paternal power, for which I refer my reader to the second book.

§. 101. To return to the argument in hand ; this is evident, That paternal power arising only from begetting, for in that our author places it alone, can neither be transferred nor inherited : and he that does not beget, can no more have paternal power, which arises from

thence, than he can have a right to any thing, who performs not the condition, to which only it is annexed. If one should ask, by what law has a father power over his children? it will be answered, no doubt, by the law of nature, which gives such a power over them, to him that begets them. If one should ask likewise, by what law does our author's heir come by a right to inherit? I think it would be answered, by the law of nature too : for I find not that our author brings one word of scripture to prove the right of such an heir he speaks of. Why then the law of nature gives fathers paternal power over their children, because they did beget them ; and the same law of nature gives the same paternal power to the heir over his brethren, who did not beget them : whence it follows, that either the father has not his paternal power by begetting, or else that the heir has it not at all ; for it is hard to understand how the law of nature, which is the law of reason, can give the paternal power to the father over his children, for the only reason of begetting ; and to the first-born over his brethren without this only reason, i. c. for no reason at all : and if the eldest, by the law of nature, can. inherit this paternal power, without the only reason that gives a title to it, s<> may the youngest as well as he, and a stranger as well as either; for where there is no reason for any our, as then- is

not, but for him that begets, all have an equal title. I am

sure our author offers no reason ; and when any body does, we shall see whether it Avill hold or no.

§. 102. In the mean time it is as good sense to say, that by the law of nature a man has right to inherit the property of another, because he is of kin to him, and is known to be of his blood ; and therefore, by the same law of nature, an utter stranger to his blood has right to inherit his estate ; as to say that, by the law of nature, he that begets them has paternal power over his children, and therefore, by the law of nature, the heir that begets them not, has this paternal power over them ; or suppo- sing the law of the land gave absolute power over their children, to such only who nursed them, and fed their children themselves, could any body pretend, that this law gave any one, who did no such thing, absolute power over those, who were not his children ?

<§. 103. When therefore it can be shewed, that conjugal power can belong to him that is not an husband, it will also I believe be proved, that our author's paternal power, acquired by begetting, may be inherited by a son ; and that a brother, as heir to his father's power, may have paternal power, over his brethren, and by the same rule conjugal power too: but till then, I think we may rest satisfied, that the paternal power of Adam, this sovereign autho- rity of fatherhood, were there any such, could not descend to, nor be inherited by, his next

heir. Fatherly power, I easily grant our author, if it will do him any good, can never be lost, because it will be as long in the world as there are fathers : but none of them will have Adams paternal power, or derive their's from him; but every one will have his own, by the same title Adam had his, viz. by begetting', but not by inheritance, or succession, no more than husbands have their conjugal power by inheri- tance from Adam. And thus we see, as Adam had no such property, no such paternal poiver, as gave him sovereign jurisdiction over man- kind ; so likewise his sovereignty built upon either of these titles, [if he had any such, could not have descended to his heir, but must have ended with him. Adam therefore, as lias been proved, being neither monarch, nor his imagi- nary monarchy hereditable, the power which is now in the world, is not that which was Adam's, since all that Adam could have upon our author's grounds, either of property or fatherhood, necessarily died with him, and could not be conveyed to posterity by inheri- tance. In the next place we will consider, whether Adam had any such heir, to inherit his power, as our author talks of.

Of the Heir to Adam's Monarchical Power.

§. 104. Our author tells us, Observations, 253. That it is a truth undeniable, that there cannot be any multitude of men whatsoever, either great or small, though gathered together from the several corners and remotest regions of the world, but that in the same multitude, con- sidered by itself, there is one man amongst them, that in nature hath a right to be king of all the rest, as being the next heir to Adam, and all the other subjects to him : every man by nature is a king or a subject. And again, p. 20. If Adam himself ivere still living, and now ready to die, it is certain that there is one man, and but one in the world, ivho is next heir. Let this multitude of men be, if our author pleases, all the princes upon the earth, there will then be, by our authors rule, one amongst them, that in nature hath a right to be king of all the rest, as being the

right heir to Adam ; an excellent way to establish the thrones of princes, and settle the obedience of their subjects, by setting- up an hundred, or perhaps a thousand titles (if there be so many princes in the world) against any king now reigning, each as good, upon our author's grounds, as his who wears the crown. If this right of heir carry any weight with it, if it be the ordinance of God, as our

tuthor seems to tell us, Observations, 241. must not all be subject to it, from the highest to the lowest? Can those who wear the name of princes, without having the right of being heirs to Adam, demand obedience from their subjects by this title, and not be bound to pay it by the s;une law ? Either governments in the world are not to be claimed, and held by this title of Adam's heir ; and then the starting of it is to. no purpose, the being or not being Adam's heir, signifies nothing as to the title of dominion : or if it really be, as our author says, the true title to government or sovereignty, the first thing to be done, is to find out this true heir of Adam, scat him in his throne, and then all the kings and princes of the world ought to come and resign up their crowns and sceptres to him, as things that belong no more to them, than to any of their subjects.

§. 105. For either this right in nature, of Adams heir, to be king over all the race of men, (for all together they make one multitude) is a right not necessary to the making of a lawful king, and so there may be lawful kings without it, and then kings titles and power depend not on it ; or else all the kings in the world but one are not lawful kings, and so have no right to obedience : either this title of heir to Adam is that whereby kings hold their crowns, and have a right to subjection from their subjects, and then one only can have it, ind the rest being subjects can require no

obedience from other men, who are but their fellow-subjects; or else it is not the title whereby kings rule, and have a right to obe- dience from their subjects, and then kings are kings without it, and this dream of the natural sovereignty of Adams heir is of no use to obedience and government : for if kings have a right to dominion, and the obedience of their subjects, who are not, nor can possibly be, heirs to Adam, what use is there of such a title, when we are obliged to obey without it? If kings, who are not heirs to Adam, have no right to sovereignty, we are all free, till our author, or any body for him, will shew us Adam's right heir. If there be but one heir of Adam, there can be but one lawful king in the world, and nobody in conscience can be obliged to obedience till it be resolved who that is ; for it may be any one, who is not known to be of a younger house, and all others have equal titles. If there be more than one heir of Adam, every one is his heir, and so every one has regal power: for if two sons can be heirs together, then all the sons are equally heirs, and so all arc heirs, being all sons, or sons sons of Adam. Betwixt these two the right of heir cannot stand ; for by it either but one only man, or all men are kings. Take which you please, it dissolves the bonds of government and obedience; since, if all men are heirs, they can owe obedience to nobody; if only • mi be obliged to pay ol>< di< m -

him, till he be known, and his t it 1« made out

§. 106. The great question which in all ages has disturbed mankind, and brought on them the greatest part of those mischiefs which have ruined cities, depopulated countries, and disordered the peace of the world, has been, not whether there be power in the world, nor whence it came, but who should have it. The settling of this point being of no smaller mo- ment than the security of princes, and the peace and welfare

of their estates and king- doms, a reformer of politics, one would think, should lay this sure, and be very clear in it : for if this remain disputable, all the rest will be to very little purpose; and the skill used in dressing up power with all the splendour and temptation absoluteness can add to it, without shewing who has a right to have it, will serve only to give a greater edge to man's natural ambition, which of itself is but too keen. What can this do but set men on the more eagerly to scramble, and so lay a sure and lasting foundation of endless contention and disorder, instead of that peace and tranquillity, which is the business of government, and the end of human society ?

§. 107. This designation of the person our author is more than ordinary obliged to take

care of, because he, affirming that the assign- ment of civil poiver is by divine institution, hath made the conveyance as well as the power itself sacred : so that no consideration, no act or art of man, can divert it from that person, to whom, by this divine right, it is assigned ; no necessity or contrivance can substitute another person in his room : for if the assign- ment of civil power be by divine institution, and Adams heir be he to whom it is thus assigned, as in the foregoing chapter our author tells us, it would be as much sacrilege for any one to be king, who was not Adams heir, as it would have been amongst the Jews, for any one to have been priest, who had not been of Aaron s posterity : for not only the priesthood in general being by divine institution, but the assignment of it to the sole line and posterity of Aaron, made it impossible to be enjoyed or exercised by any one, but those persons who were the offspring of Aaron : whose succession therefore was carefully observed, and by that the persons who had a right to the priesthood certainly known.

§. 108. Let us see then what care our author has taken, to make us know who is this heir, who by divine institution has a right to be king over all men. The first account of him we meet with is, p. 12. in these words: This sub- jection of children, being the fountain of all regal authority, by the ordination of God him- wff> it follows, that civil power, not only in

general, is by divine institution, bat even the, assignment of it, specifically to Ike eldest parents. Matters of such consequence as this is, should be in plain words, as little liable, as might be, to doubt or equivocation; and I think, if language be capable of expressing any thing distinctly and clearly, that of kindred, and the several degrees of nearness of blood, is one. It were therefore to be wished, that our author had used a little more intelligible expressions here, that we might have better known, who it is, to whom the assignment of civil power is made by divine institution ; or at least would have told us what he meant by eldest parents : for I believe, if land had been assigned or granted to him, and the eldest parents of his family, he would have thought it had needed an interpreter ; and it would scarce have been known to whom it next belonged.

^. 109. In propriety of speech, (and certainly propriety of speech is necessary in a discourse of this nature) eldest parents signifies either the eldest men and women that have had children, or those who have longest had issue ; and then our author's assertion will be, that those fathers and mothers, who have been longest in the world, or longest fruitful, have by divine insti- tution a right to civil potter. If there be any absurdity in this, our author must answer for it: and if his meaning be different from my explication, he is to be blamed, that he would not speak it plainly. This I am sure, parents

cannot signify heirs male, nor eldest parents an infant child : who yet may sometimes be the true heir, if there can be but one. And we are hereby still as much at a loss, who civil power belongs to, notwithstanding this assignment by divine institution, as if there had been no such assignment at all, or our author had said no- thing of it. This of eldest parents leaving us more in the dark, who by divine institution has a right to civil power, than those who never heard any thing at all of heir, or descent, of which our author is so full. And though the chief matter of his writing be to teach obedience to those, who have a right to it, which he tells us is conveyed by descent, yet who those are, to whom this right by descent belongs, he leaves, like the philosophers stone in politics, out of the reach of any one to discover from his writings.

§. 110. This obscurity cannot be imputed to want of language in so great a master of style as Sir Robert is, when he is resolved with himself what he would say: and therefore, I fear, finding how hard it would be to settle rules of descent by institution, and how little it would be to his purpose, or conduce to the clearing and establishing the titles of princes, if such rules of descent were settled, he chose rather to content himself with doubtful and general terms, which might make no ill sound in nuns ears, who were willing to be pleased with them, rather than offer any clear rules of

descent of this fatherhood of Adam, by which men's consciences might be satisfied to whom it descended, and know the persons who had a right to regal power, and with it to their obedience.

§. 111. How else is it possible, that laying so much stress, as he does, upon descent, and Adam's heir, next, heir, true heir, he should never tell us what heir means, nor the way to know who the next or true heir is ? This, I do not remember, he does any where expressly handle ; but, where it comes in his way, very warily and doubtfully touches ; though it be so necessary, that without it all discourses of government and obedience upon his principles would be to no purpose, and fatherly poiver, never so well made out, will be of no use to any body. Hence he tells us, Observations, 244. That not only the constitution of power in general, but the limitation of it to one kind, (i. e.) monarchy, and the determination of it to the individual person and line of Adam, are all I /tree ordinances of God; neither Eve nor her children could either limit Adam's poiver, or join others with him ; and what ivas given unto Adam ivas given in his person to his posterity. Here again our author informs us, that the divine ordinance hath limited the descent of Adam's monarchical power. To whom? To Adam's lint and posterity, says our author. A

(table limitation, a limitation to all mankind: if our author can find any one amongst

mankind, that is not of the li?ie and posterity of Adam, he may perhaps tell him, who this next heir of Adam is : but for us, I despair how this limitation of Adam's empire to his tine and posterity will help us to find out one heir. This limitation indeed of our author will save those the labour, who would look for him amongst the race of brutes, if any such there were ; but will very little contribute to the discovery of one next heir amongst men, though it make a short and easy determination of the question about the descent of Adam's regal power, by telling us, that the line and posterity of Adam is to have it, that is, in plain English, any one may have it, since there is no person living that hath not the title of being of the line and posterity of Adam; and while it keeps there, it keeps within our author's limitation by God's ordinance. Indeed, p. 19. he tells us, that such heirs are not only lords of their own children, but of their brethren; whereby, and

by the words following, which we shall consider anon, he seems to insinuate, that the eldest son is heir ; but he no where, that I know, says it in direct words, but by the instances of Cain and Jacob, that there follow, we may allow this to be so far his opinion concerning heirs, that where there are divers children, the eldest son has the right to be heir. That primogeniture cannot give any title to paternal power, we have already shewed. That a father may have a natural right to

some kind of power over his children, is easily granted ; hut that an elder brother has so over his brethren, remains to be proved : God or nature has not any where, that I know, placed such jurisdiction in the first-born; nor can reason find any such natural superiority amongst brethren. The law of Moses gave a double portion of the goods and possessions to the eldest; but we find not any where that na- turally, or by God's institution, superiority or dominion belonged to him, and the instances there brought by our author are but slender proofs of a right to civil power and dominion in the first-born, and do rather shew the contrary.

§. 1 12. His words are in the forecited place: And therefore ivefind God told Cain of his bro- ther Abel : his desire shall be subject unto thee, and thou shall rule over him. To which 1 answer,

1. These words of God to Cain, are by many interpreters, with great reason, understood in a quite different sense than what our author uses them in.

2. Whatever was meant by them, it could not be, that Cain, as elder, had a natural do- mion over Abel; for the words are conditional, If thou dost well: and so personal to Cain: and whatever was signified by them, did de- pend on his carriage, and not follow his birth- right; and therefore could by no means be an establishment of dominion in the first-born

in general : for before this Abel had his distinct territories by right of private dominion, as our author himself confesses, Observations, 210, which he could not have had to the prejudice of the heirs title, if by divine institution, Cain as heir were to inherit all his father's dominion.

3. If this were intended by God as the char- ter of primogeniture, and the grant of dominion to elder brothers in general as such, by right of inheritance, we might expect it should have included all his brethren : for we may well suppose, Adam, from whom the world was to be peopled, had by this time, that these were grown up to be men, more sons than these two : whereas Abel himself is not so much as. named ; and the words in the original can scarce, with any good construction, be applied to him.

4. It is too much to build a doctrine of so mighty consequence upon so doubtful and obscure a place of scripture, which may be well, nay better, understood in a quite dif- ferent sense, and so can be but an ill proof, being as doubtful as the thing to be proved by it; especially when there is nothing else in scripture or reason to be found, that favours or supports it.

§. 113. It follows, p. 19. Accordingly when Jacob bought his brothers birth-right, Isaac blessed him thus; Be lord over thy brethren, (uid let the sons of thy mother bow before thee. Another instance, I take it, brought by our

author to evince dominion tine to birth-right, aud an admirable one it is : for it must he no ordinary way of reasoning in a man, that is pleading for the natural power of kings, and against all compact, to bring for proof of it, an example, where his own account of it founds all the right upon compact, and settles empire in the younger brother, unless buying and selling- be no compact; for he tells us, tvhen Jacob bought his brother s birth-right. But passing by that, let us consider the history itself, what use our author makes of it, and we shall find these following mistakes about it.

1 . That our author reports this, as if Isaac had given Jacob this blessing, immediately up- on his purchasing the birth-right ; for he says, when Jacob bought, Isaac blessed him; which is plainly otherwise in the scripture : for it appears, there was a distance of time between, and if we will take the story in the order it lies, it must be no small distance ; all Isaac's sojourning in Gerar, and transactions with Abimelech, Gen. xxvi. coming between ; Re- becca being then beautiful, and consequently young ; but Isaac, when he blessed Jacob, was old and decrepit; and Esau also complains of Jacob, Gen. xxvii. 36. that two times he had supplanted him ; He took aivay my birth-right, says he, and behold now he hath taken away my blessing; words, that I think signify dis- tance of time and difference of action.

2. Another mistake of our author's is, that

he supposes Isaac gave Jacob the blessing, and bid him be lord over his brethren, because he had the birth-right ; for our author brings this example to prove, that he that has the birth- right, has thereby a right to be lord over his brethren. But it is also manifest by the text, that Isaac had no consideration of Jacob's having bought the birth-right; for when he blessed him, he considered him not as Jacob, but took him for Esau. Nor did Esau under- stand any such connection between birth-right and the blessing; for he says, He hath sup- planted me these two times, he took away my birth-right, and behold now he hath taken away my blessing : whereas had the blessing, which was to be lord over his brethren, belonged to the birth-right, Esau could not have com- plained of this second, as a cheat, Jacob having got nothing but what Esau had sold him, when he sold him his birth-ri<rht ; so that it is plain, dominion, if these words signify it, was not understood to belong to the birth-ri<>'ht.

\. 114. And that in those days of the pa- triarchs, dominion was not understood to be the right of the heir, but only a greater portion of goods, is plain from Gen. xxi. 10. for Sarah, taking Isaac to be heir, says, Cast out this bondwoman and her son, for the son of this bondwoman shall not be heir with my son: whereby could be meant nothing, but that he should not have a pretence to an equal share of his father's estate after his death, but should

have his portion presently, and begone. Ac- cordingly we read, Gen. xxv. 5, 6. That Abraham gave all he had unto Isaac, but unto the sons of the concubines which Abraham had, Abraham gave gifts, and sent them away from Isaac Ms son, ivhile he yet lived. That is, Abra- ham having- given portions to all his other sons, and sent them away, that which he had re- served, being the greatest part of his substance, Isaac as heir possessed after his , death : but by being heir, he had no right to be lord over his brethren; for if he had, why should Sarah endeavour to rob him of one of his subjects, or lessen the number of his slaves, by desiring to have Ishmael sent away ?

§. 115. Thus, as under the law, the privi- lege of birth-right was nothing but a double portion : so we see that before Moses, in the patriarchs time, from whence our author pre- tends to take his model, there was no know- ledge, no thought, that birth-right gave rule or empire, paternal or kingly authority, to any one over his brethren. If this be not plain enough in the story of Isaac and Ishmael, he that will look into 1 Chron. v. 12. may read these words ; Reuben ivas the first-born ; but forasmuch as he defiled his father's bed, his birth-right, ivas given unto the sons of Joseph, the son of Israel : and the genealogy is not to be reckoned after the birth-right; for Judah prevailed above his brethren, and of him came the chief rider ; but the birth-right was Joseph's.

What this births-right was, Jacob blessing* Jo- seph, Gen. xlviii. 22. telleth us in these words, Moreover I have given thee one "portion above thy brethren, which I took out of the hand of the Amorite, with my sword and with my bow. AVhereby it is not only plain, that the birth- right was nothing but a double portion; but the text in Chronicles is express against our author's doctrine, and shews that dominion was no part of the birth-right ; for it tells us, that Joseph had the birth-right, but Judah the dominion. One would think our author were very fond of the very name of birth-right, when he brings this instance of Jacob and Esau, to prove that dominion belongs to the heir over his brethren.

§.116. 1. Because it will be but an ill ex- ample to prove, that dominion by God's ordi- nation belonged to the eldest son, because Ja- cob the youngest here had it, let him come by it how he would : for if it prove any thing, it can only prove, against our author, that tin1 assignment of dominion to the eldest is not by divine institution, which would then be unalter- able: for if by the law of God, or nature, absolute power and empire belongs to the eldest son and his heirs, so that they are su- preme monarchs, and all the rest of their brethren slaves, our author gives us reason to doubt whether the eldest son has a power to part with it, to the prejudice of his posterity, since he tells us, Observations, 158. That in

grants and gifts that have their original from God or nature, no inferior power of man can limit or make any law of prescription against them.

<§. 117. 2. Because this place, Gen. xxvii. 29. brought by our author, concerns not at all the dominion of one brother over the other, nor the subjection of Esau to Jacob : for it is plain in the history, that Esau was never subject to Jacob, but lived apart in mount Seir, where he founded a distinct people and government, and was himself prince over them, as much as Jacob was in his own family. This text, if considered, can never be understood of Esau himself, or the personal dominion of Jacob over him : for the words brethren and sons of thy mother, could not be used literally by Isaac, who knew Jacob had only one brother; and these words are so far from being true in a literal sense, or establishing any dominion in Jacob over Esau, that in the story we find the quite contrary, for Gen. xxxii. Jacob several times calls Esaulord, and himself his servant; and Gen. xxxiii. he bowed himself seven times to the ground to Esau. Whether Esau then were a subject and vassal (nay, as our author tells us, all subjects are slaves) to Jacob, and Jacob his sovereign prince by birth -right, I leave the reader to judge; and to believe if he ran, that these words of Isaac, Ee lord over thy brethren, and let thy mother s sons bow down to thee, confirmed Jacob in a sovereignty over

Esau, upon the account of the birth-right he had got from him.

§. 118. He that reads the story of Jacob and Esau, will find there was never any jurisdiction or authority, that either of them had over the other after their father's death: they lived with the friendship and equality of brethren, neither lord, neither slave to his brother ; but indepen- dent each of other, were both heads of their distinct families, where they received no laws from one another, but lived separately, and were the roots out of which sprang two distinct people under two distinct governments. This blessing then of Isaac, whereon our author would build the dominion of the elder brother, signifies no more, but what Rebecca had been told from God, Gen. xxv. 23. Two nations are in thy ivomb, and tico manner of people shall be separated from thy bowels, and the one people shall be stronger than the other people, and the elder shall serve the younger; and so Jacob blessed Judah, Gen, xlix. and gave him the sceptre and dominion, from whence our author might have argued as well, that jurisdiction and dominion belongs to the third son over his brethren, as well as from this blessing of Isaac, that it belonged to Jacob: both these places contain only predictions of what should long after happen to their posterities, and not any declaration of the right of inheritance to do- minion in either. And thus we have our an-

thDr's two great and only arguments to prove, that heirs are lords over their brethren.

1. Because God tells Cain, Gen. iv. that however sin might set upon him, he ought or might be master of it : for the most learned in- terpreters understood the words of sin, and not of Abel, and give so strong reasons for it, that nothing can convincingly be inferred from so doubtful a text, to our author's purpose.

2. Because in this of Gen. xxvii. Isaac fore- tels that the Israelites, the posterity of Jacob, should have dominion over the Edomites, the posterity of Esau ; therefore says our author, heirs are lords of their brethren: I leave any one to judge of the conclusion.

§. 119. And now we see how our author has provided for the descending, and convey- ance down of Adams monarchical power, or paternal dominion to posterity, by the inhe- ritance of his heir, succeeding to all his father's authority, and becoming upon his death as much lord as his father was, not only over his own children, but over his brethren, and all descended from his father, and so in infinitum. But yet who this heir is, he does not once tell us ; and all the light we have from him in this so fundamental a point, is only, that in his in- stance of Jacob, by using the word birth-right, as that which passed from Esau to Jacob, he haves us to guess, that by heir, he means the eldest son; though I do not remember he any where mentions expressly the title of the first-

born, but all along keeps himself under the shelter of the indefinite term heir. But taking it to be his meaning, that the eldest son is heir, (for if the eldest be not, there will be no pre- tence why the sons should not be all heirs alike) and so by right of primogeniture has dominion over his brethren ; this is but one step towards the settlement of succession, and the difficulties remain still as much as ever, till he can shew us who is meant by right heir, in all those cases which may happen where the present possessor hath no son. This he silently passes over, and perhaps wisely too : for what can be wiser, after one has affirmed, that the person having that power, as icell as the power and form of government, is the ordinance of God, and by divine institution, vid. Observations, 254. p. 12. than to be careful, not to start any question concerning the person, the resolution whereof will certainly lead him into a confes- sion, that God and nature hath determined nothing about him? And if our author cannot shew who by right of nature, or a clear positive

law of God, has the next right to inherit the dominion of this natural monarch he has been at such pains about, when he died without a son, he might have spared his pains in all the rest, it being more necessary for the settling men's consciences, and determining their sub- jection and allegiance, to shew them who by original right, superior and antecedent to the will, or any act of men, hath a title to this

paternal jurisdiction, than it is to shew that by nature there was such a jurisdiction; it being to no purpose for me to know there is such a paternal power, which I ought, and am dis- posed to obey, unless, where there are many pretenders, I also know the person that is rightfully invested and endowed with it.

<§. 120. For the main matter in question being concerning the duty of my obedience, and the obligation of conscience I am under to pay it to him that is of right my lord and ruler, 1 must know the person that this right of pater- nal power resides in, and so impowers him to claim obedience from me: for let it be true what he says, p. 12. That civil poiver not only in general is by divine institution, but even the assignment of it specially to the eldest parents ; and Observations, 254. That not only the power, or right of government, but the form of the power of governing, and the person having that power, are all the ordinance of God ; yet unless he shew us in all cases, who is this person ordained by God, who is this eldest parent; all his abstract notions of monarchical power will signify just nothing, when they are to be reduced to practice, and men are con- scientiously to pay their obedience : for paternal jurisdiction being not the thing to be obeyed, because it cannot command, but is only that which gives one man a right which another hath not, and if it come by inheritance, another man cannot have, to command and be obeyed ;

it is ridiculous to say, I pay obedience to the paternal powe?', when I obey him, to whom paternal power gives uo right to my obedience : for he can have no divine right to my obedience, who cannot shew his divine right to the power of ruling over me, as well as that by divine right there is such a power in the world.

<§. 121. And hence not being able to make out any princes title to government, as heir to Adam, which therefore is of no use, and had been better let alone, he is fain to resolve all into present possession, and make civil obe- dience as due to an usurper, as to a lawful king ; and thereby the usurper s title as good. His words are, Observations, 253. and they deserve to be remembered : If an usurper dis- possess the true heir, the subjects obedience to the fatherly power must go along, and wait upon God's providence. But I shall leave his title of usurpers to be examined in its due place, and desire my sober reader to consider what thanks princes owe such politics as this, which can suppose paternal poiver (i. e.) a right to government in the hands of a Cade, or a Cromwell ; and so all obedience being due to paternal power, the obedience of subjects will be due to them, by the same right, and upon as good grounds, as it is to lawful princes ; and yet this, as dangerous a doctrine as it is, must necessarily follow from making all politi- cal power to be nothing else, but Adam's pa- ternal power by right and divine institution,

descending from him without being able to shew to whom it descended, or who is heir to it.

§. 12*2. To settle government in the world, and to lay obligations to obedience on any man's conscience, it is necessary (supposing with our author that all power be nothing but the being possessed of Adams j at her hood) to satisfy him, who has a right to this power, this fatherhood, when the possessor dies without sons

to succeed immediately to it, as it was to tell him, that upon the death of the father, the eldest son had a right to it: for it is still to be remembered, that the great question is, (and that which our author would be thought to contend for, if he did not sometimes forget it) what persons have a right to be obeyed, and not whether there be a power in the world, which is to be called paternal, without knowing in whom it resides : for so it be a power, i. e. right to govern, it matters not, whether it be termed paternal or regal, natural or acquired; whether you call it supreme fatherhood, or su- preme brotherhood, will be all one, provided we know who has it.

§. 123. I go on then to ask, whether in the inheriting of this paternal power, this supreme fatherhood, the grandson by a daughter hath a right before a nephew by a brother ? Whether the grandson by the eldest son, being an infant, before the younger son, a man and able? \\ hether the daughter before (he uncle ? or any other man, descended by a male line? Whether

a grandson by a young daughter, before a grand-daughter by an elder daughter? Whether the elder son by a concubine, before a younger son by a wife? From whence also will arise many questions of legitimation, and what in nature is the difference betwixt a wife and a concubine? for as to the municipal or positive laws of men, they can signify nothing here. It may farther be asked, Whether the eldest son, being a fool, shall inherit this paternal ■power, before the younger, a wise man ? and what degree of folly it must be that shall ex- clude him? and who shall be judge of it? Whether the son of a fool, excluded for his folly, before the son of his wise brother who reigned? Who has the paternal power whilst the widow-queen is with child by the deceased king, and nobody knows whether it will be a son or a daughter? Which shall be heir of the two male-twins, who by the dissection of the mother were laid open to the world ? Whether a sister by the half blood, before a brother's daughter by the whole blood ?

§. 124. These, and many more such doubts, might be proposed about the titles of succes- sion, and the right of inheritance ; and that not as idle speculations, but such as in history we shall find have concerned the inheritance of crowns and kingdoms; and if ours want them, we need not go farther for famous examples of it, than the other kingdom in this very island, which having been fully related by the ingenious

and learned author of Patriarcha non Monar- ches, I need say no more of. Till our author hath resolved all the doubts that may arise about the next heir, and shewed that they are plainly determined by the law of nature, or the revealed law of God, all his suppositions of a monarchical, absolute, supreme, paternal power in Adam, and the descent of that power to his heirs, would not be of the least use to establish the authority, or make out the title, of any one prince now on earth ; but would rather unsettle and bring all into question : for let our author tell us as long as he pleases, and let all men believe it too, that Adam had a paternal, and thereby a monarchical power; that this (the on\y power in the world) descended to his heirs; and that there is no other power in the world but this : let this be all as clear demonstration, as it is manifest error, yet if it be not past doubt, to whom this paternal power descends, and whose now it is, nobody can be under any obligation of obedience, unless any one will say, that I am bound to pay obedience to paternal poiver in a man who has no more paternal power than 1 myself; which is all one as to say, I obey a man, because he has a right to govern ; and if I be asked, how I know he has a right to govern, I should answer, it cannot be known, that he has any at all : for that cannot be the reason of my obedience, which I know not

to be so ; much less can that be a reason of my obe- dience, which nobody at all can know to be so.

§. 125. And therefore all this ado about Adam's fatherhood, the greatness of its power, and the necessity of its supposal, helps nothing to establish the power of those that govern, or to determine the obedience of subjects who are to obey, if they cannot tell whom they are to obey, or it cannot be known who are to govern, and who to obey. In the state the world is now, it is irrecoverably ignorant, who is Adams heir. This fatherhood, this monar- chical power of Adam, descending to his heirs, would be of no more use to the government of mankind, than it would be to the quieting of men's consciences, or securing their healths, if our author had assured them, that Adam had a power to forgive sins, or cure diseases, which by divine institution descended to his heir, whilst this heir is impossible to be known. And should not he do as rationally, who upon this assurance of our author went and confes- sed his sins, and expected a good absolution ; or took physic with expectation of health, from any one who had taken on himself the name of priest or physician, or thrust himself into those employments, saying, I acquiesce in the absolving power descending from Adam, or I shall be cured by the medicinal power descend- ing from Adam ; as he who says, I submit to and obey the paternal power descending from Adam, when it is confessed all these powers descend only to his single heir, and that heir is unknown.

§. 120. It is true, the civil lawyers have pretended to determine some of these cases concerning the succession of princes ; but by our authors principles, they have meddled in a matter that belongs not to them : for if all political power be derived only from Adam, and be to descend only to his successive heirs, by the ordinance of God and divine institution, this is a right antecedent and paramount to all government; and therefore the positive laws of men cannot determine that which is itself the foundation of all law and government, and is to receive its rule only from the law of God and nature. And that being silent in the case, I am apt to think there is no such right to be conveyed this way : I am sure it would be to no purpose if there were, and men would be more at a loss concerning government, and obedience to governors, than if there were no such right ; since by positive laws and compact, which divine institution (if there be any) shuts out, all these endless inextricable doubts can be safely provided against : but it can never be understood, how a divine natural right, and that of such moment as is all order and peace in the world, should be conveyed down to posterity, without any plain natural or divine rule concerning it. And there would be an end of all civil government, if the assignment of civil power were by divine institution to the heir, and yet by that divine institution the per- son of the heir could not be known. This

paternal regal power being by divine right only his, it leaves no room for human prudence, or consent, to place it any where else ; for if only one man hath a divine right to the obedience of mankind, nobody can claim that obedience, but he that can shew that right ; nor can men's consciences by any other pretence be obliged to it. And thus this doctrine cuts up all government by the roots.

§. 127. Thus we see how our author, laying it for a sure foundation, that the very person that is to rule, is the ordinance of God, and by divine institution, tells us at large, only that this person is the heir, but who this heir is, he leaves us to guess ; and so this divine institu- tion, which assigns it to a person whom we have no rule to know, is just as good as an assignment to nobody at all. But, whatever our author does, divine institution makes no such ridiculous assignments : nor can God be supposed to make it a sacred law,

that one certain person should have a right to some- thing, and yet not give rules to mark out, and know that person by, or give an heir a divine right to power, and yet not point out who that heir is. It is rather to be thought, that an heir had no such right by divine institution, than that God should give such a right to the heir, but yet leave it doubtful and undeterminable Avho such heir is.

§. 128. If God had given the land of Canaan to Abraham, and in general terms to some-

body after him, without naming his seed, whereby it might be known who that some- body was, it would have been as good and useful an assignment, to determine the right to the land of Canaan, as it would be the de- termining the right of crowns, to give empire to Adam and his successive heirs after him, without telling who his heir is: for the word heir, without a rule to know who it is, signifies no more than somebody, I know not whom. God making it a divine institution, that men should not marry those who were near of kin, thinks it not enough to say, None of you shall approach to any that is near of kin to him, to uncover their nakedness ; but moreover, gives rules to know who are those near of kin, for- bidden by divine institution; or else that law would have been of no use, it being to no purpose to lay restraint, or give privileges to men, in such general terms, as the particular person concerned cannot be known by. But God not having any where said, the next heir shall inherit all his father's estate or dominion, we are not to wonder, that he hath no where appointed who that heir should be ; for never having intended any such thing, never designed any heir in that sense, we cannot expect he should any where nominate, or appoint any person to it, as we might, had it been otherwise. And therefore in scripture, though the word heir occur, vet there is no such tiling- as heir in our author's sense, one that was by right of

nature to inherit all that his father had, exclu- sive of his brethren. Hence Sarah supposes, that if Ishmael staid in the house, to share in Abrahams estate after his death, this son of a bond-woman might be heir with Isaac ; and therefore, says she, cast out this bond-icoman and her son, for the son of this bond-woman shall iwl be heir with my son : but this cannot excuse our author, who telling us there is, in every number of men, one who is right and next heir to Adam, ought to have told us what the laws of descent are ; but he having been so sparing to instruct us by rules, how to know who is heir, let us see in the next, place, what his history out of scripture, on which he pretends wholly to build his government, give us in this necessary and fundamental point.

§. 129. Our author, to make good the title of his book, p. 13. begins his history of the descent of Adam's regal power, p. 13. in these words : This lordship which Adam by com- ma/id had over the whole world, and by right descending from him, the patriarchs did enjoy, was a large, &c. How does he prove that the patriarchs by descent did enjoy it ? for dominion of life and death, says he, we find Judah the father pronounced sentence of death against Thamar his daughter-in-law for playing the harlot, p. 13. How does this prove that Judah had absolute and sovereign authority? he pro- nounced sentence of death. The pronouncing of sentence of death is not a certain mark of

sovereignty, but usually the office of inferior magistrates. The power of making laws of life and death is indeed a mark of sovereignty, but pronouncing the sentence according to those laws may be done by others, and there- fore this will but ill prove that he had sovereign authority : as if one should say, Judge Jefferies pronounced sentence of death in the late times, therefore Judge Jefferies had sovereign autho-

rity. But it will be said, Judah did it not by commission from another, and therefore did it in his own right. Who knows whether he had any right at all? Heat of passion might carry him to do that which he had no authority to do. Judah had dominion of life and death : how does that appear? He exercised it, he pronounced sentence of death against Thamar : our author thinks it is very good proof, that because he did it, therefore he had a right to do it : he lay with her also : by the same way of proof, he had a right to do that too. If the consequence be good from doing to a right of doing, Absalom too may be reckoned amongst our author's sovereigns, for he pro- nounced such a sentence of death against his brother Amnon, and much upon a like occasion, and had it executed too, if that be sufficient to prove a dominion of life and death.

But allowing this all to be clear demonstra- tion of sovereign power, who was it that had this lordship by right descending to him from Adam, as large and ample as the absolutcst

dominion of any monarch? Judah, says ouv author, Judah, a younger son of Jacob, his father and elder brethren living ; so that if our author's own proof be to be taken, a younger brother may, in the life of his father and elder brothers, by right of descent, enjoy Adam's monarchical power; and if one so qualified may be monarch by descent, why may not every man? If Judah, his father and elder brother living, were one of Adams heirs, I know not who can be excluded from this inheritance; all men by inheritance may be monarchs as well as Judah.

§. 130. 'Touching war, we see that Abraham commanded an army of three hundred and eighteen soldiers of his own family, and Esau met his brother Jacob with four hundred men at arms: for matter of peace, Abraham made a league with Abimelech, Src. p. 13. Is it not possible for a man to have three hundred and eighteen men in his family, without being heir to Adam? A planter in the West Indies has more, and might, if he pleased, (who doubts?) muster them up and lead them out against the Indians, to seek reparation upon any injury received from them ; and all this without the absolute dominion of a monarch, descending to him from Adam. Would it not be an ad- mirable argument to prove, that all power by God's institution descended from Adam by inheritance, and that the very person and power of this planter were the ordinance of God,

because he had power in his family over ser- vants, horn in his house, and bought with his money? For this was just Abraham's case; Ihose who were rich in the patriarch's days, as in the West Indies now, bought men and maid servants, and by their increase, as well as purchasing- of new, came to have large and numerous families, which though they made use of in war or peace, can it be thought the power they had over them was an inheritance descended from Adam, when it was the pur- chase of their money? A man's riding in an expedition against an enemy, his horse bought in a fair would be as good a proof that the owner enjoyed the lordship which Adam by command had over the whole world, by right of descending to him, as Abrahams leading out the servants of his family is, that the patriarchs enjoyed this lordship by descent from Adam : since the title to the power, the master had in both cases, whether over slaves or horses, was only from his purchase ; and the getting a dominion over any thing by bargain and money, is a new way of proving one had it by descent and inheritance.

§. 131. 13 Hi making tear and peace are marks of sovereignty. Let it be so in politic socie- ties: may not therefore a man in the West Indies, who hath with him sons of his own, friends, or companions, soldiers

under pay, or slaves bought with money, or perhaps a band made up all of these, make war and peace, if

there should be occasion, and ratify the articles too with an oath, without being a sovereign, an absolute king over those who went with him ? He that says he cannot, must then allow many masters of ships, many private planters, to be absolute monarchs, for as much as this they have done. War and peace cannot be made for politic societies, but by the supreme power of such societies ; because war and peace, giving a different motion to the force of such a politic body, none can make war or peace, but that which has the direction of the force of the whole body, and that in politic societies is only the supreme power. In voluntary societies for the time, he that has such a power by consent, may make war and peace, and so may a single man for himself, the state of war not consisting in the number of jJartisans, but the enmity of the parties, where they have no superior to appeal to.

§. 132. The actual making of war or peace, is no proof of any other power, but only of disposing those to exercise or cease acts of enmity for whom he makes it ; and this power in many cases any one may have without any politic supremacy : and therefore the making of war or peace will not prove that every one that does so is a politic ruler, much less a king ; for then commonwealths must be kings too, for they do as certainly make war and peace as monarchical government.

§. 133. But granting this a mark of sove-

reignty in Abraham, it is a proof of the descent to him of Adam's sovereignty over the whole world? If it be, it will surely be as good a proof of the descent of Adam's lordship to other's too. And then commonwealths, as well as Abraham, will be heirs of Adam, for they make ivar and peace, as well as he. If you say, that the lordship of Adam doth not by right descend to commonwealths, though they make war and peace, the same say I of Abra- ham, and then there is an end of your argu- ment : if you stand to your argument, and say those that do make war and peace, as com- monwealths do without doubt, do inherit Adam's lordship, there is an end of your mo- narchy, unless you will say, that common- wealths by descent enjoying Adam's lordship are monarchies ; and that indeed would be a new way of making all the governments in the world monarchical.

<§. 134. To give our author the honour of this new invention, for I confess it is not I have first found it out by tracing his principles, and so charged it on him, it is fit my readers know that (as absurd as it may seem) he teaches it himself, p. 23. where he ingenuously says, In all kingdoms and commonwealths in the world, whether the prince be the supreme father of the people, or but the true heir to such a father, or come to the crown by usurpation or election, or whether some few or a multitude govern the

commonwealth; yet still the authority that is in any one, or in many, or in all these, is the only right, and natural authority of a supreme father ; which right of fatherhood, he often tells us, is regal and royal authority; as particularly, p. 12. the page immediately preceding this instance of Abraham. This regal authority, he says, those that govern commonwealths have; and if it be true, that regal and royal authority be in those that govern commonwealths, it is as true that commonwealths are governed by kings ; for if regal authority be in him that go- verns, he that governs must needs be a king, and so all commonwealths are nothing but downright monarchies ; and then what need any more ado about the matter ? The govern-

ments of the world are as they should be, there is nothing but monarchy in it. This, without doubt, was the surest way our author could have found, to turn all other governments, but monarchical, out of the world.

^. 13-5. But all this scarce proves Abraham to have been a king as heir to Adam. If by inheritance he had been king, Lot, who was of the same family, must needs have been his subject, by that title, before the servants in his family ; but we see they lived as friends and equals, and when their herdsmen could not agree, there was no pretence of jurisdiction or superiority between them, but they parted by consent, Gen. xiii. hence he is called both by

Abraham, and by the text, Abrahams brother, the name of friendship and equality, and not of jurisdiction and authority, though he were really but his nephew. And if our author knows that Abraham was Adams heir, and a king-, it was more, it seems, than Abraham himself knew, or his servant whom he sent a wooing for his son ; for when he sets out the advantages of the match, Gen. xxiv. 35. there- by to prevail with the young woman and her friends, he says, / am Abraham's servant, and the Lord hath blessed my master greatly, and he is become great; and he hath given him flocks and herds, and silver and gold, and men-servants and maid-servants, and camels and asses : and Sarah, my master s wife, bare a son to my master when she teas old, and unto him hath he given all he hath. Can one think that a dis- creet servant that was thus particular to set out his master's greatness, would have omitted the crown Isaac was to have, if he had known of any such? Can it be imagined he should have neglected to have told them on such an occa- sion as this, that Abraham was a king, a name well known at that time, for he had nine of them his neighbours, if he or his master had thought any such thing, the likeliest matter of all the rest, to make his errand successful ?