

## Discourses concerning Government

Algernon Sidney  
1681–1683

*Government originates from the consent of the people. The divine right of kings, defended by Robert Filmer, supposes a right of succession among fathers and sons that is nowhere evident in history, scripture, or common sense. The right granted by God to the supposed first ruler must have been universal, but no single man ever ruled the entire world, nor could he. Neither does Filmer explain who first had that right, how he came to possess it, or how he transmitted it. God has made no man the natural ruler of any other, but freedom has been given as a gift of nature to all.*

Chapter One

Section 10

Such as Enter into Society

Must in Some Degree Diminish their Liberty

Reason leads them to this: No one man or family is able to provide that which is requisite for their

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convenience or security, whilst everyone has an equal right to everything, and none acknowledges a superior to determine the controversies, that upon such occasions must continually arise, and will probably be so many and great, that mankind cannot bear them. Therefore tho I do not believe that Bellarmine said, a commonwealth could not exercise its power; for he could not be ignorant, that Rome and Athens did exercise theirs, and that all the regular kingdoms in the world are commonwealths; yet there is nothing of absurdity in saying, that man cannot continue in the perpetual and entire fruition of the liberty that God hath given him.

The liberty of one is thwarted by that of another; and whilst they are all equal, none will yield to any, otherwise than by a general consent. This is the ground of all just governments; for violence or fraud can create no right; and the same consent gives the form to them all, how much soever they differ from each other.

Some small numbers of men, living within the precincts of one city, have, as it were, cast into a common stock, the right which they had of governing themselves and children, and by common consent joining in one body, exercised such power over every single person as seemed beneficial to the whole; and this men call perfect democracy. Others chose rather to be governed by a select number of such as most excelled in wisdom and virtue; and this, according to the signification of the word, was called aristocracy: Or when one man excelled all others, the government

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was put into his hands under the name of monarchy. But the wisest, best, and far the greatest part of mankind, rejecting these simple species, did form governments mixed or composed of the three, as shall be proved hereafter, which commonly received their respective denomination from the part that prevailed, and did deserve praise or blame, as they were well or ill proportioned.

It were a folly hereupon to say, that the liberty for which we contend, is of no use to us, since we cannot endure the solitude, barbarity, weakness, want, misery and dangers that accompany it whilst we live alone, nor can enter into a society without resigning it; for the choice of that society, and the liberty of framing it according to our own wills, for our own good, is all we seek.

This remains to us whilst we form governments, that we ourselves are judges how far 'tis good for us to recede from our natural liberty; which is of so great importance, that from thence only we can know whether we are freemen or slaves; and the difference between the best government and the worst, doth wholly depend upon a right or wrong exercise of that power.

If men are naturally free, such as have wisdom and understanding will always frame good governments: But if they are born under the necessity of perpetual slavery, no wisdom can be of use to them; but all must forever depend on the will of their lords, how cruel, mad, proud or wicked soever they be.

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### Section 17

God having given the Government  
of the World to no one Man  
Nor Declared How It Should Be Divided  
Left It to the Will of Man

Our author's next inquiry is, *What becomes of the right of fatherhood, in case the crown should escheat for want of an heir? Whether it doth not escheat to the people?* His answer is, *'Tis but the negligence or ignorance of the people, to lose the knowledge of the true heir, &c.*

And a little below, *The power is not devolved to the multitude: No; the kingly power escheats on independent heads of families: All such prime heads have power to consent in the uniting, or conferring their fatherly right of sovereign authority on whom they please; and he that is so elected, claims not his power as a donative from the people, but as being substituted by God, from whom he receives his royal charter of universal father, &c.*

In my opinion, before he had asked, What should be done in case the crown should escheat for want of an heir? he ought to have proved, there had been a man in the world, who had the right in himself, and telling who he was, have shewed how it had been transmitted for some generations, that we might know where to seek his heir; and before he accused the multitude of ignorance or negligence, in not knowing this heir, he ought to have informed us, how it may be possible to know him, or what it would avail us if we did know

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him, for 'tis in vain to know to whom a right belongs, that never was, and never can be executed.

But we may go farther, and affirm, that as the universal right must have been in Noah and Shem (if in any) who never exercised it; we have reason to believe there never was any such thing: And having proved from Scripture and human history, that the first kingdoms were set up in a direct opposition to this right, by Nimrod and others, he that should seek and find their heirs, would only find those, who by a most accursed wickedness, had usurped and continued a dominion over their fathers, contrary to the laws of God and nature; and we should neither be more wise, nor more happy than we are, tho our author should furnish us with certain and authentick genealogies, by which we might know the true heirs of Nimrod, and the seventy two kings that went from Babylon, who, as he supposes, gave beginning to all the kingdoms of the earth.

Moreover, if the right be universal, it must be in one; for the universe being but one, the whole right of commanding it cannot at the same time be in many, and proceed from the ordinance of God, or of man. It cannot proceed from the ordinance of God; for he doth nothing in vain: He never gave a right that could not be executed: No man can govern that which he does not so much as know: No man did ever know all the world; no man therefore did or could govern it: and none could be appointed by God to do that which is absolutely impossible to be done; for it could not consist with his wisdom.

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We find this in ourselves. It were a shame for one of us poor, weak, shortsighted creatures, in the disposal of our affairs, to appoint such a method, as were utterly ineffectual for the preservation of our families, or destructive to them; and the blasphemy of imputing to God such an ordinance, as would be a reproach to one of us, can suit only with the wicked and impudent fury of such as our author, who delights in monsters.

This also shews us that it cannot be from men: One, or a few, may commit follies, but mankind does not universally commit, and perpetually persist in any: They cannot therefore, by a general and permanent authority, enact that which is utterly absurd and impossible; or if they do, they destroy their own nature, and can no longer deserve the name of reasonable creatures. There can be therefore no such man, and the folly of seeking him, or his heir that never was, may be left to the disciples of Filmer.

The difficulties are as great, if it be said, the world might be divided into parcels, and we are to seek the heirs of the first possessors; for besides that no man can be obliged to seek that which cannot be found (all men knowing that *caliginosa nocte haec premit Deus*), and that the genealogies of mankind are so confused, that, unless possibly among the Jews, we have reason to believe there is not a man in the world, who knows his own original, it could be of no advantage to us tho we knew that of everyone; for the division would be of no value, unless it were at the first rightly made by him who had all the authority in himself (which

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does nowhere appear), and rightly deduced to him, who, according to that division, claims a right to the parcel he enjoys; and I fear our author would terribly shake the crowns, in which the nations of Europe are concerned, if they should be persuaded to search into the genealogies of their princes, and to judge of their rights according to the proofs they should give of titles rightly deduced by succession of blood from the seventy two first kings, from whom our author fancies all the kingdoms of the world to be derived.

Besides, tho this were done, it would be to no purpose: for the seventy two were not sent out by Noah, nor was he or his sons of that number; but they went or were sent from Babylon where Nimrod reigned, who, as has been already proved, neither had, nor could have any right at all; but was a mighty hunter, even a proud and cruel tyrant, usurping a power to which he had no right, and which was perpetually exercised by him and his successors against God and his people, from whence I may safely conclude, that no right can ever be derived; and may justly presume it will be denied by none who are of better morals, and of more sound principles in matters of law and religion than Filmer and Heylyn; since 'tis no less absurd to deduce a right from him that had none, than to expect pure and wholesome waters from a filthy, polluted, and poisonous fountain.

If it be pretended that some other man since Noah had this universal right, it must either remain in one single person, as his right heir, or be divided. If in one, I desire to know who he is, and where we may

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find him, that the empire of the world may be delivered to him: But if he cannot be found, the business is at an end; for every man in the world may pretend himself to be the person; and the infinite controversies arising thereupon can never be decided, unless either the genealogies of everyone from Noah were extant and proved, or we had a word from heaven, with a sufficient testimony of his mission who announceth it.

When this is done, 'twill be time to consider what kind of obedience is due to this wonderfully happy and glorious person. But whilst the first appears to be absolutely impossible, and we have no promise or reason to expect the other, the proposition is to be esteemed one of our author's empty whimses, which cannot be received by mankind, unless they come all to be possessed with an epidemical madness, which would cast them into that which Hobbes calls *bellum omnium contra omnes*; when every man's sword would be drawn against every man, and every man's against him, if God should so abandon the world to suffer them to fall into such misery.

If this pretended right be divided, it concerns us to know by whom, when, how, and to whom: for the division cannot be of any value, unless the right was originally in one; that he did exercise this right in making the division; that the parcels into which the world is divided are according to the allotment that was made; and that the persons claiming them by virtue of it are the true heirs of those to whom they were first granted. Many other difficulties may be alleged

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no less inextricable than these; but this seeming sufficient for the present, I shall not trouble myself with more, promising that when they shall be removed I will propose others, or confessing my errors, yield up the cause.

But if the dominion of the whole world cannot belong to any one man, and every one have an equal title to that which should give it; or if it did belong to one, none did ever exercise it in governing the whole, or dividing it; or if he did divide it, no man knows how, when, and to whom; so that they who lay claim to any parcels can give no testimony of that division, nor shew any better title than other men derived from his first progenitor, to whom 'tis said to have been granted; and that we have neither a word, nor the promise of a word from God to decide the controversies arising thereupon, nor any prophet giving testimony of his mission that takes upon him to do it, the whole fabrick of our author's patriarchal dominion falls to the ground; and they who propose these doctrines, which (if they were received) would be a root of perpetual and irreconcilable hatred in every man against every man, can be accounted no less than ministers of the Devil, tho they want the abilities he has sometimes infused into those who have been employ'd upon the like occasions.

And we may justly conclude that God having never given the whole world to be governed by one man, nor prescribed any rule for the division of it; nor declared where the right of dividing or subdividing that which every man has should terminate; we

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may safely affirm that the whole is forever left to the will and discretion of man: We may enter into, form, and continue in greater or lesser societies, as best pleases ourselves: The right of paternity as to dominion is at an end, and no more remains, but the love, veneration, and obedience, which proceeding from a due sense of the benefits of birth and education, have their root in gratitude, and are esteemed sacred and inviolable by all that are sober and virtuous.

And as 'tis impossible to transfer these benefits by inheritance, so 'tis impossible to transfer the rights arising from them. No man can be my father but he that did beget me; and 'tis as absurd to say I owe that duty to one who is not my father, which I owe to my father, as to say, he did beget me, who did not beget me; for the obligation that arises from benefits can only be to him that conferred them. 'Tis in vain to say the same is due to his heir; for that can take place only when he has but one, which in this case signifies nothing: For if I being the only son of my father, inherit his right, and have the same power over my children as he had over me; if I had one hundred brothers, they must all inherit the same; and the law of England, which acknowledges one only heir, is not general, but municipal, and is so far from being general, as the precept of God and nature, that I doubt whether it was ever known or used in any nation of the world beyond our island.

The words of the Apostle, *If we are children, we are therefore heirs and co-heirs with Christ*, are the voice of God and nature; and as the universal law of

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God and nature is always the same, every one of us who have children have the same right over them, as Abraham, Isaac, and Jacob had over theirs; and that right which was not devolved to any one of them, but inherited by them all (I mean the right of father as father) not the peculiar promises, which were not according to the law of nature, but the election of grace, is also inherited by every one of us, and ours, that is, by all mankind. But if that which could be inherited was inherited by all, and it be impossible that a right of dominion over all can be due to everyone, then all that is or can be inherited by everyone is that exemption from the dominion of another, which we call liberty, and is the gift of God and nature.

