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A

VINDICATION

OF THE

Bishop of *Exeter*.

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VINDICATION

OF THE
RIGHTS OF THE

A
VINDICATION
OF
The Right Reverend
The LORD BISHOP
OF
EXETER,

Occasioned by *1754*
Mr. BENJAMIN HOADLY'S
REFLECTIONS
ON HIS
LORDSHIP'S *Two* Sermons
Of Government,

Preached in St. *Dunstan's* Church,
March 8, 1704. And before Her
Majesty, March 8, 1708.

*And one of them that stood by, smote him on the
Mouth, and said; Revilest thou God's High-
Priest? Acts 23. 2, 3, 4.*

LONDON, Printed for *A. Baldwin* at the
Oxford-Arms in *Warwick-Lane.* 1709.

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VINDICATION

Of the Right Reverend

The Lord Bishop of *Exeter*.

FANCY and *Humour* are sufficient Pleas for Love in things *purely sensual*: but the Affections of the *Soul* must be accounted for; Nothing is more dangerous to Mankind, than *Intellectual Dotage*; We are not to chuse Reasons by *Fashion*, or to embrace an Hypothesis for the sake of its *Colour* and *Complexion*: but must justify what we *believe* to the World, and never admire the Opinions of other Men, unless we are able to give a very

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good Account of their *Real Beauty* and *Perfection*. This alone has induc'd me to vindicate *My Lord of EXETER*, against all, that Mr. HOADLY, under the Title of *Considerations*, has lately been pleas'd to offer to the Publick; I am in no other Relation to his Lordship, than that of an Admirer; His Lordship is only known to me, as he is to the better Part of Mankind, by his Learned and Rational Writings: and I must own, I was with none of them better pleas'd, than the *two Sermons* now in Debate; They are my Favourites: and therefore I am particularly concerned, to justify my Choice; nor must I forget my Obligations to Mr. HOADLY, who has contributed very much to the Value I set on those *Incomparable Pieces*; He shall not find me ungrateful: For I will interpose between him, and the just Resentments of a *much abler Pen*, which, without being further concerned at such *Trifles*, has already furnished me with Forces sufficient to withstand any Attacks, that Mr. HOADLY, in his most *Assured Intervals*, shall think fit to undertake.

I account it very Impertinent, to entertain my *Reader* with a *Prefatory Declaration* in favour of *Truth*: assuring him, that I love *her* for *her* own sake, and design to promote *her* Real Interest with my best Powers; I rather leave him to discover this, if he can, in the Course of the *Book*, than that he should take my Word for it in the *Introduction*; But there is a *Set* of Men in the World, who are fond of this *Form*: and are ever now and then protesting to their *Readers*, that they write for *Truth*: which is a good Caution to all such, as are apt to mistake a *Moral* or *Divine* Treatise, for a *Novel* or *Romance*; with just as much Circumspection, a Learned *Judge* in a *late* *Reign* used to harangue his *Juries*: This being the Common *Exordium* of the *Charge*——Gentlemen, *We* are here assembled together this Day for the due Execution of *Justice*——And it was observed, that such a *Caution* was necessary at the opening of the *Court*, for fear the rest of the *Proceedings* should give the *By-standers* any unlucky Observations to the contrary; However,

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that nothing of this might ever lie hard on Mr. HOADLY'S Conscience, he has given us a *Monumental Instance* of his *Love of Truth* in his Proceedings against *my Lord of EXETER*; At the *23d Page*, he charges *his Lordship*, with *contradicting the plainest Truths even to Astonishment*; And at Page the *30th*, he tells *his Lordship*, that *his Lordship has divested the first Kings of all Title to Civil Power*; This is bad enough, tho not all: for at the *34th Page*, we have it roundly asserted, *That his Lordship vents Astonishing Positions, void of all Proof*; Nay, *his Lordship's* Logick is represented yet worse, if that be possible: for at Page the *28th*, *His Lordship* is accused of *Begging the Question*, and at the *37th Page*, of *talking strangely and unaccountably*; This is vary'd yet once more, Page the *43d*, where *Leave is asked for People to wonder at his Lordship's way of Reasoning*; Nay, *his Lordship* is presumed to argue in such a manner, and to use such Expressions, as even Mr. HOADLY, Bold as he pretends to be, *can hardly care to repeat*, Page the *38th*; And yet worse than this

this is still behind: For at *Pages* the 34th, 47th, and 5th, it is confidently suggested, that *his Lordship* has endeavoured to *undermine the State*: To bring an *Odium* on the *Queen*: To condemn *Her*, with all her *Nobles*, and *Bishops*: To sink her *Title* to that only of a *successful Usurpation*: Nay even to touch the *Honour* of *God* nearly, and make the *Gospel* Patronize the most *Abject* and *Universal Slavery*. These are the heavy *Charges* with which *Mr. HOADLY* has loaded *his Lordship*: These he undertakes to prove, and pin down on *his Lordship's* *Conscience*; But he is certainly *Conscious* of having failed in this *Undertaking*: For after all these mighty *Preparations*, such is his *Love* and *Fondness* for *Truth*, that he professes, *Pages* the 4th, 5th, and 50th, to have a *profound Veneration* for *his Lordship*: Is *sensible* of *his Lordship's* *Reputation* and *Authority*: Of the *Honour* and *Respect* due to *his Lordship's* *Name*: Pronounces *his Lordship* to be an *Excellent* and *Judicious* *Person*: and acknowledges *his Lordship's* *Integrity* and *Goodness*, and the *Brightness* of *his Lordship's* *Example*;
Now

Now these are such Strains of Amorous Mr. HOADLY's Affection for *Truth*, as I, *dull Swain* that I am, cannot yet attain to; For if once I can prove, as Mr. HOADLY has already given me Hopes I shall, that He too, in his turn, talks *strangely Astonishingly* and *Unaccountably*: Has endeavoured to *Undermine the State*, and *Depose the Queen*: Has promoted *Slavery* and *Absolute Subjection*: and made the *Gospel*, and the *Honour of God*, truckle to these *Attempts*; Nay, I dare presume, I shall prove all this against Mr. HOADLY, as clearly and convincingly, as he has proved it against *my Lord of EXETER*: Whatever Respect I may have for Mr. HOADLY's *Station* and *Character*, I shall desire to be *excused*, and so I believe will all the World with me, from complementing Mr. HOADLY with *Goodness* and *Integrity*: Neither shall I insist much on *his Reputation* and *Honour*, the *Excellency of his Judgment*, or the *Brightness of his Example*.

Be the Issue of the Debate what it will, I shall wave these *Ceremonial Topicks*; Let Mr. HOADLY tempt me as
 he

he pleases, I shall use him, for my own sake, with *Manners* and *Civility*; I know Mr. HOADLY's Character and Function: and if he forget it, That shall not impair my Memory; Nor can I otherwise requite his *Civility* to my Lord of EXETER, and therefore shall keep up to his Example: for I profess to have as much Respect for the *Sacerdotal Order*, as Mr. HOADLY has for the *Episcopal*.

Indeed, this whole Controversy might happily have been spared, or have ended Amicably in a *Point of Honour*: if Mr. HOADLY had stuck close to his own *Rules of Behaviour*, and such as he takes the Freedom to prescribe *his Lordship*, Page the 44th; It is the *concluding* Argument of his Book, and so doubtless of more than ordinary Weight and *Energy*; The Design of it is to shew *his Lordship* the *Ill-breeding* and *Incivility*, of pressing the *Doctrine* of *Non-Resistance*, in Opposition to the concurrent Opinion of *Queen, Lords, Bishops, Commons*, and the whole Nation, comprehended under the Title of, *People*, exclusive of *Tinkers* and *Coblers*,

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lers, to make the Argument yet more *mannerly*: For all these held just the contrary Notion, at the time of *the late Revolution*; Now, tho a Maintainer of the *Doctrine of Resistance*, has no doubt *abundant Reason* to complain of *such a Practice*: Yet to this heavy Charge *his Lordship* might perhaps reply: That in *Revolutions*, things are generally in a *Hurry*, and Men do not act so *deliberately* as at other times; But on a *Day of Thanksgiving*, in the *Church*, and more *immediate Presence* of God, in the *Highest Solemnity*, and most *serious* and *deliberate* Moments of Life, let us suppose a *Sermon* distinctly pronounced by a *Reverend Prelate*, heard and *approved* by the same *Lords, Gentlemen, and Commons*, with an *Excellent and Pious Queen* at the Head of them, by whose *special Command* it was afterwards *Published*: And what *unmannerly Adventurer* shall offer to contradict such an *August Assembly*, or tell them, that the *Queen* has thereby signed a *Renuntiation* of the Government, and the *Lords and Commons* approved of a Discourse, wholly *Strange, Astonish-*

Astonishing, Unaccountable, and not fit to be Repeated? Or if any *Uncourteous Knight* should arise, and undertake such a rash Attempt: Would it not be good *Management and Stratagem*, to deliver him up to Mr. HOADLY, to Chastize him, as he deserved?

Forms and Ceremonies are Things not insisted on by Mr. HOADLY, and therefore, for *his* Sake, I shall overlook them: All that I think necessary to a Vindication of *My Lord of EXETER*, is, a fair *State of the Case* between Mr. HOADLY and *his Lordship*: Which I shall try to set in a clear Light, and represent it as impartially as I can.

Nothing is more Difficult, than to find out the *Golden Mean* in Government: To fix the *Point and Centre of Security* between *Prince and People*, and to assign the true Standards of *Liberty and Power*, so as to prevent *Tyranny* on the one side, and *Confusion* on the other; It is easy to say, That the King ought not to *Tyrannize*, nor the *People* to *Rebel*: But the Difficulty arises from that *Co-ordinate Power*,

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er, which *each* Party claims of *Judging for it self*: And it is hard to say, what the *Subject* will call *Tyranny*, and what the *Sovereign* will condemn for *Rebellion*; Perhaps it is impossible to determine between these *Two*: and God has left this Question *Undecided*, on purpose to shew us the *Uncertainty* and *Imperfection* of Human Affairs: To convince us of the *Necessity* of Depending on him, and to make way for frequent Opportunities of Illustrating his own *more immediate Providence* in the Government of the World. Men are not satisfied with this Argument against *Tyranny*, that there is a *future Judgment* appointed for the righting of oppressed Nations: And therefore they are allowed to try all *Projects*, at least in the *Theory*, to find out some *better Security* even in *this* Life. To me, the *best* that has yet been discovered, and that not so much a *Project*, as a *Consideration* arising from common Experience and Observation, seems to be *this*: That as all *Tyranny* and *Rebellion* do *Naturally*, and by *Just Consequences*, draw on such *Calamities*,

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lamities, as sufficiently punish the *Authors* and *Contrivers* of Publick and *National* Mischiefs: So, being *Immediate Infringements* of that *Sovereignty*, which God, by all Parties, is acknowledged to exercise over every Nation in particular, as depending on the one Grand *Theocracy* of the *Universe*: This must engage him to redress the Injury, and settle the *Confusions* of State, by *Providential Turns* and *Revolutions*: some of which, are very signally distinguished by *particular Marks* and *Tracks* of *Divine Management*, and cannot be accounted for by the Ordinary Rules of *Unthinking*, *Impolitick* Nature. But notwithstanding *the State of Perfection* in *Government* is not, and perhaps cannot be, Attained; yet, like *the State of Perfection* in *Divinity*, it must be endeavoured after: and we must try to come *as near* it as possible, tho we are sure never to *reach* it. Upon the Foot of this *System*, our own *happy Constitution* is modelled in an admirable Order and *Economy*. It is agreed between *My Lord of EXETER* and Mr.

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HOADLY, That God has no where in the Gospel prescribed any one permanent Form of Government, or given any Person or Family, a Title Paramount to all Human Institution; but leaves these Regulations to the Constitution of every particular Nation and People; A Consequence of which Doctrine is, That whoever undertakes to press the Duty of Subjection upon the Consciences of Men, in a Religious way of Argument, must take the Measures of that Subjection from the particular Laws of the Nation in which he resides. They of our own Kingdom, who plead for the Supreamacy, insist on these Positions, from the Common Law and Statute Book; That the King never dies; That he can do No Evil; That he is our supream Head and Governour, next and immediately under God himself; That all Executive Justice is solely derived from him, and subsists by his Authority: To which he can never be subject himself; That Parliaments owe their being to him: but he owes his own to Birthright. On the other Hand, the Assertors of Liberty contend out of the same Law; That the King

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is under an Oath, and solemn Contract, to act only for the Publick Good; That he may Abdicate his Right: May be sued and overthrown in his own Courts, by any of his Subjects; That he is but a Part of the Legislature, conjunctively with the Lords and Commons; And they plead the Concessions of Predecessors, Magna Charta, the Statutes of Rights, Tryals by Juries, Frequency of Parliaments, Impeachments, Limitations of the Crown, and the Power of Separate Jurisdictions, by way of Check and Ballance to the Supreamacy and Royal Prerogative; Now there is an absolute Necessity for *Trimming*, in all Writers, who would give a true and just Account of our Constitution: For that very Constitution *trims* and poises it self, in an exact *Medium* between *Liberty* and *Power*: And therefore the same Law favours both Pretensions. But whoever undertakes to *reconcile* both Sets of Notions: besides, that he engages in a vain Attempt, is an *Enemy* to the Government, and a *Subverter* of the Constitution. The *Systems* are so *Opposite*, that, as I have observed, it is not ea-

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fy, perhaps not possible, to *Reconcile* them: For whosoever undertakes a *Union*, must not only consider the *Benefits* and *Blessings* of *Agreement* and *Concord*, but the *Nature* of the *Things* to be united, and whether they are not in themselves *Incompatible*; It is no good Project, to reconcile *Fire* and *Water*, *Light* and *Darkness*: and yet both these, in their *Proper* Seasons, and at their *due* Distance, are very serviceable to Mankind; He who pleads for the Advancement of either *Extream*, ruins the *other*, and thereby spoils the *System*: For he makes us either all *Slaves*, or *Libertines*; It is, I think, a National Blessing, that we can say, the Rights of the *Sovereign* and his *Subjects* are *opposite*; for such an Opposition as this, is our *Safety*, and our *Happiness*; The *Body Politick* is thus far extreamly like the *Body Natural*: When the *Opposite* Qualities keep their Places, and just Intervals, they operate upon each other with an exact *Temperature*, and Influence: and this is *Health*, *Strength*, and *Vigour*; But when they draw too near together;
when

when they strive for the Mastery: when any one of them gets the Superiority, then the *Opposition* rises to a *Contradiction*, and *such a Union* ends at last in *Sickness, Death and Dissolution*.

This being *the State of the Case*, it is easy, at one View, to observe the *Difference* between *My Lord of EXETER*, and *Mr. HOADLY's* Conduct on this important Subject; *His Lordship*, by *Mr. HOADLY's* own Acknowledgment, *Pages the 6th and 7th*, insists on *no other Divine Right of Government* than only this: *That some should bear Rule, and others be in Subjection*; *His Lordship* disclaims all Pretensions to any Commission from *God or Nature*, appointing any one fixt Form, or nominating any *Particular Person or Family*; *His Lordship* owns, that *every particular Power upon Earth was instituted for one End only, That of doing Good to Mankind*; this in *General*; And when *his Lordship* comes to the Account of our own *Particular Constitution*, *His Lordship* freely acknowledges, *the conjoint Authority of Queen, Lords, and Commons*; There is not *one of the Bench of Bishops*,

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who has more faithfully and honestly declared himself in Vindication of the *Rights and Liberties of the Subject*: or has spoken better things of the *Revolution, the Succession, the Authority of Parliaments*, and all other the indisputable Topicks of our Security, than *his Lordship*; This Mr. HOADLY does not offer to call in question; and on these Heads, I think, he is perfectly agreed with *his Lordship*; But then *his Lordship* has gone further, and on the behalf of the *Sovereign*, has declared, That *the King is supream, and next to God only*; That *he is Unaccountable and Irresistible*; and against whom we are to Rebel on no Pretence whatsoever; Here it is that Mr. HOADLY leaves *his Lordship*: Here it is, that he thinks *his Lordship* talks *strangely and unaccountably*: And in this he supposes *his Lordship* has bid fair towards the Unraveling the *Late Happy Revolution*, as well as Undermining the *Present Establishment*; Whereas, I think, and design to prove, that *his Lordship* has in this honestly pursu'd the true *Golden Mean*, and that They are really and in Fact
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the Greatest *Enemies* to the Govern-
ment, who oppose *his Lordship* on either
Side of the Debate: Because, in both
Parts, *his Lordship* has all along kept
the *English* Laws in View, and from
them has Calculated his *Measures* of O-
bedience: which is absolutely the *best*
Method in Divinity: For it is the
Law, that assigns the *Measure*, and
the *Gospel* that imposes the *Obligati-*
on. Those, who differ from *his Lord-*
ship, may come under several *Classes* or
Denominations: and I shall chuse to
distinguish them rather by their *Prin-*
ciples and *Opinions*, than by *Party-*
Names and *Titles*, which I think *No*
State ought to be very fond of. There
is a *sort* of Men, who Profess *Passive*
Obedience, but are indeed of a quite
different Principle; *Passive Obedience*
consists in a *Patient* Resignation to the
Hardships laid on us by *the Sovereign*,
when we cannot obey him: in those
things we are perswaded are in them-
selves *Unlawful*: But these Men actu-
ally *pushed* on their Monarch to those
very *Unlawful Measures*: *Advised* him
to turn Tyrant: *Soothed* and *Carested*
his

his Ambition: *Assisted* him in the Execution of his Unjust Commands: *Called* the True Passive Obedience of their Fellow-Subjects, *Obstinacy* and *Rebellion*, and *Punished* it as such: believing every thing to be *Lawful*, that was *Injoined* by Authority. Next to these, is *another* Order of Men, who tho they did not *join* with the Government against their Brethren, nor *assisted* in these Illegal Arbitrary Methods: Nay, tho they heartily *disowned* them: Yet they *sate still*, were lazy and *Defective*, and never *insisted* on those Legal Checks and Restraints, which the Constitution has provided for its own Preservation: but *suffer'd* them to Dwindle and Sink, till they became Useless and Insufficient for the *Ends* of their first Institution; *My Lord of ExETER* has judiciously taken Care to avoid this *Extream*: He has *urg'd* all the Sanctions of our Liberty: has *Vindicated* all our Legal Rights, and Properties: which the *first* Sort of these Men did *actually* attempt to *Destroy*, and the other did *Passively* and tamely *resign*, without adhering to their *Duty*, as Subjects;
and

and as *Intrusted* with the Rights of Posterity ; If we go on to the *second Extream*, we shall find a Clan of *Another Sort*, who say : *That the Magistrate is the Peoples Tool : their Creature : Created by them, and for them : Whom they may Judge, Condemn, and Depose at Discretion ;* These Men are equally Enemies to the State, by Overturning those Laws upon which the *Supreamacy, Royal Birth-right, and Prerogative*, are directly founded ; And in their Rear, *another sort Advances : who tho they do not absolutely deny this Part of our Law, yet they pass it over, and let it sleep : and by pressing too far the Notions of Resistance and Liberty, loose the Supreamacy in the other Extream ;* This Fault *My Lord of EXETER* has carefully shun'd, and in this last Particular *Mr. HOADLY*, as I take it, is in Opposition to *his Lordship* ; But *this* being Part of the *Law*, as well as *the other*, to omit it, had been Partial and Unjust in *his Lordship*, and a Breach of that *Allegiance*, which engages us to value *the Prerogative* of our *Sovereign* as much as we do our own *Rights and Liberties*.

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How can Mr. HOADLY charge *his Lordship*, with a Design of dethroning *Her Majesty*, and ruining the Constitution, since *his Lordship* has amply insisted on the *Rights of Supreamacy*? How can he charge *his Lordship*, with a Design to Introduce *Tyranny* and *Slavery*, since *his Lordship* has insisted, as amply, on the *Rights* of the *Subject*? Has not *his Lordship* discharged his Duty, in both Cases, to *God* and *Man* impartially? But what will Mr. HOADLY say, to vindicate himself from shifting one half of his Duty, and the scanty Performance of a partial Obedience? If one of these Powers *Contradicts* the other, let us see which Mr. HOADLY will *Dethrone*, *The Subject* or *Sovereign*; If they are *opposite*, I hope he will not undertake to *reconcile* them; If *My Lord of EXETER's* insisting on *Non Resistance*, be made a Reason for charging *his Lordship* with a Design to destroy *Liberty*: will not Mr. HOADLY's insisting upon *Liberty*, be as good an Argument, to charge him with a Design to destroy *the Supreamacy*? And has not *my Lord of EXETER*, by insisting

sting upon *both*, avoided both these *Extreams*? and can Mr. HOADLY do better, than, in Imitation of *his Lordship*, take Care for the future, to say as much for the *Sovereign*, as he has already said for the *Subject*, that he may acquit himself to both? since the same *Law* gives both *Sovereign* and *Subject* their *proper* Rights in the Manner already Described, and *my Lord of EXETER* leaves it to the *Law* to Determine them. What Mr. HOADLY is pleased to observe *Page the 49th*, may serve, in my Opinion, for a full *Answer* to his *Book*; *All Separation is not Schism*; *All Resistance is not Rebellion*; To which I add: *All Supreamacy is not Tyranny*; *All Non-Resistance is not Slavery*; There is a *Non-Resistance*, There is a *Supreamacy*, which is *Lawful*: *What Non-Resistance*, and *what Supreamacy* are so, *my Lord of EXETER* does not Determine: *That* belongs to the *Law*, but according to *that Law*, he has mentioned *both*, And thereby fully Discharged his Duty; Till Mr. HOADLY gives us the *same* impartial Sketch of his *Divinity* and *Politicks*, He must be content

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to pass for a *Half Subject*, a *Half Politician*, and a *Half Christian*: This is all a *Moderate* Man can make of him, but there are *others*, I believe, will take him by *the Lump*, under a much *worse* Denomination.

From this *View* of the Debate between Mr. HOADLY and *his Lordship*, The Reader will easily perceive, that *his Lordship* is not answerable for any *Oppositions*, that may be between the *Power* of the *Sovereign* and *Right* of the *Subject*: Since it is an *Opposition* which the *Law* has made, and the *Law* is to be *his Lordship's* Guide in Assigning the *Measures* of *Obedience*; and since this *Opposition* is, as I observed, our *best Security*: Therefore, *his Lordship* had been absolutely in the *Wrong* in Endeavouring to reconcile them; It is enough, that *these Opposites* subsist together, and are ready at hand, whenever either *Subject* or *Sovereign* shall have *Occasion* to make use of them; For these Reasons therefore, I shall say nothing to those *Calumnies*, which Mr. HOADLY has endeavoured to fix on *his Lordship*: Such as *his Lordship's* opposing
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the *Queen, The Revolution, The Parliament, and the Rights of the People*: Since *his Lordship* has insisted on *these*, I dare affirm, with *as much Judgment and Integrity*, as *Mr. HOADLY*; But there are *other Particulars*, in which *Mr. HOADLY* takes the *Freedom* to differ from *his Lordship*, and *these*, with the like *Freedom*, I now come to examine.

From the Magistrates being called *the Minister of God* by *St. Paul*, *his Lordship* infers, *That he has none above him upon Earth to Question, Censure, or Punish him*; This is certainly meant, of *Questioning and Censuring*, in a *Judicial Way*; To this *Mr. HOADLY* thinks fit to reply *Page the 9th*, by *Reminding his Lordship*: *That St. Paul* in this Place *has expressed himself judiciously*: Of which I presume to *suppose his Lordship* was aware, as well as *Mr. HOADLY*; He adds, *That St. Paul* has also express'd himself, *Cautiously*: But wherein *this Caution of St. Paul* does *Consist*, whether he were afraid of being led to utter something that was *false*, or if true, yet that might

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probably *displease*, Mr. HOADLY does not Determine; However that be, he is resolved, *his Lordship* shall not have the Benefit of such an *Inference*, which Mr. HOADLY undertakes to prove is not Closely and Regularly drawn from the *Premises*; This he urges by several *Instances*: He tells *his Lordship*, That if the *Magistrate* be the *Minister of God*, yet he is so only for one End, The Good of the Subject: That every Man who does us good, is, so far, the *Minister of God*; He adds, that the *Clergy* are the *Ministers of God to us for Good*: So are *Fathers to their Children*: and yet it does not follow therefore, that they may murder their *Children*, or make them *Slaves* without being *Questioned* or *Censured* for so doing; Neither are *Clergymen*, or any other *Persons*, by doing good to us, in which they are the *Ministers of God*, for that reason exempt from being *Questioned*, *Censured*, and *Punished*; Then he enlarges, and says, that No *Commission* whatever, *Divine* or *Human*, can give any *Power* but in those things, to which that *Commission* extends: Now the *Magistrate* has it not in his *Commission* to do *Evil*,

vil, and therefore he may be opposed in this, without Prejudice to his Authority: And Concludes from the Whole, that his Lordship has made a wrong Inference from the Text. On the other hand his Lordship owns with Mr. HOADLY, That No Man can act with Authority further than his Commission extends: That the Magistrates Commission is not absolute, but limited, and that to one End only, The Good of the People; That this is his Lordship's Opinion, Mr. HOADLY himself owns: And I will venture to suppose his Lordship's Opinion in two other Points, viz. That no Divine Commission can be pleaded for Murder, Oppression, or Evil: and That St. Paul has expressed himself Judiciously; But notwithstanding this, it remains to shew, whether his Lordship's Inference be not still as Strong and Forcible, as his Lordship intended it; I contend for the Affirmative, upon the following Reasons; Mr. HOADLY, Page the 14th, would have his Lordship think, that St. Paul in the Text directed his Exhortations to the Deputed Magistrates, as well as to the Supream: and at Page the 9th, he thinks

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St. Paul is here speaking of the *General Nature and Design of the Magistrates Office*; I shall not insist on the Words of *St. Paul*, next adjoining to the *Text*: where the *Magistrate*, there Described, is said, *To be ordained of God, and not to be Resisted on Pain of Damnation*: Which is, I think, sufficient to prove this spoken of the *Supream Magistrate* more especially, since *Mr. HOADLY* owns the *Subordinate Magistrates* to be ordained by the *Supream*, and not by *God*: and that they may be *resisted* without any Peril of Damnation; Besides, *the Apostle* having enjoined Obedience to the *Powers*, called before the *Higher Powers*, Adds immediately after in the *Text*—*For he is the Minister of God*— Changing the Number from *Plural* to *Singular*, An *Emphasis*, sufficient among *Divines*, to limit and restrain a *Text*, and to take off from that *Latitude*, which the *Preceding* Words might perhaps admit of; But waving this, and to Humour *Mr. HOADLY*: let this be understood in *General*, with respect to the Nature of the *Magistrates Office*; Certainly, an *Apostle* urging Obedience
in

in *General*, from a *General* Consideration of the *Magistrates* Office, must take his *Measures* of that Obedience, from the *Highest* Dignity and Power of *that* Office, which is the *Supreamacy*; And if we understand *the Apostle* thus, we take the surest way to comply with Mr. HOADLY's Exposition: For if St. Paul be suppos'd to mean the *Supream* Magistrate, he must in Course also have *some* Respect to the *Subordinate* Magistrates: for the *Supream* Includes the *Subordinate*: They are in some Sense the *same* as the *Supream*, with respect to the *Subject*: for they are *his* Person by Representation, and bear *his* Authority to the *Extent* of their Commissions, which are *Rays* and *Parts* of the *Supreamacy*, and by which the *Sovereign* Acts *one* Part in *one* *Subordinate* Magistrate, and *Another* in *Another*: Nor can we call *Subordinate* Magistrates to *Account*, but in the *King's* Courts, and by the *Rule* of the *Last* *Resort*, before *his* Majesty in *Person*; It is for the *King's* sake, that we obey his *Ministers*, and the *King* for *God's*: And thus *Another* *Apostle* explains St. Paul:

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Paul: Submit your selves unto the King, as Supream: And unto Governors, as unto them that are sent by him; This will serve in some measure to set Mr. HOADLY right, in that Expression of our Saviour to Pilate, when he tells him: his Power was from above: Tho, as Mr. HOADLY observes, he was only a Subordinate Magistrate; For, our Saviour being resolved to stand to Pilate's Judgment, without Appealing to Cesar, does in this Case admit the Subordinate Magistrate to be the Immediate Representative of the Supream; Besides, our Saviour being God the Son, and, as Man, Innocent and Guiltless; Pilate, tho he had been Supream, could have no other, but barely a Permissive Power from God, to Condemn him, and That is not the Power here in Dispute. These Reasons are, I think, sufficient to prove, that the Text ought to be understood more especially of the Supream Power in every Nation: Certain it is that his Lordship, by the Example of a concurrent Cloud of Divines, does so understand it; And with this Explanation, It is easy to see the

Strength

Strength of *his Lordship's* Inference ;
His Lordship argues with Incomparable Force and Purity, *Pag. 6. Serm. 2d.*
That *the Magistrate or Supream Governor*, appears by *these* Words of *St. Paul*, to be a *Servant* : and if *Servant to Another*, Not *his own Master* : and if not *Master of himself*, much less in *his own Right Master of Another* : And if a *Servant to God*, it is *Absurd to say*, he is *the Peoples Servant*, over whom he rules : because that were in effect to say, That it is all one to *Command*, and to *Obey* ; These are the *Reasons*, why *his Lordship* Concludes *him* to be *Accountable only to God*, and that *no Power upon Earth*, can *Question, Censure, or Punish him* ; In this *Argument*, *his Lordship* plainly pursues an *old Allegory*, by which the *Government of the World* is compared to that of a *Household* : God is the *Master* : under whom are distinct *Orders*, and *Degrees of Officers, Ministers, and Servants* : Among these is the *King, or Supream Magistrate* : He is *God's Servant, and Minister*, but then he is *his Prime Minister, his Steward, his Immediate Servant* : and by

Consequence, *only* Accountable to him ; Mr. HOADLY objects, that *the Clergy*, that *Subordinate Magistrates*, and indeed *all Men*, who do us good, are *thus far the Ministers* of God : are they therefore, *says he*, Accountable *only* to him ? But now, tho' *these* are all God's *Ministers*, are they not so *only* in *Subordination* to one Another ? Are they all *Stewards*, or *Prime Ministers*, as well as the *King* ? If they were, then indeed it would follow, that they were *only* Accountable to *the Master*. For the sake of Argument, *his Lordship* supposes the *Right of Election*, but denies the *Consequence*, that the *Electors* have therefore a *Right* to call the *Elected* to an Account ; Of this *his Lordship* gives us an *Instance* in the *Mayor of a Town*, who is chosen by the *People*, but Accountable only to the *Queen* ; Mr. HOADLY does not deny this, but calls it an *Unfortunate Instance* : For, *says he*, such a *Governor* as this, is Accountable to the *People* in *those things*, to which his *Commission* does not extend, and then applies *the Case* to the *Supreamacy* ; Now if Mr. HOADLY will
instance

instance in a few Cases, to which the *Supream* Power does *not* extend, but which may be redressed by any other Power, which *does* extend so far, and yet is *not* *Supream* : There the *Supream* Power shall be accountable : And then we will allow Mr. HOADLY, to be a Person much more *fortunate* in his *Instances*, than *my Lord of EXETER*. That there is an *Ecclesiastical Divine* Commission, *distinct* from the *Civil*, and Appointed for *Distinct* Ends and Purposes, Mr. HOADLY does not deny : But then he *contends*, that this Commission does not *exempt* Ecclesiastical Persons from Censure, in Matters *Secular*, where their Ecclesiastical Commission cannot be pleaded ; But is this a *Parallel* Case to the *Supreamacy*? Let Mr. HOADLY set out *the Bounds* of *Supream* Power : Let him shew us, *how far* it reaches : and if there be any thing *beyond* the Commission of a *Supream* Power, In which *another* Power, *Not* *Supream*, can be pleaded : and by my Consent, he shall stand Recorded among the *first Planters* of *Countries*, and *Discoverers* of *unknown Islands*.

I am an Admirer of that Maxim of Mr. HOADLY'S: that every Man who does us good, is, so far, the Minister of God: but I am an Admirer even to Astonishment, of the Application: for if the bare doing of Good, in any Capacity whatever, be sufficient to make *such* a Minister of God, as is *here* meant in the *Text*: Tho I grant it to be a good Argument against such a one's being *Unaccountable*: Yet it is also *as* good a one against his being *obeyed* and *submitted to*: for we are not to subject our selves to every one, who does us any Good: And then, *St. Paul*, who urges *this very* Duty of *Subjection*, from *this very* Reason of *doing Good*, can no longer be supposed, according to Mr. HOADLY'S Character of him, *To express himself Judiciously.*

Mr. HOADLY contends, That *it is lawful for a Child to resist his Father in Defence of his own Life and Property*: Which is readily granted; *Nay*, he may haul him before a Magistrate, and have him punished for such an Attempt; But the Reason of *this* is, that *Father*
and

and Son are *Subjects* to one Common Power, *superior* to both, and which therefore may call *both* to account, and punish *either* as he deserves, without any Consideration of the *Relation* that is between them; But it is not so with the *Father* of a Country: Whither will his *Children* summon him for Judgment, but to the Tribunal of the *Common* Parent of Mankind?

What Mr. HOADLY has advanced concerning the *Extent* of the Civil Commission, and its *Designation* to one proper End; *that of doing Good*; appears indeed with the *Face* of an Argument, but then it is *dropt* short, and checked half way: For, if it were pursued through all its *just* Consequences, Nothing more would be wanting to prove the Magistrate Accountable only to God, and to justify My Lord of EXETER's Inference; The *Things* of this World, are either *Good*, *Evil*, or *Indifferent*; Whatsoever is *in it self* Good, and of absolute Necessity, either from *Nature* or *Revelation*, the *Supream* Power can make into a *Temporal* Law, and
Guard

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Guard it with Rewards and Punishments; Thus far Mr. HOADLY must own, the *Supream* Power extends, exclusive of *all* other Powers whatever; The same may be said of *Indifferent* Things: which then cease to be *Indifferent*, when forbidden or enjoined by Authority; and here too, the *Supremacy* has *no* other Rival Power upon Earth; This Mr. HOADLY does not directly oppose: But then the *Question* is, whether the *Magistrate* has any Commission to do *Evil*, or whether any Authority can be pleaded here? To this it is easy to *reply*, that neither *Prince*, nor *People*, nor *God* himself, can have *such* a Power: Whence it follows, that if the *Magistrate* be *Supream* and *Unaccountable*, in all good things, and things *Indifferent*, He must be *Supream* and *Unaccountable* in the most *Absolute* Sense: Since *No* Power can be pleaded for doing *Evil*, and wherever *any* Power can be pleaded, *there* the *Magistrate* can plead his, and in *that* Mr. HOADLY allows him to be *Supream*; Now, tho' *no* Power, that is, *no* *Legal* Power, can be pleaded for doing

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ing *Evil*: yet let us suppose *Evil Done and Committed*, and *what* shall be the *Redress*? Certainly no one denies, that all *good Means* ought to be used to prevent and punish it: But then tho *the doing* of *Evil* be *contrary* to the *Ends* of all *Legal Power*, and without the *Magistrates Commission*: Yet *the Preventing* and *Punishing* of *Evil*, is in it self *Good*: and therefore, a *Part* of that *Commission*, in which the *Magistrate* is *Supream*. To say, the *People* can *censure* or *punish* *Evil Doers*, is to say, that the *Subject* and *Sovereign* are *identically one* and the *same Power*: For the *Punishing* of *Evil Doers*, is affirm'd by *the Apostle*, and own'd by *Mr. HOADLY*, to be the *Express Divine Part* of the *Sovereign's Commission*; Now if *Subjects* cannot punish *Subjects* for *Evil Doing*, but by *Vertue* of the *Supream Power*: much less, can they punish the *Supream Power* for doing *Evil*, without *Usurping that very Power*, they would *Punish*; Andtho it be requisite, that all *Evil*, even *that* done by the *Magistrate*, should be *punished*: Yet this only brings us to the *Necessity*,
not

not of owning the *People* for *Supream*, who are *more* likely to do *Evil* than the *Magistrate*, but of owning *some other* *supream* Being, who will certainly *punish* all *Evil*, and yet is himself incapable of doing *Any*: To *him* therefore, and *him only*, the *Magistrate* is *Accountable*.

All that Mr. HOADLY professes to contend for, *Page* the 15th, is, *the Right of Self-Defence*: which, he complains, that *My Lord of EXETER* has not so much as *toucht upon* in *Behalf* of the *Governed Society*; But tho' *his Lordship* has not perhaps mentioned the *Name*, yet he insists as stoutly on *the thing* as any *Man*; *His Lordship's* admirable *Account of the Liberties, Properties, and Rights of the Subject*, in the *second Sermon*, for at least 14 *Pages* together, beginning at the 15th, are ample *Instances* of *his Lordship's* great *Care* for the *Interest and Security* of *Human Societies*; The *Affertors* of the *Supreamacy* never deny'd the *Right of Self-Preservation*, but they say, that *this Right of Self-Preservation* is *better* *Established*,
by

by Admitting a *supream* Judge of all Controversies, who, tho he *may* do Evil, is yet *accountable* to another Judge, who can do *None*: Than by making him accountable to *other* Judges, who thereby become *Supream*, and are as liable to do Evil *as* the first; for these *therefore* must be accountable to *others*, and so on *in infinitum*: since *no* one Set of them, can, from an *Impossibility* to do Evil, plead any fixt and established Right to *punish* it.

Mr. HOADLY delivers it for *Matter of Fact*, that the Terms, *Accountable, Censure, and Punish*, are not contended for: and he knows of *None* solicitous about them; But is Mr. HOADLY a Man so *little* Conversant in the *Modern Topicks* of *Government*? Has not Mr. HOADLY Seen, and Read, and Heard, how *solicitous* some Men are about these *Words*? and about much *worse* *Words* than *these*, such as *Depose, Condemn, and Execute*: And not only *solicitous* about these *Words*, but *Factionous, Vexatious, and Troublesome*; I own indeed, it is only about *the Words* they are solicitous,

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tous, for I dare affirm they will never agree in *the Thing*. If the Supream Magistrate may be Censured and Punished, Is it not convenient he should be told, in *what Court* is to be *his Process*, and before *what Judges*, and by *what Law*? These Things are too important to be left in Uncertainty: If the *meanest* Subject does amiss, he knows *where*, and *by whom* he is to be try'd, and *what* will be his Sentence, if he should prove guilty: and it is strange to suppose, that a Favour so universally enjoy'd by the *People*, should be deny'd the *Sovereign*; But Mr. HOADLY contends *only* for the *Right* of *Self-Defence*: He does not insist on the words, *Accountable, Censure, and Punish*: How Good is *this!* How *Orthodox!* Can we expect a fairer and plainer Scheme of the Doctrine of *Non-Resistance*? If the *supream* Power invades our Properties, or attempts our Lives, we may *conceal* those Properties, may *withdraw* our selves from these evil Governours, thus transform'd into *Bears* and *Lions*, or we may *retire* to some more hospitable Country: But we must not insist on
the

the words, *Accountable, Censure, and Punish*: And therefore, we must not *Resist* the Magistrate: For how can we do *that*, unless we *Judge*, that he has wronged us? and that is *calling* him *to account*, and *Censuring* his *Conduct*; We must not be upon the *Defensive*, or stand on our *Guard*: For why should we do *that*, unless he has actually *Attack*t us? and if *so*, how can we *defend* our selves, without *Striking*? and if we strike, we certainly *resist* and *Punish* him. In fine, *My Lord of EXETER* has used the words, *Accountable, Censure, and Punish*, which are the *Principal Terms* of *his Lordship's* Inference, and *all* that *his Lordship* is concerned to *justify*; In *Answer* to *this*, *Mr. HOADLY*, after some *Struggle*, *declares*, he does not *contend* for *them*: Whereupon, I defy all the *Lovers* of *Truth*, and *Promoters* of *Peace*, to *begin* a *Controversy* *more seriously*, to *carry* it on *more candidly*, and to *finish* it *more amicably*.

This Exploit being thus happily over, *Mr. HOADLY* proceeds to the *second* grand Point of Debate between

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himself and my Lord of EXETER ; he seems concerned, that his Lordship should not content himself with allowing only a Human Authority to a Human Institution ; But supposing Government to be only a Human Institution, yet his Lordship, who intends to obey it for Conscience sake, was thereby induced to acknowledge it to be Approved at least, and Confirmed by God, and consequently Enforced by his Authority, which is Divine, tho at first it was instituted only by Men ; And this of itself is sufficient to shew us, the true Origin of Government : For tho we should allow all Political Institutions, which were established before any Revelation appear'd in the World, to be of Pure Human Contrivance : Yet if that Revelation did give a Divine Sanction, as it certainly did, to these Human Institutions : It is natural to drop the lesser Title, and to insist altogether on the Greater : and even upon this Account, setting aside the Patriarcha, the Magistrates Power appears to be immediately from God ; That it is so, his Lordship argues, because No Man has such

Such a Power originally and Essentially in himself: This, Mr. HOADLY says, some Men will think too large a Concession; But so long as Mr. HOADLY is not one of those Men, he might have spared any such Reflection; That the Magistrate cannot have his Power from the People, his Lordship proves, because, this Power is such, as they never had themselves; His Lordship instances in the Power of Punishing with Death: This the People never had, because no Man has Power over his own Life or his Brothers; Thus far his Lordship: To which Mr. HOADLY: That tho no Man has Power to kill himself, yet he may for good Reasons contract with the Magistrate for his Life, and be content to resign it, whenever it is for the Publick Good; and he urges, that such a Contract as this, actually passes between Soldiers and their General; But then, very ingenuously supposing, that all this would not come up to, or touch the Point: as indeed it falls at least half way short of it, he adds, Page the 19th, That if a Band of Robbers should come down upon a Neighbourhood of Persons (He is afraid to call them a Society)
any

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any particular Man might go out against them, and hazard his Life in Attempting to Repel and drive them away; Now, that a Man may do all this: That he must be Content to lose his Life when the Magistrate has justly condemned him: That he may venture the same Life for the Good of his Country, and to Repel and oppose an Invasion: I will venture to declare in his Lordship's Name, that his Lordship does firmly believe to be true; and yet, it is strange to think, that his Lordship should form such an Argument, having, as Mr. HOADLY supposes, such strong Convictions before him; The Difficulty therefore will be, to Account for this Extraordinary Phenomenon. Mr. HOADLY does not think it material in this Debate, whether a Man has Power to kill himself: For this, says he, is not for the Publick Good: Now Mr. HOADLY had before supposed such a Man to be in the State of Nature, e'er any such thing as Publick Good was invented, and certainly he may kill himself, if he has no other Reason to the contrary, but a thing not yet in Being;
And

And if *the Publick Good* be the Reason, as Mr. HOADLY argues, why a Man may give up his *Life* to the Government: Certainly his own *Private Good*, which is the Foundation of the Publick, is *as good* a Reason for killing himself, when Government is not established; But Mr. HOADLY is aware, that even in a *State of Nature*, *Private Good* is no Reason, why a Man should take his own *Life*: Because, there is another, even God, who is the *sole Proprietor of it*: and therefore, he *only* can consign it over to the Magistrate; Hence it is plain, That what a Man has not a *Power* over himself, he cannot *contract* for with another; and that, with us, the *Power of Life and Death* is not so *contracted for*, is very obvious; In the *Original Contract*, which is pleaded between *Prince and People*, there is no mention of the *Penalty* on either side: And if we recur to *the Law*, this Power was Prior to our *Statutes*, it began in the *Common Law*, and was the *sole Act and Deed* of the *Royal Prerogative*, exclusive of the *Power* of the *People*. Mr. HOADLY'S Story of a *single Man's*

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Man's going out to meet a *Company* of Robbers, in order to sustain the first Onset, when he is not sure any of his Neighbours will follow him, they being under no *Contract* but in a *Pure State of Nature*, has been so amply confuted in a late *Pamphlet*, Intituled, *A Hue and Cry after the Man in the White Shirt*, who came out against the English Forces in their late *Attempt on the French Coast*: that I shall not insist on it, but refer the Reader thereto; I am sorry to hear Mr. HOADLY say, that in *this* and the *other* Case of a *Listed Soldier*, a Man contracts for his Life in such a manner, that he is sure to lose it: Which he there Judiciously calls, *Venturing*, Pag. 18; I would by no means be thought to discourage the *Recruiting Laws*, but I hope our Officers and Justices preach no such Doctrine to our *Prest Men* and *Volunteers*; If a Man does that, which will certainly cost him his Life: We call him *Rash* and *Fool-hardy*: and this, we are told by the *Learned*, is a *Sin*; There is indeed a *Necessity*, that some should fall in the *Wars*, and just so is there in
the

the *Weekly Bills*: but no *single* Person enters upon any such Project, In *full* and *sure* Hopes of being one of that Number; I observed, that Mr. HOADLY has Judiciously expressed *part* of this Contract by, *Venturing*: A Soldier contracts with his General, to *venture* his Life: and so in proportion do *Butchers, Masons, Builders, Miners,* and indeed *all* Labourers and Servants with their Masters, since they run a *proportionable* Venture, and *may* be killed in their Services: But certainly this can never prove, that the *Master* is thereby constituted a *Judge* of *Life* and *Death*, or that any Contract of *Life* and *Death* passes between them; But Mr. HOADLY expresses himself *yet more* Judiciously, when he says, that this Contract is, on the Subjects Part, an Obligation, engaging him to *submit to Death, when the Magistrate ordains it*: And there is no doubt but he must so *submit*, only the Question is, who shall *impose the Sentence*? and *that*, I presume, by the *same* Contract, is left to the Magistrate, since it is not given him *thereby*, but *suppos'd* to be in him
F before;

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before; Mr. HOADLY may argue, that by entering into the *Christian Contract*, I engage, *that I will be damn'd if I do Evil*: But will this prove, that I have therefore any *Power* or *Right* to dispose of my own *Soul*, or that I give away this *Right* to God by such a *Contract*? or that if I should *enter into a League with Hell, and be at an Agreement with Damnation*, such a *Contract* as *this*, tho' mentioned in *Scripture*, would be of any *Force* and *Validity*?

In the *second Place*, Mr. HOADLY urges, that granting a Man has no *Power* over his *own Life*, yet he may, in some *Cases*, have a *Power* over the *Life* of *his Brother*; For the clearing of *this*, he goes on in his *Supposition* of a *State of Nature*, when Men were without any *Form of Government*: and tells us, that *there are, even now, such States of Men in Being*; But, if *Contracts* of any sort, make a *Government* or *Society*, I believe it will not only be *difficult*, but *impossible* for him to prove *this*, by any *Instances*; However, for the sake of *Argument*, let this
be

be supposed and taken for granted : And then, Mr. HOADLY urges, that in such a Case, it is lawful for every Man to kill a Murderer or Malefactor : And Cain, he says, had just Reason to fear, this would be his Fate ; But how can Mr. HOADLY prove, that Cain was in a State of Nature, and under no sort of Government whatever ? And if he were in no such State, this must pass for one of Mr. HOADLY's Unfortunate Instances ; Besides, whatever Fears and Horrors Cain's Conscience might justly dictate to him, It is certain God mark'd him out, that he should not be killed, tho he deserved it ; What ? would God protect a Murderer ? No surely ; But there was as yet no positive Publick Law against this Crime, and tho Natural Reason and this first Act of Murder gave sufficient Grounds for such a Law, yet Cain was spared because there was no such Law yet Published : Which shews us, that the Rights of Nature are not sufficient to establish Government and Law, without an Immediate Divine Commission and Institution. Indeed, I cannot see, supposing a State of Nature,

how it is *Possible* there can be *any* such thing as *Murder* or *Malefacture*, *judicially* speaking: and where there is no *Transgression*, certainly there ought to be no *Punishment*; If in the *State of Nature*, I see one Man kill another, how do I know, but the Person kill'd is a *Murderer* or *Malefactor*, and so falls justly? If I offer to *enquire* or *examine*, That is *judging my Equals*, and presupposes *Government*; If I kill every Man, that I see kill another, by the same Rule another ought to kill me, and another again the *Survivor*: Which, in *Process*, puts an *Effectual* End to this *Imaginary* State; To prevent which, Mr. HOADLY supposes, in *such a State*, several Persons entering into a *voluntary Association*, who may then defend themselves, or judge and punish, a *Murderer*, *Malefactor*, or *Number of Invaders*; But certainly *such an Association* is a *Contract*: and *Contracts* destroy the *State of Nature*: Which quite spoils the *Supposition*. Mr. HOADLY puts another Case, and affirms, that *if a Person be set upon by a Russian, he may defend himself, and kill his Adversary*:

versary : This he calls, *the Right of Self-Preservation* : This he proves to be universally received, and seems *astonished* to find a Person of *his Lordship's* Judgment, opposing *so manifest a Truth* ; *His Lordship* does not particularly mention this Case, and therefore can only be supposed to Contradict it by *General Consequences* : and in this, Mr. HOADLY is not in the least behind *his Lordship* : For he owns, *Page the 21st*, That *this is an Extraordinary Case* : and if *so*, then the *Exception* must stand by it self, and the *General Rule*, That *no Man has Power over his Brother's Life*, must run as it did ; I would desire Mr. HOADLY not to be *Astonished*, if I tell him, that in *this Case*, a Man may kill the *Aggressor*, for *this very Reason*, because a Man has *no Power over his Brother's Life or his own* : so that Mr. HOADLY's Case is exactly against him ; for, if a private Person could have *such a Power*, the *Aggressor* might perhaps plead it in this Case, and then it would be unlawful to resist him : Or if the Person attackt had *Power over his own Life*, he might

might then tamely resign it ; but in *This Struggle*, the *Power of Life and Death* is not the *thing* to be Considered, for in that they are both *Equal* : but the *Difference* between them, is that of *Wrong and Right, Innocence and Injustice*, and it is *this* that must decide the Contention ; For since there is an absolute immediate *Necessity* one of the *two Lives* should be lost (and only *this Circumstance* can make Resistance Lawful in the Person Attackt) it is reasonable, the *Innocent Life* should be *Spared*, and the *Unjust and Guilty Life*, that of the Aggressor, *Perish*.

His Lordship's second Proof for the *Divine Authority* of Government, is, that of the Apostle : *There is no Power but of God* ; Upon which Mr. HOADLY argues, *That by his Lordship's Interpretation Robbers and Usurpers may be said to derive their Power from God* ; He urges further, *That the Power here meant may be only permissive* ; *That this Power must still be limited to the Good of Societies*, and that it does not exclude the *People* ; AS to Mr. HOADLY's Limitation,

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tion, *his Lordship* does not *deny*, but positively *asserts it*; Besides, *the Apostle* is not here speaking of the *End*, but the *Institution* and *Origin* of Government; Now that *this Power* is not barely *Permissive*, appears from the strict Injunction laid on us to *obey this Power*, on Pain of Damnation: and tho God may *permit Evil*, yet he certainly no where enjoins us to *Comply* with it; so that I would ask Mr. HOADLY, how it is possible, that the *Holy Scriptures* themselves *could* have exprest any *Divine Commission* whatever, but in *this manner*, unless they had pointed out the *particular Form*, and *Persons design'd to govern* in every Nation, which *his Lordship* and Mr. HOADLY are both agreed they do not? But Mr. HOADLY complains, that *the People are excluded*; Whereas, in Truth, *they are established* by this very *Scripture*, and may plead the *same Divine Commission*, where the Constitution is *Popular*: for the *Scripture* leaves it to the *Constitution* to settle the *Form*; And therefore, an *English Prelate*, must apply the *Text* to an *English Constitution*, which is *Monarchical*
and

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and *Hereditary*; So that Mr. HOADLY, if he insists on his own *Exposition*, in Favour of *Robbers and Usurpers*, must prove, that *Robbers and Usurpers* are the *Powers in being* with us; It is true, that *Robbers and Usurpers* may get *Possession* for a time, but whilst a *better Title* belongs to any *in being*, those are the *Powers in being*, by our *Constitution*.

A *Third Argument* insisted on by his *Lordship*, is, that the *contrary Notion of Resistance* is plainly grounded on a *Supposition false in Fact*, viz. That there was a *Number of Men equal among themselves created together*: Whereas his *Lordship* affirms, that every *Man is born a Subject in his Natural or Political Capacity*; Had it been *otherwise*: Had this *supposed State* been *Real*: then indeed, his *Lordship* owns, the *Power* contended for in behalf of the *People*, might have been their just *Right*; Upon these *Topicks*, Mr. HOADLY remarks: That if this be so, his *Lordship's Argument of the Power of Life and Death* falls to the *Ground*, since his *Lordship* argues, That this *Power* could never be in the *People* in
any

any State whatever, either of Subordination or Equality; Now in Answer to this, it is observable: That when *his Lordship* supposes such a Case, he does not say, that, *Consequently*, and of *Course*, this Power would belong to the *People*: But he says, that *possibly* it might have belong'd to them; *His Lordship* owns, that neither *Magistrate* nor *People*, have it essentially in themselves, but by *Divine Designation*; *His Lordship* contends that *this Designation* was made to the *Magistrate*, and not to the *People*; But then certainly, supposing *Mr. HOADLY's State of Nature*, for *his Lordship* to say, that it is possible the same *Designation* might have been made to the *People*, is by no means a *Contradiction* to *his Lordship's* first Inference and Argument; *His Lordship* distinguishes between a *Natural* and *Political Capacity*: Whence *Mr. HOADLY* argues, that a *Man* may be born free in his *Political Capacity*, tho not in his *Natural*: and he says, it will not prove, there was always a *Political Authority*, to say, there was always a *Paternal Authority*; *Paternal Authority* is a *Natural*
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Right, but his Lordship denies that there is any Natural Right to Government ; The Question then in Dispute, says Mr. HOADLY, is, whether there ever was a time without Civil Government ? To this his Lordship answers, Every Man is born a Subject to Paternal or Political Power : which Mr. HOADLY says, is begging the Question, and taking for Granted the thing in Debate ; To this, tho it would be sufficient to Reply, that notwithstanding Paternal and Political Right are Different, yet they are not so Different, but one might give Rise to the other : as Popular and Monarchical Right are different, yet Mr. HOADLY knows, there are, that contend, to make one of these the Foundation of the other ; But waving this, I must re-mind Mr. HOADLY, that in some Respects Political and Paternal Right Differ, and in other Respects they agree ; Children obey your Parents in all things, is a Divine Law : and the Right given by this Law, is Natural : Now to this Law the Child pleads, that he is not to obey his Parents in all things, because there is a Magistrate superior to his Parents,
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who has *some* things in which *he* commands him, by a Power Paramount to *Paternal* Authority: But then this *supposes* the Magistrates Right and Power *instituted* and *established*: Whereas in the *State* now spoken of, we suppose *no* such Right, and then it is plain, *no* such Right can be pleaded: Whence it follows, that setting aside the *Magistrate*, *Paternal* Power must extend to *all* things *Political* in a *State* of *Nature*, or to *all* things which would be *Political* if a *State* of *Government* were erected; Thus far then they are *the same*; but when *Men* *Increased*, and *Families* *Multiply'd* and *Intermingled*: it being impossible for the Subject to prove his *Relation* to the *first Planter* of his *Country* (tho the Name of *you* and *ye* was still kept up as synonymous to that of *Subjects* and *People*) Then there appear'd a remarkable *Difference* between *Paternal* and *Political* Power, notwithstanding *at first* they were certainly *one* and the *same* thing; Let Mr. HOADLY apply *this*, and he will find it *answer* all the *Objections*, he has offer'd against *his Lordship* on this Head. It is

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true that *Paternal Right* is a *Natural Right*, and *his Lordship* has *disclaimed* all *Natural Right*, as well as Mr. HOADLY : But then surely he must be understood to mean *this* (and *his Lordship* has sufficiently express'd such a *Meaning*) with *Respect* to the *Forms* and *Persons* now *in Being*, whereas Mr. HOADLY is here arguing in quite *another State*, when the Right was *Paternal*, and in *Paternal Right* Mr. HOADLY owns that the *Persons* are expressly named ; and that this *Paternal Right* was the *Ground* and *Rise* of *Political Right*, *He declares* to be the Judgment of many *wise Writers*, *Page the 30th*, tho I am sorry to see Mr. HOADLY so *Unwilling* to be reckoned amongst *them*.

Mr. HOADLY declares, there are *Instances* of *People* without any *Form* of *Government*, in a *pure State* of *Equality* : He forgets to enlarge upon the *Happiness* of their *Condition*, and to shew, *how easy* it is for them to *agree* in some *Settlement*, being all *Equal* ; But are these without any *Compact* or *Agreement* ? If they are not, as I believe none of them
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are: This alone will destroy Mr. HOADLY's State of *Pure Equality*; And tho' such an Instance be nothing to those, who are *not*, nor ever were, in such a State; yet certainly even in *this* very State, as describ'd by Mr. HOADLY, there are *Families*: and then, they have *Paternal Power* amongst them: and if there are *Persons to obey*, and *others to be obeyed in all things*: can Mr. HOADLY except *Political Things*, when there is no Power that can claim a Right to those things, but what is purely *Paternal*? This surely will effectually destroy *his State of Pure Freedom and Equality*.

From N^o 5 to Page 37, Mr. HOADLY contends for the *Right of Self-Defence*, and the *Limitation of the Political Commission*: both which are sufficiently asserted by my Lord of EXETER; But then Mr. HOADLY! seems highly *Astonish'd*, and thinks it *strikes at the Root of the Government*, and *nearly touches the Honour of God*, that his Lordship should affirm, as he does, *Serm. 1704. Pages 17, 18, 19. That it is in the Power of the*
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Supreamacy, to alter the Constitution; Now in delivering this Position, his Lordship plainly supposes a Supreamacy in every Nation or Society, and such a Supreamacy there must be, where there is a Society: for Societies are made by Contracts: Contracts require a common Judge and final Determination, and where such final Determination is lodg'd, there is the Supreamacy; That the Supream Power ought in all Alterations, to consult the Good and Genius of the People: His Lordship freely confesses; Now upon this Bottom, I presume to prove, that Mr. HOADLY has, by denying the Supreamacy this Power of Altering the Constitution, not only struck at, but effectually undermined the Government: Not only touch'd the Honour of God, but actually sully'd and defil'd it: and thereby endeavoured to bring on those Evils, which his Lordship, by asserting this very Power, design'd to prevent; I would know of Mr. HOADLY, what he means by the Constitution? Either he must mean, the Persons governing: or the Laws, by which they govern; Upon the first Explanation, his Lordship
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contends, that *the Supreamacy*, and *that* alone, can alter it self, by its own Consent: This Mr. HOADLY denies: Now 'tis plain, the *Supreamacy* here in *England* was once in a *single Person*, *Independent*, and *Uncontroulable*, *Exclusive of Parliaments* and *People*: to whom we were all *Slaves* and *Vassals*; And if *this single Person*, as Mr. HOADLY argues, could not alter *the Constitution*, by calling *Parliaments*, and giving *Charters*: Then are we *not free*, but *Slaves* and *Vassals* still: Then are *Parliaments* *Usurpations* and *Illegal Impositions*, and *the Statutes*, on which our *Liberties* and *Properties* stand founded, are *null* and *void*; Does not this *strike at the Government*, does it not effectually *overturn* it? But if *the Law* be the *Constitution*, and the *Constitution* cannot be *altered*: Why do *Parliaments* meet? And why are *Old Statutes Repealed*, and *New ones Enacted*? Since no Authority can be pleaded for *either*; And if this be *True*, what becomes of our *Church*, our *Religion*, our *Reformation*, our *Revolution*? All which, *his Lordship*, in the *Pages* cited by Mr. HOADLY, has effectually

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effectually established on *this very* Power of *Changing the Constitution*: And then surely, Mr. HOADLY, by denying it, not only *touches* the Honour of God, but *actually defiles* it, by ruining his Church, his Religion, and the *very Order*, to which Mr. HOADLY *himself* belongs; Thus, by *pretending to be righteous over-much*, he has *destroy'd himself*; Let Mr. HOADLY, a Man so *easy* to be *Astonish'd*, now apply the faithful *Mirror*, and wonder at his own *Irregular Form*; Let him be *amaz'd* and *astonish'd* at these Positions, till he is also *suddainly cast down*.

A *Third* thing complain'd of by Mr. HOADLY, and in which he thinks *his Lordship* has dealt very Unaccountably, is, that *his Lordship* should suppose St. Paul in the *Text* to have in his Eye *the Person of the Roman Emperor*; Mr. HOADLY, in Opposition to *this*, says, that we ought rather to take the *Text* in *General*, as including all *subordinate Magistrates* whatever: That Nero was a *Wicked Prince*, and that *the Princes here* meant, are said to be a *Terror to*
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Evil Works, and a Praise to them that do well; In answer to *this*, it is plain, that *his Lordship* does take the *Text* in *General*, and so explains it: and then certainly *all subordinate Powers* are included: as *Parts* of the *Supream*, Acting in *his stead*, and *Person*; and accountable to him *only*; But is it not *Natural* to suppose, that an *Apostle*, writing to the *Romans*, tho he does discourse of *Government* in *General*, should yet have a *particular Eye* on that *particular Government*, under which those very *Romans* then were? Can a *general Doctrine* be of any *Use*, unless thus *particularly* apply'd? And are not *Roman, Ephesian, and Corinthian Texts* thus apply'd by *all our Divines*? Had not *Mr. HOADLY* our *English Nero* in *his Eye*, when he took the *Oaths* to *him*? And does he not make the same *particular Application* of some of these very *Texts* to our own *particular Government*? I could wish indeed he had apply'd them *some where else*: But doubtless it is a *New and Extraordinary Revolution* in *Divinity*, to have *particular Applications*, the *best* and *most useful* part of a

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Sermon, thought strange and unaccountable; That all Powers ought to be a Terror to evil Works, and a Praise to them that do well, My Lord of EXETER is as fully perswaded, as Mr. HOADLY: but that only such are meant here, will appear best, by explaining one Part of Scripture by another; Mr. HOADLY affirms, that St. Paul is, in this Place, reconciling some foolish Men to the Office of the Magistrate, as useful to human Societies in General; But I beg leave to say, there never were any such Fools, at least no Sect or profest Party of them, who directly believ'd the Office of the Magistrate in General to be useles; so that St. Paul is not writing to any such Fools, but to Men of Sense: and then, if I can prove, as I believe I can, that not only good Magistrates ought to be obeyed, but such as are froward, unkind, unthankful, and such as will buffet a Man without Provocation, tho the Roman Emperor should prove to be such a sort of a Governor, it will not presently follow that he may, notwithstanding this Text, be disobey'd and resisted: For I suppose the Apostle is recommending
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such an Obedience to the Romans, for which (to use the Scripture-Phrase) they might expect Thanks: and not barely such a one, for which they could expect none.

Upon the *Fourth* General Head, *his Lordship* argues: *That tho the Laws of Human Governors are contrary to the Divine Law, in which Case the Magistrate certainly exceeds his Commission, Yet this does not void their Authority: They are the Ministers of God still; In what?* says Mr. HOADLY: *are they so in those things, which are without their Commission? No certainly: for his Lordship owns, that, in this, they exceed their Commission: In this therefore,* says Mr. HOADLY, *the Subject and Sovereign are Equal: and for that very Reason, say I, the Subject cannot censure and punish the Magistrate, for no Man can punish his Equal; We may resist a foreign Invader, or a Parent, or an Ecclesiastical Person, in that, to which their Power does not extend, says Mr. HOADLY: and the Reason is plain, A foreign Invader is not my Sovereign, and*

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there is a *Power* superior to *Priest* and *Parent*, that may judge between us : but this is not the *Case with the Supreme* ; Mr. HOADLY is so sensible of *this*, that distrusting his other Answers, he grants, *Page the 42d*, that *the Magistrates Authority to rule well, which is all the Authority he ever had, is not so made void, but that he hath that Authority, so long as he hath Power* : And let Mr. HOADLY tell us, if all his *Power* be taken away for *ruling ill*, whether his *Authority to do good*, which Mr. HOADLY owns to be *Divine*, be not taken away with it ; Besides, the *Power of resisting Evil*, the *first* and *chiefest* part of this very *Divine Commission* is thereby usurped by *another*, for whom no such *Divine Commission* can be pleaded. I will not determine the *Case of a Distracted Governour*, or of one *publickly disowning and renouncing all Law and Goodness, and professing Tyranny* : The *first* of these seems to be dead in his *Political Capacity*, and the *Last* to *Abdicate his own personal Right*, which a Governor may do by *his own Consent*, as *his Lordship* abundantly *acknow-*

Bishop of Exeter. 69

knowledges; Both *these* Cases are *extraordinary*: and in both *these*, the *next Heir* is to take in Course: But in both, *the People* are excluded: They are not to *resist*, to *censure*, or *punish* such *Evil Doers*: Because *the Punishing of Evil Doers* belongs *only* to the *Supream*, and, *the Subject* and *Supream* are in *no Case* *Synonymous*. I readily grant, the *People* are *not to obey* an *Evil Magistrate*, when *doing Evil*: they must not *join in*, and *comply with* it: they may *argue*, *petition*, and *declare* against it: But if *these Methods* prevail not, they are to *permit*, and to *suffer* it: this *God himself* does: this *our Saviour*, and *his Apostles*, did: and *their Example* may justly vindicate *my Lord of Exeter*, their *Successor* and *Follower*.

Mr. HOADLY blames *his Lordship* for *recurring to the General Declaration of St. Paul* against *Resistance*, which he would have *limited*, as the *other General Prohibitions* are, in *Cases of private Injury and Oppression*; But if *Scripture*, and the *Nature of the thing*, require a *Limitation* in *one*, and not in *t'other*, this is no Fault
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of his Lordship's; Tho there are *Measures of Patience and Forbearance* to be used in all Dealings between Man and Man: yet it is not unlawful to *redress Injuries by Law, and Justice, and by Resort to the Magistrate*; because there is *Scripture to prove this Lawful*, as well as to injoin the *other*; But what *Scripture* can Mr. HOADLY produce, to justify *contending with the Supream*? What *Redress* does it provide in *this Case*, proportionable to that in *t'other*? Nay *these very Texts*, which injoin *Patience* under *Private Injuries*, seem to be founded, in *some measure*, on the *suppos'd irresistible Authority of the Magistrate*: For let us consider *them*, as spoken to the *Church and the Apostles in a Persecuted State*, and one Reason of their being so *peremptory*, is, *That should the Injured Christian resort to the Pagan Magistrate, he would have no probable Prospect of Redress*; and so *Injustice would increase, and such Injustice too, as would then be stamp'd with Authority*: which plainly intimates, *that Religion had provided no present Remedy against it, by any Doctrine of Resistance*. In the mean time,
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Mr. HOADLY is out of all Patience, when *his Lordship* tells him, that this *Doctrin* of Non-resistance is for the *People's Good*: What? says he, is it for the *Peoples's Good*, to be made miserable? to have their Wives and their Children *ravish'd*? and themselves *ruined* and *undone*? Most certainly *his Lordship* meant no such Matter; I have already hinted a Remedy, where the *Prince* publicly *abjures* his *Religion*, *Conscience*, and *Law*, and declares *universal Destruction* to his *People*: But certainly a *Complication* of many *single Faults*, cannot be a Reason for *Resistance*: because there is a *Majority* of the *not Injured*, who have a *Right* in such a *Prince*, and are *protected* by *him*: and it is the *Good* of the *Majority*, that ought to determine the *Case*; Besides, *one single Supream*, cannot drink *all* the *Blood* in the *Nation*, nor lie with *all* the *Women*, nor eat *all* the *Children*: *Distance* will secure *some*, *Meanness* and *Obscurity* shelter *others*, and *Submission* save *many more*: But if the *People* get to be *Supream*, as they must be *supream*, and perhaps *more*, if they can judge and de-
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pose the *Supream*, then *who* is secure? Then *Vice, Folly, and Ignorance*, will govern in Course: For the *Majority of the People*, is the *People*: and *Vice, Folly, and Ignorance*, make up that *Majority*; We had *one Tyrant* before, but now, *who* is *not so*? and what *Distance*, what *Lurking-Place*, what *Submission*, can secure us from a *Mob*? *Constant Experience*, a *rare Maxim* in *Politicks*, makes it plain in this *Case*, that the *last Estate* is worse than the *first*, the *Remedy* than the *Disease*: and that it is better, *not to resist*, where we can *Remonstrate*, can *Intreat*, can *Petition*, or can *fly from*: than by *Resisting*, to bring our selves to a *State*, where not *one* of these *Arguments* will be so much as heard or taken Notice of; What is *one Blood-hound* to a *whole Pack*? the *King of the Bees*, to a *whole Hive* let loose about our *Ears*? or a *Single Storm* to a *Universal Deluge*?

The *Controversy*, thus *Astonishingly* and *Unaccountably* finished between his *Lordship* and *Mr. HOADLY*: He concludes with a *summary Account* of the *Proceedings* at the *late Happy Revolution*,

on, and yet supposes his Lordship to be thoroughly acquainted with it, and concerned in all the Publick Measures of that Memorable Transaction: which he may call *Respect* to his Lordship's Station, but it is hardly so to his Lordship's common Sense and Understanding; this whole Business Mr. HOADLY affirms, was Conducted and Perfected, upon the Principle and Doctrine of *Resistance*: and then charges his Lordship with impugning this Doctrine, and thereby undermining the Present Establishment; Now the Doctrine of *Resistance* which his Lordship opposes, is such a Doctrine, as stands founded on the Power of Judging, Censuring, and Punishing, which Mr. HOADLY does not contend for: and that the Revolution was not carry'd on by any such Principle as this, is plain even from Mr. HOADLY's Account; Neither Lords, Commons, nor People, ever presumed, in a Formal, Regular way of Judicature, to Censure or Punish King James; But our best Lawyers, among whom I reckon the now Lord President and Lord Chief Justice, are agreed, That King James did
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formally resign up his Power, as King of England, and his Act and Deed was as Notorious, as if he had made a full and ample Resignation of it under his own Hand: For which reason, the Case of King Richard II. was made a Precedent in these Proceedings; And if this be true, the Right of Supreamacy devolved of Course to the next Heir; the People did not pretend to be Judges of the Cause, but, as Mr. HOADLY judiciously expresses it, Invited over King William to seize in behalf of his Consort, to whom they had sworn the Right of Succession, in the very Oath that was taken to King James. Besides, this Deliverer had also another Reason for his appearing in Arms, and that was, to vindicate his own hereditary Rights, which were actually invaded by imposing a spurious, suppository Heir on the Nation, in Prejudice to the true Legal Succession; Of this the People were so sensible, who had acted all along, when the Prince was in Holland, as Informers only, and Assertors of his Highness's Right: that upon his Arrival, they did not undertake to be Judges and Censurers in any

ny Publick Cause. whatsoever ; they met not in a *Legislative Way*, but by *his Consent as Next Heir* : and tho upon their Meeting, *the Princes* were declared *King and Queen* of these Realms : yet the *Laws* call *this*, a *Recognition*, which does not *give*, but *supposes* a *Right* : and the same is done in the most *regularly Heritable Kingdoms*, for Instance, in *Scotland before the Union*, when *that* was a separate Nation from *England* ; There was indeed a *Vacancy* Adjudged : but *this* too is usual in case of a *Disputable Right* : for it was urged, that *the Throne* is no longer *vacant*, than till the *next rightful Heir* is *Recognized* : And then, the *Throne* is supposed *to have been full of him* before, and what was done *in the Vacancy*, is taken as done by *his Authority* : and upon this very foot, by the *Statutes of Succession*, all *intermediate Laws*, if the *next Heir* should not be here at the time of the *Demise*, are to be admitted as the *Act and Deed of the Sovereign*, till he declare *the contrary* ; Thus was it in the *Vacancy of King Richard*, which was all along urg'd as a *Precedent* for that

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of *K. James* : and the *Vacancy* of *King Richard* was never pleaded, in all the Law from that time downwards, as a *Breach* or *Infringement* of the *Old Hereditary Right of Succession*. But supposing the whole *Process* had been founded on the *Doctrine of Resistance* in its worst Sense : yet the Case is allowed on all hands to be *extraordinary*, and therefore *extraordinary Remedies* are required ; in such Streights as these, our *Legislature* has often made an *Extraordinary Provision* : But the same *Legislature* enjoins, that what is then done, shall not be drawn into *Precedent* for the future ; So that the *General Usage and Method of Justice*, must Remain as they did before.

In truth, there is no arguing in *Politicks*, from *Settled and Received Maxims*, against all *Exceptions* whatever ; The *Iniquity* of the Times, and a *Concurrence* of unforeseen Accidents, will make some *Interruptions* and *Flaws* in all the most *General Rules*, and yet they remain true and good notwithstanding ; To take a *Criminal's Life*, as an
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Equivalent and *Recompence* for a *little Money*, or *Goods of a small Value*, is notoriously contrary to the *Original Maxims of Equity*: and yet the *Degeneracy* of Men, and the *Ends* of Government, make such an *Exception* absolutely necessary; so that all that is required in a *Writer* on a *Subject* so ticklish as this, Is, that whilst he urges the *General Rule*, he should also take Care not to forget the *Limitations* and *Exceptions*: and that *my Lord of EXETER* has taken this Method, *Mr. HOADLY* cannot deny; but to make such *Limitations* and *Exceptions*, as will effectually destroy the *General Rule*, is a Method as *Astonishing* as *Mr. HOADLY* could desire. Should we turn the *Tables* upon *Mr. HOADLY*, and judge him by *his own Maxims*, improved into *Unexceptionable Conclusions*: we should find it easy to charge the *same* fowl *Designs*, of attempting to *Dethrone* the *Queen*, and *undermine* the Government; upon *him*, which *he* has charged upon *my Lord of EXETER*; it may not be amiss, to Instance *this* in some few *Particulars*.

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Mr. HOADLY has subscribed, and thereby sworn, to *the Articles of our Church*, and in them, to *the Doctrine of the Homilies*: Now part of *that Doctrine* is, *That it is unlawful to resist the King upon any Pretence whatsoever*: And therefore, *that very thing*, which some Men would plead against *this very Principle*, is a Reason why Mr. HOADLY should more especially adhere to it: *He is to keep the King's Commandment, because of the Oath of God*: And I question not, but Mr. HOADLY can readily determine with himself, *which he would be believed in first, His Word in a Pamphlet, or his Oath in a Court of Justice*. When the late King James had renounced *All Law, and the Religion of his Country*: Had divested *himself of all Sovereignty*, by becoming Tributary to France: had laid aside *Councils, and Parliaments*, and taken *Jesuits, Fryars, and Women*, in their Room: and, as our Laws say, had *actually Resigned the Government*: Yet Mr. HOADLY still calls him, our *Legal King*, Page the 45th: And if *so*, then certainly, he was to be obey'd in
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all things as such: And how then will Mr. HOADLY justify our treating *with the next* Heir as already seated on the Throne? Mr. HOADLY tells us, that *the Revolution* was a *Rebellion of Good Consequence*, Page the 48th; He does not speak this with any *Ironical Airs*: and *my Lord of EXETER* has given him *no Encouragement* to say so, for *his Lordship* calls it, a *Deliverance*; Now if it be a *Rebellion*, tho' of good *Consequence*: Yet Mr. HOADLY, who I presume holds, that *we must not do Evil, that Good may come of it*, should with his best Zeal declare against it: For tho' *Rebellion* be *Witchcraft*, it is not yet so far advanc'd in *that Art*, as to be able to turn *Evil* into *Good*. The *Right of Self-Preservation* is abundantly acknowledged by *my Lord of EXETER*: This Mr. HOADLY explains, by the *Doctrine of Resistance*: But then he waves the *Power of Censuring*, of *calling to Account*, and *Punishing*: Whence with the justest *Consequences* imaginable, He proves that very *Doctrine of Non-resistance*, for opposing which, he has censured *my Lord of EXETER* beyond all *Moderation*. Thus
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again, he roundly asserts in Opposition to *his Lordship*, that the *Supream Power* cannot alter the *Constitution*: by which the *Parliament*, the *Protestant Religion*, the *Limitation*, and *Succession of the Crown*, are render'd null, void, and of no Obligation to the Subject: and yet all these were enacted by the *Supream Power*, and are certainly *Alterations in the Constitution*. Now I believe it will be very difficult, even for Mr. HOADLY, to shift these Accusations, otherwise than by *Positive and General Affirmations* to the contrary, grounded upon the *same Law and Gospel*, whence *his other Notions* are supposed to be taken; How could he better answer the Charge of *designing to undermine the Government and Power of Parliaments*, than by a *handsome Declaration* in their Favour, as *my Lord of EXETER* has done, *Pages the 15th and 16th, Serm. 1*? How can he better answer, the Charge of *opposing the Present Establishment and Succession*, than by declaring for them, with as much Zeal, as *his Lordship* has done at the *19th Page of the same Sermon*? And can he vindicate the *Revolution* in finer Terms

Terms than those in which *his Lordship* has so happily express himself, Page the 25th, *Serm. I.* or those at the 12th Page? which I cannot forbear Repeating. It is not true Loyalty, but Cowardice or worldly-Mindedness, that ever makes Men give up their Religion and Conscience to the Humour of their Prince, and yield a blind Obedience without Reserve or Exception to all his Commands, how ungodly and irreligious soever they be. Thus we see *his Lordship* is in Nothing behind Mr. HOADLY, as an Assertor of the True Legal Rights of the People: but Mr. HOADLY has strain'd them, and insisted on them so strenuously, that he has forgot those of the Sovereign, which *his Lordship* has maintained as well as the other; Those Instances indeed, which I just now quoted from Mr. HOADLY, in favour of the Supreamacy, are Remarkable: But since they are the Throws and Efforts of Truth, squeez'd from Mr. HOADLY by the Force of Conviction, and are contrary to the Stream of his Argument: He is yet further called upon, to declare more avowedly for the Sovereign Power, which he has sworn to

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maintain, both as *Priest* and *Subject* : and *all* that is required at his hands in the Management of this Subject, will be, so to *vindicate the Supreamacy*, as not to *destroy*, and level it with *Subjection* ; such a Treatise as this, will soon shew Mr. HOADLY the great Benefit of *Positive General Affirmations*, where *the Law and Gospel* have not yet fix'd upon a *Middle Decisive Point* between two opposite Powers : And therefore *those General Positive Affirmations* are I think very proper in the Case, which, Mr. HOADLY complains, have been advanced against *what* he has *already published* to the World on *Government* : But when he says, this is *All* that ever was advanced against him, I take *that* to be the most *General Positive Affirmation* that ever appear'd in Nature ; *All Supreamacy* is not *unlawful* : *All Non-resistance*, in Case of Oppression, is not *destructive of Government* : The *Non-resistance* preached up in a *late Reign*, was *confined* to a *single Person* : Suppose *that* be laid aside : yet may it not be *confined now* to the *Three Estates* ? That it is so, *my Lord Chief Justice Hales*,
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an unprejudiced Judge in the Case, witnesseth: Who tells us, in His Original Power and Jurisdiction of Parliaments, Page the 49th, That where these Three agree to mismanage, the Subjects of this Kingdom are left without all manner of Remedy. Now if it be so, this is enough to make the Doctrine a Duty, and to enforce it on the Subject: for I know of no Law yet made, by which our Representatives are, in a Judicial way, accountable to their Electors; But however that be: let Mr. HOADLY so account for Non-resistance, as that he do not destroy it, and make it Resistance, and we will own the Favour of the Discovery.

Perhaps Mr. HOADLY thinks, that this is a Proper Time to insist altogether on the Rights of the People: But is he serious in that Thought? When all the Struggle is between Subjects and Subjects, when Parties are up in Arms, and Tugging for Superiority, Is it a Proper Time to preach Passive Obedience to the Throne? Should we not rather insist strenuously on the Power of the Sovereign, which might then probably allay

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these Heats, and make up all our Breaches? Or is he *Jealous* of our *Present Sovereign*? A *Queen*! *so Good* to her *People*! that she *professes* to have *no other Interest but theirs*, and has confirmed *that Truth* by a *thousand* condescending *Instances*; We have now *no Rival* in her *Affections*: She is like her *Glorious Predecessor, Elizabeth*, wedded *only* to her *People*: And tho she be *far above us*, yet is she *the Mother of us all*; How happy were it for us, if she were the *Absolute Judge* of all our *Differences*! A *Queen, so good*, cannot be *too Powerful*! but *so obliging a Queen*, may make us *too craving*; This certainly, is the best time, to insist *Manfully* on the *Supremacy and Rights of the Sovereign*, as it was the *Properest Season* in a *Late Reign*, to urge *as Manfully* the *Rights of the People*; But Men love to be *Preposterous*: Then we were taught, *Not to resist*: And now we must be instructed, *Not to obey*; How happily has my Lord of *EXETER* avoided *these Extreams*? Would to Heaven! *all our Divines* had taken *the same Method*, and not given *the Enemy* such apparent
Cause,

Cause, to scandalize *the Politicks of Church-men.*

I shall not *conclude* these Remarks, with those usual *Insults*, which Mr. HOADLY, and other *Moderns*, so plentifully throw about them, at the *Close* of every *Controversy*, on the *supposed Conquest* of an Adversary; But if the Reader is satisfy'd with *this Defence* of *my Lord of EXETER*, all those Reflections which Mr. HOADLY has so luxuriously dealt abroad in the *Eight last Pages* of his *Book*, must return with Interest on his own Head; what is said in *Behalf* of *my Lord of EXETER*, may be a mistaken *Reproof* to Mr. HOADLY: But if *he* be mistaken in his Reflections on *my Lord of EXETER*, the World will be induc'd by one of Mr. HOADLY's own Considerations, *that of his Lordship's* high Character, Station, and Virtues, to call *such an Attempt*, something worse than, *Boldness*: Which is the *mildest Name* Mr. HOADLY himself is pleas'd to give it.

I shall take little Notice of Mr. HOADLY's way of Proceeding with *his Lord-*

Lordship in this Debate; *his Lordship*, in Obedience to *the Doctrine* he taught, was oblig'd to Publish *his Sermon*: and it might have been for Mr. HOADLY's Glory, as a *Priest* of the Church of England, tho he were convinced of the Truth of his own Remarks, *not to have Uncover'd the Nakedness of a Spiritual Parent, and expos'd it to the World*; He might have taken another way of *Deciding* this Controversy, which through *his Lordship's* great Candour and Affability, is always easy and practicable. Is there *No Truth*, for which Mr. HOADLY professes himself *such a Lover*, like to suffer in this Contention? No Scandal like to fall upon *that Church*, to which, I hope, Mr. HOADLY belongs as well as *his Lordship*? Is this no Violation of *that Subordination*, which the *Queen* has promis'd to maintain between *Bishops* and *Presbyters*? Surely Mr. HOADLY cannot but know very well, *what a noble Precedent of Episcopal Conduct* my Lord of Sarum has given us in a parallel Case; But I trespass on his *Lordship* of EXETER: For *all this* is supposing *his Lordship* to be in the wrong,
and

and a Thought like *that* ought never to be forgiven me.

I have nothing more to add, but only to beg *his Lordship's* Pardon, for the Concern I have shown in this Debate ; I know *his Lordship* wants no Advocate : much leſs ſo weak a one as *my ſelf* ; But I contend not as *his Lordship's* Representative, but as his *Humble Admirer* ; I own my ſelf unfit, to be *his Lordship's* Champion : yet in ſo good a Cause, think my ſelf able to take the Field with Mr. HOADLY.

I hope this will not prevent *the World* the Happineſs of ſeeing ſome of *his Lordship's* better Thoughts on *this* Subject : I have no deſign to hinder *my own* Pleaſure and Satisfaction, which the Sight of *ſuch* a Piece would very much augment, and to which, *This* may humbly ſerve as an *Introduction*.

FINIS.





