

A PEOPLE WHO MEAN TO BE THEIR OWN GOVERNORS MUST  
ARM THEMSELVES WITH THE POWER WHICH KNOWLEDGE GIVES



WE THE PEOPLE  
THE BIBLICAL PRECEDENT  
FOR POPULAR SOVEREIGNTY

BY BILL FORTENBERRY  
THE FEDERALIST PAPERS PROJECT

# **WE THE PEOPLE**

## **The Biblical Precedent For Popular Sovereignty**



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Modern accounts of the philosophical underpinnings of the American Revolution often attribute the concept of popular sovereignty to men such as Thomas Hobbes, John Locke and Jean-Jacques Rousseau with Locke being the one most often praised as the source of the American ideal of a government of the people, by the people and for the people. To make this attribution, however, modern scholarship has had to ignore or, perhaps, forget the previously held view that the notion of popular sovereignty can be traced to the government of ancient Israel as recorded in the pages of the Bible. As a result, many students of American history are completely unaware of any link between the doctrines of Scripture and the foundational principles of American government. This paper is an attempt to remedy this defect through a review of both the political theory of the Bible and the recognition of that theory by the philosophers of several ages leading up to the American Revolution.

## I. Popular Sovereignty

To develop a proper understanding of the political theory advocated in the Bible, it is necessary to begin with the initial formation of the nation of Israel after their exodus from Egypt. The first account of this formation begins in the nineteenth chapter of the book of Exodus. It is in this chapter that we find God telling the Israelites:

“Ye have seen what I did unto the Egyptians, and how I bare you on eagles' wings, and brought you unto myself. Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people: for all the earth is mine: And ye shall be unto me a kingdom of priests, and an holy nation.”<sup>1</sup>

This passage is the preamble to what is known as the Mosaic Covenant. The full covenant is recorded in chapters nineteen through twenty-four, and it contains the famous Ten Commandments as well as several other foundational laws of the nation of Israel. These five chapters of the book of Exodus can be viewed as being equivalent in nature to the Constitution of America. They form the foundation upon which all the other laws of the nation were established.

The concept of popular sovereignty is present throughout the entirety of the Mosaic Covenant, and it is obvious even in the preamble itself. God did not simply tell the Israelites that they would be a holy nation unto Him. Instead, He presented them with an “if ... then” proposition and left it up to the people themselves to decide whether or not to become the kind of nation that He wanted them to be. The response of the people to this proposition is found in verse eight where we read that they gave unanimous consent to do everything that the Lord commanded them to do. From this, it is plainly obvious that government of the nation of Israel was established on the concept of popular sovereignty. The people were granted the sovereignty to either accept or reject God’s offer, and they willingly chose to accept it.

But the preamble is not the only recognition of popular sovereignty to be found in this covenant. When the covenant is examined in its entirety, it becomes evident that it is in the form of a

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<sup>1</sup> Exodus 19:4-6

suzerainty treaty. This has often been recognized by biblical scholars, and the International Standard Bible Encyclopedia records that:

"Form-critical and other studies have shown the striking parallels in structure between second-millennium-B.C. suzerainty treaties and the records of the covenant in Exodus and Deuteronomy."<sup>2</sup>

Suzerainty treaties were common in the region of Palestine during the time of the exodus, and they consisted of agreements between a greater king and a lesser king in which the lesser king would agree to serve the greater in all areas expressly stated in the treaty. This means that the Mosaic Covenant is a recognized treaty of submission between two sovereigns. The identity of the greater sovereign in this treaty is immediately recognized as God, and the lesser sovereign can only be the audience of the people who "answered with one voice, and said, All the words which the LORD hath said will we do."<sup>3</sup>

This kind of treaty relationship was recognized by philosophers like Grotius, Pufendorf and Vattel to be one in which "the inferior Power remains a Sovereign State" and in which "the weaker Power may exercise the rights of sovereignty so long as by so doing no detriment is caused to the interests or influence of the Suzeraine Power."<sup>4</sup> Grotius, for example, described a suzerainty treaty when he spoke of a league between sovereigns "where by the express Articles of the League some lasting Preference is given from one to the other; that is, where one is obliged to maintain the Dominion and Honour of another." He explained that people bound by this type of treaty are still free and then concluded that "If then a Nation bound by such a Covenant, remains yet free, and not subjected to the Power of another, it follows, that it yet retains its Sovereignty."<sup>5</sup>

Thus the fact that the Mosaic Covenant is in the form of a suzerainty treaty establishes two facts about the popular sovereignty of the Israelites. First, this form of treaty was a recognition by God of the sovereignty of the people at the time that the covenant was offered. Second, this treaty between a sovereign people and the sovereign Lord did not remove sovereignty from either. By accepting the terms of this treaty, the people of Israel agreed to submit to the terms of the covenant while still retaining their own sovereignty.

In addition to this, there is yet another evidence of popular sovereignty found in the record of the formation of the nation of Israel. That is the fact that the Mosaic Covenant was presented to the people for their ratification before it was put into effect.

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<sup>2</sup> Bromiley, Geoffrey W., ed., *The International Standard Bible Encyclopedia*, (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1986), 80 [http://books.google.com/books?id=Zkla5Gl\\_66oC&pg=PA80](http://books.google.com/books?id=Zkla5Gl_66oC&pg=PA80)

<sup>3</sup> Exodus 24:3

<sup>4</sup> Shephard, Wallwyn P. B., "Suzerainty," *Journal of the Society of Comparative Legislation*, no. 3, (December, 1899): 432-438 <http://books.google.com/books?id=CUCBAAAAYAAJ&pg=PA432>

<sup>5</sup> Grotius, Hugo, *Of the Rights of War and Peace*, (London: D. Brown, 1715), 167-168 <http://books.google.com/books?id=3Kovi9MltCsC&pg=PA167>

In the twenty-fourth chapter of Exodus, we read:

“And Moses came and told the people all the words of the LORD, and all the judgments: and all the people answered with one voice, and said, All the words which the LORD hath said will we do. And Moses wrote all the words of the LORD, and rose up early in the morning, and builded an altar under the hill, and twelve pillars, according to the twelve tribes of Israel ... And he took the book of the covenant, and read in the audience of the people: and they said, All that the LORD hath said will we do, and be obedient.”<sup>6</sup>

Here, we see that after God delivered all of the terms of the covenant to Moses, Moses came and told all the people what the Lord had said, and all the people gave unanimous assent to the terms. Moses then committed the entire covenant to writing and read what he had written before all the people. Then the people voiced unanimous consent a second time to confirm that they were agreeing to the covenant exactly as it had been written.

There are, therefore, three different recognitions of popular sovereignty in the Mosaic Covenant. First, the sovereignty of the people is recognized in the “if...then” proposition of the preamble. Second, the sovereignty of the people is plainly implied by the suzerainty treaty form used by the covenant. And third, the concept of popular sovereignty is established by the process of ratifying the covenant through a unanimous vote of the people. These facts demonstrate that the idea of popular sovereignty preceded the writings of John Locke by more than 3,000 years.

## **II. Popular Election**

One of the most important aspect of popular sovereignty that is found in the Bible is that of the popular election of leaders. There are several elections mentioned in the Scriptures, and the right of the people to choose their own leaders was a well established doctrine of Judaism. One of the first elections to be recorded is found in both the eighteenth chapter of Exodus and in the first chapter of Deuteronomy. In the first of these chapters, we read:

“And Moses' father in law said unto him ... thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens: And let them judge the people at all seasons: and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge: so shall it be easier for thyself, and they shall bear the burden with thee. If thou shalt do this thing, and God command thee so, then thou shalt be able to endure, and all this people shall also go to their place in peace. So Moses hearkened to the voice of his father in law, and did all that he had said. And Moses chose able men out of all

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<sup>6</sup> Exodus 24:3-7

Israel, and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens.”<sup>7</sup>

There are two objections to the claim that this passage refers to popular elections. First, it is objected that this chapter only mentions Moses choosing leaders for the people and not the people choosing leaders for themselves. The second objection is that this plan of leadership was suggested by Jethro, Moses’ father-in-law rather than commanded by God. We will address both of these objections in turn.

In light of the first objection, it should be noted that verse twenty-four (“So Moses hearkened to the voice of his father in law, and did all that he had said”) is a summation of an event that must have taken a great deal of time. This passage does not give us any details of how Moses carried out his father-in-laws advice. It only records that he did so. To read the details of how these leaders were chosen, we have to turn to the parallel passage in the first chapter of Deuteronomy where Moses recounted this event to the people just before they entered Canaan. In that chapter, we read:

“And I spake unto you at that time, saying, I am not able to bear you myself alone: The LORD your God hath multiplied you, and, behold, ye are this day as the stars of heaven for multitude ... How can I myself alone bear your cumbrance, and your burden, and your strife? Take you wise men, and understanding, and known among your tribes, and I will make them rulers over you. And ye answered me, and said, The thing which thou hast spoken is good for us to do. So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes.”<sup>8</sup>

When we compare the account in this passage with the account given in Exodus, it becomes clear that Moses carried out the advice of his father-in-law by going before the people and asking them to choose or elect men that he could then appoint to be the leaders of the new nation. Thus the reflection of Deuteronomy makes it clear that the Israelites used popular elections to determine their leaders, but this still leaves the second objection that the use of elections was not commanded by God.

To answer the second objection, we need to consider yet another passage on this topic which is found in the eleventh chapter of Numbers. There we read:

“And the LORD said unto Moses, Gather unto me seventy men of the elders of Israel, whom thou knowest to be the elders of the people, and officers over them; and bring them unto the tabernacle of the congregation, that they may stand there with thee. And I will come down and talk with thee there: and I will take of the spirit which is

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<sup>7</sup> Exodus 18:17-25

<sup>8</sup> Deuteronomy 1:9-15

upon thee, and will put it upon them; and they shall bear the burden of the people with thee, that thou bear it not thyself alone ... And Moses went out, and told the people the words of the LORD, and gathered the seventy men of the elders of the people, and set them round about the tabernacle. And the LORD came down in a cloud, and spake unto him, and took of the spirit that was upon him, and gave it unto the seventy elders: and it came to pass, that, when the spirit rested upon them, they prophesied, and did not cease.”<sup>9</sup>

In this passage, we discover that while God did not directly command the use of popular elections, yet He chose to place His sanction upon that method by giving the elders the same authority that He had formerly given to Moses. These men who were selected through the election of the people were given the right to stand with Moses before the immediate presence of God in the tabernacle and hear the voice of the Lord with their own ears. These elders were not mere ministers of Moses to aid him in managing the affairs of the people, they were declared to be his equals, and they shared with him the responsibility of proclaiming the words of the Lord to the people. There is no higher sanction that God could have given upon the use of popular elections.

However, there is another objection that is sometimes raised against, or rather, because of God’s clear sanction of the popular election of the elders of Israel. It is occasionally interjected at this point that, while God did give the elders the same spirit which He had placed upon Moses, yet Moses remained the supreme leader of the people because he was directly chosen by God rather than through the will of the people. This objection, though often perceived of as being true, is actually contrary to the record of Scripture.

According to the Bible, God delivered the first part of the Mosaic Covenant directly to the assembly of the people of Israel in an audible voice. This part of the covenant has become known as the Ten Commandments, and we read about God delivering them to the people in the twentieth chapter of Exodus and the fifth chapter of Deuteronomy. In the account from Deuteronomy we read:

“The LORD talked with you face to face in the mount out of the midst of the fire ... These words the LORD spake unto all your assembly in the mount out of the midst of the fire, of the cloud, and of the thick darkness, with a great voice: and he added no more. And he wrote them in two tables of stone, and delivered them unto me. And it came to pass, when ye heard the voice out of the midst of the darkness, (for the mountain did burn with fire,) that ye came near unto me, even all the heads of your tribes, and your elders; And ye said, Behold, the LORD our God hath shewed us his glory and his greatness, and we have heard his voice out of the midst of the fire: we have seen this day that God doth talk with man, and he liveth. Now therefore why should we die? for this great fire will consume us: if we hear the voice of the LORD our God any more, then we shall die. For who is there of all flesh, that hath heard the

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<sup>9</sup> Numbers 11:16-25

voice of the living God speaking out of the midst of the fire, as we have, and lived? Go thou near, and hear all that the LORD our God shall say: and speak thou unto us all that the LORD our God shall speak unto thee; and we will hear it, and do it. And the LORD heard the voice of your words, when ye spake unto me; and the LORD said unto me, I have heard the voice of the words of this people, which they have spoken unto thee: they have well said all that they have spoken. O that there were such an heart in them, that they would fear me, and keep all my commandments always, that it might be well with them, and with their children for ever!”<sup>10</sup>

In the above quotation, we discover a remarkable series of events. When God established the Mosaic Covenant in the form of a suzerainty treaty with the nation of Israel, He did not choose to speak to Moses alone. Rather, God descended upon the mountain in the sight of all the people, and began presenting the terms of the covenant directly to the body of the people. The people heard the ten commandments which formed the foundation of the covenant, and then they became afraid. When God stopped speaking in order to record the Ten Commandments in writing, the people took advantage of the pause to approach Moses and ask him to be their representative before the Lord. According to the parallel passage in Exodus, Moses actually pleaded with the people that they not succumb to their fears,<sup>11</sup> but they refused his pleas. Then, the Bible records for us that God heard the decision of the people to elect Moses to be their representative and that He not only approved of their decision but also that He wished for them to always display such wisdom. Here we have a record of the God of the Universe rejoicing because the nation of Israel decided on their own to elect a representative to stand before Him in their place.

God’s approval of popular election in these two instances seems to have established a precedent which was followed throughout the history of the nation of Israel. Joshua was the leader of the Israeli military under Moses,<sup>12</sup> and it was only reasonable that he be allowed to continue in that position during the conquest of Canaan. It is remarkable to note, however, that the elder’s also retained their positions as the rulers of the nation, and they continued in that capacity after the death of Joshua.<sup>13</sup> Then, during the time of the Judges, there were two additional elections.

The first occurred after the defeat of the Midianites under the leadership of Gideon. When the people of Israel had successfully driven out their enemies, we read that, “the men of Israel said unto Gideon, Rule thou over us, both thou, and thy son, and thy son's son also: for thou hast delivered us from the hand of Midian.”<sup>14</sup> Gideon declined their request, but there was another Judge several years later who accepted an election by the elders of his city.

The second example of elections in the book of Judges is found in chapter eleven where we read:

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<sup>10</sup> Deuteronomy 5:4-29

<sup>11</sup> Exodus 20:20

<sup>12</sup> Exodus 17:9

<sup>13</sup> Joshua 24:31

<sup>14</sup> Judges 8:22

“And the elders of Gilead said unto Jephthah, Therefore we turn again to thee now, that thou mayest go with us, and fight against the children of Ammon, and be our head over all the inhabitants of Gilead. And Jephthah said unto the elders of Gilead, If ye bring me home again to fight against the children of Ammon, and the LORD deliver them before me, shall I be your head? And the elders of Gilead said unto Jephthah, The LORD be witness between us, if we do not so according to thy words. Then Jephthah went with the elders of Gilead, and the people made him head and captain over them: and Jephthah uttered all his words before the LORD in Mizpeh.”<sup>15</sup>

These two passages reveal to us that, during the time of the Judges, the people of Israel continued to elect their leaders through the process of popular election. Both Gideon and Jephthah were elected by the people. The former was elected by the men of the entire nation and refused to accept the position. The latter was elected by the people of his city, and he accepted the position that they gave him. In both cases, however, we find the principle of popular election to be firmly established in the governing philosophy of Israel.

This principle remained in effect even during the period referred to as the monarchy of Israel. In fact, the Scriptures clearly reveal that it was the principle of popular election which allowed for the establishment of a king in the first place. The first reference to a king in Israel is found in the seventeenth chapter of Deuteronomy where we read:

“When thou art come unto the land which the LORD thy God giveth thee, and shalt possess it, and shalt dwell therein, and shalt say, I will set a king over me, like as all the nations that are about me; Thou shalt in any wise set him king over thee, whom the LORD thy God shall choose: one from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which is not thy brother.”<sup>16</sup>

The intriguing aspect of this passage is that God left the decision over whether or not to have a king entirely in the hands of the people. They were to decide both when to have a king and who that king was to be, for we do not read “He will be king over thee whom the Lord chooses” but rather “Thou shalt ... set him king over thee whom the Lord ... chooses.” God was to have a voice in deciding who would be king, but He recognized the sovereignty of the people by granting them the authority to either accept or reject the one whom He should choose. This power of the people to choose their own king is well documented in the elections of the first two kings of the monarchy.

In accordance with the instructions from Deuteronomy, the people of Israel eventually decided that they wanted to have a king. They approached the prophet Samuel and requested that he assist them by anointing someone to be their king. This request is recorded in the eighth chapter of I Samuel:

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<sup>15</sup> Judges 11:8-11

<sup>16</sup> Deuteronomy 17:14-15

“Then all the elders of Israel gathered themselves together, and came to Samuel unto Ramah, And said unto him, Behold, thou art old, and thy sons walk not in thy ways: now make us a king to judge us like all the nations. But the thing displeased Samuel, when they said, Give us a king to judge us. And Samuel prayed unto the LORD. And the LORD said unto Samuel, Hearken unto the voice of the people in all that they say unto thee: for they have not rejected thee, but they have rejected me, that I should not reign over them. According to all the works which they have done since the day that I brought them up out of Egypt even unto this day, wherewith they have forsaken me, and served other gods, so do they also unto thee. Now therefore hearken unto their voice: howbeit yet protest solemnly unto them, and shew them the manner of the king that shall reign over them.”<sup>17</sup>

It is interesting to note that this request was made by the elders who were still serving in their role as rulers of the people, but the most important aspect of this passage is the indication that the people were choosing to have a king at this time for the wrong reason. God told Samuel that this decision had been made because the people had rejected God and turned away from worshipping Him. Nevertheless, God still honored the right of the people to choose their own ruler and commanded Samuel to obey the request of the elders.

The ensuing coronation of King Saul was far from the simple, straightforward process that most people think that it was. The first part of the biblical record corresponds well with the standard Sunday-school account. The people asked for a king.<sup>18</sup> God told Samuel to anoint Saul.<sup>19</sup> Samuel showed the people that God had chosen Saul. The people rejoiced and shouted “God save the king.”<sup>20</sup> At this point, however, the biblical account differs greatly from the conception that the average Christian has of this event. Immediately after the people shouted “God save the king,” the Bible tells us that:

“Samuel told the people the manner of the kingdom, and wrote it in a book, and laid it up before the LORD. And Samuel sent all the people away, every man to his house. And Saul also went home to Gibeah; and there went with him a band of men, whose hearts God had touched. But the children of Belial said, How shall this man save us? And they despised him, and brought him no presents. But he held his peace.”<sup>21</sup>

The primary difference between this account and the average perception of Saul’s coronation is that there is no mention of any coronation at this point in the record. Instead of reading of Saul being crowned king, we discover Samuel sending all the people home including Saul, and we learn that some of the people, those identified here as children of Belial, did not want Saul as

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<sup>17</sup> I Samuel 8:4-9

<sup>18</sup> I Samuel 8:4-5

<sup>19</sup> I Samuel 9:17

<sup>20</sup> I Samuel 10:24

<sup>21</sup> I Samuel 10:25-27

their king. This is not what we would expect to read if Saul was simply a heavenly chosen monarch to be imposed upon the nation. If that were the case, we would expect to find Samuel crowning Saul and commanding all the people to follow him as the man chosen by God. Instead, we discover that the people were not in agreement about Saul being king and that Samuel sent everyone home after instructing them in the proper nature of the kingdom.

If we were to search the book of I Samuel for the account of Saul's coronation, we would discover it all the way at the end of the next chapter where the Bible tells us that "all the people went to Gilgal; and there they made Saul king before the LORD."<sup>22</sup> Between this account of Saul's coronation and the account of Samuel sending everyone home without crowning Saul as king, an event is recorded which reveals to us the role that popular election played in Saul's ascension to the throne.

The tenth chapter of I Samuel closes with the statement that some of the people did not want Saul to be their king. The eleventh chapter opens with an account of the Ammonites declaring war against the Israeli city of Jabeshgilead. The elders of Jabeshgilead sent messengers throughout Israel in search of someone to deliver them from the army of the Ammonites. It is important to note that they did not send a messenger to Saul as we would expect them to do if he were their king. In fact, none of the messengers ever said anything to Saul. He was out tending the sheep when news of the Ammonite invasion reached the town of Gibeah, and he only learned of it when he asked why the people of the town were so upset. After learning of the plight of Jabesh, Saul sent letters throughout the nation threatening to destroy the livestock of any man who refused to follow him into battle against the Ammonites. Three hundred and thirty thousand men joined Saul in defeating the Ammonites, and in verse twelve we read that, after this victory, "the people said unto Samuel, Who is he that said, Shall Saul reign over us? bring the men, that we may put them to death."

Notice the change in the attitude of the people toward Saul. At the end of the tenth chapter, we find that there was dissension among the people regarding Saul's lack of military experience. This is what was meant by the question "How shall this man save us?" In chapter eleven, we read of Saul having to invoke the authority of Samuel to get the people to follow him into battle. Once he was able to get the people to follow him, Saul led them in a decisive victory over the Ammonites. Then, after Saul had proven his military expertise to the people, they came to Samuel with the charge that anyone who doubted Saul's ability to lead should be put to death. It was only at this point, when the people were firmly and perhaps even unanimously in favor of Saul, that Samuel gathered them together and Gilgal and crowned Saul king of Israel. This series of events is inconsistent with the idea of an imposed monarchy, but it is in full agreement with the principle of popular sovereignty.

The coronation account of King David also gives testimony to the prevalence of popular sovereignty in the political ideology of ancient Israel. The transition from Saul to David was not an easy transition. Saul was killed in battle while David was in exile, and the biblical account

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<sup>22</sup> I Samuel 11:15

tells us that, when David learned of the death of Saul, he returned to Hebron where he was met by the men of the tribe of Judah. The men of Judah decided to crown David as king not over all of Israel but rather over just the tribe of Judah.<sup>23</sup> The rest of the nation chose to crown Saul's son Ishbosheth as their king.<sup>24</sup> It is only after the account of the death of Ishbosheth that we read:

“Then came all the tribes of Israel to David unto Hebron, and spake, saying, Behold, we are thy bone and thy flesh. Also in time past, when Saul was king over us, thou wast he that leddest out and broughtest in Israel: and the LORD said to thee, Thou shalt feed my people Israel, and thou shalt be a captain over Israel. So all the elders of Israel came to the king to Hebron; and king David made a league with them in Hebron before the LORD: and they anointed David king over Israel.”<sup>25</sup>

Thus we see that David's coronation was just as much an act of popular sovereignty as that of Saul. He was not crowned king over all Israel until all the elders of the nation had agreed to be under his rule.

The idea that the people should be free to elect their own rulers is an integral component of the government established by God in the Old Testament, and it was such a natural part of Israel's political ideology that it was adopted by the leaders of the early church as the proper way to fill positions in that body as well. In the sixth chapter of Acts, Luke records for us that church was in need of leaders to oversee the daily business of the church, but the Apostles did not simply choose the men that they wanted to have in those positions and force them upon the people of the church. To do so would have been completely foreign to the political mindset of the Jews. Instead, they followed that method of choosing leaders which came natural to them under the Old Testament legal system. They asked the people to take a vote and choose their own leaders.

"Then the twelve called the multitude of the disciples unto them, and said, It is not reason that we should leave the word of God, and serve tables. Wherefore, brethren, look ye out among you seven men of honest report, full of the Holy Ghost and wisdom, whom we may appoint over this business. But we will give ourselves continually to prayer, and to the ministry of the word. And the saying pleased the whole multitude: and they chose Stephen, a man full of faith and of the Holy Ghost, and Philip, and Prochorus, and Nicanor, and Timon, and Parmenas, and Nicolas a proselyte of Antioch: Whom they set before the apostles: and when they had prayed, they laid their hands on them."<sup>26</sup>

This account of the election of the deacons follows the exact same pattern as the first election of the elders described in Deuteronomy. In that original election, Moses called the people together

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<sup>23</sup> II Samuel 2:4

<sup>24</sup> II Samuel 2:8-10

<sup>25</sup> II Samuel 5:1-3

<sup>26</sup> Acts 6:2-6

and asked them to choose men that he could then appoint to be rulers over them, and we find that same pattern in the words of the Apostles. They asked the people to choose men from among themselves that the Apostles could then appoint as the leaders of the daily business of the church. The early church had the same casual familiarity with popular elections as is found among the various clubs, businesses and other organizations of America, and such a familiarity only makes sense in a culture with a long history of freely choosing their own leaders.

### **III. The Right of Resistance**

One of the concepts inherent in the doctrine of popular sovereignty is that of the right of the people to resist the usurpation of power by a tyrant, and this right is recognized in the Scriptures as well. In fact, the book of Judges is literally filled with accounts of God raising up men for the purpose of delivering the nation from tyranny.

First, there was Othniel who delivered the nation of Israel through a military revolt against Chushanrishathaim.<sup>27</sup> Then there is the account of Ehud who assassinated King Eglon and led the Israelites in a rebellion against their Moabite conquerors.<sup>28</sup> Ehud was followed by Shamgar who delivered Israel after killing six hundred Philistines with his ox goad.<sup>29</sup> After Shamgar, we learn of the efforts of Deborah, Barak and Jael in the revolt against Jabin.<sup>30</sup> Then the Israelites were subdued under the Midianites, and God raised up Gideon to rebel against their tyranny.<sup>31</sup> Gideon was followed by Tola and then Jair of whom we know very little, and they were followed by Jephthah whom we have already mentioned.<sup>32</sup> Then came Ibzan, Elon and Abdon who are barely even mentioned before being followed by the mighty Samson and his lengthy feud with the Philistines.<sup>33</sup>

There are a total of twelve judges mentioned in this book. We know very little about five of them, but of the other seven, we know that they each led a revolt against a tyrannical government and that their actions against those governments were all sanctioned by God.

It may be argued, perhaps, that the judges fought against foreign rulers who had invaded Israel and therefore cannot be used to justify resistance against one's native government. There are two answers which can be given to this argument. First, it should be noted that several of the kings in the book of Judges had been established as the official rulers of Israel for many years before they were opposed. In the cases of both Ehud and Jephthah, Israel had been under foreign control for eighteen years, and in the case of Samson, Israel had been governed by the Philistines for forty years before God raised up a deliverer. Certainly a government which has been established for forty years can no longer be dismissed as a mere foreign invader. Nevertheless,

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<sup>27</sup> Judges 3:8-10

<sup>28</sup> Judges 3:12-30

<sup>29</sup> Judges 3:31

<sup>30</sup> Judges 4:1-5:31

<sup>31</sup> Judges 6:1-8:32

<sup>32</sup> Judges 10:1-12:7

<sup>33</sup> Judges 12:8-16:31

even if we ignore the evidence in the book of Judges as being irrelevant, there still remains another example of resistance to tyranny which cannot be dismissed as resisting a foreign power. That example is found in the twelfth chapter of I Kings.

In this passage we read of the actions of Israel toward their new king, Rehoboam. After coming to Shechem for Rehoboam's coronation, the people requested that the king lower their tax burden from the heavy taxes of Solomon his father. Rehoboam's response was that of a tyrant. Instead of considering the needs of the people, he focused on his own desires and replied, "My father made your yoke heavy, and I will add to your yoke: my father also chastised you with whips, but I will chastise you with scorpions."<sup>34</sup> When the people heard this response, they denounced Rehoboam's right to rule over them and said, "What portion have we in David? neither have we inheritance in the son of Jesse: to your tents, O Israel: now see to thine own house, David."<sup>35</sup> This, of course, angered Rehoboam, and he gathered an army with the intent of forcing the rebellious tribes to submit to his rule. But God sent a prophet to tell Rehoboam, "Ye shall not go up, nor fight against your brethren the children of Israel: return every man to his house; for this thing is from me."<sup>36</sup> Rehoboam wisely heeded God's command and allowed the ten northern tribes to reject his authority and establish their own kingdom. Many opinions have been advanced concerning the justification of the actions of the northern tribes, but the important thing to note is that they did not consider the established monarchy to be permanently binding upon the nation.

The denial of the permanency of the monarchy is evident from the question "What portion have we in David?" and the answer, "neither have we inheritance in the son of Jesse." The reasoning behind this question and its answer was that the descendants of David could not trace their claim of authority over Israel back to any sort of paternal right of authority. Political theorists have frequently recognized that most kingdoms were originally established under a patriarchal form of government. A father would move his family and servants into some new territory and establish himself as a ruler over them. He would then pass this authority on to his firstborn son who would do the same for his son. This continual passage of authority from father to son over successive generations is the foundation of the doctrine of the divine right of kings. Sir Robert Filmer famously advocated for this right in his book *Patriarcha* in which he said of the nation of Israel that "when God gave the *Israelites* Kings, he reestablished the Antient and Prime Right of Lineal Succession to Paternal Government."<sup>37</sup> In spite of Filmer's claim, it was precisely on the absence of this concept of paternal government that the northern tribes justified their rejection of Rehoboam's authority. None of the northern tribes were descended from Jesse. Therefore, David, the son of Jesse, never had any claim to parental authority over them. From which it obviously follows that Rehoboam, the descendant of David, had no claim to parental authority

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<sup>34</sup> I Kings 12:14

<sup>35</sup> I Kings 12:16

<sup>36</sup> I Kings 12:24

<sup>37</sup> Filmer, Sir Robert, *Patriarcha*, (London: Richard Chiswell, 1680), 18

[http://oll.libertyfund.org/index.php?option=com\\_staticxt&staticfile=show.php%3Ftitle=221&layout=html#f0140\\_1\\_ref\\_7](http://oll.libertyfund.org/index.php?option=com_staticxt&staticfile=show.php%3Ftitle=221&layout=html#f0140_1_ref_7)

either. David was elected into office by the free vote of the people, and his grandson could be removed from office by the same manner.

In addition to this justification of the right of resistance, there remains the statement from God that the secession of the northern tribes was from Him. When God first laid down the principles for the Israelites to follow when choosing a king, He also established several rules that were to govern the king's behavior under the law. Those rules can be found in the seventeenth chapter of Deuteronomy where we read:

“But he shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he should multiply horses: forasmuch as the LORD hath said unto you, Ye shall henceforth return no more that way. Neither shall he multiply wives to himself, that his heart turn not away: neither shall he greatly multiply to himself silver and gold. And it shall be, when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a book out of that which is before the priests the Levites: And it shall be with him, and he shall read therein all the days of his life: that he may learn to fear the LORD his God, to keep all the words of this law and these statutes, to do them: That his heart be not lifted up above his brethren, and that he turn not aside from the commandment, to the right hand, or to the left: to the end that he may prolong his days in his kingdom, he, and his children, in the midst of Israel.”<sup>38</sup>

Solomon violated nearly all of these rules, and God sent the prophet Ahijah to pronounce judgment against Solomon for those violations. This judgment is recorded in the chapter immediately preceding the account of the rebellion under Rehoboam.

“Wherefore the LORD said unto Solomon, Forasmuch as this is done of thee, and thou hast not kept my covenant and my statutes, which I have commanded thee, I will surely rend the kingdom from thee, and will give it to thy servant. Notwithstanding in thy days I will not do it for David thy father's sake: but I will rend it out of the hand of thy son. Howbeit I will not rend away all the kingdom; but will give one tribe to thy son for David my servant's sake, and for Jerusalem's sake which I have chosen.”<sup>39</sup>

From these passages, we can conclude that the kings of Israel were expected to be just as subject to the law as the people. No king of that nation was above the law, and the just punishment of those who acted as if they were above the law was the removal of their authority by the decision of the people.

#### **IV. Recognition Among the Philosophers**

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<sup>38</sup> Deuteronomy 17:16-20

<sup>39</sup> I Kings 11:11-13

As noted at the beginning of this article, most modern scholars only trace the American ideology of popular sovereignty to the writings of John Locke. A small fact that is very seldom mentioned is that Locke's *Two Treatises on Government* was written as a refutation of the aforementioned book *Patriarcha* by Sir Robert Filmer. Filmer, however, wrote his book to defend the concept of the divine right of kings in opposition to the doctrine of popular sovereignty. If Locke was writing in response to Filmer, and Filmer was writing in response to previous concepts of popular sovereignty, then it must follow that Locke was only defending an idea which predated him; and according to Filmer, the concept of popular sovereignty had been prevalent among Christians for many centuries prior to his time. He wrote:

“Since the time that School-Divinity began to flourish, there hath been a common Opinion maintained, as well by Divines, as by divers other learned Men, which affirms,

Mankind is naturally endowed and born with Freedom from all Subjection, and at liberty to chose what Form of Government it please: And that the Power which any one Man hath over others, was at first bestowed according to the discretion of the Multitude.

This Tenent was first hatched in the Schools, and hath been fostered by all succeeding Papists for good Divinity. The Divines also of the Reformed Churches have entertained it, and the Common People every where tenderly embrace it, as being most plausible to Flesh and blood, for that it prodigally destributes a Portion of Liberty to the meanest of the Multitude, who magnifie Liberty, as if the height of Humane Felicity were only to be found in it, never remembring That the desire of Liberty was the first Cause of the Fall of Adam ... Yet upon the ground of this Doctrine both Jesuites, and some other zealous favourers of the Geneva Discipline, have built a perillous Conclusion, which is, That the People or Multitude have Power to punish, or deprive the Prince, if he transgress the Laws of the Kingdom.”<sup>40</sup>

Here in Filmer's book, we find that all three of the principles presented in this article – popular sovereignty, popular election and the right of resistance – have been taught and accepted by Christians since long before the Protestant Reformation. Now, it should be noted that Filmer did claim that these principles were “not to be found in the Ancient Fathers and Doctors of the Primitive Church.” He was mistaken in this claim, but he was not so bold as to completely deny that these principles had a longstanding relationship with the Christian community.

The earliest Christians often found themselves under governments that were hostile to the teachings of the Scriptures, and consequently, they focused on the resistance aspect of popular sovereignty. One of the earliest references to popular sovereignty among Christian writers can

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<sup>40</sup> Filmer, Sir Robert, *Patriarcha*, (London: Richard Chiswell, 1680), 2-3  
[http://oll.libertyfund.org/index.php?option=com\\_staticxt&staticfile=show.php%3Ftitle=221&layout=html#chapter45521](http://oll.libertyfund.org/index.php?option=com_staticxt&staticfile=show.php%3Ftitle=221&layout=html#chapter45521)

be found in the book *Against Heresies* in which Irenaeus wrote that “God has always preserved freedom, and the power of self-government in man.”<sup>41</sup> Later, in the same book, he hinted at the right of the people to resist a tyrant when he wrote:

“And for this reason too, magistrates themselves, having laws as a clothing of righteousness whenever they act in a just and legitimate manner, shall not be called in question for their conduct, nor be liable to punishment. But whatsoever they do to the subversion of justice, iniquitously, and impiously, and illegally, and tyrannically, in these things shall they also perish; for the just judgment of God comes equally upon all, and in no case is defective.”<sup>42</sup>

Tertullian also referenced the right of resistance in his defense of Christian violations of Roman law. He wrote:

“Well, if I have found what your law prohibits to be good, as one who has arrived at such a previous opinion, has it not lost its power to debar me from it, though that very thing, if it were evil, it would justly forbid to me? If your law has gone wrong, it is of human origin ... nor does a citizen render a true subjection to the law, if he does not know the nature of the thing on which the punishment is inflicted. It is not enough that a law is just, nor that the judge should be convinced of its justice; those from whom obedience is expected should have that conviction too. Nay, a law lies under strong suspicions which does not care to have itself tried and approved: it is a positively wicked law, if, unproved, it tyrannizes over men.”<sup>43</sup>

Tertullian expressed this same thought in a later work in which he said that “the king indeed must be honoured, yet so that the king be honoured *only* when he keeps to his own sphere.”<sup>44</sup> Origen carried this right of resistance to its ultimate conclusion in his work *Contra Celsum* where we read:

“If a man were placed among Scythians, whose laws were unholy, and having no opportunity of escape, were compelled to live among them, such an one would with good reason, for the sake of the law of truth, which the Scythians would regard as wickedness, enter into associations contrary to their laws, with those like-minded with himself; so, if truth is to decide, the laws of the heathens which relate to images, and an atheistical polytheism, are ‘Scythian’ laws, or more impious even than these, if there be any such. It is not irrational, then, to form associations in opposition to

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<sup>41</sup> Roberts, Alexander and James Donaldson, *The Ante-Nicene Fathers*, vol. 1 (New York: Scribner and Sons, 1905) 480 <http://books.google.com/books?id=Pe5YAAAAIAAJ&pg=PA480>

<sup>42</sup> Roberts, Alexander and James Donaldson, *The Ante-Nicene Fathers*, vol. 1 (New York: Scribner and Sons, 1905) 552 <http://books.google.com/books?id=Pe5YAAAAIAAJ&pg=PA552>

<sup>43</sup> Roberts, Alexander and James Donaldson, *The Ante-Nicene Fathers*, vol. 3 (New York: Scribner and Sons, 1903) 21 <http://books.google.com/books?id=DCMMAAAIAAJ&pg=PA21>

<sup>44</sup> Roberts, Alexander and James Donaldson, *The Ante-Nicene Fathers*, vol. 3 (New York: Scribner and Sons, 1903) 648 <http://books.google.com/books?id=DCMMAAAIAAJ&pg=PA648>

existing laws, if done for the sake of the truth. For as those persons would do well who should enter into a secret association in order to put to death a tyrant who had seized upon the liberties of a state, so Christians also, when tyrannized over by him who is called the devil, and by falsehood, form leagues contrary to the laws of the devil, against his power, and for the safety of those others whom they may succeed in persuading to revolt from a government which is, as it were, 'Scythian,' and despotic."<sup>45</sup>

Origen was responding to the accusation that Christians violated the law whenever they would meet in secret rather than in public assemblies. In defending the practice of the Christians, he claimed that the secret meetings of Christians in violation of the law were just as praiseworthy as the secret meetings of those who plot to kill a tyrannical king. In making this comparison, Origen reveals to us that the early Christians recognized a crucial component of popular sovereignty in that they recognized the right of the people to depose a ruler whom they found to be a tyrant.

Augustine lived two centuries after Irenaeus, Tertullian and Origen during a time when Christianity enjoyed much toleration and even acceptance throughout the Roman Empire. As a result, he gave less consideration to the right of resisting government and more to the proper nature of government. Instead of focusing on right of the Christian to violate the law, he reasoned of the justice or injustice of the laws themselves and came to the conclusion that: "A law which is not just does not seem to me to be a law."<sup>46</sup> And in his book *The City of God*, Augustine endeavored to improve Cicero's definition of a republic by writing first that "if we are to accept the definitions laid down by Scipio in Cicero's *De Republica*, there never was a Roman republic." This statement was later followed by Augustine's conclusion that:

"if we discard this definition of a people, and, assuming another, say that a people is an assemblage of reasonable beings bound together by a common agreement as to the objects of their love, then, in order to discover the character of any people, we have only to observe what they love. Yet whatever it loves, if only it is an assemblage of reasonable beings and not of beasts, and is bound together by an agreement as to the objects of love, it is reasonably called a people; and it will be a superior people in proportion as it is bound together by higher interests, inferior in proportion as it is bound together by lower."

This view of a state being "an assemblage of reasonable beings bound together by a common agreement" is a recognition of the default popular sovereignty of any people in the same sense in which God recognized the popular sovereignty of the people of Israel. During the seventeenth century, this view came to be known as the social contract theory of government.

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<sup>45</sup> Roberts, Alexander and James Donaldson, *The Ante-Nicene Fathers*, vol. 4 (Buffalo: The Christian Literature Publishing Company, 1885) 397 <http://books.google.com/books?id=MHIXAAAIAAJ&pg=PA397>

<sup>46</sup> Augustine, *The Problem of Free Choice*, Trans. Dom Mark Pontifex (Westminster: The Newman Press, 1955) 44 <http://www.scribd.com/doc/34896526/Aurelie-Augustine-On-Free-Choice-of-the-Will#page=54>

Moving forward in history from Augustine, we come to Aquinas in the thirteenth century who included much material about the biblical doctrines of popular sovereignty in his book *Summa Theologica*. In regards to popular sovereignty itself, Aquinas addressed the power of the people to choose their own laws when he wrote:

“A law, properly speaking, regards first and foremost the order to the common good. Now to order anything to the common good, belongs either to the whole people, or to someone who is the viceregent of the whole people. And therefore the making of a law belongs either to the whole people or to a public personage who has care of the whole people: since in all other matters the directing of anything to the end concerns him to whom the end belongs.”<sup>47</sup>

It is interesting to note that Aquinas was here expounding on the writings of another Christian philosopher by the name of Isidore who wrote in the sixth century that "a law is an ordinance of the people, whereby something is sanctioned by the Elders together with the Commonalty."<sup>48</sup> There is a remarkable correlation between Aquinas' statement regarding the law and the biblical record of God giving His Law first to the people as a whole and then, at their request, to Moses as their representative.

Aquinas also presented an analysis of the various kinds of government after which he came to this conclusion:

“Accordingly, the best form of government is in a state or kingdom, where one is given the power to preside over all; while under him are others having governing powers: and yet a government of this kind is shared by all, both because all are eligible to govern, and because the rulers are chosen by all. For this is the best form of polity, being partly kingdom, since there is one at the head of all; partly aristocracy, in so far as a number of persons are set in authority; partly democracy, i.e. government by the people, in so far as the rulers can be chosen from the people, and the people have the right to choose their rulers. Such was the form of government established by the Divine Law. For Moses and his successors governed the people in such a way that each of them was ruler over all; so that there was a kind of kingdom. Moreover, seventy-two men were chosen, who were elders in virtue: for it is written (Deut. i. 15): I took out of your tribes men wise and honorable, and appointed them rulers: so that there was an element of aristocracy. But it was a democratical government in so far as the rulers were chosen from all the people; for it is written (Exod. xviii. 21): Provide out of all the people wise (Vulg., – able) men, etc.; and, again, in so far as they were chosen by the people; wherefore it is written (Deut. i.

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<sup>47</sup> Aquinas, Thomas, *The Summa Theologica of St. Thomas Aquinas*, part 2, vol 3, Trans. Fathers of the English Dominican Province (London: R. & T. Washbourne, 1915) 6

<http://books.google.com/books?id=9zwNAQAAIAAJ&pg=PA6>

<sup>48</sup> *Ibid*

13): Let me have from among you wise (Vulg., – able) men, etc. Consequently it is evident that the ordering of the rulers was well provided for by the Law.”<sup>49</sup>

Here Aquinas cites the biblical record directly in order to state that a government founded on the principle of popular election is the best form of government. He went on to explain that there were laws given to govern the conduct of the king and that certain violations of those laws cause kings to become tyrants:

“As regards the appointment of a king, He did establish the manner of election from the very beginning (Dt. 17:14, seqq.): and then He determined two points: first, that in choosing a king they should wait for the Lord's decision; and that they should not make a man of another nation king, because such kings are wont to take little interest in the people they are set over, and consequently to have no care for their welfare: secondly, He prescribed how the king after his appointment should behave, in regard to himself; namely, that he should not accumulate chariots and horses, nor wives, nor immense wealth: because through craving for such things princes become tyrants and forsake justice. He also appointed the manner in which they were to conduct themselves towards God: namely, that they should continually read and ponder on God's Law, and should ever fear and obey God. Moreover, He decided how they should behave towards their subjects: namely, that they should not proudly despise them, or ill-treat them, and that they should not depart from the paths of justice.”<sup>50</sup>

This recognition of the fact that kings can become tyrants generated several occasions for discussions of the right to resist tyrants. One of those discussions included this statement:

“A tyrannical government is not just, because it is directed, not to the common good, but to the private good of the ruler, as the Philosopher states (Polit. iii, 5; Ethic. viii, 10). Consequently there is no sedition in disturbing a government of this kind, unless indeed the tyrant's rule be disturbed so inordinately, that his subjects suffer greater harm from the consequent disturbance than from the tyrant's government. Indeed it is the tyrant rather that is guilty of sedition, since he encourages discord and sedition among his subjects, that he may lord over them more securely; for this is tyranny, being conducive to the private good of the ruler, and to the injury of the multitude.”<sup>51</sup>

In another place, Aquinas explained that this right to resist a tyrannical government extended to the use of force in cases of self-defense against an unjust sentence of death. He wrote that:

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<sup>49</sup> *Ibid*, 250 <http://books.google.com/books?id=9zwNAQAAlAAJ&pg=PA6250>

<sup>50</sup> *Ibid*, 251 <http://books.google.com/books?id=9zwNAQAAlAAJ&pg=PA6251>

<sup>51</sup> Aquinas, Thomas, *The Summa Theologica of St. Thomas Aquinas*, part 2, vol 1, Trans. Fathers of the English Dominican Province (London: R. & T. Washbourne, 1917) 518  
<http://books.google.com/books?id=jT0NAQAAlAAJ&pg=PA518>

“A man may be condemned to death in two ways. First justly, and then it is not lawful for the condemned to defend himself, because it is lawful for the judge to combat his resistance by force, so that on his part the fight is unjust, and consequently without any doubt he sins. Secondly a man is condemned unjustly: and such a sentence is like the violence of robbers, according to Ezech. 22:27, "Her princes in the midst of her are like wolves ravening the prey to shed blood." Wherefore even as it is lawful to resist robbers, so is it lawful, in a like case, to resist wicked princes; except perhaps in order to avoid scandal, whence some grave disturbance might be feared to arise.”<sup>52</sup>

The right to resist robbers is not explained in this paragraph, but it is based on the teaching of Scripture that “if a thief be found breaking up, and be smitten that he die, there shall no blood be shed for him.”<sup>53</sup>

Thus we see that Aquinas continued the Christian recognition of the biblical precepts of popular sovereignty. He noted the right of the people to make their own laws. He found a government of elected rulers to be the best form of government, and he recognized the right of the people to resist tyranny. All three of these points can be found repeated throughout the *Summa Theologica*.

We began this section with a statement from Sir Robert Filmer’s book *Patriarcha*, and having established that Christians have taught the biblical doctrine of popular sovereignty throughout their history, let us return to Filmer and consider the men that he wrote against. One of those men was Robert Persons whose book *A Conference About the Next Succession to the Crowne of England* was written specifically to defend the right of the people to choose their own rulers. In that book, Persons presented a plethora of arguments from Scripture to support his view of popular sovereignty one of which was as follows:

"I have heard alleged sometimes by diverse those words of S. Peter ... Be you subject of every human creature, for God’s cause, whether it be to a king, as the most excellent, or to Dukes sent by God for the punishment of evil men and praise of the good. Out of which words some do note two points, first that as on the one side the Apostle doth plainly teach that the magistrates authority is from God, by his first institution, in that he sayeth, we must be subject to them for God’s cause, so on the other side, he calleth it a human creature or a thing created by man, for that by man’s free choice this particular form of government (as all other also) is appointed in every commonwealth, as before hath been declared: and that by mans election and consent, the same is laid upon some particular man or woman, according to the laws of every

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<sup>52</sup> Aquinas, Thomas, *The Summa Theologica of St. Thomas Aquinas*, part 2, vol 2, Trans. Fathers of the English Dominican Province (New York: Benziger Brothers, 1918) 262

<http://books.google.com/books?id=149KAAAAYAAJ&pg=PA262>

<sup>53</sup> Exodus 22:2

country, all which maketh it rightly to be called both a human creature, and yet from God."<sup>54</sup>

Persons later presented five examples from Scripture of the right of the people to resist tyranny with force. The first of those examples was:

"And for particular precedents of punishing of evil princes, in like manner by force and violence, when other means will not serve, these men say that besides all the great multitudes of examples alleged before by the Civil lawyer, in his fourth chapter, about evil kings deposed, there is great variety of several manners how the same hath been done, by God's own ordinance, recounted in holy writ, as first when the scripture sayeth in the books of Judges that Ehud was stirred up by God to kill Eglon king of the Moabites that persecuted the people of Israel, and the manner was to feign a secret Embassage or message unto him, and so to slay him in his chamber, as he did, and God delivered his people by that means, and chose this particular way, whereas none will deny but that he might have done it by many other means less odious to the world than this was, that seemed so cruel and full of treason."<sup>55</sup>

These were the types of arguments that Filmer wrote against in his book *Patriarcha*, and these were the kinds of arguments that Locke defended in his *Two Treatises on Government*. Filmer attributed similar arguments to George Buchanan, Cardinal Bellarmine and John Calvin thereby indicating for us that the principles of popular sovereignty were known to have had a longstanding presence in Christian political thought.

In addition to Filmer, there is also another hostile witness to the prevalence of this doctrine among Christians. That witness is found in the writings of John Nalson. Nalson's book *The Common Interest of King and People* was written in defense of the concept of monarchy. The first part of that book defended the authority of the British monarchy against the claims of the Pope, but the second part was a defense of monarchy against Presbyterianism which was Nalson's term for the idea that the people had a right to choose their own rulers. The eighth chapter of this book begins with a scathing description of the sects of Christians which advocated this view of government:

"Let us now come to take a view of the Younger Antagonists of Monarchy, The Popular Supremace of Presbytery, that Lerna Malorum, that revived Hydra of the Lake of Geneva, with its many headed Progeny, Anabaptists, Quakers, Levellers, &c.

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<sup>54</sup> [I have taken the liberty of updating the spelling in all quotes from this source] Persons, Robert, *A Conference About the Next Succession to the Crowne of England* (R. Doleman, 1594) 17  
<http://books.google.com/books?id=kOQbU56suzcC&pg=PA17>

<sup>55</sup> *Ibid*, 2-68 <http://books.google.com/books?id=kOQbU56suzcC&pg=RA1-PA68>

all which Unnatural off-spring of this Monster are as kind to their Dam as Vipers, and as inconsistent with Monarchy as they pretend to be with the Papacy."<sup>56</sup>

Nalson then proceeded to ridicule the political doctrines of these sects, and in so doing, he revealed to us that these particular Christians had a history of defending popular sovereignty. Consider this paragraph as an example:

“And that this was the natural and easie consequence, or to speak in their Cant the Use of Exhortation and Encouragement is plain: for it is lawful for all men to seek after Liberty, especially of Conscience; The People of these Nations are a freeborn People: It is the greatest felicity, and they the most happy People who may enjoy this Dear Liberty; all men are bound to promote their own Happiness, they cannot do too much to preserve it, and if they do indeavour most stoutly and constantly to maintain it, by War and Rebellion, they do no more than their duty does command them. The King was a Tyrant, and under the notion of Prerogative, did daily intrinch upon the Peoples Priviledge and Liberty, he had a design to enslave them; The Commons were oppressed both in their Civil and Religious Rights; The Parliament were the Peoples Representatives, and from them had a power to defend their Liberties, and that stoutly with Sword and Pistol, Powder and Bullet, and to call the King to an account and to judge him for these miscarriages as from Calvins own words I shall presently show. The King had rendred himself unworthy to reign, as from his words and Knoxes another of their fiery Doctors I shall shew; Therefore they might in defence and for the preservation of their Dear Liberties, especially Liberty of Conscience and Moderation, and the Rights of the People, make War against him ... they might by the encouragement and prevalency of their prosperous villanies alter the establishit form of Government, Civil and Ecclesiastical, depose the King, take away his Crown and Life, banish his Successor, and the whole Royal Family.”<sup>57</sup>

This paragraph is almost immediately followed by another in which we find:

“A second Principle of Presbytery is, that Kings have no divine Right to their Crowns, but that the Peoples Election is the only true Title to them, or which is as bad, that only the Laws and Constitutions of the Nation give them their Right.”<sup>58</sup>

Thus we find that Filmer and Nalson, two very prominent opponents to popular sovereignty, both recognized that this ideology had been proclaimed by Christians for several centuries prior to the writings of Hobbes, Locke and Rousseau.

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<sup>56</sup> Nalson, John, *The Common Interest of King and People* (London: Jonathan Edwin, 1678) 201  
<http://books.google.com/books?id=zmAKAQAAAJ&pg=PA201>

<sup>57</sup> *Ibid*, 209-211 <http://books.google.com/books?id=zmAKAQAAAJ&pg=PA209>

<sup>58</sup> *Ibid*, 211-212 <http://books.google.com/books?id=zmAKAQAAAJ&pg=PA211>

We have seen that the Bible clearly teaches the sovereignty of the people, and that this doctrine has been noted by Christians throughout the entire history of the church. This discovery naturally leads us to question whether the founders of America also understood that the right of “we the people” to form our own government is firmly established in the Scriptures. We will discuss the answer to this question at length in a future article, but for now, let us simply recall the words of John Adams who wrote:

"And if I should undertake to say, there never was a good government in the world, that did not consist of the three simple species of monarchy, aristocracy, and democracy, I think I may make it good. This at the least is certain, that the government of the Hebrews, instituted by God, had a judge, the great Sanhedrim, and general assemblies of the people."<sup>59</sup>

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<sup>59</sup> Adams, John, *A Defence of the Constitutions of Government of the United States of America*, vol 1 (Philadelphia: Budd and Bartram, 1797) 149 <http://books.google.com/books?id=aH0NAAAAYAAJ&pg=PA149>

## NOTES